



JACK W. BERG

Mayor

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**CITY OF BRIDGEPORT
NEBRASKA**

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**CITY OF BRIDGEPORT
PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL**

Council Chambers, City Hall, 809 Main Street, Bridgeport, Nebraska
Thursday, June 5, 2008
7:30 PM

The regular meeting of the City Council of the City of Bridgeport, Nebraska, was convened in open and public session at 7:30 p.m. June 5, 2008 in City Council Chambers at Bridgeport City Hall, 809 Main Street, Bridgeport, Nebraska. Present were J.W. Berg, Mayor; Councilmen Greg Lussetto, Jason Schmunk, Willis Beyer, and Gary Oltmann. City Attorney Jimmie J. Jensen, Jr., City Administrator Bill Boyer, City Clerk/Treasurer Dori Huck, Utilities Superintendent Wayne Kautz, Assistant Utilities Superintendent Daniel Smith, Street Superintendent David Smith, Utilities Assistant Perry Nelson, and Police Chief Ismael Cardenas were also present. Notice of the meeting was given in advance thereof by publication in the Bridgeport News-Blade, the designated method of notice given. Advance notice of the meeting was also given to the Councilmen and a copy of their acknowledgment or receipt of such notice is attached to these minutes. Availability of the Agenda was communicated in the advance notice and in the notice to the Mayor and City Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

I. ROUTINE BUSINESS

Pledge of Allegiance

Mayor Berg led the Pledge of Allegiance.

Announcement of Open Meetings Act

Mayor Berg announced, "In accordance with Section 84-1412 of the Nebraska Revised Statutes, the open meetings act is posted at the back of the Council Chambers for the review of the public."

Notice of Changes in the Agenda

Mayor Berg asked if there were any changes to the agenda. There were none.

Bill Boyer, City Administrator
Dori Huck, City Clerk/Treasurer
Jimmie J. Jensen, Jr., City Attorney

Jason Schmunk, Council President
Willis Beyer, Councilman
Greg Lussetto, Councilman
Gary Oltmann, Councilman

Oral Communications – Recognition of Visitors

Mayor Berg welcomed all visitors in attendance and invited any member of the public to address the Council on a topic that was not on the agenda. There were none.

II. CONSENT AGENDA

The following items were offered to the Council on Consent Agenda:

1. Approve the Minutes of Regular Meeting held May 8, 2008.
2. Approve the Application for Special Designated License submitted by Kim M. Swires (dba “Court House and Jail Rock Golf Course”) in connection with their Class I-03389 liquor license to dispense beer, wine and distilled spirits at Prairie Winds Community Center, 428 N. Main Street, Bridgeport, on July 4, 2008 from 5:00 p.m. to 12:00 a.m. in conjunction with a reception.
3. Approve members of the Bridgeport Volunteer Fire Department.
4. Approve the following appointments to the Library Board: Avis Brauer (2009), Kathy Sides (2009), Pat Goltl (2009), Zell Christensen (2011), Brandi Linders (2011).
5. Approve the following appointments to the Planning Commission: Tami Franklin (2009), Terri Green (2009), Jane Oliver (2009), Dale Giboney (2010), Wendy Lummell (2010), Dan Krentz (2011), Susan Meyers (2011).
6. Approve the following appointments to the Board of Park Commissioners: Deanna Berg (2009), Dorothy Brenning (2009), Scott Linders (2009), Arnold Ostdiek (2009), Wendy Wickard (2009).
7. Approve the following appointments to the Housing Authority Board: Hazel Kleich (2009), Rosa Watson (2010), Ruby Benevides (2011), Nancy Eichthaler (2011), Andy Benevides (2012), Oneva Lummell (2013).
8. Approve the following appointments to the Community Center Operating Board: Irene Pappas (2009), Todd Kraus (2009), Lori Faessler (2010), JD Nein (2010), Angie Lapaseotes (2011), Brandi Livingston (2011), Lou Shoff (2011).
9. Approve the following appointment to the SWAP Committee: Dale Frickey.

Councilman Oltmann moved to approve the consent agenda as presented, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Oltmann, Lussetto, Schmunk, Beyer; Nay: None. Motion carried.

III. PUBLIC HEARINGS

At 7:38 p.m., Mayor Berg opened the Public hearing on Rezoning of Property located at Part of the West Half Southwest Section 21, Township 20, Range 50, Morrill County, Nebraska.

City Administrator Boyer explained that the property is not in the City of Bridgeport, but within the one-mile jurisdiction for zoning. The property in question is the old drive-in theatre. The property has been sold and the new owners are wanting to just use the house, and have some outbuildings. Therefore, he would recommend that the property be rezoned from “HC” Highway Commercial to “A” Agriculture. Boyer stated that the Planning Commission held a public hearing, and recommended that the Council rezone the property.

Dean Kline addressed the Council. He stated that he is buying the land and the bank wants the property rezoned from Commercial in order to get a loan on the property. He said he plans to have a

house there, and maybe a couple pens so his children can have animals for 4-H. He has no plans of running a livestock operation at the property.

Mayor Berg asked if there were any other members of the public who wished to comment during the public hearing. Seeing none, the Mayor declared the public hearing closed at 7:40 p.m.

IV. ORDINANCES AND RESOLUTIONS

1. Councilman Oltmann introduced Ordinance Number 775, an ordinance amending the zoning map of the City of Bridgeport, Nebraska, and moved and move that the statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 775 be considered for passage upon reading by number only, and then placed on final passage; seconded by Councilman Schmunk. Mayor Berg asked if any Councilman or member of the public wished to comment on the ordinance. There were none. Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann, Lussetto; Nay: None. Motion carried.

Mayor Berg stated, "The question is, Shall Ordinance Number 775 be passed and adopted?" Roll call resulted as follows: Yea: Lussetto, Schmunk, Oltmann, Beyer; Nay: None.

The passage and adoption of the ordinance having been concurred in by a majority of all members of the Council, the Mayor declared Ordinance No. 775 adopted, and the Mayor in the presence of the Council signed the ordinance and the clerk attested said signature of the Mayor by subscribing her name thereto and affixing thereon the seal of the City of Bridgeport, Nebraska.

2. Mayor Berg introduced Resolution No. 2008-006: A resolution authorizing the issue of whether the City of Bridgeport, Nebraska should adopt or reject an ordinance to prohibit the addition of fluoride to the city water system to be placed on the general election ballot. City Administrator Boyer explained that this resolution will allow residents to vote whether or not to have fluoride added to the City's water system. Councilman Schmunk moved to approve resolution 2008-006, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto, Oltmann; Nay: None. Motion carried. Resolution adopted.

RESOLUTION NO 2008-006

A RESOLUTION AUTHORIZING THE ISSUE OF WHETHER THE CITY OF BRIDGEPORT, NEBRASKA SHOULD ADOPT OR REJECT AN ORDINANCE TO PROHIBIT THE ADDITION OF FLUORIDE TO THE CITY WATER SYSTEM TO BE PLACED ON THE GENERAL ELECTION BALLOT.

WHEREAS, Section 71-3305 of the Nebraska Statutes requires any city with a population of one thousand or more to add fluoride to the city's water system; and

WHEREAS, Section 71-3305 allows voters of a city to vote to adopt an ordinance before June 1, 2010, to prohibit the addition of fluoride to the city water system; and

WHEREAS, Section 71-3305 authorizes the governing body to place the ordinance to prohibit the addition of fluoride to the city water system on the ballot; and

WHEREAS, the Mayor and City Council of the City of Bridgeport, Nebraska, have determined that there is interest in determining whether fluoride should be added to the city's water system.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA:

Section 1. That at the general election to be held on Tuesday, November 4th, 2008, the issue of whether the City of Bridgeport, Nebraska, should adopt or reject an ordinance to prohibit the addition of fluoride to the City water system shall be submitted to the qualified electors of the City and to be presented in the following form:

Shall the City of Bridgeport, Nebraska, adopt an ordinance to prohibit the addition of fluoride to the City's water system?

_____ Yes (To prohibit fluoride from the water system)

_____ No (Against the prohibition of fluoride from the water system)

Section 2. That the City Clerk is authorized and directed to certify a copy of this resolution to the election commissioner/county clerk by September 2, 2008. The City agrees to reimburse the election commissioner/county clerk for the expenses of conduction the election, as required by law.

Passed and approved this 5th day of June, 2008.

/s/ J.W. Berg, Mayor

(SEAL)

/s/ Dori Huck, City Clerk/Treasurer

3. Mayor Berg introduced Resolution No. 2008-007: A resolution authorizing and directing the Mayor, the City Administrator and the City Clerk/Treasurer to sign all documents as may be required in processing or completing the USDA, Rural Development Program Loan/Grant. City Administrator Boyer explained that this resolution will designate those who are allowed to sign applications for grant funds for the water project. Councilman Lussetto moved to approve resolution 2008-007, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried. Resolution adopted.

RESOLUTION NO 2008-007

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, THE CITY ADMINISTRATOR AND THE CITY CLERK/TREASURER TO SIGN ALL DOCUMENTS AS MAY BE REQUIRED IN PROCESSING OR COMPLETING THE USDA, RURAL DEVELOPMENT COMMUNITY PROGRAM LOAN/GRANT.

WHEREAS, the City of Bridgeport is in the process of applying for a USDA Rural Development Loan/Grant to fund a portion of the costs to the water treatment facility; and

WHEREAS, there are certain and various documents which require signatures of the Mayor, the City Administrator, and/or the City Clerk/Treasurer.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA:

Section 1. That the Mayor, City Administrator, and City Clerk/Treasurer are hereby authorized to sign all documents as may be required in the processing or completing of the USDA, Rural Development Loan/Grant.

Section 2. If the Mayor, City Administrator and/or City Clerk/Treasurer should change because of an election or other reasons during the processing of the USDA Rural Development/Community Program application, the Mayor and City Council will not need to amend this resolution so the Mayor, City Administrator, and City Clerk/Treasurer can sign any form(s) and security instrument(s) to finalize the USDA Rural Development/Community Program financial assistance.

Passed and approved this 5th day of June, 2008.

/s/ J.W. Berg, Mayor

(SEAL)

/s/ Dori Huck, City Clerk/Treasurer

4. Mayor Berg introduced Resolution No. 2008-008: A resolution authorizing and directing the Mayor, the City Administrator and the City Clerk/Treasurer to sign all documents as may be required in processing or completing the USDA, Rural Development Facility Loan/Grant. City Administrator Boyer explained that this resolution will designate those who are allowed to sign applications for grant funds for the outdoor warning sirens. Councilman Schmunk moved to approve resolution 2008-008, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Oltmann, Schmunk, Beyer, Lussetto; Nay: None. Motion carried. Resolution adopted.

RESOLUTION NO 2008-008

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, THE CITY ADMINISTRATOR AND THE CITY CLERK/TREASURER TO SIGN ALL DOCUMENTS AS MAY BE REQUIRED IN PROCESSING OR COMPLETING THE USDA, RURAL DEVELOPMENT COMMUNITY FACILITY LOAN/GRANT.

WHEREAS, the City of Bridgeport is in the process of applying for a USDA Rural Development Loan/Grant to fund a portion of the costs to the water treatment facility; and

WHEREAS, there are certain and various documents which require signatures of the Mayor, the City Administrator, and/or the City Clerk/Treasurer.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA:

Section 1. That the Mayor, City Administrator, and City Clerk/Treasurer are hereby authorized to sign all documents as may be required in the processing or completing of the USDA, Rural Development Loan/Grant.

Section 2. If the Mayor, City Administrator and/or City Clerk/Treasurer should change because of an election or other reasons during the processing of the USDA Rural Development/Community Facility application, the Mayor and City Council will not need to amend this resolution so the Mayor, City Administrator, and City Clerk/Treasurer can sign any form(s) and security instrument(s) to finalize the USDA Rural Development/Community Facility financial assistance.

Passed and approved this 5th day of June, 2008.

/s/ J. W. Berg, Mayor

(SEAL)

/s/ Dori Huck, City Clerk/Treasurer

V. CLAIMS

Councilman Schmunk stated that he has a conflict with the Sonny's Super Foods claim and asked to be excused from voting on that claim. Mayor Berg excused Councilman Schmunk. Councilman Beyer moved to approve the claim to Sonny's Super Foods, seconded by Councilman Oltmann. Roll call

resulted as follows: Aye: Beyer, Lussetto, Oltmann; Nay: None; Not Voting, Excused: Schmunk. Motion carried.

Councilman Schmunk rejoined the Council.

Councilman Oltmann moved to approve the claims on file, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Lussetto, Beyer, Oltmann, Schmunk; Nay: None. Motion carried.

ABC Plumbing Inc, \$652.48; Aflac, \$229.80; Airgas Intermountain Inc, \$30.62; Alltel, \$1394.30; Bateman Trading Post, \$1330.98; Benzel Pest Control Inc, \$90; Berg's Gamble Store, \$699.04; Bill Boyer, \$722.05; Bluecross Blueshield Of Ne, \$4638; Bluffs Sanitary Supply Inc, \$405.92; BNB Inc, \$1388.02; Brent Conley, \$121.37; Brian Peters, \$240; Broadway Office Supply Inc, \$29.99; California Contractors Supplies Inc, \$219.40; Capital Bank And Trust Company, \$3103.05; Carolyn Arellano, \$79.05; Charter Communications, \$150.10; Chase Cardmember Service, \$952.79; City Of Bridgeport, \$3134.83; City Petty Cash/Checking, \$15.50; City Petty Cash/Drawer, \$4.80; Combined Utility Fund, \$10000; Commsource Inc, \$492; Community Center, \$15000; Connecting Point Computer Centers, \$67; Contractors Materials, Inc, \$2238.04; Country Home Magazine, \$21.97; Crescent Electric Supply Co, \$1691.17; Culligan Water Conditioning, \$45.85; Danko Emergency Equipment Co, \$232.14; Danny Hopwood Computer Service, \$1420.92; Dell Marketing Lp, \$2658.76; Dori Huck, \$154.94; Downtown Appearance, \$1600; Emergency Medical Products Inc, \$95.13; Enid Jacobson, \$85; Enviro Service Inc, \$177; Environmental Compliance Solutions, LLC, \$675; Family Circle Magazine, \$19.98; Family Support Registry, \$422; Family Tree Magazine, \$25.96; Farm Plan Department, \$869.47; Ferguson Signs Inc, \$810; Floyd's Sales & Service Inc, \$20.22; Fort Dearborn Life Insurance Co, \$103.20; Fyr-Tek, \$524.85; Gale Group, \$91.53; Goelements, \$120; Gilmore & Bell, \$15000; Grainger, \$112.27; Gumdrop Books Central Programs, \$457.31; Hannah Geller, \$25; Hatheway Radio & TV, \$50; Heiman Fire Equipment Inc, \$19.50; Ideal Linen Supply Inc, \$938.77; Images West, \$65; Ingram Library Services, \$656.73; Jean Rhodes, \$100; Jessica Martin, \$114.89; Jim Woznick, \$200; Jimmie J Jensen Jr, \$750; Jimmy Mcgee, \$85; Kay Anderson, \$40; Knowledge Industries Inc, \$343.41; Koke's Auto Farm Truck, \$448.01; Kriz-Davis Co, \$939.83; Landfill Fund, \$5000; Larue Distributing Inc, \$91.11; Lathrop Equipment Company, \$5799.60; Library Fund, \$10000; Manda Steer, \$68.89; Marti Jensen, \$22.49; Melissa Johnson, \$177.89; Mid American Specialties, Inc, \$267.43; Mike's Screenprinting & Awards Inc, \$590.50; Minnesota Child Support Payment Center, \$46.14; Morgan Faessler, \$50; Morrill County Sheriff, \$500; Morrill County Weed Control, \$265; Mr. Water, \$91; Municipal Energy Agency Of Ne, \$46536.68; Nebraska Crime Commission, \$7; Nebraska Department Of Revenue, \$1361.45; Nebraska Library Commission, \$10.31; Nebraska Public Health Environmental Lab, \$370; Nebraska Public Power District, \$140.52; Nebraska Total Office, \$4762.33; Nein Pharmacy, \$4.86; Northwest Pipe Fittings Inc Of Scottsblu, \$5242.02; Omaha World Herald, \$24.05; Orbitcom, \$1058.05; Panhandle Cooperative Assn, \$553.45; Penworthy Company, \$327.73; Pine Bluffs Gravel & Excavating Inc, \$102.74; Platte Valley Bank, \$6305.37; Platte Valley Visa, \$1601.74; Plummer Insurance Inc, \$1365; Police Fund, \$15000; Pool Fund, \$8000; Printworks, \$82.65; Quill Corporation, \$139.46; Quiltmaker, \$14.99; Rebecca Seng, \$60.27; Riverside Lumber LLC, \$84.51; Ron Konecny, \$6000; Sam Spurgeon, \$25; Sandberg Implement, Inc, \$104.02; Sew Many Friends, \$75; Sonny's Super Foods, \$1247.22; Source Gas LLC, \$1005.36; Spic And Span Cleaners, \$4453.25; Staples, \$269.98; Susan Sparks, \$150; Sweet Things Bakery, \$38.60; T & R Service, \$135; The Tarnished Halo, \$7; Tim's Jack & Jill, \$640.26; Town & Country Advertising, \$66; T-Shirt Wholesaler, \$305.35; Upstart, \$122.80; Valley Ambulance Services Inc, \$170.64; Valley Water

Systems, Inc, \$724.57; Waste Connections Inc, \$13183.24; Wendi Wickard, \$132.44; Wesco Distribution Inc, \$1842.32.

VI. REGULAR AGENDA

1. There were no emergency items added to the agenda.
2. Mike Milius with Olsson Associates updated the City Council on the water treatment plant project. Mike said that USDA-Rural Development has said that they will use grant funds to cover anything above a \$34 average monthly water bill. That means that the city is likely going to get about \$1.2 million in grant money, and about \$2.4 million in loans. There are a total of five phases in the project, and USDA-Rural Development only plans on funding phase I. Milius stated that the Council will need to decide what, if any, other phases the City would like to add into the project. After discussion, the Council directed Milius to do the design work for all five phases. He said the City will be able to pick and choose which phases they would like to complete based on the bids received, and they are under no obligation to award any contracts.
3. Don Dye with MC Schaff discussed the options that the City has for paving South Railroad Avenue. Dye presented the Council with two options, a 24-foot roadway with curb and gutter, or a 28-foot roadway with no curb or gutter. After discussion, the Council directed Dye to proceed with the 28 foot roadway with no curb or gutter. Both projects are a little over \$2 million. However, because of Morrill County's cooperation, the federal government could pay 80 percent of the project cost.
4. City Administrator Boyer said that he would like to form a task force to look at the snow removal plan for the City of Bridgeport. After discussion, the Council appointed Councilman Oltmann to the task force.
5. City Administrator Boyer addressed the Council regarding a residence at 520 E. 10th Street, Bridgeport. He said that there were two sewer backups at the property and the City paid to have the property cleaned-up after the accidents. Last month, the property owner brought a list of items damaged from the accident to the City Office to be paid by the City. The bill totaled \$10,655.00. Boyer received a letter from Gary's Restoration who stated that the property owner asked the owner to sort through all of the items. She stated that they were mostly things she needed to get rid of. After discussion, the Council directed City Administrator Boyer to write a letter to the property owner stating that the City would not be paying for the damaged items.
6. City Administrator Boyer asked that Council to consider issuing a citation for code violation at Section 28, Township 20, Range 50; Tax ID 63629 and 63602 within the extra-territorial zoning jurisdiction of the City of Bridgeport, Nebraska. He stated that there was still a trailer on the property. After discussion, Council directed City Administrator Boyer to discuss the issue with the property owner and report back in July.

VII. STAFF REPORTS

1. Mayor Berg declared to accept the May 2008 Treasurers Report as received.

2. City Administrator Boyer informed the Council that the ACE results were in, and the City had a increase in both volume and market share. He stated that the amount of dollars the City would be receiving from ACE this year would be more than last year.

Boyer also addressed the Council on the need to update the employee handbook and establish a pay scale for employees. He said that he would have something for the Council to look at in July.

There being no other business, Councilman Schmunk moved to adjourn the meeting at 8:51 p.m., seconded by Councilman Beyer. Roll call resulted as follows: Aye: Oltmann, Schmunk, Lussetto, Beyer; Nay: None. Motion carried. Meeting adjourned.

Dori Huck, City Clerk/Treasurer

APPROVED:

J.W. Berg, Mayor