

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

Council Chambers, City Hall, 809 Main Street, Bridgeport, Nebraska
Thursday, August 7, 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. July 10, 2008 in City Council Chambers at Bridgeport City Hall, 809 Main Street, Bridgeport, Nebraska. Present were J.W. Berg, Mayor; Councilmen Jason Schmunk, Willis Beyer, and Gary Oltmann; Absent: Greg Lussetto. City Attorney Jimmie J. Jensen, Jr., City Administrator Bill Boyer, City Clerk/Treasurer Dori Huck, Street Superintendent David Smith, Utilities Superintendent Wayne Kautz 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. 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 announced one change to the agenda. Adding item #6 to the consent agenda: Approve the appointment of Robert Littlefield to active status with the Bridgeport Volunteer Fire Department.

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 July 10, 2008.
2. Approve the minutes of Special Meeting held July 24, 2008.
3. Acceptance of the Monthly Treasurer's Report.
4. Approve the letting of bids for a new pickup for the Utilities Superintendent, and set the deadline for bids as 12:00 noon on September 11, 2008.
5. Approve the appointment of Brittani J. Jimenez as Deputy City Clerk effective August 25, 2008.

6. Approve the appointment of Robert Littlefield to active membership for the Bridgeport Volunteer Fire Department.

Councilman Oltmann asked that item number 5 be removed to be discussed separately. Councilman Schmunk moved to approve the consent agenda as presented, with the exception of item number 5, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Beyer, Oltmann, Schmunk; Nay: None; Absent: Lussetto. Motion carried.

III. PUBLIC HEARINGS

None.

IV. ORDINANCES AND RESOLUTIONS

1. The Council discussed an ordinance relating to an occupation tax levied upon every business offering and providing retail water and retail electricity to the public in the City of Bridgeport, Nebraska. After discussion, concerns were raised in the way the ordinance was written, as it could be construed as levying the tax against anyone who sells bottled water. Council recommended that staff look at the ordinance more closely and make sure that the ordinance is written more clearly, and the Council will address the issue at the next meeting.

2. City Administrator Boyer presented a plan for snow emergency routes to the Council. The workgroup of Boyer, Councilman Oltmann, and Street Superintendent Smith studied several plans from cities across the state, big and small. After several meetings, the group drafted a snow emergency plan for the City of Bridgeport. The plan calls for emergency snow routes in the City, and will restrict parking when a snow emergency has been issued. There will be fines and the possible towing of vehicles when the snow emergency has been issued. Boyer said that he will make sure the public is informed of the plan, through the website, newspaper and possible mailings. Signs will be erected along the routes as soon as possible. The Council also discussed the fact that there will be several driveways that are "plowed in" in residential areas when these snow removal efforts are put into effect. However, the Council agreed that in order to get the streets clean, there will have to be some residents that are inconvenienced by the removal of snow into their driveways and sidewalks.

Councilman Schmunk introduced Ordinance Number 777: An ordinance establishing snow emergency routes; the declaration of a snow emergency; prohibiting the parking on snow emergency routes; prohibiting parking on downtown commercial areas during a snow emergency; prohibiting parking in the parking lot at community center during a snow emergency; movement of snow from private property; restricting the operation of motor vehicles on snow emergency routes; allowing for the emergency declarations of the City Administrator; provisions temporarily effective to take precedence; removal of stalled or parked vehicles; establishing penalties for violation; repealing all ordinances and parts of ordinances in conflict herewith; to repeal conflicting ordinances; and to provide for publication of this ordinance and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 777 be considered for passage upon reading by number only, and then place on final passage, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Beyer, Schmunk, Oltmann; Nay: None; Absent: Lussetto. Motion carried. The clerk read the ordinance as Ordinance Number 777, and the mayor posed

the question: Shall Ordinance Number 777 be passed and published by law? Roll call resulted as follows: Aye: Oltmann, Beyer, Schmunk; Nay: None; Absent: Lussetto. Motion carried.

V. CLAIMS

Councilman Schmunk stated that he has a conflict with the Performance Auto Spa and Sonny's Super Foods claims and asked to be excused from voting on those claims. Mayor Berg excused Councilman Schmunk. Councilman Beyer moved to approve the claims to Performance Auto Spa and Sonny's Super Foods, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Oltmann; Nay: None; Not Voting, Excused: Schmunk; Absent: Lussetto. 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: Schmunk, Oltmann, Beyer; Nay: None; Absent: Lussetto. Motion carried.

ABC Plumbing Inc, Operating Expenses, \$429.85; Affordable Security, Repairs & Maintenance, \$31.95; Aflac, Aflac, \$229.80; Allen Clark, Customer Meter Deposits, \$150.00; Ashley Vergil, Contract Services, \$9.00; Bateman Trading Post, Fuel, \$1461.30; Benzel Pest Control Inc, Operating Expenses, \$180.00; Berg's Gamble Store, Operating Expenses, \$428.30; Bill Boyer, Mileage, \$51.48; Bill Boyer, Training, \$10.38; BlueCross BlueShield Of Ne, Health Insurance, \$5,101.80; Bluffs Sanitary Supply Inc, Operating Expenses, \$306.80; BNB Inc, Museum, \$34.49; BNB Inc, Office Supplies, \$15.99; BNB Inc, Printing & Publications, \$523.23; Bound Tree Medical, LLC, Rescue, \$847.90; Brad Mueller, Postage, \$4.85; Bridgeport 66 Service, Vehicle Expense, \$269.33; Brooke Schwartz, Contract Services, \$500.00; Cafeteria Plan, Cafeteria Plan, \$325.00; Capital Bank And Trust Company, Retirement/City Share, \$1,220.61; Capital Bank And Trust Company, Retirement/Employee Share, \$1,964.99; Carolyn Arellano, Mileage, \$93.30; Carolyn Arellano, Training, \$42.00; Charter Communications, Operating Expenses, \$374.81; Chase Card Member Service, Fuel, \$1,166.87; City Of Bridgeport, Customer Meter Deposits, \$5,084.35; City Petty Cash/Checking, Dues & Fees, \$31.00; City Petty Cash/Checking, Training, \$29.97; City Petty Cash/Drawer, Operating Expenses, \$11.80; City Petty Cash/Drawer, Postage, \$4.80; Claudia Loomis, Training, \$339.00; Cliff Middleton, Contract Services, \$13.00; Combined Utility Fund, Transfers, \$10,000.00; Community Center, Transfers, \$23,300.00; Connecting Point Computer Centers, Contract Services, \$67.00; Contractors Materials, Inc, Repairs & Maintenance, \$481.60; Contractors Materials, Inc, Tools, \$35.00; Country Catering, Contract Services, \$492.25; Courtney Laux, Contract Services, \$36.00; Crescent Electric Supply Co, Operating Expenses, \$3,990.89; Crescent Electric Supply Co, Repairs & Maintenance, \$6.00; Cuisine At Home, Magazines, \$24.00; Culligan Water Conditioning, Operating Expenses, \$136.55; Dale Bentley, Operating Expenses, \$190.00; Dee Hannaford, Program Fees, \$25.00; Dell Marketing LP, Operating Expenses, \$3,189.97; Diamond Lake Book Co, Books, \$223.95; Dianna Frickey, Program Fees, \$25.00; Dutton Lainson Co, Operating Expenses, \$2,517.18; E & S Auto Supply, Machinery & Equipment, \$150.40; E & S Auto Supply, Vehicle Expense, \$160.47; Emergency Medical Products Inc, Rescue, \$116.86; Enviro Service Inc, Operating Expenses, \$26.00; Evaristo Garza, Contract Services, \$9.00; Everyday With Rachael Ray, Magazines, \$20.00; Family Support Registry, Garnishment, \$422.00; Family Fun, Magazines, \$15.95; Farm Plan Department, Operating Expenses, \$406.32; Fire Fund, Transfers, \$6,700.00; Follett

Software Company, Grant, \$160.00; Fort Dearborn Life Insurance Co, Legal Life Insurance, \$120.40; Fortres Grand Corp, Grant, \$127.00; Frank Lussetto, Customer Meter Deposits, \$39.19; Fyr-Tek, Operating Expenses, \$368.35; Gale Group, Books, \$139.57; Galls, Machinery & Equipment, \$228.68; Good Housekeeping, Magazines, \$12.97; Grainger, Operating Expenses, \$564.92; Great Plains One Call Service, Operating Expenses, \$20.02; HD Supply Waterworks, Ltd, Property, \$1091.63; Heiman Inc, Machinery & Equipment, \$29.55; Hillyard Inc / Sioux Falls, Operating Expenses, \$119.75; Hodges Badge Company Inc, Swim Team, \$405.35; Ideal Linen Supply Inc, Operating Expenses, \$901.02; IIMC, Dues & Fees, \$115.00; Ingram Library Services, Audio/Visual, \$78.13; Ingram Library Services, Books, \$618.17; Irene Pruneda, Adult Dues, \$1.81; Jean Rhodes, Legal, \$100.00; Jennifer Lashley, Program Fees, \$25.00; Jill Newkirk, Program Fees, \$25.00; Jim Woznick, Mileage, \$200.00; Jimmie J Jensen Jr, Legal Retainer, \$750.00; Kimball Midwest, Tools, \$152.49; Kingdom Hall, Customer Meter Deposits, \$27.33; Koke's Auto Farm Truck, Operating Expenses, \$1,165.25; Kriz-Davis Co, Operating Expenses, \$459.04; Larue Distributing Inc, Program Supplies, \$102.44; League Of Ne Municipalities, Dues & Fees, \$1,245.00; Lori Turner, Program Fees, \$25.00; Manda Steer, Contract Services, \$90.00; Marissa Steer, Contract Services, \$63.00; Mes - Midam, Repairs & Maintenance, \$117.22; Michael Todd And Co Inc, Operating Expenses, \$268.66; Michael Vergil, Contract Services, \$13.00; Mid-America Books, Books, \$573.84; Midland Telecomm Inc, Repairs & Maintenance, \$98.09; Midwest Mailing Solutions, Operating Expenses, \$99.00; Minnesota Child Support Payment Center, Garnishment, \$138.42; Misty Graham, Mileage, \$113.37; Misty Graham, Training, \$10.00; Molly Steer, Contract Services, \$117.00; Moore Wallace, Office Equipment, \$56.32; Morrill County Court, Court Costs, \$14.00; Morrill County Highway Dept, Street Equipment Repairs, \$130.40; Morrill County Sheriff, Dispatching, \$500.00; Morrill County Weed Control, Operating Expenses, \$91.27; Mr. Water, Bottled Water, \$330.00; Municipal Energy Agency Of Ne, Mean, \$68,862.59; Nebraska Dept Of Revenue, State, \$2,338.90; Nebraska DEQ, Dues & Fees, \$150.00; Nebraska Labor Law Poster Service, Operating Expenses, \$67.25; Nebraska Municipal Power Pool, Operating Expenses, \$292.88; Nebraska Power Review Board, Dues & Fees, \$102.15; Nebraska Public Power District, Electric Bills, \$171.48; Nebraska Total Office, Operating Expenses, \$700.03; Nicole Houston, Contract Services, \$54.00; Northwest Pipe Fittings Inc Of Scottsbluff, Operating Expenses, \$599.76; Orbitcom, Telephone, \$1,053.76; Outdoor Life, Magazines, \$10.00; Panhandle Cooperative Assn, Fuel, \$687.43; Park Fund, Transfers, \$2,700.00; Payroll, Salaries, \$21,202.30; Penworthy Company, Books, \$810.97; Performance Auto Spa, Operating Expenses, \$52.00; Platte Valley Bank, Dues & Fees, \$98.78; Platte Valley Bank, Federal, \$2,265.18; Platte Valley Bank, Social Security, \$4,161.82; Platte Valley Vac & Sew, Operating Expenses, \$20.95; Platte Valley Visa, Operating Expenses, \$1859.76; Plummer Insurance Inc, Insurance, \$69,600.00; Police Fund, Transfers, \$26,500.00; Pool Fund, Transfers, \$2,300.00; Public Safety Center Inc, Machinery & Equipment, \$312.55; Quartermaster, Uniforms, \$163.95; RDJ Specialties Inc, Program Supplies, \$107.76; Redbook, Magazines, \$6.67; Regional Care Inc, Cafeteria Plan, \$2,500.00; Riverside Lumber LLC, Operating Expenses, \$61.49; S & S Plumbing LLC, Repairs & Maintenance, \$120.00; Sam Spurgeon, Contract Services, \$52.00; Sarah Strawn, Postage, \$8.41; Sewer Department, Transfers, \$24,000.00; Shawna Wolff, Contract Services, \$35.00; Show Me Books Inc, Books, \$720.00; Slafter Oil Company, Oil, \$513.28; Sonny's Super Foods, Bottled Water, \$1,100.32; Source Gas LLC, Heat, \$45.04; Spic And Span Cleaners, Chemicals, \$269.00; Subway Sandwiches, Program Supplies, \$9.99; Susan Sparks, Repairs & Maintenance, \$150.00; The Tarnished Halo, Program Supplies, \$20.00; Tim's Jack & Jill, Bottled Water, \$691.82; Todd Harless Electric, Repairs & Maintenance, \$79.65; Todd Schrotberger, Customer Meter Deposits, \$39.12; Tom Millette, Dues & Fees, \$240.00; Tonka

Equipment Company, Well Project, \$15,000.00; Trail Animal Clinic, Animal Fees, \$79.00; Valley Ambulance Services Inc, Dues & Fees, \$630.00; Valley Water Systems, Inc, R.O. Repair & Maintenance, \$2,117.53; Viaero Wireless, Telephone, \$367.60; Waste Connections Inc, Trash, \$12,767.14; Willy Weibert, Contract Services, \$9.00.

VI. REGULAR AGENDA

1. There were no emergency items added to the agenda. The Council considered Consent Agenda Item Number 5, removed from consent agenda at the request of Councilman Oltmann. City Administrator Boyer reported that Deputy City Clerk Rosalie Nelson had announced her resignation, effective August 19, 2008. He stated that after consultation with City Attorney Jensen, since Nelson had been employed with the City less than 90 days, the standard probationary period, the City did not have to advertise the opening, and could fill with one of the other candidates from the previous interviews. Boyer stated that he and City Clerk/Treasurer Huck had interviewed eight to ten candidates less than three months ago for the position, and each agreed that Rosalie Nelson and Brittani Jimenez were the two best candidates for the position. He also stated that advertising the position would mean that the City would have to find interim help again, and the search would likely net the same outcome. Councilman Oltmann said that he felt it was unethical to not advertise the position and he felt that there may be other candidates that didn't apply a couple of months ago. Councilman Schmunk said that he understood Councilman Oltmann's concerns, but agreed that the outcome would likely be the same if the position were posted again, and that would cost more time and money for what would likely be a foregone conclusion.

Mayor Berg then announced his appointment of Brittani J. Jimenez as Deputy City Clerk effective August 25, 2008. Councilman Schmunk moved to accept the Mayor's appointment, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Beyer, Schmunk; Nay: Oltmann; Absent: Lussetto. Motion carried.

2. City Administrator Boyer stated that the citizen request for permission to drill a well in part of Tax Lots 3 and 4, Section 33, Township 20, Range 50, City of Bridgeport, was withdrawn that morning. He said that the property owner no longer wished to address the Council on the issue, therefore no action was needed.

3. The Council then discussed the possible annexation of part of Tax Lots 3 and 4, Section 33, Township 20, Range 50, City of Bridgeport. City Attorney Jensen stated that he was unable to find the proper recording of the property in city limits at the Courthouse, but the property owner had been paying City property taxes for the past 90 years. He also said that the property is essentially agriculture in nature, and therefore wouldn't really be a good "fit" to be annexed into the City limits. City Administrator Boyer stated that the property owner has been receiving City services, including electric, sewer and trash. He stated that the property owner will have to contract for their own trash service, as the City cannot serve residents outside of City limits with the City trash rates. Mayor Berg then asked if there was motion to proceed with annexation of the property. There was none.

4. Kenneth Sestak was present with a petition signed by over 60 percent of the landowners to create a paving district in the 1200, 1300, 1400, and 1500 blocks of T Street in the City of Bridgeport. City Administrator Boyer said he verified the signatures and stated that the 60 percent threshold had been met. The Council discussed with Street Superintendent Smith

about a possible starting date on the project. Smith stated that by the time engineering was complete, and bonding complete, it would be aggressive, but possible to start the paving this fall. However, the Council said they wanted to make sure that any water needs under T Street should be completed before the paving begins, so next spring might be a better start date. Councilman Oltmann moved to create the paving district in the 1200, 1300, 1400, and 1500 blocks of T Street, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer; Nay: None; Absent: Lussetto. Motion carried.

5. City Administrator Boyer said that residents in the 1400 block of U Street had asked about the possibility of creating a paving district there. They were wondering what options that they had regarding the paving, since the opposite side of the road was outside City limits and undeveloped. The Mayor stated in the past that the City had paved two-thirds of the road, and charged the owners of the property that cost. Boyer stated he would inform the residents of that option.

6. City Administrator Boyer stated that the City was in the running for a grant to pay for a portion of the possible purchase of outdoor warning sirens for the City. Boyer stated that he had proposed three new sirens in the grant application, and the City would be looking to install the sirens in areas not currently covered adequately by the sirens, mainly the eastern portions of the City. The Mayor asked if there was anyone in attendance that wished to address the sirens. There was none.

7. City Administrator Boyer advised the Council that the water project continued to progress, and the City needed to finalize an option to purchase three lots in Block 10, Meadowview Addition for Dr. George Post. The City made a \$2,500 down payment in April of 2007, with the option to purchase the lots for \$6,000 each. Councilman Oltmann moved to purchase Lots 1, 2, and 3, Block 10, Meadowview Addition to the City of Bridgeport, Nebraska at a price of \$18,000, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann; Nay: None; Absent: Lussetto. Motion carried.

8. City Administrator Boyer approached the Council with the option of purchasing another piece of property, south of Lot 4, Block 15, Meadowview Addition. This piece of property is located just south of 16th Street, near U Street. Boyer stated that this would save the City approximately \$150,000 in the water project, by not having to tear up concrete and re-drill the well at east City park. This would align all three City wells near U Street, and allow for the water project to progress. Mrs. Lois Thiel owns the property, and she would agree to sell the lot to the City for \$10,000 and donate half of the proceeds to Morrill County Community Hospital and half of the proceeds to Prairie Winds Community Center. Councilman Beyer moved to purchase the lot south of Lot 4, Block 15, Meadowview Addition, Morrill County, Nebraska at the price of \$10,000, subject to half of the proceeds being donated to the hospital and half to the community center, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer; Nay: None; Absent: Lussetto. Motion carried.

VII. STAFF REPORTS

1. The Council Budget Workshop will be Monday, August 11th at 7:00 p.m.
2. A joint meeting with the Morrill County Board of Commissioners will take place on Monday, August 18th at 7:00 p.m. to discuss the paving of South Railroad Avenue.

3. USDA Rural Development will be having an announcement concerning the funding for the City of Bridgeport's water project at Prairie Winds Community Center on Saturday, August 16th at 9:00 a.m. All Councilman and residents are encouraged to attend.

VIII. ADJOURNMENT

There being no other business, Councilman Schmunk moved to adjourn the meeting at 8:44 p.m., seconded by Councilman Beyer. Roll call resulted as follows: Aye: Oltmann, Schmunk, Beyer; Nay: None; Absent: Lussetto. Motion carried. Meeting adjourned.



Doretta J. Huck, City Clerk/Treasurer

APPROVED:

J.W. Berg, Mayor