

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

Council Chambers, City Hall, 809 Main Street, Bridgeport, Nebraska  
Thursday, September 11, 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. September 11, 2008 in City Council Chambers at Bridgeport City Hall, 809 Main Street, Bridgeport, Nebraska. Present were J.W. Berg, Mayor; Councilmen Willis Beyer, Jason Schmunk, Gary Oltmann, and Greg Lussetto; Absent: None. City Attorney Jimmie J. Jensen, Jr., City Administrator Bill Boyer, City Clerk/Treasurer Dori Huck, Street Superintendent David Smith, Utilities Superintendent Wayne Kautz, Utilities Assistants Dan Smith and 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. 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 #9 to the consent agenda: Approve the addition of a second beer garden, approximately 50' x 50' to the Class C-77614 Liquor License for Justin Bilby (d.b.a. Rock N' Horse Lounge).

**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 August 7, 2008.
2. Approve the minutes of Budget Workshop held August 11, 2008.
3. Approve the minutes of Special Meeting held August 18, 2008.
4. Approve the minutes of Special Meeting held August 28, 2008.
5. Acceptance of the Monthly Treasurer's Report.
6. Approve Susan Kelly and Daniel Flores as Active Duty members of the Bridgeport Volunteer Fire Department.

7. Approve the request from Bridgeport High School for a bonfire to be held at the Swimming Pool parking lot at 6:00 p.m. on September 24, 2008.
8. Approve the closure of Main Street beginning at 4:00 p.m. on September 26, 2008, for the purpose of the Bridgeport High School homecoming parade.
9. Approve the addition of a second beer garden, approximately 50' x 50' to the Class C-77614 Liquor License for Justin Bilby (d.b.a. Rock N' Horse Lounge).

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

### **III. PUBLIC HEARINGS**

1. At 7:35 p.m., Mayor Berg opened the public hearing on the rezoning of a property located at 9959 Brown's Creek Road, or Section 28, Township 20, Range 50, Morrill County, Nebraska. City Administrator Boyer stated that the residents of a small piece of land were wishing to rezone the property that their land was on, so they could purchase it. City Zoning Regulations prohibit a "A" Agriculture lot from being smaller than 25 acres. Therefore, the owner was seeking to have that part rezoned "R-2" Residential. Boyer stated that there were no additional building plans for the property.

Mayor Berg reminded the audience that this was a public hearing, and invited anyone with comments or concerns to address the Council. Seeing none, Mayor Berg declared the public hearing closed at 7:37 p.m.

2. At 7:37 p.m., Mayor Berg opened the public hearing on the application of Justin Bilby (d.b.a. Rock 'N Horse Lounge) for a catering liquor license. City Administrator Boyer stated that Bilby was seeking the caters license so he would be able to host more off site events, for wedding receptions, etc. Boyer said that the regulations will not change, and Bilby will still have to get Council approval before he can conduct any offsite events.

Mayor Berg reminded the audience that this was a public hearing, and invited anyone with comments or concerns to address the Council. Seeing none, Mayor Berg declared the public hearing closed at 7:38 p.m.

### **IV. ORDINANCES AND RESOLUTIONS**

1. The Council discussed an ordinance relating to an occupation tax levied upon every business offering and providing retail electricity to the public in the City of Bridgeport, Nebraska. City Administrator Boyer stated that the ordinance was changed from the last meeting, because the Council felt that putting retail water on the tax could be seen as taxing anyone who sells bottled water. Boyer stated that he reviewed the past communications with Wheat Belt Public Power and their agreement to pay an in-lieu of tax that will be partially paid to the City. He said that was the tax that Wheat Belt agreed to pay, but noted that it was required by law. Boyer said that Wheat Belt contact him and informed him that this tax would be passed on to the customers they serve. Boyer added that the City can decide to add this tax at any time, and for any amount, if they see fit to do so in the future. Councilman Schmunk stated that he felt that the city was obligated to not put the tax in place now, since those residents who voluntarily agreed to be annexed into the City were told that the City would not

place any additional costs on them, other than what would have to pay in property tax. After additional discussion, Council agreed to not pass the ordinance at this time.

2. Councilman Lussetto introduced Ordinance Number 776: An ordinance changing the zoning map of the City of Bridgeport, Nebraska; repealing conflicting ordinances; and providing for the publication of ordinance; and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 776 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: Schmunk, Beyer, Oltmann, Lussetto; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 776, and the mayor posed the question: Shall Ordinance Number 776 be passed and published by law? Roll call resulted as follows: Aye: Lussetto, Schmunk, Oltmann, Beyer; Nay: None. Motion carried.

3. Mayor Berg introduced Resolution 2008-009: A resolution of the Mayor and City Council of the City of Bridgeport, Nebraska, authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its facility to serve an area lawfully within its jurisdiction to serve. City Administrator Boyer stated that this resolution came from USDA-Rural Development and was required to borrow the money for the water project. Councilman Beyer moved to adopt resolution 2008-009, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Lussetto, Oltmann, Schmunk, Beyer; Nay: None. Motion carried.

### **RESOLUTION NO 2008-009**

#### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.**

WHEREAS, it is necessary for the City of Bridgeport, Nebraska (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of Four Million Five Hundred Sixty Thousand and xx/100 Dollars (\$4,560,000.00) pursuant to the provisions of Section 17-534, R.R.S. of NE, 1997, as amended; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.

13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.

14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.

17. To accept a grant in an amount not to exceed seven hundred and ninety-one thousand and xx/100 dollars (\$791,000.00) under the terms offered by the Government; that the and of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the

Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

PASSED AND APPROVED this 11<sup>th</sup> day of September, 2008.

/s/ J. W. Berg, Mayor

(SEAL)

/s/ Doretta J. Huck, City Clerk/Treasurer

4. Mayor Berg introduced Resolution 2008-010: A resolution of the Mayor and City Council of the City of Bridgeport, Nebraska, amending the City's Service Schedule M Agreement with the Municipal Energy Agency of Nebraska. City Administrator Boyer stated that as the City's official MEAN representative, he was present when the board voted to approve the purchase of portions of the Wygen plant in South Dakota, which should help the City keep electrical costs down somewhat. He stated that since the MEAN Board of Directors approved the purchase, the member cities now need to approve the changes to their service agreement with MEAN. Councilman Oltmann moved to adopt resolution 2008-010, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Lussetto, Schmunk, Oltmann; Nay: None. Motion carried.

### **RESOLUTION NO 2008-010**

#### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA AMENDING THE CITY'S SERVICE SCHEDULE M AGREEMENT WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA.**

WHEREAS, the City of Bridgeport adopted Ordinance 520 on 6/10/1982, which authorized the execution of the Service Schedule M Total Power Requirements Power Purchase Agreement (hereinafter referred to as "SSM") with the Municipal Energy Agency of Nebraska (hereinafter referred to as "MEAN"); and,

WHEREAS, City has received notice that on May 15, 2008, the MEAN Board of Directors approved entering into a Purchase and Sale Agreement with Black Hills Wyoming, Inc. to purchase 23.5% (approximately 20 MW) ownership interest in Wygen I, which is a coal-fired, steam electric generating unit with a net generating capability of approximately 85 MW; and,

WHEREAS, City has received notice that on November 15, 2007, the MEAN Board of Directors approved entering into an agreement with the Heartland Consumers Power District to purchase 19.55% (approximately 10 MW) of wind-generated energy from the Wessington Springs Wind Project; and,

WHEREAS, City has received notice that on August 16, 2007, the MEAN Board of Directors approved entering into an agreement with the Waverly Light & Power, a municipal

utility of the City of Waverly, Iowa, for the partial assignment to MEAN of Waverly's interest currently equal to 0.4% (approximately 3 MW) of the energy generating capability and energy associated therewith, of Council Bluffs Energy Center Unit 4 (now known as Walter Scott Energy Center Unit 4); and,

WHEREAS, City has received notice that on August 16, 2007, the MEAN Board of Directors approved entering into an agreement with the Waverly Light & Power, a municipal utility of the City of Waverly, Iowa, for the partial assignment to MEAN of Waverly's interest currently equal to 1.1% (approximately 7 MW) of the energy generating capability and energy associated therewith, of the Louisa Generating Station; and,

WHEREAS, each of the power supply resources described in the four preceding recitals constitutes or has been designated by the MEAN Board of Directors as a "Project" within the meaning of SSM (such power supply resources are hereinafter referred to collectively as the "Projects"); and,

WHEREAS, SSM has been in effect since the date of execution and City continues to be a Total Requirements Purchaser under SSM; and,

WHEREAS, City has received a Notice to Service Schedule M Participants to amend Exhibit D to SSM dated August 29, 2008, pursuant to Section 3.01(c) of SSM, a copy of which is attached; and,

WHEREAS, City recognizes its right, pursuant to Section 3.01(c) of SSM, to advise MEAN within sixty (60) days of its receipt of the Notice to Service Schedule M Participants that it does not want to participate in each of the Projects, as described in the Notice, and, therefore, become a Contract Purchaser; and,

WHEREAS, City determines it is in the best interest of the City and its ratepayers to decline exercising this right, consent to participation in each of the Projects, and amend Exhibit D of SSM, and, therefore, remain a Total Requirements Purchaser.

NOW, THEREFORE, BE IT RESOLVED that:

1. City finds and declares that it is in the public interest of the City and its ratepayers that City remain a Total Requirements Purchaser under SSM and consent to the amendment of Exhibit D to SSM by adding each of the following Projects as an additional Project for all purposes of SSM:

a. 23.5% undivided ownership interest in Wygen I (approximately 20 MW)

b. 19.55% participation purchase in the Wessington Springs Wind Project (approximately 10MW)

c. Supplemental Agreement for Partial Assignment of Ownership Interest in Council Bluffs Energy Center Unit 4, dated August 7, 2007, with the Waverly Light & Power, a municipal utility of the City of Waverly, Iowa, for the partial assignment to MEAN of Waverly's interest currently equal to 0.4% (approximately 3 MW) of the energy generating capability and energy associated

therewith, of Council Bluffs Energy Center Unit 4 (now known as Walter Scott Energy Center Unit 4), until termination of Waverly's Service Schedule M Agreement with MEAN

d. Supplemental Agreement for Partial Assignment of Ownership Interest in Louisa Generating Station, dated August 7, 2007, with the Waverly Light & Power, a municipal utility of the City of Waverly, Iowa, for the partial assignment to MEAN of Waverly's interest currently equal to 1.1% (approximately 7 MW) of the energy generating capability and energy associated therewith, of the Louisa Generating Station, until termination of Waverly's Service Schedule M Agreement with MEAN

2. It is hereby ordered and directed that the City of Bridgeport, acting through its Mayor and City Clerk, consent to amend Exhibit D to SSM, a copy of Exhibit D being attached hereto and made a part hereof.

3. The City of Bridgeport does hereby reaffirm each of the objectives, terms and conditions set forth in SSM, as amended.

4. The City of Bridgeport does hereby acknowledge and agree that: (a) MEAN's acquisition of a 23.5% undivided ownership interest in Wygen I constitutes the acquisition of nongovernmental output property within the meaning of Section 141 (d) of the Internal Revenue Code; and (b) in order to enable MEAN to establish and maintain the tax exempt status of interest on the bonds it will issue to finance the acquisition of its interest in Wygen I, City will use all of the electricity delivered to it by MEAN from Wygen I to serve customers located in service areas it has served for at least 10 years and such other areas as are approved by MEAN pursuant to generally applicable and uniformly applied rates and charges.

PASSED AND APPROVED this 11<sup>th</sup> day of September, 2008.

/s/ J. W. Berg, Mayor

(SEAL)

/s/ Doretta J. Huck, City Clerk/Treasurer

5. Mayor Berg introduced Resolution 2008-011: A resolution of the Mayor and City Council of the City of Bridgeport, Nebraska, authorizing the official depositories for the funds of the City of Bridgeport. Boyer stated that this resolution is usually approved annually, but this resolution was modified so it could be changed whenever needed, and would remain in effect until Council modifies it. Councilman Schmunk moved to adopt Resolution 2008-011, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Beyer, Oltmann, Schmunk; Nay: None. Motion carried.

**RESOLUTION NO 2008-011**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA AUTHORIZING THE OFFICIAL DEPOSITORIES FOR THE FUNDS OF THE CITY OF BRIDGEPORT.**

WHEREAS, it is necessary that Mayor and City Council of the City of Bridgeport designate a depository or depositories for City funds until amended or rescinded by subsequent resolution; and,

WHEREAS, it appears that Bank of the West of Bridgeport, Platte Valley Bank of Bridgeport, Wells Fargo Bank N.A. of Bridgeport, State Farm Bank of Bridgeport, and the Nebraska Public Agency Investment Trust (NPAIT) are proper depositories for the funds of the City of Bridgeport, Nebraska.

NOW, THEREFORE, BE IT RESOLVED that Bank of the West of Bridgeport, Platte Valley Bank of Bridgeport, Wells Fargo Bank N.A. of Bridgeport, State Farm Bank of Bridgeport, and the Nebraska Public Agency Investment Trust (NPAIT) are hereby designated as official depositories for the funds of the City of the Bridgeport, Nebraska and that the City Treasurer shall not give a preference to any financial institution.

PASSED AND APPROVED this 11<sup>th</sup> day of September, 2008.

/s/ J. W. Berg, Mayor

(SEAL)

/s/ Doretta J. Huck, City Clerk/Treasurer

**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 Oltmann 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, 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: Beyer, Oltmann, Lussetto, Schmunk; Nay: None. Motion carried.

ABC Plumbing Inc, Repairs & Maintenance, \$12,611.40; Aflac, Aflac, \$229.80; Airgas Intermountain Inc, Rescue, \$15.56; American Red Cross, Training, \$600.00; Bateman Trading Post, Fuel, \$889.16; Baum Hydraulics Corporation, Spraying, \$43.10; Benzel Pest Control Inc, Operating Expenses, \$90.00; Berg's Gamble Store, Operating Expenses, \$429.47; Bill Boyer, Mileage, \$49.14; Birds & Blooms, Magazines, \$18.00; BlueCross BlueShield Of Ne, Health Insurance, \$5,565.50; Bluffs Sanitary Supply Inc, Operating Expenses, \$738.28; BNB Inc,

Office Supplies, \$37.38; BNB Inc, Printing & Publications, \$608.10; Bridgeport 66 Service, Tires, \$212.00; Bridgeport Volunteer Fire Dept, Rescue, \$400.00; Brown/Nelson Electric Motor, Spraying, \$34.50; Capital Bank And Trust Company, Retirement/City Share, \$1,231.03; Capital Bank And Trust Company, Retirement/Employee Share, \$1,983.16; Charter Communications, Operating Expenses, \$297.20; Chase Cardmember Service, Fuel, \$979.24; Chase Cardmember Service, Vehicle Expense, \$46.60; City Of Bridgeport, Customer Meter Deposits, \$1,378.14; City Of Bridgeport, Electric Bills, \$4,815.71; City Petty Cash/Checking, Repairs & Maintenance, \$4.49; Community Center, Transfers, \$56,500.00; Connecting Point Computer Centers, Contract Services, \$67.00; Contractors Materials, Inc, Operating Expenses, \$55.47; Country Books, Books, \$28.98; Country Catering, Contract Services, \$1,442.10; Crescent Electric Supply Co, Operating Expenses, \$1,337.71; Culligan Water Conditioning, Operating Expenses, \$40.30; Danny Hopwood Computer Service, Grant, \$169.97; Decatur Electronics, Repairs & Maintenance, \$256.50; Diamond Lake Book Co, Books, \$159.97; E & S Auto Supply, Tools, \$89.99; Enviro Service Inc, Operating Expenses, \$58.00; Family Support Registry, Garnishment, \$422.00; Farm Plan Department, Operating Expenses, \$1,009.84; Fastenal Company, Operating Expenses, \$1.41; Ferguson Signs Inc, Operating Expenses, \$1,314.00; Flex Plan, Flex Plan, \$650.00; Fort Dearborn Life Insurance Co, Legal Life Insurance, \$111.80; Gale Group, Books, \$23.37; Galls, Operating Expenses, \$309.14; General Fund, Transfers, \$20,300.00; Grainger, Operating Expenses, \$167.27; Great Plains One Call Service, Operating Expenses, \$22.69; HD Supply Waterworks, Ltd, Operating Expenses, \$251.15; Hillyard Inc / Sioux Falls, Operating Expenses, \$23.90; Honey Wagon Express, Repairs & Maintenance, \$190.00; Ideal Linen Supply Inc, Operating Expenses, \$900.27; Ingram Library Services, Audio/Visual, \$490.63; Ismael Cardenas, Training, \$59.00; Jean Rhodes, Legal, \$100.00; Jim Woznick, Mileage, \$200.00; Jimmie J Jensen Jr, Legal Retainer, \$750.00; Kellye Riggs, Mileage, \$49.72; Kellye Riggs, Office Supplies, \$11.57; Kimball Midwest, Operating Expenses, \$119.05; Knowledge Industries Inc, Books, \$127.92; Koke's Auto Farm Truck, Operating Expenses, \$439.83; Larue Distributing Inc, Operating Expenses, \$144.09; League Of Ne Municipalities, Dues & Fees, \$693.00; Library Fund, Transfers, \$5,300.00; Loup Valley Lighting Inc, Operating Expenses, \$411.00; Marion Miller, Customer Meter Deposits, \$3.89; Michael E Baumgardner, Customer Meter Deposits, \$95.02; Mid American Specialties, Inc, Program Supplies, \$252.87; Mike's Screen Printing & Awards Inc, Operating Expenses, \$323.50; Minnesota Child Support Payment Center, Garnishment, \$92.28; Misty Graham, Mileage, \$61.54; Morrill County Sheriff, Dispatching, \$500.00; Morrill County Weed Control, Chemicals, \$36.40; Municipal Energy Agency Of Ne, Mean, \$68421.14; Nebraska Dept Of Revenue, Dues & Fees, \$25.00; Nebraska Dept Of Revenue, Sales & Use Tax, \$8486.95; Nebraska Dept Of Revenue, State, \$1512.95; Nebraska Library Commission, Library Resources, \$102.45; Nebraska Municipal Power Pool, Dues & Fees, \$206.25; Nebraska Public Health Environmental Lab, Operating Expenses, \$222.00; Nebraska Public Power District, Electric Bills, \$196.51; Nebraska State Historical Soc, Magazines, \$40.00; Nebraska Total Office, Office Supplies, \$246.73; Nein Pharmacy, Film & Processing, \$6.03; Northwest Pipe Fittings Inc Of Scottsbluff, Property, \$7,024.25; Notification Technologies Inc, Operating Expenses, \$2,039.00; Olsson Associates, Engineers, \$18,486.25; Omaha World Herald, Magazines, \$24.05; Orbitcom, Automation, \$1,054.84; Panhandle Concrete Products Inc, Repairs & Maintenance, \$694.50; Panhandle Cooperative Assn, Fuel, \$642.76; Panhandle RC&D, Licenses, Permits, Fees, \$150.00; Park Fund, Transfers, \$9,000.00; Penworthy Company, Books, \$975.45; Performance Auto Spa, Operating Expenses, \$32.00; Pete's Lark, Customer Meter Deposits, \$57.95; Petty Cash Community Center, Postage, \$4.14; Pine Bluffs Gravel & Excavating Inc, Operating Expenses, \$446.00; Platte Valley Bank, Bond Payment, \$7,000.00; Platte Valley Bank, Bonds & Interest, \$48,242.78; Platte Valley Bank, Dues & Fees,

\$81.38; Platte Valley Bank, Federal, \$2,334.32; Platte Valley Bank, Flex Plan, \$30.00; Platte Valley Bank, Postage, \$650.00; Platte Valley Bank, Social Security, \$3,978.94; Platte Valley Bank, Special Assessments Interest, \$853.47; Platte Valley Visa, Operating Expenses, \$1,568.84; Plummer Insurance Inc, Insurance, \$369.00; Police Fund, Transfers, \$26,000.00; Pool Fund, Transfers, \$3,500.00; Postmaster, Postage, \$98.00; Prevention, Magazines, \$18.97; Public Safety Center Inc, Machinery & Equipment, \$143.66; Reader's Digest, Magazines, \$13.98; Regional Care Inc, Flex Plan, \$578.00; Respond First Aid Systems, Operating Expenses, \$259.05; Riverside Lumber LLC, Operating Expenses, \$135.63; Rocky Mountain Valve LLC, Operating Expenses, \$239.17; Salaries, Payroll, \$19,558.50; Sarah Strawn, Postage, \$10.12; Sonny's Super Foods, Bottled Water, \$1,160.88; Source Gas Llc, Heat, \$57.40; Spic And Span Cleaners, Operating Expenses, \$4,008.25; Stanley & Jennifer Tavenner, Customer Meter Deposits, \$150.00; Staples, Operating Expenses, \$111.98; Street Dept, Transfers, \$37,850.00; Susan Kelly, Rescue, \$561.60; Susan Sparks, Contract Services, \$150.00; Sweet Things Bakery, Program Supplies, \$144.30; T & R Electric, Operating Expenses, \$7,277.00; Telnet LLC Operating Expenses, \$120.00; The Mitered Corner, Repairs & Maintenance, \$43.12; The Tarnished Halo, Operating Expenses, \$94.00; Tim's Jack & Jill, Bottled Water, \$573.75; Todd Harless Electric, Operating Expenses, \$52.65; Utility Solutions Inc, Operating Expenses, \$310.14; Valley Water Systems, Inc, R.O. Repair & Maintenance, \$530.69; Viaero Wireless, Telephone, \$443.35; Walters Sharpening Service, Operating Expenses, \$50.00; Waste Connections Inc, Trash, \$18151.24; Watchguard Video, Film & Processing, \$68.50; Water Fund, Transfers, \$25,000.00; Wickard Heating & Plumbing, Inc., Repairs & Maintenance, \$715.05; Ziegler Feedlot, Operating Expenses, \$250.00. Total Claims: \$191,810.71.

## **VI. REGULAR AGENDA**

1. There were no emergency items added to the agenda.
2. Councilman Beyer moved to approve the application of Justin Bilby (d.b.a. Rock 'N Horse Lounge) for a catering liquor license, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Oltmann, Schmunk, Beyer; Nay: None. Motion carried.
3. Mike Stull presented the Council with a resident signed petition to pave the 1400 Block of U Street and 800 block of 15<sup>th</sup> Street. City Administrator Boyer stated that the petition was signed by well over the required 60 percent of landowners. Street Superintendent Smith said that since U Street is on the edge of City limits and is undeveloped to the east, the City would like to pave two-thirds of U Street. Councilman Schmunk moved to approve the paving district, paving all of the 800 block of 15<sup>th</sup> Street, and two-thirds of the 1400 Block of U Street, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Lussetto, Oltmann, Beyer; Nay: None. Motion carried.
4. Roger Sparks discussed with Council the Eagles Lodge's desire to put a loading/unloading zone in front of club. Sparks stated that the customers at the Club are aging, and need a place to be able to get in and out of their vehicles and to the Club. After a lengthy discussion, Council and Staff stated their concern with putting a loading and unloading area in front of a restaurant. There is already a loading/unloading zone in front of a medical facility, and Council had denied the request by other businesses.

5. Gary Gerhard from Olsson-Associates made a presentation to the Council regarding water usage rates for the City of Bridgeport. Gerhard discussed ways that the Council could establish the rates, having customers pay for only the water that they are using, and the charges would be fixed. This scenario may allow some customers water bills to actually decrease, while others would increase. Council directed Gerhard to study the current flat rates, and decide what the City should do to make sure the rates now can keep up with the costs of the loans.

6. City Administrator Boyer presented an agreement with USDA-Rural Development for the grant for \$791,000 for the water project. Boyer stated that this agreement must be signed before Rural Development will release any grant funds. Councilman Schmunk moved to approve the water or waste water system grant agreement with United States Department of Agriculture – Rural Utilities Service, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Schmunk, Beyer, Oltmann; Nay: None. Motion carried.

7. City Administrator Boyer presented the proposals to the Council for interim financing for the water project. Boyer stated that the loan from Rural Development will not be granted until the project is completed, likely in 2010. Therefore, the City would have to take out a bond anticipation note in the interim. The three proposals received, included:

- a. Nebraska Department of Environment Quality: 3.00% during construction, then 4.00% after completion. Money will be borrowed as needed, and cannot be reinvested.
- b. Wells Fargo Bank: 3.30% with \$0 fee; 3.10% with \$15,000 fee; 2.90% with \$30,000 fee; 2.70% with \$45,000 fee. All options will have a .50% origination fee; making the effective rates: 3.62%, 3.52%, 3.49% and 3.46%.
- c. Amertias Investment Corp.: 2.30%, with a 1.00% underwriter's discount.

Councilman Schmunk stated that his only concern was that Ameritas Investment Corp. had an anticipated rate, while Wells Fargo had a fixed rate. Mayor Berg instructed Boyer to check with Ameritas and see if they could lock in a rate, and give the Council an effective rate by figuring in all fees.

8. Mayor Berg opened the following bids for the public works vehicle:

- a. Team Chevrolet: 2008 GMC Sierra, \$27,605.45
- b. Team Chevrolet: 2008 Chevrolet Silverado, \$26,510.63
- c. Reganis Auto Center: 2008 Dodge D1500 Quad Cab, \$24,992.00
- d. Wolf Automotive: 2009 Ford F-Series SD, \$25,599.04
- e. Wolf Automotive: 2009 Chevrolet Silverado 2500, \$28,101.00
- f. Wolf Automotive: 2008 Chevrolet Silverado 1500 4WD, \$25,532.89.

Utilities Assistant Nelson stated that bids c and f did not meet specifications, because they were not three-quarter ton trucks, so those bids were rejected. Therefore, bid D from Wolf Automotive for the 2009 Ford F-Series was the low bid. Councilman Oltmann made a motion accept the bid for the 2009 Ford F-Series from Wolf Automotive for \$25,599.04, providing all specifications are met, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Beyer, Schmunk, Oltmann; Nay: None. Motion carried.

9. Street Superintendent Smith discussed with the Council his need to replace the dump truck that burned up last winter. He has the option to purchase a 1996 GMC Dump Truck from the State of Nebraska Surplus for \$11,300.00. Councilman Schmunk made a motion to approve the purchasing of the 1996 GMC Dump Truck from the State of Nebraska for \$11,300.00,

seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Oltmann, Beyer, Schmunk, Lussetto; Nay: None. Motion carried.

10. Nebraska Life Magazine approached the City about purchasing an advertisement for the magazine's feature on Bridgeport, which is coming out later this year. The Council decided that the City should show their support, and suggest purchasing an advertisement for the Community Center to promote their meeting facilities. Councilman Oltmann moved to purchase a sixth page color advertisement for \$275.00, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Beyer, Oltmann, Schmunk, Lussetto; Nay: None. Motion carried.

11. City Administrator Boyer stated that he had investigated several options for an after-hours answering service for the City office. He stated that he had looked at a service or equipment. After reviewing the options, he suggest purchasing an answering module from Telnet to attach to the existing phone system that would answer the calls after hours. It will also allow each employee to have voice mail so they can have someone leave them a message if they are not in. Councilman Beyer moved to purchase the answering module from Telnet for \$1599.00, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Beyer, Schmunk, Oltmann; Nay: None. Motion carried.

12. Mayor Berg stated that due to the length of this meeting, he would like to take up the establishing employee pay scale and setting 2008-2009 budget year wages at the budget hearing next Thursday.

13. Court House and Jail Rock Golf Course submitted a request to the City to pay \$2,414.14 for remote controls for the irrigation system and \$2,440.79 for fertilizer. Councilman Oltmann said that they are in need of the money for these expenses because membership is down this season. Councilman Beyer moved to approve paying the golf course to make the two purchases, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto; Nay: None; Abstain: Oltmann. Motion carried.

## VII. STAFF REPORTS

None.

## VIII. ADJOURNMENT

There being no other business, Councilman Lussetto moved to adjourn the meeting at 9:31 p.m., seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried. Meeting adjourned.



APPROVED:

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Doretta J. Huck, City Clerk/Treasurer

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J.W. Berg, Mayor