

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

Platte River Room, Prairie Winds Community Center, 424 Main Street, Bridgeport, Nebraska
Thursday, November 6, 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 7:33 p.m. November 6, 2008 in the Platte River Room at Prairie Winds Community Center, 424 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 Assistant Dan Smith, 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 #4 to the consent agenda: Approve the Application for Special Designated License submitted by Justin James Bilby (dba "Rock 'N Horse Lounge") in connection with the Class CK-77614 liquor license to dispense beer, wine and distilled spirits at Prairie Winds Community Center, 424 Main Street, Bridgeport, on Saturday, December 20, 2008, from 4:00 p.m. to 1:00 a.m. in conjunction with a wedding reception.

Oral Communications – Recognition of Visitors

City Administrator Boyer read a letter to the Council from Charter Communications regarding increased cable rates for their customers in Bridgeport.

City Administrator Boyer read a letter to the Council from NMPP Energy regarding the scholarship awarded to Perry Nelson and Rich Stichka for the Merchant Training Program.

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 October 9, 2008.
2. Acceptance of the Monthly Treasurer's Report.
3. Approve the Mayor's Appointment of Justin Corman to the Board of Adjustment.
4. Approve the Application for Special Designated License submitted by Justin James Bilby (dba "Rock 'N Horse Lounge") in connection with the Class CK-77614 liquor license to dispense beer, wine and distilled spirits at Prairie Winds Community Center, 424 Main Street, Bridgeport, on Saturday, December 20, 2008, from 4:00 p.m. to 1:00 a.m. in conjunction with a wedding reception.

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

III. PUBLIC HEARINGS

1. At 7:36 p.m., Mayor Berg opened the public hearing for the purpose of getting public input regarding the creation of a vicious dog ordinance. City Administrator Boyer and Police Chief Cardenas stated that there had been numerous problems with vicious dogs and dogs at large in the City of Bridgeport. City Administrator Boyer stated that the Council was seeking input from the public before considering any ordinances.

Phillip Palmer spoke on his Pit bulls, and how an ordinance would cause him to move out of town. Palmer stated that there are pit bulls that are nice dogs, and not all Pit Bulls show intent to cause harm. He said that he felt the Council should look at laws intended to force owners to be responsible for the pets, instead of breed-specific legislation. He presented the Council with a book of information on Pit Bulls, breed-specific legislation, statistics and figures.

Police Chief Cardenas explained that the City currently has an ordinance on vicious dogs, but that the ordinance only allowed a dog to be declared as vicious after it had bitten or attacked someone.

Andy Jackson presented the Council with a brochure on breed-specific legislation and said that he felt owners need to be responsible for their dogs, and not have a law that bans certain types of dogs.

Araseli "Sally" Aguilar also presented the Council with information concerning breed-specific legislation, and challenged the constitutionality of such laws. She added that most of the negative publicity concerning Pit Bulls and Rottweilers are hearsay, and based on false media broadcasts.

Faye Hart posed the question as to whether or not the City could take a dog away from his or her owner.

Amy Patty shared a story with the Council regarding a Pit Bull attacking a Chow. She said that Pit Bulls have locking jaws, and Rottweilers and German Sheppards have jaws that if those dogs attack you can severely injure or kill you.

Philip Palmer spoke again, saying that locking jaws is one of the many myths concerning Pit Bulls.

Andy Jackson spoke again saying that he encouraged the Council to make sure they were dealing with facts, and not myths before making such a law.

Barbara Harris said that there are many responsible owners, but she has worked for the Sheriff's Office as a dispatcher and the number of dogs running loose calls has been increasing dramatically recently, and that nearly 50 percent of those are Pit Bulls. She said she is afraid that something dramatic could happen if a Pit Bull got loose and attacked a child.

Tom Oliver said that he has a dog, and understands that everyone loves their pets. He said that the current restrictions, in waiting until a dog bites someone, could set the City up for a big liability. He posed the question to the Council, what would happen if the City didn't do something and some child was attacked or killed by a Pit Bull. He felt the liability to the City could be great.

LeRoy Maddux addressed the Council regarding that animal killing is what Pit Bulls and Rottweilers have been bred and trained for.

Andy Jackson again made a point that the Council should work with facts and not myths before considering the proposed ordinance.

Helen Plummer stated that she walks a small dog and is afraid that her dog will be attacked. She said that it is not just Pit Bulls and Rottweilers, but Labs and Lab-mix dogs as well.

Jane Oliver said that she has lived in many cities across the United States, and has never been afraid to go for a walk with her dog until she moved to Bridgeport. She said that she was attacked by a dog after moving to Bridgeport, and that has prompted her to change and shorten her walking route to avoid homes that have large dogs, because she is afraid that the dogs will get loose.

Diana Panas testified that she didn't feel that a single breed of dog should be targeted by the ordinance. She stated that she doesn't have any of these dog breeds, but felt that it should be the owner's responsibility to control their dog, no matter the breed.

Finally, Judy Oltmann read a prepared statement concerning dogs and pets. She said that there are so many dogs that are just left tied up all day, and are seeking attention. That's why the dogs are barking. Most are not mean, but are just wanting attention, and that any ordinance should address the responsibility of pet owners.

City Administrator Boyer thanked everyone for their input and said, based on the discussion, staff would review ordinances that looked at limiting the number and possibly the type of dogs that an owner can have, without having a kennel license; requiring a fence of a certain height for a dog to be outside, and making it illegal to tie up a dog with no fence; requiring leashes and collars on any dog being walked; punishing dog owners whose dogs are excessively barking; requiring any dog that attacks another dog or person to be euthanized; and setting stricter penalties for dogs at large, up to an including taking the dog away from the owner after it is at

large for more than three times. Boyer stated staff would work to draft an ordinance and bring it back to the Council for review at their December meeting.

Mayor Berg asked if there was anyone else with comments or concerns to address to the Council. Seeing none, Mayor Berg declared the public hearing closed at 8:30 p.m.

IV. ORDINANCES AND RESOLUTIONS

1. City Administrator Boyer indicated that there had been numerous problems with utility billing with the City and bills being paid on time. Therefore, he created a new utility billing procedure. The basic policy changes revolved around promissory agreements, non-sufficient funds checks and disconnection procedures. Councilman Beyer introduced an Ordinance Number 780: An ordinance establishing the utility billing procedure of the City of Bridgeport, Nebraska, prescribing the time when this ordinance shall be in full force and effect; repealing all ordinances and parts of ordinances in conflict herewith; and ordering the publication of the ordinance in pamphlet form, and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 780 be considered for passage upon reading by number only, and then place on final passage, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Oltmann, Lussetto, Schmunk, Beyer; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 780, and the mayor posed the question: Shall Ordinance Number 780 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried.

2. City Administrator Boyer and Police Chief Cardenas drafted an ordinance restricting parking on 11th Street to just cars and pickups only. Councilman Lussetto asked if calling the residents had helped. Police Chief Cardenas said so far, but stated that an ordinance was needed to enforce the ban next summer when recreational vehicles return to the street. Councilman Oltmann introduced Ordinance Number 781: An ordinance restricting parking on both sides of 11th Street from N Street to U Street; prescribing the time when this ordinance shall be in full force and effect; repealing all ordinances and parts of ordinances in conflict herewith; and ordering the publication of the ordinance in pamphlet form; and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 781 be considered for passage upon reading by number only, and then place on final passage, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann; Nay: Lussetto. Motion carried. The clerk read the ordinance as Ordinance Number 781, and the mayor posed the question: Shall Ordinance Number 781 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer; Nay: Lussetto. Motion carried.

3. City Administrator Boyer and Police Chief Cardenas drafted an ordinance increasing fines for dogs at large. Making the first offense \$30.00 fine, a second offense a \$70.00 fine and a third offense a \$140.00 fine. Councilman Lussetto introduced an Ordinance Number 782: An ordinance establishing the penalties for the violation of dogs running at large within the city of Bridgeport, Nebraska; prescribing the time when this ordinance shall be in full force and effect; repealing all ordinances and parts of ordinances in conflict herewith; and ordering the publication of the ordinance in pamphlet form, and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 782 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, Oltmann, Schmunk, Lussetto; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 782, and the mayor posed the question: Shall Ordinance Number 782 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann, Lussetto; Nay: None. Motion carried.

4. At the request of the Council, City Administrator Boyer worked with Olsson Associates to draft an ordinance raising water rates by 50 percent across the board, beginning with the December billing. Boyer stated that waste water rates would also increase by 50 percent. He stated that the numbers were derived by taking the amount of money the City will need to repay interim financing and applying the costs equally to all residents. Councilman Schmunk introduced an Ordinance Number 783: An ordinance fixing the rates to be charged by the municipal water and wastewater system for water and wastewater; prescribing the time when this ordinance shall be in full force and effect; repealing all ordinances and parts of ordinances in conflict herewith; and ordering the publication of the ordinance in pamphlet form, and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 783 be considered for passage upon reading by number only, and then place on final passage, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Oltmann, Schmunk, Beyer, Lussetto; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 783, and the mayor posed the question: Shall Ordinance Number 783 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer, Lussetto; Nay: None. Motion carried.

5. City Administrator Boyer stated that the next ordinance was a simple sub-dividing of Garrett Dudden's lot just northeast of Bridgeport. The Council had already rezoned the property, and the sub-dividing was required so Dudden could purchase the lot. Councilman Oltmann introduced an Ordinance Number 784: An ordinance of the City of Bridgeport, Nebraska, accepting the plat of Lot 1, Dudden Second Subdivision, a subdivision in part of Government Lots 2 and 3, in Section 28, Township 20, Range 50 West of the 6th P.M., Morrill County, Nebraska; prescribing the time when this ordinance shall be in full force and effect; repealing all ordinances and parts of ordinances in conflict herewith; and ordering the publication of the ordinance in pamphlet form, and moved that statutory rules requiring ordinances to be read by title on three different days be suspended and Ordinance Number 784 be considered for passage upon reading by number only, and then place on final passage, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Beyer, Lussetto, Oltmann, Schmunk; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 784, and the mayor posed the question: Shall Ordinance Number 784 be passed and published by law? Roll call resulted as follows: Aye: Lussetto, Schmunk, Beyer, Oltmann; Nay: None. Motion carried.

6. Mayor Berg introduced Resolution 2008-015: A resolution of the Mayor and City Council of the City of Bridgeport, Nebraska, adopting an identity theft program for the City of Bridgeport Utility Department. City Administrator Boyer stated that this resolution came from a banking law that requires all companies who establish credit, including utility companies, to have an identity theft program. This basically says that the City employees will watch for signs of identity theft and work to notify customers if they feel there has been a breach in their identity. Councilman Schmunk moved to adopt Resolution 2008-015, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Lussetto, Schmunk, Oltmann; Nay: None. Motion carried.

RESOLUTION NO 2008-015

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA, ADOPTING AN IDENTITY THEFT PROGRAM FOR THE CITY OF BRIDGEPORT UTILITY DEPARTMENT.

WHEREAS, the City of Bridgeport, Nebraska is a retail supplier of electricity, water, waste water, and trash to residential and commercial customers in Nebraska; and

WHEREAS, Public Law 108-159 went into effect on December 4, 2003, and amends the Fair Credit Reporting Act; and

WHEREAS, such amendment, known as the FACT Act, requires creditors, including utility companies, to comply with the Act no later than May 1, 2009; and

WHEREAS, the City of Bridgeport is, as defined under 15 U.S.C. §1681a(r)(5), a creditor that maintains and offers accounts for which there is a reasonably foreseeable risk of identity theft; and

WHEREAS, compliance with the Act requires a creditor to create and implement a written Identity Theft Prevention Program;

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of Bridgeport, Nebraska that the Mayor and City Council hereby adopts the "City of Bridgeport, Nebraska Identity Theft Prevention Program," which is attached to this Resolution as Appendix A.

BE IT FURTHER RESOLVED BY the Mayor and City Council of the City of Bridgeport, Nebraska, that said Program is appropriate to the size and complexity of the City of Bridgeport and the scope of its activities; and that the Program is reasonably calculated to identify and detect relevant Red Flags indicating a potential risk of identity theft, and includes appropriate responses to such Red Flags that will mitigate and prevent identity theft.

BE IT FURTHER RESOLVED BY the Mayor and City Council of the City of Bridgeport, Nebraska, that the City Administrator of the City of Bridgeport shall be appointed as Program Administrator for purposes of oversight of the Program, including Program administration, ensuring appropriate training of City of Bridgeport staff on the Program, reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, reviewing, and, if necessary, approving changes to the Program.

BE IT FURTHER RESOLVED BY the Mayor and City Council of the City of Bridgeport, Nebraska that appropriate staff appointed by the Program Administrator implementing the Program shall report annually to the Program Administrator, on the City of Bridgeport's compliance with 16 CFR §681.2 as required by the Act.

BE IT FURTHER RESOLVED BY the Mayor and City Council of the City of Bridgeport, Nebraska, that the Program Administrator will review the Program from time to time in order to

update policies as needed, in order to reflect changes in risks to the City of Bridgeport's customers and the soundness of the City of Bridgeport from identity theft, and will report significant changes to the Mayor and City Council of the City of Bridgeport.

PASSED AND APPROVED THIS 6TH DAY OF NOVEMBER, 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 Beyer moved to approve the claims to Performance Auto Spa and Sonny's Super Foods, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Oltmann, Beyer; Nay: None; Not Voting, Excused: Schmunk. Motion carried.

Councilman Schmunk rejoined the Council.

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

AFLAC, Insurance, \$259.24; ANDREA HUCK, Contract Services, \$30.00; ANDREW LEISY, Contract Services, \$15.00; APPA, Operating Expense, \$76.50; BAMFORD INC, Operating Expense, \$829.03; BAMFORD INC, Contract Services, \$250.00; BATEMAN TRADING POST, Fuel, \$676.54; BENZEL PEST CONTROL INC, Operating Expense, \$60.00; BERG'S GAMBLE STORE, Operating Expense, \$149.68; BILL BOYER, Training, \$50.31; BLUECROSS BLUESHIELD OF NE, Health Insurance, \$6,029.40; BLUFFS SANITARY SUPPLY INC, Operating Expense, \$379.69; BMI, Operating Expense, \$263.50; BNB INC, Printing & Publications, \$536.11; BNB INC, Operating Expense, \$48.02; BRAD MUELLER, Contract Services, \$15.00; BRIAN PETERS, Operating Expense, \$543.77; BRIDGEPORT 66 SERVICE, Operating Expense, \$249.35; CALIFORNIA CONTRACTORS SUPPLIES INC, Operating Expense, \$688.68; CAPITAL BANK AND TRUST COMPANY, Retirement, \$3,205.38; CAROLYN ARELLANO, Operating Expense, \$59.44; CHARTER COMMUNICATIONS, Operating Expense, \$252.03; CHASE CARDMEMBER SERVICE, Fuel, \$872.77; CHIEF, Operating Expense, \$73.06; CHRISTENSEN CHIROPRACTIC CLINIC, Operating Expense, \$194.00; CITY OF BRIDGEPORT, Electric Bills, \$2,558.99; CITY OF BRIDGEPORT, Meter Refunds, \$866.00; CITY PETTY CASH/DRAWER, Operating Expense, \$21.30; CLAY SHELDON, Operating Expense, \$4,775.00; COMBINED UTILITY FUND, Bond Payment, \$10,000.00; COMMSOURCE INC, Machinery & Equipment, \$39,981.66; COMMUNITY CENTER, Transfer, \$10,000.00; CONNECTING POINT COMPUTER CENTERS, Contract Services, \$67.00; CONSERV FLAG CO, Operating Expense, \$223.70; CONTRACTORS MATERIALS, INC, Operating Expense, \$1,959.90; COUNTRY BOOKS,

Operating Expense, \$28.98; COUNTRY CATERING, Operating Expense, \$968.50; COURT HOUSE & JAIL ROCK GOLF COURSE, Electric Bills, \$4,137.27; COURTNEY LAUX, Contract Services, \$54.00; CRANMORE FIRE PROTECTION, Operating Expense, \$90.00; CRESCENT ELECTRIC SUPPLY CO, Operating Expense, \$1,863.85; CULLIGAN WATER CONDITIONING, Operating Expense, \$46.45; DANA F COLE & CO LLP, Operating Expense, \$200.00; DANIEL FLORES, Contract Services, \$15.00; DANKO EMERGENCY EQUIPMENT CO, Repairs, \$79.28; DAVID SMITH, Contract Services, \$60.00; DEAN RAHMIG, Contract Services, \$15.00; DELL MARKETING LP, Machinery & Equipment, \$976.61; DUTTON LAINSON CO, Operating Expense, \$85.74; E & S AUTO SUPPLY, Operating Expense, \$104.59; ENVIRO SERVICE INC, Operating Expense, \$115.00; ENVIROTECH SERVICES INC, Operating Expense, \$3,300.00; ERMA LEONARD, Refund, \$25.00; FAMILY SUPPORT REGISTRY, Child Support, \$422.00; FARM PLAN DEPARTMENT, Operating Expense, \$750.86; FIRE FUND, Transfer, \$2,000.00; FLEX PLAN, Insurance, \$650.00; FOOD & WINE, Operating Expense, \$21.25; FORT DEARBORN LIFE INSURANCE CO, Life Insurance, \$189.20; FRY & ASSOCIATES INC, Machinery & Equipment, \$8,399.00; FYR-TEK, Operating Expense, \$29.67; GALE GROUP, Operating Expense, \$70.71; GEMPLER'S, Operating Expense, \$37.85; GENERAL FUND, Transfer, \$45,000.00; GOODER TRUCKING LLC, Operating Expense, \$204.51; GRAINGER, Operating Expense, \$117.19; IDEAL LINEN SUPPLY INC, Operating Expense, \$807.00; INGRAM LIBRARY SERVICES, Operating Expense, \$378.24; J C STRIPES, Operating Expense, \$575.00; JEAN RHODES, Legal, \$100.00; JIMMIE J JENSEN JR, Legal, \$750.00; JOE RUBLE, Refund, \$56.29; JOHN PANKOWSKI, Contract Services, \$105.00; JOSH SCHMIDT, Refund, \$37.71; JOY ARBOUR, Training, \$232.47; KELLY VANBUREN, Contract Services, \$9.00; KELLYE RIGGS, Operating Expense, \$19.00; KIM KILDOW, Refund, \$25.00; KNOWBUDDY RESOURCES, Operating Expense, \$150.60; KOKE'S AUTO FARM TRUCK, Operating Expense, \$1,111.29; LADY BULLDOG BASKETBALL, Machinery & Equipment, \$80.00; LARUE DISTRIBUTING INC, Operating Expense, \$85.27; LAUREN FAESSLER, Contract Services, \$100.00; LEAGUE OF NE MUNICIPALITIES, Dues & Fees, \$100.00; LIBRARY FUND, Transfer, \$5,000.00; LOUP VALLEY LIGHTING INC, Operating Expense, \$361.76; MANDA STEER, Contract Services, \$135.00; MARISSA STEER, Contract Services, \$135.00; MARTHA STEWART LIVING, Operating Expense, \$24.00; MATTHEW ROCKWELL, Contract Services, \$90.00; MID AMERICAN SPECIALTIES, INC, Operating Expense, \$211.88; MIKE'S SCREENPRINTING & AWARDS INC, Operating Expense, \$17.85; MOLLY STEER, Contract Services, \$117.00; MONICA HOUSTON, Contract Services, \$306.00; MORRILL COUNTY SHERIFF, Contract Services, \$500.00; MR. WATER, Operating Expense, \$10.00; MR. WATER, Operating Expense, \$35.00; MUNICIPAL ENERGY AGENCY OF NE, Electric Bills, \$49,373.75; NASCO, Operating Expense, \$513.10; NE DOL/BOILER INSPECTION PROGRAM, Dues & Fees, \$36.00; NEBRASKA DEPT OF REVENUE, Taxes, \$1,506.97; NEBRASKA ENVIRONMENTAL PROD, Operating Expense, \$217.63; NEBRASKA LIFE MAGAZINE, Printing & Publications, \$275.00; NEBRASKA MUNICIPAL POWER POOL, Training, \$70.00; NEBRASKA MUNICIPAL POWER POOL, Operating Expense, \$70.00; NEBRASKA PUBLIC POWER DISTRICT, Electric Bills, \$128.12; NEBRASKA TOTAL OFFICE, Operating Expense, \$238.29; NEIN PHARMACY, Operating Expense, \$19.87; NORMA MANQUERA, Contract Services, \$210.00; NORTHWEST PIPE FITTINGS INC OF SCOTTSBLUFF, Operating Expense, \$575.92; OLSSON ASSOCIATES, Engineers, \$15,845.92; ORBITCOM, Operating Expense, \$1,055.79; OUTDOOR LIFE, Operating Expense, \$10.00; PANHANDLE COOPERATIVE ASSN, Fuel, \$369.29; PANHANDLE COOPERATIVE ASSN, Operating Expense, \$1,989.12; PARK FUND, Transfer, \$8,000.00; PERFORMANCE AUTO SPA, Operating Expense, \$52.00; PHYSIO-CONTROL INC, Operating Expense, \$2,626.13; PINE BLUFFS GRAVEL & EXCAVATING

INC, Operating Expense, \$3,888.00; PLATTE VALLEY BANK, Dues & Fees, \$78.00; PLATTE VALLEY BANK, Taxes, \$5,705.32; PLATTE VALLEY VISA, Operating Expense, \$3,405.19; PLUMMER INSURANCE INC, Insurance, \$349.00; POETS & WRITERS MAGAZINE, Operating Expense, \$17.95; POLICE FUND, Transfer, \$21,000.00; POWERPLAN, Operating Expense, \$358.53; PUBLIC SAFETY CENTER INC, Operating Expense, \$156.65; READER'S DIGEST, Operating Expense, \$13.98; REGIONAL CARE INC, Insurance, \$78.00; REIMAN PUBLICATIONS, Operating Expense, \$28.98; RIVERSIDE LUMBER LLC, Operating Expense, \$150.08; ROSE MARIE SIDES, Training, \$38.61; ROSE MARIE SIDES, Contract Services, \$60.00; SALARIES, Salaries, \$17,125.18; SARAH STRAWN, Operating Expense, \$62.47; SARAH STRAWN, Contract Services, \$400.50; SIDNEY SUN-TELEGRAPH INC, Printing & Publications, \$6.00; SMART APPLE MEDIA, Operating Expense, \$232.50; SONNY'S SUPER FOODS, Operating Expense, \$546.09; SOURCE GAS LLC, Heat, \$1,815.84; STAPLES, Operating Expense, \$116.41; SUBWAY SANDWICHES, Operating Expense, \$35.78; SUSAN KELLY, Contract Services, \$165.00; SUSAN SPARKS, Contract Services, \$162.50; SWEET THINGS BAKERY, Operating Expense, \$137.25; THALKEN TITLE COMPANY, Operating Expense, \$145.50; TIM'S JACK & JILL, Operating Expense, \$635.43; TRACES CENTER FOR HISTORY & CULTURE, Operating Expense, \$139.50; TROY ROBERTSON, Contract Services, \$15.00; TYRELL SMITH, Contract Services, \$45.00; USA BLUE BOOK, Operating Expense, \$267.98; VALLEY WATER SYSTEMS, INC, Operating Expense, \$42.60; VIAERO WIRELESS, Operating Expense, \$443.54; VICTORIA, Operating Expense, \$19.98; WASTE CONNECTIONS INC, Operating Expense, \$14,794.18; WATER FUND, Transfer, \$10,000.00; WOLF AUTOMOTIVE, Machinery & Equipment, \$25,599.04; Total Expenses, \$359,447.38.

VI. REGULAR AGENDA

1. There were no emergency items added to the agenda.

2. Dave Schaff with MC Schaff & Associates was present to discuss paving options on South Railroad Avenue with the City Council. He stated that he wanted to get a final decision from the Council on which options to pursue. The Council was able to view five different sections of the project, and had options of 24 feet or 26 feet of paving. Councilman Schmunk made a motion to proceed with the federal funding based on paving the three eastern sections of the road at 26 feet wide, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto; Nay: Oltmann. Motion carried.

3. City Administrator Boyer discussed the Certified Public Manager Training Program at the University of Nebraska at Omaha. Boyer stated that the class is one of the only ones available for City Managers and City Administrators. He stated that he had applied for a scholarship for 75 percent of the tuition. Councilman Lussetto made a motion to approve Certified Public Manager Training for the City Administrator, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer, Lussetto; Nay: None. Motion carried.

4. City Administrator Boyer read a letter to the Council for options regarding the water project. After discussing each option, the Council decided on the following options when crossing public right-of-ways with the water project:
 - a. When crossing paved driveways, contractors will remove and replace the driveways from the back of the curb to the property line at the City's expense.

- b. When crossing sidewalks, contractors will remove and replace the sidewalk at the City's expense. These sidewalks will also be designed to meet ADA standards at the intersections.
- c. When disturbing yards, contractors will seed the disturbed areas at the City's expense, while all watering will be done by the property owner.
- d. When disturbing underground sprinklers, the owner will be responsible for repairing the systems in the areas disturbed.
- e. When encountering bushes and trees in the City Right-of-Way, the contractor will remove the tree or bush at the City's expense, but the tree or bush will not be replaced.

5. City Administrator Boyer presented investment options for the \$4,560,000 in water project loan money. The City is free to invest the money where it can earn the best interest, which will keep water costs as low as possible. Boyer said that after researching, his recommendation would be to put the money in a money market account, rather than a certificate of deposit, as the funds would more liquid in the event the project was ahead of schedule. The proposals for money market investment included:

- a. Nebraska Public Alliance Investment Trust: 1.160%
- b. Bank of the West: 2.310%
- c. Wells Fargo: 2.260%
- d. Platte Valley Bank: 2.500% (up to \$1 million)

Councilman Beyer moved to invest \$1 million in Platte Valley Bank, and the remainder in Bank of the West, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann, Lussetto; Nay: None. Motion carried.

VII. STAFF REPORTS

None.

VIII. ADJOURNMENT

There being no other business, Councilman Schmunk moved to adjourn the meeting at 9:22 p.m., seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried. Meeting adjourned.

APPROVED:

Doretta J. Huck, City Clerk/Treasurer

J.W. Berg, Mayor