

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

Council Chambers, City Hall, 809 Main Street, Bridgeport, Nebraska  
Thursday, December 11, 2008  
7:30 PM

The regular meeting of the Mayor and City Council of the City of Bridgeport, Nebraska, was convened in open and public session at 7:30 p.m. December 11, 2008 in City Council Chambers at Bridgeport City Hall, 809 Main Street, Bridgeport, Nebraska. Present were Councilmen Willis Beyer, Jason Schmunk, Gary Oltmann, and Greg Lussetto; Absent: Mayor J.W. Berg. City Attorney Jimmie J. Jensen, Jr., City Administrator Bill Boyer, City Clerk/Treasurer Doretta Huck, Deputy City Clerk Brittani Jimenez, Utilities Superintendent Wayne Kautz, Street Superintendent David Smith, 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 Mayor and 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**

Council President Schmunk led the Pledge of Allegiance.

**Announcement of Open Meetings Act**

Council President Schmunk 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**

Council President Schmunk announced that two changes had been made to the agenda. The first was to modify the title of the Ordinance on Section IV, Item 2. The second was to add Section IV, Item 3. Council President Schmunk asked if there were any additional changes to the agenda. There were none.

**Swearing In of Newly-Elected City Councilmen**

City Attorney Jensen administered the Oath of Office to Jason Schmunk and Willis Beyer, who were elected to four-year terms in the November general election.

**Electing of Council President**

Council President Schmunk stated that every December the Council must reorganize and elect a Council President. Councilman Beyer moved to nominate Jason Schmunk as Council President and move that all nominations for Council President cease, and a vote be taken to elect Jason Schmunk as Council President, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Beyer, Schmunk, Oltmann; Nay: None. Motion carried. Schmunk elected Council President.

## **Mayor's Assignments**

In the Mayor's absence, City Administrator Boyer read the Mayor's assignments for 2008-09:

Mayor Berg: Police Department

Councilman Schmunk: City Finances, Insurance, Fire Department

Councilman Lussetto: Water/Sewer Department, Buildings & Real Estate

Councilman Oltmann: Street Department, Golf Course

Councilman Beyer: Park Department, Electric Department, Community Center

Councilman Beyer moved to approve the Mayor's annual assignments, seconded by Councilman Lussetto. Roll call resulted as follows: Beyer, Oltmann, Schmunk, Lussetto; Nay: None. Motion carried.

## **Oral Communications – Recognition of Visitors**

Council President Schmunk 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 November 6, 2008.
2. Acceptance of the Monthly Treasurer's Report.
3. Approve the extension of the City of Bridgeport's Rate Design Study with the Nebraska Municipal Power Pool.
4. Approve the Mayor's appointment of Doretta Huck as Municipal Clerk.
5. Approve the Mayor's appointment of Doretta Huck as Municipal Treasurer.
6. Approve the Mayor's appointment of Jimmie J. Jensen as Municipal Attorney.
7. Approve the Mayor's appointment of Ismael Cardenas as Municipal Police Chief.
8. Approve the Mayor's appointment of Matthew Rockwell as Municipal Policeman.
9. Approve the Mayor's appointment of Daniel Flores as Municipal Policeman.
10. Approve the Mayor's appointment of Brad Mueller as Municipal Fire Chief.
11. Approve the Mayor's appointment of M.C. Schaff & Associates as Municipal Engineer.
12. Approve the Mayor's appointment of David Smith as Municipal Street Superintendent.
13. Approve the Mayor's appointment of Wayne Kautz as Municipal Utilities Superintendent.
14. Approve the Mayor's appointment of William Boyer as Municipal Zoning Inspector.
15. Approve the Mayor's appointment of William Boyer as City Administrator.

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

## **III. PUBLIC HEARINGS**

None.

## **IV. ORDINANCES AND RESOLUTIONS**

1. Councilman Schmunk introduced Ordinance Number 785: An ordinance of the City of Bridgeport, Nebraska, accepting the plat of Lots 11A and 12A, Block 2, Nicholas Addition in the City of Bridgeport, Morrill County, Nebraska, a replat of Lots 11 and 12, Block 2, Nicholas

Addition in the City of Bridgeport, 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 785 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: Lussetto, Beyer, Schmunk, Oltmann; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 785, and Council President Schmunk posed the question: Shall Ordinance Number 785 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Lussetto, Oltmann, Beyer; Nay: None. Motion carried.

2. Councilman Beyer introduced Ordinance Number 786: An ordinance of the City of Bridgeport, Nebraska, making it unlawful for any person to cause or make loud or disturbing noises with any engine and/or exhaust brakes; establishing a penalty for violation of this ordinance; 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 786 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, Lussetto, Oltmann, Schmunk; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 786, and Council President Schmunk posed the question: Shall Ordinance Number 786 be passed and published by law? Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried.

3. Councilman Oltmann introduced Ordinance Number 787: An ordinance of the City of Bridgeport, Nebraska, accepting the plat of Lot 1, Block 5, Nicholas Addition in the City of Bridgeport, Morrill County, Nebraska, a replat of Lots 1, 2, and 3, Block 5, Nicholas addition in the City of Bridgeport, 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 787 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, Schmunk, Oltmann, Lussetto; Nay: None. Motion carried. The clerk read the ordinance as Ordinance Number 787, and Council President Schmunk posed the question: Shall Ordinance Number 787 be passed and published by law? Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto, Oltmann; Nay: None. Motion carried.

## **V. CLAIMS**

Councilman Schmunk stated that he has a conflict with the Sonny's Super Foods and Performance Auto Spa claims and excused himself from voting. Councilman Oltmann moved to approve the claim to 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 Lussetto moved to approve the claims on file, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto, Oltmann; Nay: None. Motion carried.

O=Operating Expense; P=Personnel Expense; D=Debt Service/Transfer; R=Equipment Rental

Abante Marketing \$876.43 O; AFLAC \$282.78 P; Aileen Andersen \$66.97 O; Airgas Intermountain Inc \$35.99 O; Alamar \$149.03 O; Andrea Mitchell \$120.00 P; Andrew Leisy \$30.00 P; Apple Time \$261.49 O; Backyard Living \$14.98 O; Bank Of The West \$12.00 O; Bateman Trading Post \$730.39 O; Benzel Pest Control Inc \$60.00 O; Berg's Gamble Store \$427.75 O; Better Homes & Gardens \$52.55 O; BlueCross BlueShield Of Ne \$6,957.00 P; Bluffs Sanitary Supply Inc \$191.99 O; Bluffs Sanitary Supply Inc \$206.95 O; BNB Inc \$533.15 O; Bound Tree Medical, Llc \$169.95 O; Brad Mueller \$280.00 P; Bridgeport 66 Service \$1,119.00 O; California Contractors Supplies Inc \$202.80 O; Capital Bank And Trust Company \$3,277.75 P; Charter Communications \$252.03 O; Chase Cardmember Service \$679.99 O; City Of Bridgeport \$2,692.14 O, \$24,439.25 P; City Of Gering \$2,440.56 O; City Petty Cash/Checking \$25.00 O; Combined Utility Fund \$10,000.00 D; Community Center \$15,000.00 D; Connecting Point Computer Centers \$67.00 R; Conserv Flag Co \$393.52 O; Contractors Materials, Inc \$44.62 O; Country Catering \$447.00 O; Country Living \$24.00 O; Courtney Laux \$54.00 P; Crescent Electric Supply Co \$2,928.95 O; Culligan Water Conditioning \$46.45 O; Dale Bentley \$248.00 O; Dan Krentz \$150.00 O; David Smith \$30.00 P; Dean Rahmig \$100.00 P; Downtown Appearance \$1,600.00 D; Enviro Service Inc \$188.00 O; Family Support Registry \$422.00 P; Farm Plan Department \$1,138.52 O; Federal Licensing Inc Pub. Div \$119.00 O; Flex Plan \$650.00 P; Fort Dearborn Life Insurance Co \$146.20 P; Francisco Lopez \$63.03 O; Francotyp-Postalia Inc \$42.95 R; Gale Group \$47.60 O; Galls \$214.96 O; General Fund \$26,000 D; GeoElements \$120.00 O; Gooder Trucking LLC \$259.80 O; Grainger \$19.41 O; Grainger \$43.24 O; Great America Leasing Corp \$129.45 R; Great Plains One Call Service \$61.43 O; Guadalupe Trujillo \$57.04 O; Hillyard Inc / Sioux Falls \$189.11 O; Honey Wagon Express \$68.00 O; Ideal Linen Supply Inc \$798.95 O; Ingram Library Services \$961.06 O; Inland Truck Parts Company \$98.74 O; Jean Rhodes \$100.00 P; Jennifer Deal \$40.00 O; Jimmie J Jensen Jr. \$750.00 P; John Pankowski \$30.00 P; Kay Anderson \$45.00 P; Kimball Midwest \$174.78 O; Knowledge Industries Inc \$274.83 O; Koke's Auto Farm Truck \$1,015.29 O; Kristie Mitchell \$100.00 P; Larue Distributing Inc \$114.10 O; Lauren Faessler \$72.00 O; League Of Ne Municipalities \$80.00 O; Library Fund \$10,000.00 D; LL Johnson Company \$1,700.00 O; Long Rider Books \$783.47 O; Loup Valley Lighting Inc \$411.00 O; M C Schaff & Associates Inc \$1,630.65 O; Manda Steer \$54.00 P; Marissa Steer \$72.00 P; Matthew Rockwell \$120.00 P; Michael Todd And Co Inc \$33.88 O; Midwest Mailing Solutions \$211.00 O; Mike Franklin \$350.00 P; Molly Steer \$72.00 P; Monica Houston \$99.00 P; Morrill County Highway Dept \$130.40 O; Morrill County Sheriff \$500.00 P; Morrill County Treasurer \$149.10 O; Municipal Energy Agency Of Ne \$52,191.79 O; Murphy Tractor & Equipment Co Inc \$98.63 O; Nebraska Dept Of HHA \$144.00 O; Nebraska Dept Of Revenue \$1,503.21 P; Nebraska Municipal Power Pool \$1,847.03 O; Nebraska Public Health Environmental Lab \$40.00 O; Nebraska Total Office \$6,928.86 O; Nebraska Wastewater Operators Div \$20.00 O; Norma Manquera \$165.00 P; Northwest Pipe Fittings Inc Of Scottsbluff \$3,069.17 O; Olsson Associates \$16,104.32 O; Omaha World Herald \$48.10 O; Orbitcom \$1,076.17 O; Panhandle Cooperative Assn \$287.45 O; Panhandle Cooperative Assn \$62.30 O; Park Fund \$1,000 D; Penworthy Company \$278.08 O; Performance Auto Spa \$28.00 O; Platte Valley Bank \$868.74 O, \$7,265.22 P; Platte Valley Visa \$2,025.69 O; Police Fund \$27,000.00 D; Regional Care Inc \$78.00 P; Riverside Lumber LLC \$102.97 O; Rose

Marie Sides \$60.00 P; Rosendo Rodriguez Sr. \$73.63 O; Sarah Strawn \$330.00 P, \$194.92 O; Simmons Olsen Law Firm, P.M. \$2,359.50 O; Sonny's Super Foods \$1,616.72 O; Source Gas LLC \$1,772.37 O; Star Herald \$78.00 O; State Electrical Division \$25.00 O; Susan Kelly \$60.00 P; Susan Sparks \$162.50 P; Sweet Things Bakery \$21.50 O; Tim's Jack & Jill \$354.94 O; Topkote Inc \$13,588.56 O; Trail Animal Clinic \$79.00 O; Troy Robertson \$200.00 P; Tyrell Smith \$45.00 P; Valley Water Systems, Inc \$1,786.48 O; Viaero Wireless \$500.95 O; Waste Connections Inc \$11,556.13 O; Water Products, Inc \$636.76 O; Total Claims \$286,407.14.

## **VI. REGULAR AGENDA**

1. There were no emergency items added to the agenda.
2. The Council discussed options regarding the new dog ordinance. After discussion, the Council directed staff to draft an ordinance that requires all dog owners to have a fence in their yard of an appropriate height or a kennel and makes it illegal to leave dogs tied up on a leash. They also directed the Police Department to begin enforcing dogs at large and the current disturbing the peace offenses for barking dogs.
3. Police Chief Cardenas told the Council that Morrill County is planning to convert the basement of the Courthouse into an interview room that the Sheriff, and Bridgeport and Bayard Police could use to conduct interviews. They are asking the cities of Bridgeport and Bayard to contribute up to \$500 for the equipment. Councilman Oltmann made a motion to provide up to \$500 to the county for the equipment, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Schmunk, Oltmann, Beyer; Nay: None. Motion carried.
4. City Administrator Boyer presented a proposal from American Legal Publishing Corporation to re-codify the Bridgeport Municipal Code Book. Councilman Beyer moved to accept the proposal, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Oltmann, Schmunk, Beyer; Nay: None. Motion carried.
5. Gary Gerhard from Olsson Associates presented a plan to provide the City of Bridgeport with GIS services. City Administrator Boyer said he had received proposals from Olsson Associates and MC Schaff and Associates. Council President Schmunk asked to review the contract before agreeing to proceed.
6. Street Superintendent Smith presented a bid to purchase a snow blower for the skid steer, that would allow City workers to throw the snow from the windrows on Main Street into the dump trucks to have it hauled away. Councilman Lussetto moved to purchase the snow blower, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Beyer, Lussetto, Schmunk, Oltmann; Nay: None. Motion carried.
7. Councilman Schmunk moved to close the City office at Noon on Christmas Eve, Close the City office on Friday, December 26<sup>th</sup> and close at Noon on New Year's Eve, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Schmunk, Oltmann, Lussetto, Beyer; Nay: None. Motion carried.
8. Councilman Oltmann moved to recognize full-time employees with \$150 in Chamber Bucks for their service for the year, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Schmunk, Beyer, Oltmann; Nay: None. Motion carried.

## VII. STAFF REPORTS

None.

## VIII. ADJOURNMENT

There being no other business, Councilman Oltmann moved to adjourn the meeting at 8:50 p.m., seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Oltmann, Beyer, Schmunk; Nay: None. Motion carried. Meeting adjourned.

APPROVED:

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Doretta J. Huck, City Clerk/Treasurer

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Jason Schmunk, Council President