

## **CITY OF BRIDGEPORT, NEBRASKA**

### **I. ROUTINE BUSINESS**

The Mayor and City Council of the City of Bridgeport, Nebraska, met in regular session in Council Chambers, 809 Main Street, Bridgeport, Nebraska, on the 9th day of April, 2009, beginning at 7:31 p.m.

Following the Pledge of Allegiance to the Flag of the United States of America, Mayor J.W. Berg called the meeting to order. Roll call resulted as follows: Present: Willis Beyer, Gary Oltmann, Greg Lussetto, and Jason Schmunk; Absent: None.

Staff members present were: City Administrator Bill Boyer, City Attorney Jimmie J. Jensen, Jr., City Clerk/Treasurer Doretta Huck, Utility Superintendent Wayne Kautz, Street Superintendent David Smith, Police Chief Milo Cardenas, Fire Chief Brad Mueller, and Police Officer Matt Rockwell.

The Mayor presided and the City Clerk recorded the proceedings.

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 the meeting was given in advance thereof by publication in the Bridgeport News-Blade, Bridgeport, Nebraska, the designated method of notice given, as shown by affidavit of publication.

Notice was given to the Mayor and all members of the City Council and a copy of their acknowledgement of receipt of notice and agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

At 7:32 p.m., the Mayor announced that the Mayor and Council would be taking a short recess to look at the new fire truck purchased by the City for the Bridgeport Volunteer Fire Department. The meeting was reconvened at 7:36 p.m.

### **II. CONSENT AGENDA**

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

4. Approve the minutes of Regular Meeting held March 5, 2009.
5. Approve the minutes of Special Meeting held March 10, 2009.
6. Approve the minutes of Special Meeting held March 19, 2009.
7. Acceptance of the Monthly Treasurer's Report.
8. Approve the addition of Devin Schinzel as a probationary member of the Bridgeport Volunteer Fire Department.
9. Approve the Application for Special Designated License submitted by Bridgeport Community Center Foundation in connection with their non-profit application to dispense beer, wine, and distilled spirits at Prairie Winds Community Center, 422 Main Street, Bridgeport, on Saturday, July 11, 2009, from 4:00 p.m. until 12:00 a.m. in conjunction with their annual fundraising raffle.
10. Accept the resignation of J.D. Nein from the Bridgeport Community Center Operating Board.
11. Accept the resignation of Susana Batterman from the Bridgeport Community Center Operating Board.

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

### III. PUBLIC HEARINGS

12. At 7:39 p.m., Mayor Berg opened the public hearing concerning an application to the Department of Economic Development for a \$350,000 Community Development Block Grant to assist with improvements to the water system. Jeff Kelley from the Panhandle Area Development District presented the Council with the CDBG application and discussed the grant application with the Council. The Mayor asked if there were any members of the public present who wished to comment on the grant application. Seeing none, Mayor Berg closed the public hearing at 7:41 p.m.

### IV. ORDINANCES AND RESOLUTIONS

13. Councilman Schmunk introduced Resolution 2009-005, and moved for adoption of the resolution, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Oltmann, Lussetto, Schmunk, Beyer; Nay: None. Motion carried. Resolution 2009-005 adopted.

#### RESOLUTION NO. 2009-005

#### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA, AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS**

WHEREAS, the City of Bridgeport, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program; and,

WHEREAS, the City of Bridgeport, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment respecting the application which is for an amount of **\$350,000** to a project to upgrade their existing water system infrastructure for Phases III-V of their water improvement plan due to high levels of uranium.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Bridgeport, Nebraska, in regular session duly assembled, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Bridgeport, Nebraska, and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

**PASSED AND ADOPTED THIS 9TH DAY OF APRIL, 2009.**

ATTEST:

\_\_\_\_\_  
**J.W. BERG**  
**MAYOR**

\_\_\_\_\_  
**DORETTA J. HUCK**  
**CITY CLERK/TREASURER**

### V. CLAIMS

14. 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: Oltmann, Lussetto, Beyer; Nay: None; Not Voting, Excused: Schmunk. Motion carried.

Councilman Schmunk rejoined the Council.

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

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

AFLAC, \$280 P; Airgas Intermountain Inc, \$34.81 O; American Funds Service Company, \$3034.61 P; Andrea Mitchell, \$60 P; Andrew Leisy, \$30 P; APPA, \$525 O; Apple Time Inc, \$254.18 O; Bancorp Bank, \$2856.11 P; Bateman Trading Post, \$414.63 O; Benzel Pest Control Inc, \$60 O; Berg's Gamble Store, \$284.51 O; BlueCross BlueShield Of Ne, \$6526.80 P; Bluffs Sanitary Supply Inc, \$358.09 O; BNB Inc, \$1289.79 O; Bound Tree Medical LLC, \$103.49 O; Brad Mueller, \$51 O; Brad Mueller, \$90 P; Bridgeport 66 Service, \$864.68 O; Bruce Mitchell, \$51 O; Carolyn Arellano, \$11.95 O; Center Point Large Print, \$41.34 O; Charlee Wallesen, \$81 P; Charter Communications, \$344.75 O; Chase Cardmember Service, \$508.37 O; City Of Bridgeport, \$2498.30 O, \$17219.82 P; City Petty Cash/Checking, \$89.52 O; City Petty Cash/Drawer, \$16.65 O; Cliff Middleton, \$90 P; Combined Utility Fund, \$10000 D; Community Center Sinking Fund, \$30000 D; Connecting Point Computer Centers, \$67 R; Contractors Materials Inc, \$79.39 O; Country Catering, \$1456.20 O; Courtney Laux, \$45 P; Crescent Electric Supply Co, \$1728.69 O; Culligan Water Conditioning, \$46.45 R; Dale Bentley, \$1069.50 O; Daniel Flores, \$15 P; David Smith, \$75 P; Dean Rahmig, \$74.89 O; Dori Huck, \$166.10 O; Dutton Lainson Co, \$3726.06 O; E & S Auto Supply, \$276.33 O; Enviro Service Inc, \$28 O; Environmental Systems Research Inst, \$1359.47 O; Family Support Registry, \$422 P; Farm Plan Department, \$761.50 O; Fire Fund, \$24500 D; Flex Plan, \$320 P; Fort Dearborn Life Insurance Co, \$137.60 P; Gale Group, \$23.97 O; Great America Leasing Corp, \$79.95 O; Great Plains One Call Service, \$9.09 O; Hillyard Inc / Sioux Falls, \$128.75 O; Hollman Media LLC, \$720 O; Hydraulic Equipment Service Inc, \$6643.75 O; Ideal Linen Supply Inc, \$943.10 O; IIMC, \$150 O; Ingram Library Services, \$685.50 O; Jan Sears, \$35 O; Janice Cheree Conway, \$15 P; Jason Minshall, \$194.28 O; Jean Rhodes, \$100 O; Jimmie J Jensen Jr, \$750 P; John Pankowski, \$15 P; KAAQ/KQSK-FM, \$666.84 O; Kellye Riggs, \$46.75 O; Kimball Midwest, \$190.86 O; Koke's Auto Farm Truck, \$385.19 O; Kristie Mitchell, \$75 P; Kriz-Davis Co, \$263 O; Larue Distributing Inc, \$120.70 O; Laser Specialists Inc, \$3290 O; Law Enforcement Systems Inc, \$56.50 O; Library Fund, \$5000 O; M C Schaff & Associates Inc, \$6960 O; Manda Steer, \$81 P; Marissa Steer, \$63 P; Matthew Rockwell, \$30 P; Mid American Specialties, Inc, \$120.30 O; Mitchell's Welding & Repairs, \$300 O; Molly Steer, \$54 P; Monica Houston, \$216 P; Morrill County Sheriff, \$500 O; Mr. Water, \$175 O; Municipal Energy Agency Of Ne, \$59957.18 O; Ne State Volunteer Firefighters Ass'n, \$405 O; Nebraska Dept Of Revenue, \$1396.85 P; Nebraska Municipal Power Pool, \$688.95 O; Nebraska Public Health Environmental Lab, \$782 O; Nebraska Public Power District, \$190.71 O; Nebraska Safety & Fire Equip, \$150 O; Nebraska Total Office, \$374.82 O; NebraskaLand Magazine, \$18 O; Nein Pharmacy, \$9.72 O; Norma Manquera, \$45 P; Ogden Publications, \$14.95 O; Olsson Associates, \$51502.29 O; Omaha World Herald, \$26.65 O; Orbitcom, \$1077.33 O; Panhandle Cooperative Assn, \$395.09 O; Park Fund, \$5000 D; Penworthy Company, \$213.35 O; Performance Auto Spa, \$35 O; Platte Valley Bank, \$601.75 O, \$6281.57 P; Platte Valley Visa, \$3903.91 O; Plummer Insurance Inc, \$252 O; Police Fund, \$17000 D; Printworks, \$148.20 O; Quartermaster, \$164.56 O; Regional Care Inc, \$206 P; Reiman Publications, \$38.98 O; Respond First Aid Systems, \$17.86 O; Riverside Lumber LLC, \$103.73 O; Rose Marie Sides, \$30 P; Sam Spurgeon, \$36 P; Sarah Strawn, \$75 P, \$75 O; Scientific American, \$24.97 O; Simon Perez, \$27 P; Sonny's Super Foods, \$1103.49 O; Source Gas LLC, \$2839.4 O; Span Publishing Inc, \$143.10 O; Spic And Span Cleaners, \$116 O; SS Graphics Inc, \$208.92 O; Star Herald, \$120 O; Subway Sandwiches, \$24.97 O; Susan Kelly, \$30 P; Susan Sparks, \$162.50 O; Sweet Things Bakery, \$28.55 O; Teacher's Corner, \$13.86 O; Tim's Jack & Jill, \$491.75 O; Town & Country Advertising, \$68 O; Trail Animal Clinic, \$261 O; Troy Robertson, \$15 P; Tyrell Smith, \$45 P; USA Blue Book, \$86.97 O; Waste Connections Inc, \$14929.45 O; Wesco Distribution Inc, \$317.93 O; William Cantu, \$5.06 O; Windcall Publishing, \$7.79 O; Total Claims, \$315800.27.

## VI. REGULAR AGENDA

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

17. Jeff Post and Blake Smith, representing the Boys Scouts, presented the Council with a plan to have a curb cut placed in the 1300 block of S Street with the plans of providing the clinic with a handicap-accessible sidewalk at Morrill County Community Hospital Clinic. The Boy Scouts will complete the work, then ask the City Council to designate a handicap parking spot at that location. Councilman Schmunk moved to approve the curb cut, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Beyer, Oltmann, Schmunk; Nay: None. Motion carried.

18. Steve Plummer with Plummer Insurance presented the City of Bridgeport with a dividend check from EMC Insurance for \$12,857.57. This dividend was given back to the city as part of their agreement with EMC. Plummer thanked the city for the business and the Council thanked Plummer for his hard work and for presenting the check to the Council.

19. Glen Amateis discussed an issue he is having with a neighbor regarding property lines and locating a fence on a property line. He stated that if the City was to allow a fence to be built on the property line, he would be working with an attorney to stop the fence from being erected. City Attorney Jensen advised City Administrator Boyer that he would be correct in issuing the building permit for the fence.

20. Gary Gerhard with Olsson Associates presented the Council with an updated timeline and cost schedule for the water treatment project. Gerhard stated that bids are being advertised for the first of five bid packages. The bid opening date has been scheduled for April 16<sup>th</sup>. The second bid package will be advertised next week, with a bid opening of May 6<sup>th</sup>.

21. Gary Gerhard with Olsson Associates then discussed project costs with the City. Based on changes to the original project, the new cost estimate for all five phases of the project is now \$6,678,321. He said that he would wait until after the project funding agencies present their new options before asking the Council for a decision on all five phases of the project.

22. Steve McNulty from Nebraska Health and Human Services and Brenda Darnell from USDA-Rural Development presented the Council with an option to use both organizations for funding the water project. After recalculating the grant-eligible projects, Health and Human Services would be able to fund the entire \$6,678,321 of the updated project costs, with a total of \$1,814,413 in the form of grants from the stimulus package. Assuming the City would be approved for a \$350,000 CDBG, total grant funds would increase to \$2,164,413, or over 32 percent of the total cost. USDA and HHS are able to work together to use a blend of the stimulus funds and the previous USDA funds obligated to the City. This wouldn't change any of the grant amounts, and would give the City a slightly lower interest rate on the loans for repayment. Additionally, this blended option would allow the City to avoid the requirements of the ARRA (or stimulus package) funds, including the Davis Bacon wage requirements and Buy American clause, on all portions of the project, with the exception of the meters, which would be solely funded through the stimulus package. Finally, this would allow the funds that would come from USDA to be returned to the stimulus funds, and then given to more projects in Nebraska. Otherwise, the USDA funds previously awarded to Bridgeport would be returned to the national level. The only drawback to this option would be a one-week delay in the awarding bids in Package 1, since the project was already being advertised. Olsson Associates will have to issue an addendum to contractors who have requested bid documents. Gary Gerhard from Olsson Associates stated that several of the potential contractors have already asked for a delay of a week or two in the bidding to get their bonds in order. He added that a one-week delay in the project shouldn't disrupt plans to have treated water in Bridgeport by the end of the year. After some discussion, Councilman Oltmann moved to accept the blended funding option, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Beyer, Lussetto, Oltmann, Schmunk; Nay: None. Motion carried.

Councilman Schmunk then moved to accept Olsson Associates new cost schedule and to proceed with all five phases of the project, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Schmunk, Oltmann, Lussetto; Nay: None. Motion carried.

23. Carl Roach approached the Council asking for \$3,100 to pay for a used trim mower and used rotary mower. Roach said that these mowers would replace old mowers that would have cost more than the \$3,100 to fix. City Clerk/Treasurer Huck said that the Golf Course had used all but \$1,200 of the annual budget. Councilman Beyer moved to approve the purchase, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Oltmann, Schmunk, Beyer, Lussetto; Nay: None. Motion carried.

24. Don Dye with MC Schaff and Associates presented the Council with plans and specifications and an engineer's estimate for the 11<sup>th</sup> Street Overlay project. Dye's estimate was \$207,368. Councilman Lussetto moved to approve the plans and specs and set a bid opening date of May 5<sup>th</sup>, with Council to consider for award on May 7<sup>th</sup>, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Schmunk, Lussetto, Beyer, Oltmann; Nay: None. Motion carried.

25. Don Dye with MC Schaff and Associates updated the Council on the South Railroad Avenue construction project. He stated that the project would likely be programmed in the next month by the state. The City will then have to wait for funds to be available on the state level before the project will be able to proceed.

26. Dean Cole, the EMS Trauma Coordinator with the State of Nebraska addressed Council concerns about the EMS unit in Bridgeport. Cole said that Bridgeport is not alone in issues revolving around EMS calls. He said that with the number of calls each year increasing, it is taxing volunteers. He said that the City has several options as to what can be done with the EMS Service, whether the City separated the department from the Fire Department or whether it continued to be a division of the fire department. City Administrator Boyer read a letter from the Bridgeport Volunteer Fire Department stating that they wished to keep control of the rescue units under the department. Councilman Schmunk asked Fire Chief Mueller if the department was willing to change their bylaws to allow someone to be an EMT without being a firefighter. Mueller stated that was the plan of the department to reorganize and create a separate EMS roster. Cole added that the State of Nebraska would be willing to do an assessment of the rescue unit and EMS service in Bridgeport at the state's expense. He said that this would take a couple of months to get set up. Councilman Schmunk then asked Dr. John Post if he would be willing to continue as medical director while the department was reorganized and a complete assessment could be completed. Dr. Post stated that he didn't think he would be able to continue as medical director because he was fed up with it. Cole then said that Bridgeport would have to choose another Medical Director if Dr. Post chose to resign. City Administrator Boyer asked him if the Council would need to approve the appointment, and Mayor Berg said they would. Cole said that the City will have to find a new medical director in a short period of time, a week if possible, in order to continue operating the ambulance service. Larry Johnson, a member of the public who identified himself as someone who was from an outside agency, said that there were more steps that had to be followed and the city needed to be careful. Councilman Lussetto asked him what he meant and what he suggested the City should do. He said that he had his opinions and did not elaborate. City Administrator Boyer then said he would assume the City would follow state guidelines, and since the director of the state was present at the meeting, the Council should probably follow his advice. Cole assured that Council that there was nothing else the City needed to do and no additional risk involved in finding another medical director. Councilman Beyer moved to have the City request an assessment of the EMS Service in

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

27. Councilman Schmunk moved to adjourn to executive session to include the Mayor, City Council, City Administrator Boyer, City Attorney Jensen, and City Clerk/Treasurer Huck, to discuss additional compensation for health savings account for an employee, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto, Oltmann; Nay: None. Motion carried. At 9:22 p.m., Mayor Berg repeated that the Mayor, City Council, and City Attorney Jensen were adjourning to executive session to discuss a personnel matter and no action would be taken while the group was in executive session.

The Mayor and Council reconvened in regular session at 9:26 p.m.

Councilman Schmunk moved to increase the amount of funds in an employee's Health Savings Account by \$750 for any employee who met the out of pocket maximum prior to March 1, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Oltmann, Schmunk, Beyer; Nay: None. Motion carried.

28. Councilman Lussetto moved to adjourn to executive session to include the Mayor, City Council, City Administrator Boyer, City Attorney Jensen, and Police Chief Cardenas to discuss a personnel matter, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Oltmann, Lussetto, Beyer, Schmunk; Nay: None. Motion carried. At 9:28 p.m., Mayor Berg repeated that the Mayor, City Council, and City Attorney Jensen were adjourning to executive session to discuss a personnel matter and no action would be taken while the group was in executive session.

The Mayor and Council reconvened in regular session at 9:54 p.m.

### **VIII. ADJOURNMENT**

There being no other business, the Mayor adjourned the meeting at 9:54 p.m.

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Doretta J. Huck  
City Clerk/Treasurer

APPROVED:

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J.W. Berg  
Mayor

I, the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original document of proceedings of Thursday, March 9, 2009, had and done by the Mayor and City Council; that all of the subjects included in the proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to the meeting; that at least one copy of all reproducible

material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Doretta J. Huck  
City Clerk/Treasurer