

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 July, 2009, beginning at 7:30 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: Jason Schmunk, Willis Beyer, Gary Oltmann, and Greg Lussetto; 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, and Police Chief Milo Cardenas.

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, the designated method of notice given, as shown by proof 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.

The Mayor asked if there were any letters of public correspondence for the board. There were none.

The Mayor asked if there was any member of the public who wished to comment on an item that was not on the agenda. There were none.

II. CONSENT AGENDA

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

6. Approve the minutes of Regular Meeting held June 11, 2009.
7. Approve the minutes of Special Meeting held June 23, 2009.
8. Acceptance of the Monthly Treasurer's Report.
9. Approve the addition of Deborah Wells as a probationary member of the Bridgeport Volunteer Fire Department.
10. Approve the deletion of Dean Rahmig from the active member roster of the Bridgeport Volunteer Fire Department due to resignation.
11. Approve the deletion of David Smith from the active member roster of the Bridgeport Volunteer Fire Department due to resignation.
12. Approve the manager application from Zara D. Tenopir for the Eagles Frat Order 2813 in connection with their Class C-01220 liquor license.
13. 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, July 25, 2009, from 4:00 p.m. to 12:00 a.m. in conjunction with a wedding reception.

14. 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, August 1, 2009, from 4:00 p.m. to 12:00 a.m. in conjunction with a wedding reception.
15. 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, August 15, 2009 from 3 p.m. to 12 a.m. and Sunday, August 16, 2009, from 11:00 a.m. to 5:00 p.m. in conjunction with a festival.

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

III. PUBLIC HEARINGS

16. At 7:34 p.m., the Mayor opened the public hearing regarding the creation of Street Improvement District No. 2009-1. City Administrator Boyer read one letter in opposition of the creation of the district, received by Delores Goeman at 1501 T Street. Boyer said that represented 100 frontage feet of the 2,080 frontage feet in the paving district, or 4.8 percent. The Mayor then asked if there were any other comments on the paving district. Seeing none, the Mayor closed the public hearing at 7:36 p.m.

IV. ORDINANCES AND RESOLUTIONS

17. Councilman Beyer then introduced Resolution 2009-009, A resolution of the Mayor and City Council of the City of Bridgeport, Nebraska, creating Street Improvement District No. 2009-1, and moved for its adoption, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Lussetto, Schmunk, Oltmann, Beyer; Nay: None. Motion carried. Resolution adopted.

RESOLUTION NO. 2009-009

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA, CREATING STREET IMPROVEMENT DISTRICT NO. 2009-1

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BRIDGEPORT, NEBRASKA, as follows:

1. That the Mayor and Council have heretofore created Street Improvement District No. 2009-1; that notice of said creation was published as required by law, which notice set this time and place for a hearing date to determine the sufficiency of written objections which have been filed.
2. That as of the date of the passage of the ordinance creating the District: a) The total front footage of property directly abutting upon the street or streets to be improved in the District is 2,060 and b) the total front footage of property represented by objections of owners of record title is 100.
3. That objections to the District are insufficient, and all required facts and conditions exist for the creation of the District.

4. That the plans, specifications and estimates of cost of the engineers in connection with the construction of street improvements in Street Improvement District No. 2009-1, which have heretofore been filed with the Clerk be, and the same are, accepted and approved and the Clerk is instructed to cause notice to be published as required by law for receiving bids as soon as possible.

PASSED AND APPROVED THIS 9TH DAY OF JULY, 2009.

ATTEST:

J.W. BERG
MAYOR

DORETTA J. HUCK
CITY CLERK/TREASURER

18. Ordinance No. 792: An ordinance changing the election of City Council members of the City of Bridgeport, Nebraska, to at-large and removal of all mentions of wards; 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 now came up for second reading. Ordinance No. 792 was read by title only. Councilman Lussetto moved to approve Ordinance No. 792 on its second reading, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Beyer, Lussetto; Nay: Oltmann; Whereupon the Mayor declared Ordinance No. 792 approved on its second reading.

19. Police Chief Cardenas presented an ordinance to the Council modifying the truck parking ordinance, saying the language was confusing and contradicting. Councilman Oltmann then introduced Ordinance No. 793 entitled: An ordinance changing section §5-407 Parking; Truck Parking and Un-loading; of the Bridgeport Municipal Code; 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 the statutory rule requiring reading on three different days be suspended, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto, Oltmann; Nay: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Ordinance No. 793 was then read by title and thereafter Councilman Beyer moved for final passage of the ordinance, which motion was seconded by Councilman Schmunk. The Mayor then stated the question: "Shall Ordinance No. 793 be passed and adopted?" Roll call resulted as follows: Aye: Oltmann, Lussetto, Schmunk, Beyer; Nay: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto.

20. City Administrator Boyer presented an ordinance to the Council modifying the water rates for water users. Boyer said only one change was made, as comparisons to other cities showed grocery stores were being charged proportionately too much compared to other businesses. Councilman Lussetto then introduced Ordinance No. 794 entitled: 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 the statutory rule requiring reading on three different days be suspended, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Beyer, Lussetto, Schmunk, Oltmann; Nay: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Ordinance No. 794 was then read by title and thereafter Councilman Schmunk moved for final passage of the ordinance, which motion was seconded by Councilman Beyer. The Mayor then stated the question: "Shall Ordinance No. 794 be passed and adopted?" Roll call resulted as follows: Aye: Schmunk, Lussetto, Oltmann, Beyer; Nay: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto.

21. City Administrator Boyer presented an ordinance to the Council for a replat of a lot and a half in Seventh Addition. Councilman Oltmann then introduced Ordinance No. 795 entitled: An ordinance of the City of Bridgeport, Nebraska, accepting the plat of lot A, Block 12, Seventh Addition in the City of Bridgeport, Morrill County, Nebraska, a replat of Lot 1 and the north half of Lot 2, Block 12, Seventh Addition to 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 the statutory rule requiring reading on three different days be suspended, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Beyer, Oltmann, Schmunk; Nay: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Ordinance No. 795 was then read by title and thereafter Councilman Lussetto moved for final passage of the ordinance, which motion was seconded by Councilman Oltmann. The Mayor then stated the question: "Shall Ordinance No. 795 be passed and adopted?" Roll call resulted as follows: Aye: Schmunk, Beyer, Oltmann, Lussetto; Nay: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Clerk attested to the passage and approval of the same and affixed her signature thereto.

V. CLAIMS

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

Councilman Schmunk rejoined the Council.

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

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

ABC Plumbing Inc, \$72.40, O; AFLAC, \$421.06, P; Airgas Intermountain Inc, \$17.70, O; Alamar, \$507.85, O; American Funds Service Company, \$3123.47, P; American Red Cross, \$915.85, O; Andrea Mitchell, \$15.00, P; Angela Clinger, \$57.50, O; Apple Time Inc, \$152.51, O; Ashley Vergil, \$108.00, O; Asia Berg, \$38.64, O; Bancorp Bank, \$386.76, P; Bateman Trading Post, \$799.77, O; Benzel Pest Control Inc, \$60.00, O; Berg's Gamble Store, \$459.59, O; Better Homes &

Gardens, \$33.99, O; Bio Electronics, \$275.62, O; Bluecross Blueshield Of Ne, \$6,526.80, P; Bluffs Sanitary Supply Inc, \$353.08, O; BNB Inc, \$1,398.94, O; Bonnie Golden, \$30.00, P; Brad Mueller, \$75.00, P; Bridgeport 66 Service, \$489.10, O; Bridgeport Ethanol LLC, \$1,048.12, D; Bruce Mitchell, \$15.00, P; Center Point Large Print, \$82.68, O; Charter Communications, \$251.23, O; Chase Cardmember Service, \$676.30, O; City Of Bridgeport, \$4,416.61, O; City Of Bridgeport, \$45,839.96, P; City Petty Cash/Drawer, \$12.00, O; Cliff Middleton, \$26.00, P; Combined Utility Fund, \$10,000.00, D; Community Center, \$12,000.00, D; Connecting Point Computer Centers, \$67.00, R; Conserv Flag Co, \$107.52, O; Consumer Reports, \$26.00, O; Contractors Materials Inc, \$39.75, O; Country Catering, \$1,004.25, O; Cozy Inc, \$160.00, O; Culligan Water Conditioning, \$39.75, O; Culligan Water Conditioning, \$19.00, R; Dale Sides, \$15.00, P; Danko Emergency Equipment Co, \$1,043.91, O; Dee Mitchell, \$15.00, P; Dell Marketing LP, \$577.08, O; Dustin Kenner, 3,451.25, O; Dutton Lainson Co, \$187.61, O; E & S Auto Supply, \$13.92, O; Enviro Service Inc, \$28.00, O; Erick Chavez, \$137.79, O; Family Support Registry, \$422.00, P; Farm Plan Department, \$460.63, O; Fire Fund, \$3,000.00, D; Flex Plan, \$320.00, P; Fort Dearborn Life Insurance Co, \$137.60, P; Great Plains One Call Service, \$58.58, O; Hodges Badge Company Inc, \$452.61, O; Holiday Inn Express, \$70.00, O; Honey Wagon Express, \$68.00, O; Ideal Linen Supply Inc, \$855.72, O; Ideal Linen Supply Inc, \$350.52, O; IIMC, \$100.00, O; Independent Plmg & Htg Inc, \$4.74, O; Ingram Library Services, \$1,188.49, O; Jean Rhodes, \$100.00, O; Jim Woznick, \$400.00, O; Jimmie J Jensen Jr, \$750.00, P; Joan Shutts, \$150.00, O; John Pankowski, \$75.00, P; Koke's Auto Farm Truck, \$719.41, O; Kristie Mitchell, \$60.00, P; Larue Distributing Inc, \$96.96, O; League Of Ne Municipalities, \$384.00, O; Library Fund, \$15,000.00, D; Library Sinking Fund, \$10,000.00, D; Lindsey Moran, \$60.95, O; Liz Calder, \$90.63, O; M C Schaff & Associates Inc, \$11,675.00, O; Michael Todd And Co Inc, \$147.26, O; Molly Steer, \$54.00, P; Morrill County Court, \$14.00, O; Morrill County Highway Dept, \$130.40, O; Morrill County Hospital Clinic/Post, \$198.00, O; Morrill County Sheriff, \$500.00, O; Mr Water, \$102.50, O; Municipal Energy Agency Of Ne, \$1,520.00, O; Municipal Energy Agency Of Ne, \$48,958.67, O; Municipal Pipe Service Inc, \$4,473.00, O; Municipal Supply Inc Of Ne, \$1,097.08, O; Nebraska Dept Of Revenue, \$1,595.59, P; Nebraska Dept Of Social Services, \$130.39, O; Nebraska Public Power District, \$215.44, O; Nebraska Total Office, \$750.78, O; Nein Pharmacy, \$11.09, O; Norma Manquera, \$60.00, P; Northwest Pipe Fittings Inc Of Scottsblu, \$2,474.50, O; Olsson Associates, \$1,800.00, O; Orbitcom, \$1,234.19, O; Oxmoor House, \$29.96, O; Panhandle Area Development, \$500.00, O; Panhandle Cooperative Assn, \$501.36, O; Park Fund, \$10,000.00, D; Penworthy Company, \$194.41, O; Performance Auto Spa, \$30.00, O; Pine Bluffs Gravel & Excavating Inc, \$240.00, O; Platte Valley Bank, \$666.09, O; Platte Valley Bank, \$15,068.86, P; Platte Valley Visa, \$2,771.18, O; Police Fund, \$23,000.00, D; Pool Fund, \$9,000.00, D; Postmaster, \$280.00, O; Printworks, \$148.20, O; Pumpkin Books, \$479.41, O; Randall Gompert, \$100.00, O; Regional Care Inc, \$142.00, P; Reiman Publication, \$29.98, O; Reiman Publications, \$12.98, O; Respond First Aid Systems, \$7.18, O; Riverside Lumber LLC, \$711.51, O; Rose Marie Sides, \$105.00, P; Sam Spurgeon, \$52.00, P; Sandberg Implement Inc, \$427.21, O; Simmons Olsen Law Firm P.M., \$180.00, O; Simon Contractors, \$174,613.60, O; Sonny's Super Foods, \$1,231.06, O; Source Gas LLC, \$265.45, O; Susan Kelly, \$105.00, P; Susan Sparks, \$162.50, P; Sweet Things Bakery, \$21.75, O; T & R Electric, \$13,809.00, O; The Tarnished Halo, \$29.90, O; Tim's Jack & Jill, \$522.41, O; Trail Animal Clinic, \$25.32, O; Yyrell Smith, \$45.00, P; USA Blue Book, \$45.86, O; Victoria, \$19.98, O; Waste Connections Inc, \$13,778.47, O; Westco, \$268.70, O; Wickard Heating & Plumbing Inc, \$238.00, O; Total Claims, \$479,996.42.

VI. REGULAR AGENDA

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

25. Gary Gerhard with Olsson Associates gave the Council a summary of bids received for Package #3, Phase 1 Raw Water Main and Wells #1, 2, and 3, for Municipal Water Improvements, Bridgeport, Nebraska, OA Project No. 005-1069. Results of the bid opening, held June 25, 2009 at 3:00 p.m., were as follows:

Bid Section A & A-1, Raw Water Mains

Midlands Contracting, Kearney	\$143,605.50
Myers Construction, Broken Bow	\$223,198.00
Kelly-Deines Irrigation, Gering	\$282,676.62

Bid Section B & B-1, Wells and Well Houses

Sargent Drilling, Broken Bow	\$672,965.65
Kelly-Deines Irrigation, Gering	\$687,452.70

Councilman Schmunk moved to award Bid Sections A & A-1 to Midlands Contracting of Kearney for \$143,605.50 and Bid Sections B & B-1 to Sargent Drilling of Broken Bow for \$672,965.65, for a total

award of \$816,571.15, contingent upon agency review, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Lussetto, Oltmann, Beyer, Schmunk; Nay: None. Motion carried.

26. Gary Gerhard with Olsson Associates gave the Council a summary of bids received for Package #4, Phase 1 & 2 Water Mains and Water Treatment Plant for Municipal Water Improvements, Bridgeport, Nebraska, OA Project No. 005-1069. Results of the bid opening, held July 9, 2009 at 3:00 p.m., were as follows:

Midlands Contracting, Kearney	\$956,453.45
Paul Reed Construction, Gering	\$1,476,694.34
Myers Construction, Broken Bow	Incomplete Bid-Rejected

Councilman Schmunk moved to award Bid Sections A, B, & B-1 to Midlands Contracting of Kearney for \$956,453.45, contingent upon agency review, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Lussetto, Beyer, Schmunk, Oltmann; Nay: None. Motion carried.

27. City Attorney Jensen presented an updated property lease with Tom Millette for the purpose storing city-owned equipment for \$360.00 per year. Councilman Oltmann moved to approve the Mayor to enter into the agreement, seconded by Councilman Schmunk. Roll call resulted as follows: Aye: Beyer, Lussetto, Schmunk, Oltmann; Nay: None. Motion carried.

28. City Attorney Jensen presented an updated property lease with Dale and Karen Giboney for the purpose of having a city park. Councilman Lussetto moved to approve the Mayor to enter into the agreement, seconded by Councilman Beyer. Roll call resulted as follows: Aye: Schmunk, Oltmann, Beyer, Lussetto; Nay: None. Motion carried.

29. City Attorney Jensen presented an updated property lease with Camp Clarke Raiders, Inc. for the use of land. Councilman Schmunk moved to approve the Mayor to enter into the agreement, seconded by Councilman Oltmann. Roll call resulted as follows: Aye: Beyer, Oltmann, Lussetto, Schmunk; Nay: None. Motion carried.

30. Police Chief Cardenas informed the Council that the mini-grant for the Stalker Radar for the Bridgeport Police Department was approved. The cost of the radar is \$1895, with the grant to pick up \$900. Councilman Schmunk moved to proceed with the purchase of the Stalker Radar, seconded by Councilman Lussetto. Roll call resulted as follows: Aye: Beyer, Schmunk, Lussetto, Oltmann; Nay: None. Motion carried.

31. Police Chief Cardenas discussed the Bridgeport Public Schools possible interest in hiring a resource officer. The City Council said that they would be willing to work with the school if that is something they are interested in funding.

32. City Administrator Boyer discussed the old Ford Cab-Over Pumper Fire Truck that the Fire Department owns. The Council instructed Boyer to advertise for bids.

33. The Council set August 20, 2009 at 6:30 p.m. for the annual budget workshop.

VII. STAFF REPORTS

None.

VIII. ADJOURNMENT

There being no other business, the Mayor adjourned the meeting at 9:04 p.m.

Doretta J. Huck
City Clerk/Treasurer

APPROVED:

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.

Doretta J. Huck
City Clerk/Treasurer