

Condensed Minutes June 26, 2007

The Ralston City Council met in a special session on Tuesday, June 26, 2007 at 5:00 P.M. at Ralston City Hall. Roll was called with the following present: Gillespie, Alberhasky, Krause, Preis, Onken, Groesser, & Konwinski. The agenda for this meeting was available at City Hall for public inspection and posted prior to the meeting. The legal notice for the meeting was published in the Ralston Recorder. Claims listed are approved and a part of these minutes.

Groesser gave the Open Meeting Law Posting Acknowledgement.

The following permits were issued: #7170 to Mike Hennessy, 8308 Oakwood, Addition & Remodel, \$100,000.; #7174 to E Berg, 7781 Main, Deck, \$1,500; #7175 to John N. Mc Donald, 6708 S 88, Deck, \$8,253; #7177 to Dave Kachek, 6317 S 79th Cir, Deck Cover, \$2675.; #7178 to Bonnie Hynek, 8120 Seymour, Siding, \$6,000.; #7179 to Frank Hutchens, 5015 Sunset Dr. Cover Overhang & Face Board, \$2,900.; #7180 to Dicon Corp, 5352 S 72nd, New Signage for Sam & Louie's Pizzeria, \$3,300.; #7181 to Bill Haas, 7528 Maywood, New Electrical \$800.; #7182 to Dick Henricks, 6223 S 79 Cir, Rewire Furnace, \$220.; #7183 to Georgia Hruska, 7305 Washington, Fence, \$607.17.

Konwinski moved to approve the Consent Agenda, seconded by Onken. The vote: all yes. Motion passes.

Freshman reported on purchase order #2194 for Woodhouse Auto for \$25,475.00. Freshman said this was on State of Nebraska bid price & was a budgeted amount. It was moved for approval by Krause, seconded by Onken for approval of #2194. The vote: all yes, motion carries.

City Treasurer had no report. Legal said Agenda Item #5 would be pulled from the agenda, as the issue had been settled.

2nd Reading and Public on Ordinance #1124 – AN ORDINANCE APPROVING THE FORMATION OF A NOT-FOR-PROFIT CORPORATION TO BE KNOWN AS CITY OF RALSTON MUNICIPAL FACILITIES CORPORATION FOR THE PURPOSE OF ACQUIRING BUILDINGS, EQUIPMENT, AND FACILITIES FOR THE LEASE THEROF TO THE CITY OF RALSTON, NEBRASKA was introduced by Krause. Groesser opened the Public Hearing. Groesser closed the Public Hearing. Groesser said the 3 people chosen for this Board were Bob Kment, Jan Gorman & Steve Robertson. It was moved by Krause, seconded by Gillespie for approval of #1124, with the Mayors recommendations. The vote: all yes, motion carries. It was moved by Gillespie, seconded by Alberhasky to waive 3rd Reading on #1124. The vote: all yes, motion carries.

Consideration of Resolution # 2007-7 – A RESOLUTION CANCELLING THE LIQUOR LICENSE OF SARCAR, INC., dba MIXXERS was introduced by Onken. Klinker explained the procedure. Groesser opened the public hearing. Klinker said he was

submitting a set of documents to Council for review & said anyone who spoke at the podium could be subject to questions from Mr. Lehan.

Deputy Chief Murtaugh spoke and introduced Lieutenant Barcol from the La Vista Police Department, Sgt. Isbell, Officers Herrick, Bishop, Yount, Walker, & Chief White from the Ralston Police Department. Murtaugh spoke on issues and service calls. Officers reported on the reports and calls from Mixxers and answered questions in this regard.

Comments were received from people in favor of passing this resolution. Phillip Keyser, President of the Heritage Condominiums 7005 S 74, La Vista, reported concerns and problems he has had. Diane Riibe, Project Extra Mile Director spoke to concerns at Mixxers & thanked the Mayor, Council & police officers for stepping up on this issue. Kirk Goodnight, State Farm Insurance, spoke in favor of the resolution and the issues at Mixxers in regards to trash issue and ads in regards to Mixxers.

Mrs. Kerri Betts, owner of Mixxers, spoke in opposition to this resolution. K Betts said Mixxers was enjoying being a part of Ralston community and did not want to jeopardize their livelihood. Betts spoke on a petition she would like to present.

Richard Tilson, Assistant Chief Bouncer, gave his background in security and procedures for security at Mixxers. Jeffery Lovell Bacon, Lead Security at Mixxers, gave his background, and reported on his recollection of police report incidents. August Hogan Jr, Terrence McGinty, 8108 Park View, Mike Montgomery, 3121 S 69th Ave, owner of Sound Images Entertainment, Alice Wilson, 5202 Lake Forrest Drive, Papillion, spoke in opposition to Resolution #2007-7.

Ron Betts, owner of Mixxers, 16558 Adams, spoke and answered questions from Lehan & Council.

Klinker stated this is a bar in violation of the zoning law. Klinker said this was disclosed when the agreement was signed. Klinker urged the Council to pass this resolution to cancel the liquor license, and let this be appealed to the State Liquor Commission. Klinker stated this business could operate while under appeal. Klinker said just cause does exist for passage of this resolution.

Lehan said he did not see many of the disturbances listed and thought they had been handled appropriately. Lehan said Betts was looking at local advertising, and was working to make the appropriate changes to comply with the zoning. Lehan said Betts had a long-term lease and long-term debt, and did not want to see him lose his business. Klinker said this issue could go under advisement, but would have to be decided before 30 days passed. Groesser closed the public hearing.

It was moved by Preis, seconded by Gillespie for approval of Resolution #2007-7. Klinker said this is official action & may jeopardize the ability to enforce this zoning in the future, if voted down.

It was moved by Krause, seconded by Preis to table the discussion and call the vote. All vote yes, motion carries.

Vote on Motion to for approval of Resolution # 2007 – 7. The vote: Gillespie, Krause, Onken, Preis vote yes. Konwinski & Alberhasky vote no. Motion carries.

Council Comments – Konwinski, Gillespie, Alberhasky, Krause, Onken, Preis had no comments. Groesser invited all to the Independence Day activities.

Public Comments – None

There being nothing further of a general nature to come before the Council, the meeting was adjourned at 8:40 P.M.

Dolores Costanzo
City Clerk/Treasurer

Donald A. Groesser
Mayor

Claims : Konica Minolta – Copier - \$193.41; Cj'S – Supplies - \$35.62; Petty cash – Costanzo – Reimburse - \$102.76; Century Certified – Pest Control - \$55.00; Donis – Shirts - \$230.00; Gale Group – Books - \$159.73; Gall's – Supply - \$187.76;Huntel – Labor - \$47.50; Integrated Solutions -0 Support - \$2917.00; T Jones – Janitorial - \$75.00; MUD – Utilities - \$203.67; Oxmoor – Book - \$33.91; Omaha Douglas BLdg Comm – Parking - \$1.25; Oriental Trading – Promo - \$84.60; M Omalley – Janitorial - \$199.50; Aquilla – Utility - \$78.89; Pitney Bowes – Rental - \$232.00; Qwezt – Servicede - \$82.30; Petty Cash – white - \$32.00; R&S – Brochures - \$589.00; D suhr – Janitorial - \$100.00;TSC – Supplies - \$156.79;Ultramax – Ammo - \$822.40; Signs by Tomorrow – banner - \$261.00; Choicepoint – Service - \$Repair - \$96.00; AFLAC- Reimburse - \$495.08; NE – IA Supply – Fuel - \$722.25; Fuse Imaging – Auction - \$87.50;F Canfield – Expense - \$54.56; Lesco Prox – Nozzle - \$72.95; Fun Service – NNO - \$2173.00; D Ferraro – Program - \$50.00.

Publish once