

MINUTES OF THE BEATRICE CITY COUNCIL WORK SESSION

A work session of the Beatrice City Council was held on the 22nd day of April, 2013 at the Sargent Room, Beatrice Public Library, 100 North 16th Street, Beatrice, Nebraska.

Attending: Mayor Schuster, Councilmembers: Carey, Catlin, Cook, Fairbanks, Langdale, Moore, and Parde. Also present: City Administrator Tobias Tempelmeyer and City Attorney Gregory Butcher.

Absent: None

Mayor Schuster announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting
- c. Receive and place on file all materials having any bearing on this meeting.

Moved by Catlin, seconded by Carey, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Moore, and Parde.

Nay: None

MOTION CARRIED.

DISCUSSION ITEMS

Amend City Code to provide exceptions for Discharging Firearms within the City

The Council reviewed a draft code change to allow for the discharge of firearms within the City of Beatrice and on City property under certain limited circumstances. Additionally the changes would allow for the discharge of weapons on City property by permission of the City Administrator rather than the Director of the Public Properties Department. Councilman Fairbanks asked for a review of the circumstances which led to this draft change. John Dageford of Windstream explained the situation involving turkey buzzards roosting on the Verizon cell tower which was considered by the Council during a work session in the Fall of 2012. Mayor Schuster expressed his concern for the safety of the public and property due to discharging weapons. Beatrice Police Chief Bruce Lang also stated that he had some concerns for allowing discharge within the City. Councilman Moore would like to see “toy guns” removed from the draft ordinance. Moore also supported the change as long as a licensed/certified agent was involved. Councilman Carey requested that the agent be a “professional agent” when designated to remove animals or fowl. The Council discussed the potential liability issues and requested that some sort of liability coverage be guaranteed by the agent. Fairbanks would like to see the City Council approve the agent rather than the Police Chief. Fairbanks also requested we find out if City Physician Dr. Pat McGuffey give a professional opinion the health concerns associated

with the turkey vultures. Mr. Dageford discussed the use of a laser to distract the birds and cause them to leave their current roosting position. The Mayor noted that the use of such laser now is not in violation of any known City code. The Council requested that such laser be tried first before the Council considers a formal code change at a future regularly scheduled meeting.

Councilmember Tiemann arrived at 7:22 p.m. during the discussion.

Advertising at Scott Street Ball Fields

Lenny Magnall, representing the Beatrice Bullets, shared his ideas for placing advertising on the Scott Street Ball Fields scoreboards. The City Council had previously signed a new agreement for the use of the concession stands and scoreboards a few months back. The ideas and designs for the advertising presented to Council at that time were different from what the Bullets had in mind. Lenny Magnall noted that through fundraising efforts the Bullets have put nearly \$50,000.00 into improvements into the Scott Street Fields while retaining only \$10,000 for team personal use such as hats and entry fees. The estimated income from the sale of advertising is expected to make upwards of \$6,000.00 and will be spent on continued maintenance and improvements to the facility. Councilman Parde stressed his continuing concern for the look of the advertising and the precedent it sets. The Council gave their overall approval for the new advertising structure and City Administration will continue to monitor the ads pursuant to the agreement signed by the parties.

Naming the Alley adjacent to the Post Office

A request was received by Mayor Schuster to name the alley next to the Post Office “Post Office Drive.” The request was submitted by Forrest & Eileen Smith in connection to the development of Lu’s Garden, a project near the Post office which is in memory of Lucile Rhodes. The Council discussed the matter briefly along with the naming of other alleys within the City and would like to consider the item formally at an upcoming City Council meeting.

Annexation

City Administrator Tobias Tempelmeyer presented an updated list of properties to be annexed by the City. Councilman Fairbanks discussed the industrial park and the alleged agreements made to industries located there a number of years ago. It was noted by the Mayor that the City itself made no agreements, no agreements were ever reduced to writing, and that no one with the authority of the City made any agreements as it related to the annexation of the Industrial Park by the City. Fairbanks requested the Industrial Park properties be considered in a separate ordinance so that discussion over the annexations will not get confusing. The Council will consider the annexation proposal resolutions at their next regularly scheduled meeting.

