

MINUTES OF THE BEATRICE CITY COUNCIL WORK SESSION

A work session of the Beatrice City Council was held on the 28th day of January, 2013 at the Sargent Room, Beatrice Public Library, 100 N 16th Street, Beatrice, Nebraska.

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

Absent: Councilmember: Parde

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 Langdale, 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 Tiemann.
Nay: None MOTION CARRIED.

DISCUSSION ITEMS

Update on the 5th Street Project

Beatrice Police Chief Bruce Lang began the discussion of the 5th Street Project. Lang was asked and agreed to chair the committee charged with making recommendations to the City Council regarding redevelopment of the street and streetscape of 5th Street between Court and Ella Streets. Lang noted that 5th Street will change from one way traffic to two way traffic from Court Street north to Lincoln Street. Lang spoke to specific items in the current development plan including planters and its associated water facets, seating, a mural project to be funded by the Chamber, and a historically accurate clock. Lang stressed that the project will be implemented to minimize the time store fronts will be inaccessible. Councilman Fairbanks asked about two way traffic on 5th Street south of Court to Market. City Engineer Rex Behrends spoke about the colored concrete/staining projects, lighting, traffic signals at 5th and Ella, and snow removal. Snow removal will be handled by the Public Properties Department. The estimated cost for the project is \$320,000. Councilman Cook inquired about fixed barriers systems for festivals. Councilman Moore inquired about the filling in under the sidewalks located in the project area and the costs of improving the alleyways. The Councilmembers had an extended discussion about options and costs associated with the 5th and Ella street signal lights.

Update on the Water Park to Hannibal Park Bike Trail

Doug Zulaf, of the City Engineering Department, presented an update on the proposed southern bike trail that will connect the Water Park to the City to Hannibal Park. Doug handed out a map with the original trail route and a new alternative route. The new route removes a good portion of the trail from Scott Street moving it further south. Additionally, the alternative route extends east to cross Highway 136 in front of the high school at the established traffic light. The original route's estimated cost was \$1.38 million while the alternative route would cost \$1.4 million. Doug noted a savings in pedestrian bridges that will not be built, rather culverts will be extended saving \$60k. The trail will be a ten (10) foot wide concrete trail. Councilman Fairbanks inquired about the added cost for a touch light crossing system at the east end of Highway 136. Those costs were included in the alternative estimate. Councilman Moore brought up concern with the trail passing through the Flowing Springs development, which has private maintenance of its roads systems. Jim Nelson noted that a majority of the southern portion of the alternative trail passes through property owned by the hospital and certain retirement centers. Jim noted these parties are excited about the alternative route. Multiple property owners along Scott Street attended the meeting and stressed concerns with the trail's proximity to houses and issues related to driveway crossings. The Mayor stressed that the trail is still nearly 2 years from completion and that the City Engineering Department would continue to review citizen concerns and alternative routes.

Establishment of Policies for Funding Requests by Outside Entities.

City Administrator Tobias Tempelmeyer presented a draft of potential guidelines created by City Administration to lead a discussion on how the City receives and processes requests for funding from outside entities. Tempelmeyer briefly explained the guidelines as they related to application, preference, budgeting, funding of events and items, and payment of requests upon receipt. Councilman Fairbanks outlined his specific concerns with the individual guidelines. The Mayor stressed that no current policy exists and our goal is to let the policy making body have options to choose from in developing a policy. Councilman Fairbanks recommended more input on how groups qualify for the differing pots of money (i.e. LB 840, Lodging Tax, Keno Funds) rather than a blanket policy. Councilman Moore proposed a clearer policy where all non-essential services and outside requests are cut. A more detailed discussion of funding guidelines related to fundraisers and events held multiple times was had by the council. Mayor Schuster requested input from all councilmen present. Councilman Carey wanted to see more revenue generating options such as annexation. Councilman Langdale requested that the body take more time to digest and consider the drafted guidelines. Upon further discussion by the council the Mayor stated that this matter will come before the Council at some point in the future.

Vacant Building Ordinance

City Administrator Tobias Tempelmeyer presented a draft ordinance for the registration and inspection of vacant commercial buildings. The ordinance was based on a version adopted by Nebraska City in 2009. City Attorney Gregory Butcher outlined the process contained in the draft ordinance and noted the fees and penalties associated there with. City Administration specifically noted research it had conducted with Nebraska City regarding enforcement. Administration noted specific concerns with enforcing the language as drafted, conflicts with

established zoning ordinances, and issues associated with general property rights of private property holders. Butcher further discussed ordinances in other communities outside of Nebraska, detailed the reasons for passage, and the restrictions contained therein. The Council members discussed the proposed ordinance generally as it related to enforcement. Councilman Catlin noted that he had many phone calls against this proposal. Councilman Moore would like to see more money brought forth to buy, rehabilitate, and place back in the market properties which are currently vacant/underutilized/in disrepair. Councilman Tiemann noted that the commercial real estate market can be very volatile and the City may not want to be taking such risks. Further discussion was had by the Council on purchasing problem properties, providing incentives for rehabilitation, and adjustments to the ordinance as proposed. Alexis Winder, Dale Simmons, and Julie Fairbanks, participated on behalf of Mainstreet Beatrice and Roger Aden also participated in the discussion. No specific direction was given by the Council. City Administration will further research the topic which will be addressed at a future work session or Council meeting.

Political Signs

Councilman Fairbanks presented potential changes to the zoning requirements as they relate to campaign signs. Fairbanks requested that signs be allowed in the right of way 40 days prior to election day rather than 30 days to coincide with the early voting period. Fairbanks requested removal within 2-5 days after the election. Fairbanks outlined a potential permitting process to place signs in the right of way. Fairbanks recommended an eight (8) foot setback for all signs from all property lines. Lastly, Fairbanks would like to see residential area signs be regulated at the standard size only. City Administrator Tempelmeyer went over some of the current zoning requirements. Mayor Schuster noted that signs on private property (outside of the right of way) may be present year round. Schuster also noted that the City may regulate sizes. City Administration will research the requested proposals and bring forth their findings for a future meeting.

Signs for tree in Chautauqua Park

Councilman Fairbanks would like to see signage directing travelers and interested parties to the largest silver maple tree in the state of Nebraska located in Chautauqua Park. Fairbanks proposal would have a sign which would demonstrate the nearly ten story tree's size in comparison to other items. The sign would be a potential photo opportunity for travelers and sightseers. City Administrator Tempelmeyer provided an estimate of the cost at approximately \$600 without labor. That cost did not include the more decorative sign proposed by Fairbanks. Tempelmeyer also noted that a recent arborist survey suggested the tree be removed in the near future and that the tree appears to be rotting. City Administration will update the costs estimate and report back to the Council.

Purchasing laptops for City Council Members

Councilman Fairbanks brought forth a proposal to have laptops purchased for councilmembers. The initial reasoning for the request was to save copying costs. An analysis of copy costs provided by City Administration showed the dollar for dollar comparison promoted making the copies rather than purchasing laptops. Fairbanks noted the employee time and costs associated with making the copies and delivering them. Fairbanks also mentioned that having designated devices would make public records requests easier and avoid confusion about the usage of

