

MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD JANUARY 7, 2013, AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5TH STREET.

Pledge of Allegiance

1 – Roll Call: Present: Mayor Schuster, Councilmembers Carey, Catlin, Cook, Fairbanks, Langdale, Moore, Parde, Tiemann
Absent: None

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

2 - 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.
- d. Approval of minutes of regular meeting on December 17, 2012 as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$628,392.50.
- f. Approval of BASWA Report of Claims in the amount of \$72,032.30.
- g. Set the public hearing for the One and Six Year Road and Street Plan to be held at the regular meeting on January 21, 2013, at 7:00 p.m.

Moved by Catlin, seconded by Tiemann, 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, Parde, Tiemann
Nay: None Motion carried.

3 - Public Hearings/Bids:

4- Resolutions:

5 – Ordinances:

- a. **Ordinance amending Section 2-66 of the Beatrice City Code to add the Pledge of Allegiance to the order of business.**

Mayor Schuster introduced an ordinance amending Section 2-66 of the Beatrice City Code to add the Pledge of Allegiance to the order of business.

Moved by Catlin, seconded by Carey, that said ordinance be given number 13-001, the title thereof be approved, the rules be suspended, and said ordinance be read by number only three times tonight.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Moore, Parde, Tiemann
Nay: None Motion carried.

Mayor Schuster read Ordinance Number 13-001 by number only the first, second and third times.

Moved by Catlin, seconded by Carey, that Ordinance Number 13-001 be passed and approved.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Moore, Parde, Tiemann
Nay: None Motion carried.

Passed and approved Ordinance Number 13-001.

6 – Public Forum:

No one appeared at public forum.

7 – Discussions/Reports:

- a. **Discussion regarding prohibiting public officials, public employees, the spouse of, or their associates from entering into contracts or performing services for the City including the Board of Public Works.**

As a follow-up to the worksession in November, discussion was held regarding prohibiting public officials, public employees, the spouse of, or their associates from entering into contracts or performing services for the City. City Attorney, Greg Butcher, presented his research, the City is limited by the authority provided to it in the Nebraska State Statutes; the City may pass an ordinance prohibiting contracts with public officials and for over a certain amount however a separate statute does not provide for the City to prohibit contracts with employees, it is allowed as long as it is disclosed. Public Official would be any elected or appointed official of a body that administers the expenditure of its funds and includes their spouse, child, parents, or business association, in both profit and non-profit organizations. Discussion followed regarding the complications such a prohibition could have, the current bid process, policies on purchasing, and the perception that public officials have an advantage due to their access. An ordinance will be drafted and presented at the next regular council meeting for consideration.

8 – Miscellaneous:

The next regular council meeting is January 21, 2013 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. Worksession will be held on January 28, 2013 in the Beatrice Public Library Sargent Room at 7:00 p.m.

Moved by Catlin, seconded by Tiemann, that the meeting be adjourned at 7:55 p.m.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Moore, Parde, Tiemann
Nay: None Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster