

MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD MARCH 4, 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 February 18, 2013, as on file in the City Clerk's Office.
- e. Approval of minutes of worksession on February 25, 2013, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$301,632.72
- g. Approval of BASWA Report of Claims in the amount of \$35,149.65.
- h. Approval of contract with TH Construction in the amount of \$51,000 for the Waterline project on High Street from 9th to 19th Street, as recommended by the BPW.
- i. Approval of special designated permit application of Main Street Beatrice for a fundraiser event on April 20, 2013 from 6:00 p.m. to 8:00 p.m. at 201 North 6th Street.
- j. Resolution Number 5503 approving the closure of Highway 136, also known as Court Street, from 2nd Street to 19th Street on June 15, 2013 from 8:00 a.m. until 12:00 p.m. for the Homestead Days Parade.
- k. Resolution Number 5504 approving the updated by-laws of the 3 & 33 Mutual Aid Association.
- l. Resolution Number 5505 approving agreement with Davis Design to provide engineering services for the replacement of the first floor air handling system at the Beatrice Police Department.

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:

- a. **Resolution terminating CDBG Loan agreement with NEAPCO upon satisfactory completion of terms**

Mayor Schuster introduced Resolution Number 5506 terminating CDBG Loan agreement with NEAPCO upon satisfactory completion of terms.

Moved by Catlin, seconded by Langdale, that Resolution Number 5506 be passed and adopted.

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

Mayor Schuster read Ordinance Number 13-015 by number only the first, second and third times.

Moved by Catlin, seconded by Tiemann, that Ordinance Number 13-015 be passed and approved.

Mayor Schuster explained that this was the same plat approved two-weeks ago, just a correction to the property owner names.

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

Passed and approved Ordinance Number 13-015.

6 – Public Forum:

No one appeared at public forum.

7 – Discussions/Reports:

- a. **Discussion to approve signage for the NE Championship Silver Maple Tree at Chautauqua Park to be paid with lodging tax dollars.**

Moved by Catlin, seconded by Moore, to approve signage for the NE Championship Silver Maple Tree at to be paid with lodging tax dollars.

Councilmember Fairbanks explained that he had brought this up as a way to inform tourists of the championship tree and its size and direct them to the tree in Chautauqua Park. City Administrator Tempelmeyer provided an estimated cost of the signs at \$1,571. Discussion followed; Director of Public Properties, Mark Pethoud reported that the tree has an estimated 10-15 year life span remaining; the cost and size of the signs was discussed.

Moved by Catlin, seconded by Fairbanks to call for the question.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: Moore Motion carried.

Vote on original motion:

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: Moore Motion carried.

b. Fire & Rescue Department 2012 Annual Report

Fire Chief, Brian Daake, presented the Fire & Rescue Department 2012 Annual Report. In 2012 the department responded to a total 2,620 calls, an increase of 61 from 2011. EMS Response calls totaled 2,290 in 2012 as compared to 1,311 in 1995 when the department took over the ambulance service. The average EMS

response time is 3.1 minutes which is important in providing acute care in a timely fashion. The department documented 4,000 hours of training in 2012, and received a grant to replace the generator.

c. Legislative Update

City Administrator Tempelmeyer gave a legislative update; LB295 would allow for the use of LB840 funds to provide relocation incentives for new residents, LB363 regarding requests for public records would provide that upon receiving the estimated cost for the records the person requesting the records must respond within 10 days or the request will be disregarded and currently states that the City could not charge for the first 6 hours of time spent searching for the records however discussion has been to amend this to 4 hours, and LB643 would allow the local body to set the height at which weeds would be a nuisance, provide for notice by first class mail and clear up the appeal process.

8 – Miscellaneous:

Next regular council meeting is March 18, 2013 at 7:00 p.m. in the BPS Admin Bldg Meeting Room.
Worksession will be March 25, 2013 at 7:00 p.m. in the Beatrice Public Library Sargent Room.

Moved by Catlin, seconded by Langdale, that the meeting be adjourned at 8:01 p.m.

Roll Call: Yea: Carey, Catlin, Cook, Fairbanks, Langdale, Parde
Nay: Moore, Tiemann

Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster