

**MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD OCTOBER 21, 2013, AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5<sup>TH</sup> 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 October 7, 2013, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$163,667.24
- f. Approval of BASWA Report of Claims in the amount of \$12,748.68

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, Parde, Tiemann  
Nay: None

Motion carried.

**3 - Public Hearings/Bids:**

**a. Hearings**

**(1) Hearing to receive the semi-annual report of the Citizen's Advisory Review Committee**

Mayor Schuster announced that a public hearing be held to hear the semi-annual report of the Citizen's Advisory Review Committee as provided by LB840.

CARC Committee Chairman, Grant Jones, appeared to present the semi-annual report showing an available balance of \$984,570 in LB840 funds and CDBG funds slightly over \$300,000. He reported that the committee heard from one applicant who is planning to re-apply for funds with different terms, and expect the promotion by NGage will bring in more applicants.

Moved by Catlin, seconded by Moore, that the public hearing be closed at 7:05 p.m.

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

Motion carried.

**4 – Resolutions:**

**a. Resolution entering into a lease with Gage County for office space in the Beatrice Police Station.**

Mayor Schuster introduced Resolution Number 5573 entering into a lease with Gage County for office space in the Beatrice Police Station.

Moved by Catlin, seconded by Carey, that Resolution Number 5573 be passed and adopted.

Mayor Schuster explained that this renews the current lease for a term of one year and a rent decrease from \$18,000 to \$15,600 at the request of the County.

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

Motion carried.

Passed and adopted Resolution Number 5573.

**b. Resolution establishing various fees.**

Mayor Schuster introduced Resolution Number 5574 establishing various fees.

Moved by Catlin, seconded by Cook, that Resolution Number 5574 be passed and adopted.

City Administrator, Tobias Tempelmeyer, explained that later in the meeting action will be taken to remove various fees from the City Code and provide that they be set forth by resolution; this resolution provides for those fees in one document that can be updated from time to time; there are no changes to rates at this time.

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

Motion carried.

Passed and adopted Resolution Number 5574.

**5 – Ordinances:**

**a. Ordinance amending City Code Sections designating that various fees shall be set by resolution.**

Mayor Schuster introduced an Ordinance amending City Code Sections designating that various fees shall be set by resolution.

Moved by Catlin, seconded by Langdale, that said ordinance be given number 13-054, 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 13-054 by number only the first, second and third times.

Moved by Catlin, seconded by Langdale, that Ordinance Number 13-054 be passed and approved.

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

Motion carried.

Passed and approved Ordinance Number 13-054.

**b. Ordinance vacating the alley in Block 32, Glenover Addition, located at the SW corner of Wentworth and West Irving Streets, and vest title to abutting property.**

Mayor Schuster introduced an Ordinance vacating the alley in Block 32, Glenover Addition, located at the SW corner of Wentworth and West Irving Streets, and vest title to abutting property.

Moved by Catlin, seconded by Moore, that said ordinance be given number 13-055, 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 13-055 by number only the first, second and third times.

Moved by Catlin, seconded by Moore, that Ordinance Number 13-055 be passed and approved.

City Administrator Tempelmeyer explained that the property owner is selling the property and found that years back when the administrative subdivision permit was approved to include the vacated alley, unfortunately action had never taken to vacate it and convey the property. State Statutes do allow the city to vacate a parcel of property and revert it to the abutting property owner, therefore, to expedite the sale of his property, this ordinance does just that.

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

Motion carried.

Passed and approved Ordinance Number 13-055.

**c. Ordinance amending the City Code regarding street closing procedures.**

Mayor Schuster introduced an Ordinance amending the City Code regarding street closing procedures.

Moved by Catlin, seconded by Langdale, that said ordinance be given number 13-056, 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 13-056 by number only the first, second and third times.

Moved by Catlin, seconded by Langdale, that Ordinance Number 13-056 be passed and approved.

City Attorney, Greg Butcher, explained that this ordinance will provide that one person be the contact for all public requests for street closures, that person being the Traffic Engineer, which is the Police Chief. He will then be responsible for notifying the appropriate parties of the request and regulating the placement of barriers, signs, and placards. The ordinance also deletes reference to obtaining a permit for backing to the curb to unload, which is obsolete. Discussion followed.

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

Motion carried.

Passed and approved Ordinance Number 13-056.

**6 – Public Forum:**

Mark Clausen, 704 Court, appeared at public forum to speak about a letter he sent offering property to the City to relocate the Fire Department and to let the council know he would be pleased to talk to them sometime about it.

**7 – Discussions/Reports:**

**a. City Administrator’s Monthly Report**

City Administrator Tempelmeyer presented the City Administrator's monthly report. The unaudited year-end numbers show that revenue came in at 99.9% of budget and expenditures were 96.6% of budget. The Landfill C & D is completed and operational. Olsson Associates has been contracted to perform studies for the Waste Water Treatment Facility and assist with the AMI (automated meter infrastructure) reading system RFP. Discussion followed.

**8 – Miscellaneous:**

Next regular council meeting is November 4, 2013 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. Worksession will be October 28, 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 7:35 p.m.

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

Motion carried.