

SUMMARY OF THE CITY COUNCIL REGULAR MEETING HELD JUNE 2, 2008 AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5TH STREET.

1 – Roll Call: Present: Mayor Schuster, Councilmembers Catlin, Cook, Fetty, Kerr, Lytle, Parde, Witulski
Absent: Councilmember Fairbanks

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.

Councilmember Fairbanks arrived at 7:02 p.m.

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 May 19, 2008 as on file in the City Clerk's office.
- e. Approval of Treasurer's Report of Claims in the amount of \$388,776.61.
- f. Approval of BASWA Report of Claims in the amount of \$37,679.24.
- g. Approval of bid for Hayes Street Paving District #08-484 to Trauernicht Construction in the amount of \$39,589.50 as recommended by the Board of Public Works.
- h. Approval of change order for the Plaza Ridge Concrete Ditch project decreasing the contract amount \$3,389.55 making the final payment \$25,870.70 to R.L. Tiemann Construction as recommended by the Board of Public Works.
- i. Approval of demolition cost in the amount of \$5,000.00 to R.L. Tiemann Construction for dilapidated structure at 512 N 13th Street.
- j. Approval of demolition cost in the amount of \$4,150.00 to Carstens Construction for dilapidated structure at 311 N Sumner Street.
- k. Approval of ambulance write-off/collections listings.
- l. Approval of Special Designated Liquor Permit application of Risky's II for the Wounded Warriors Project Poker Run on July 19, 2008 at 2317 N 6th Street parking lot from 12:00 p.m. until 1:00 a.m.

Moved by Fetty seconded by Witulski, that the items listed under the consent agenda with the exception of item g be approved, accepted and/or ratified as presented.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

Moved by Fetty, seconded by Fairbanks to approve the bid for Hayes Street Paving District #08-484 to Trauernicht Construction in the amount of \$39,589.50 as recommended by the Board of Public Works.

Councilmember Parde expressed his opposition to paving Hayes Street.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Lytle, Witulski.
Nay: Kerr, Parde

Motion Carried.

3 - Public Hearings/Bids:

Bids

- a. Receive bids for the purchase of a new aerial platform truck for the fire department.

Mayor Schuster asked if there were any other bids to be presented for purchase of a new aerial platform truck for the fire department.

Moved by Fetty, seconded by Cook that the bidding be closed and the bids be opened and read aloud.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

City Administrator Neal Niedfeldt opened the bids and read the same aloud as follows:

<u>Company</u>	<u>Bid Amount</u>	<u>Comments</u>	<u>Bid Security</u>
Conrad Fire/Pierce Mfg.	\$832,675.00	Demo/60 days	10% of bid
Toyne, Inc.	\$759,594.00	Custom/ 365-410 days	5% of bid
Steven Corp/Sutphen	\$816,228.00	Demo/May 2009	5% of bid
Central States Fire App.	\$691,285.00	Custom/365 days	5% of bid
EDM Feld Co.	\$862,500.00	Custom/9 months	5% of bid
EDM Feld Co.	\$798,275.00	Demo/60 days	5% of bid
Fireguard	\$784,992.00	Custom/360 days	5% of bid
Fireguard	\$806,413.00	Demo/60-90 days	5% of bid
Fireguard	\$767,613.00	Demo/60-90 days	5% of bid
Fireguard	\$749,113.00	Demo/60-90 days	5% of bid
Smeal Fire Apparatus	\$742,378.00	Custom/300-360 days	5% of bid

Moved by Fetty, seconded by Lytle that the bids be referred to the Fire Chief and City Administrator for review and recommendation at the next regular City Council meeting on June 16th.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

Public Hearings: None.

4- Resolutions:

a. Resolution terminating the legal services agreement.

Mayor Schuster introduced Resolution Number 5032 authorizing the Mayor to terminate the agreement for legal services with Robert M. Schafer.

Moved by Fetty, seconded by Cook that Resolution Number 5032 be passed and adopted.

Discussion was held regarding the decision to go back to hiring a full-time City Attorney, that it was good business. Rob Schafer was thanked for his services.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

b. Resolution appointing Tobias Tempelmeyer as City Attorney.

Mayor Schuster introduced Resolution Number 5033 appointing Tobias J. Tempelmeyer to fill the position of City Attorney for the City of Beatrice, Nebraska.

Moved by Fetty, seconded by Kerr that Resolution Number 5033 be passed and adopted.

Discussion was held regarding the process of selecting the candidate for appointment.

Moved by Fetty, seconded by Kerr to amend Resolution 5033 to change the effective date to June 9, 2008.

It was proposed to move up the date for a smoother transition. There was some concern that the city would be paying double for legal services in June.

Roll Call: Yea: Catlin, Fetty, Kerr, Parde, Witulski.
Nay: Cook, Fairbanks, Lytle.

Motion Carried.

Vote on original motion as amended.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Parde, Witulski.
Nay: Lytle.

Motion Carried.

5 – Ordinances:

- a. Ordinance Number 08-17 annexing various parcels of land located in Section 28, T4N, R6E of the 6th P.M. Gage County, Nebraska. Read by title only one time.**

Moved by Fetty, seconded by Cook that said Ordinance Number 08-17 be read by title only the second time tonight.

Discussion was held among councilmembers whether there was any benefit to the City or landowners to annex these properties now.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

Mayor Schuster read Ordinance Number 08-17 by title the second time.

6– Public Forum:

No one appeared.

7- Discussions/Reports:

- a. Discussion regarding Beatrice Plus Committee application procedures and meeting dates.**

Discussion was held regarding the Beatrice Plus Committee application process and meeting dates. Suggestions were made that there should be application deadlines and that the applicant attend the meeting. Also due to a committee member changing residence, the committee currently has two members from the same ward, so that should be resolved. Councilmember Fairbanks will meet with the committee to prepare new guidelines, which will be forwarded to the Mayor.

8- Miscellaneous:

- a. Results of Early Retirement Incentive Program**

City Administrator Neal Niedfeldt reported on the results of the Early Retirement Incentive Program. Eleven employees took advantage of the program at a cost of \$350,000. The first year savings will be \$360,000.

Moved by Fetty, seconded by Cook that the meeting be adjourned at 8:26 p.m.

Roll Call: Yea: Catlin, Cook, Fairbanks, Fetty, Kerr, Lytle, Parde, Witulski.
Nay: None.

Motion Carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster