

SUMMARY OF THE CITY COUNCIL REGULAR MEETING HELD SEPTEMBER 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
Absent: Councilmembers 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.

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 August 18, 2008 as on file in the City Clerk's office.
- e. Approval of Treasurer's Report of Claims, in the amount of \$1,091,371.16.
- f. Approval of BASWA Report of Claims, in the amount of \$37,955.30.
- g. Resolution Number 5043 approving amendment to the City of Beatrice/Beatrice Board of Public Works Employee Health Plan concerning the out-of-network only copay.
- h. Approval of Ambulance write-off list to be sent to Collection Associates.
- i. Approval of bid of Trauernicht Construction in the amount of \$65,463 for the Grant Street Reconstruction Project as recommended by the BPW.

Moved by Fetty, seconded by Cook, that the items listed under the consent agenda, with the exception of items d & h, be approved, accepted and/or ratified as presented.

Roll Call: Yea: Catlin, Cook, Fetty, Kerr, Lytle, Parde
Nay: None. Motion carried.

Moved by Fetty, seconded by Cook that the minutes of August 18, 2008 as on file in the City Clerk's office be approved.

Councilmember Lytle was not present at this meeting but after reading through the minutes saw no reason to pull his name from voting for approval.

Roll Call: Yea: Catlin, Cook, Fetty, Kerr, Lytle, Parde
Nay: None. Motion carried.

Moved by Fetty, seconded by Kerr, that the Ambulance write-off list, to be sent to Collection Associates, be approved.

Councilmember Lytle noted that the list had fewer write-offs, which it was explained was due to more efficient billing and review of aged accounts.

Roll Call: Yea: Catlin, Cook, Fetty, Kerr, Lytle, Parde
Nay: None. Motion carried.

3 - Public Hearings/Bids: None.

4– Resolutions:

- a. Resolution setting the date for a public hearing for the purpose of a proposed annexation and plan for property located to the north of the Beatrice Airport. (North Gate)**

Mayor Schuster introduced Resolution Number 5044 setting the date for a public hearing to be held at 7:00 p.m. on September 15, 2008, for the purpose of a proposed annexation and plan for property located to the north of the Beatrice Airport.

Moved by Fetty, seconded by Cook, that Resolution Number 5044 be passed and adopted.

City Administrator Niedfeldt explained that the developer had requested the annexation now, prior to presentation of a plat. The property will be developed for commercial use and has been announced as the site for the new hospital.

Roll Call: Yea: Catlin, Cook, Fetty, Kerr, Lytle, Parde
Nay: None. Motion carried.

b. Resolution prohibiting parking on Court Street from Scott to mid-block between 2nd and 3rd Streets, and on the south side between the alley east of 9th to 10th Street, and on the north side between 16th and 21st Streets.

Mayor Schuster introduced Resolution Number 5045 Resolution prohibiting parking on Court Street from Scott to mid-block between 2nd and 3rd Streets, and on the south side between the alley east of 9th to 10th Street, and on the north side between 16th and 21st Streets.

Moved by Fetty, seconded by Lytle, that Resolution Number 5045 be passed and adopted.

City Administrator Niedfeldt explained that this is a requirement of the State Dept of Roads for the mill and overlay project. Councilmember Fetty would like to have all parking on both sides of East Court be prohibited. Mayor Schuster asked to approve this resolution tonight and have the City engineer and traffic engineer bring back a recommendation in October regarding all parking.

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

Motion carried.

c. Resolution executing agreement with the Nebr. Dept. of Roads for the mill and resurfacing of US Highway 77 from ½ block north of Market to Lincoln Street and US Highway 136 from 5th to 7th Streets.

Mayor Schuster introduced Resolution Number 5046 executing agreement with the Nebr. Dept. of Roads for the mill and resurfacing of US Highway 77 from ½ block north of Market to Lincoln Street and US Highway 136 from 5th to 7th Streets.

Moved by Fetty, seconded by Lytle, that Resolution Number 5046 be passed and adopted.

City Administrator Niedfeldt explained that this is the 1st Phase of the project, primarily the downtown area, which needed to be considered separately due to the Kensington awning. The City's cost of the project will be about 10%, based upon a 50/50 split, with the City's 50% being paid with 80% STP funds and 20% local funds. Bid letting will be in February of 09 with a projected start date in the late spring of 09.

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

Motion carried.

d. Resolution executing agreement with the Nebr. Dept. of Roads for the mill and resurfacing of the remainder of US Highways 77 and 136, including turn lane improvements.

Mayor Schuster introduced Resolution Number 5047 executing agreement with the Nebr. Dept. of Roads for the mill and resurfacing of the remainder of US Highways 77 and 136, including turn lane improvements.

Moved by Fetty, seconded by Lytle, that Resolution Number 5047 be passed and adopted.

City Administrator Niedfeldt explained that this is the remainder of the State mill and resurfacing project of the proposed sections of Highways 77 and 136, which need repair badly. This cost to the City will also be about 10%.

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

Motion carried.

e. Resolution authorizing a lease agreement with Gage County for use of office space at 201 North 5th Street for use by the probation department.

Mayor Schuster introduced Resolution Number 5048 authorizing a lease agreement with Gage County for use of office space at 201 North 5th Street for use by the probation department.

Moved by Fetty, seconded by Cook, that Resolution Number 5048 be passed and adopted.

Mayor Schuster explained that the County Board approached the City to lease the empty space above the police department to provide a location for the local probation office. The lease will commence October 1, 2008, for an initial term of 5 years and can be renewed. The County will pay \$18,000 per year plus a portion of the utilities. Initial

improvements to the heating and cooling system will be paid by the County and deducted from the 1st lease payment. County Supervisor Ron Fleecs, 1401 N 14th Street, stated that the County Board approved the agreement at their meeting, which provides them with a needed location and the City with additional income.

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

Motion carried.

5 – Ordinances:

a. Approval of final plat for NorthRidge Village Addition located at the Northwest corner of 6th and Sargent Streets.

Mayor Schuster introduced an ordinance approving the final plat for NorthRidge Village Addition located at the Northwest corner of 6th and Sargent Streets.

Moved by Fetty, seconded by Cook, that said ordinance be given Number 08-22, the title thereof be approved and the rules be suspended and said ordinance be read by number only three times tonight.

City Attorney Tempelmeyer explained that the Planning and Zoning Commission had approved the final plat at their last meeting and recommended it to the Council for approval. This is the site of the Southwick Development noting that Outlot A is undevelopable due to Airport restrictions.

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

Motion carried.

Mayor Schuster read Ordinance Number 08-22 by number only the first, second and third time.

Moved by Fetty, seconded by Kerr, that Ordinance Number 08-22 be passed and approved.

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

Motion carried.

Ordinance Number 08-22 has been passed and approved.

b. Approval of the Subdivision Improvement Agreement of NorthRidge Village Addition.

Mayor Schuster introduced an ordinance approving the Subdivision Improvement Agreement of Northridge Village Addition.

Moved by Fetty, seconded by Kerr, that said ordinance be given Number 08-23, the title thereof be approved and the rules be suspended and said ordinance be read by number only three times tonight.

City Attorney Tempelmeyer explained that this agreement between the City and the owners of the property, which is Southwick, sets forth what utilities will be provided and requires a letter of credit to secure the costs upon completion.

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

Motion carried.

Mayor Schuster read Ordinance Number 08-23 by number only the first, second and third time.

Moved by Fetty, seconded by Kerr, that Ordinance Number 08-23 be passed and approved.

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

Motion carried.

Ordinance Number 08-23 has been passed and approved.

6– Public Forum:

No one appeared.

