

MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD FEBRUARY 15, 2010, AT 7:00 P.M. IN THE MEETING ROOM AT THE BPS ADMIN BLDG, 320 NORTH 5TH STREET.

1 – Roll Call: Present: Mayor Schuster, Councilmembers Catlin, Fetty, Lytle, Moore, Parde, Schmale
Absent: Councilmembers Carey and 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 regular meeting on February 1, 2010, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$638,373.45.
- f. Approval of BASWA Report of Claims in the amount of \$61,909.58.
- g. Approval of bid in the amount of \$41,400 for the Video Storm Sewer Project to Quality Pipe Services, as recommended by the Board of Public Works.
- h. Refer claim of Karen Rademacher, 915 W. Court, for damages to her vehicle due to icy road conditions on January 12 or 13, 2010 to the City Attorney and City's Insurance Carrier.

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

Roll Call: Yea: Catlin, Fetty, Lytle, Moore, Parde, Schmale
Nay: None

Motion carried.

Councilmember Fetty requested separate consideration of a claim submitted by R. L. Tiemann Construction in the amount of \$29,674.68.

Moved by Fetty, seconded by Catlin, to remove the claim of R. L. Tiemann Construction in the amount of \$29,674.68 and to approve all other claims in the Treasurer's Report of Claims in the amount of \$608,698.77.

Roll Call: Yea: Catlin, Fetty, Lytle, Moore, Parde, Schmale
Nay: None

Motion carried.

Moved by Fetty, seconded by Parde, to approve the claim of R. L. Tiemann Construction in the amount of \$29,674.68.

Councilmember Fetty asked that before making a final approval he wanted all councilmembers to see the itemization of the invoice, which was for work done on the Kensington Awning Project. City Engineer, Rex Behrends, presented the itemization of costs provided by Mr. Tiemann. Robert Tiemann, 116 Regency Drive, was present to answer questions about the project costs. A lengthy discussion followed regarding how the project, which the state required to receive federal aid projects, evolved from originally just removing, shortening and replacing the awning at a City cost of \$5,000, to the State Historical Society's involvement in restoring the awning and replacing it at final total cost of \$65,984.39. When the scope of the project changed the Nebr. Dept. of Roads had agreed to increase their share of cost for the project to \$22,500, but Mr. Behrends has sent in a request for 50% of the total cost. The project seemed out of the City's control so councilmembers wanted more information from the Historical Society of what was asked for and why.

Moved by Catlin, seconded by Fetty to postpone action on payment of the claim until the March 1st regular meeting.

Roll Call: Yea: Catlin, Fetty, Lytle, Moore, Schmale
Nay: Parde

Motion carried.

5 – Ordinances:

- a. **Ordinance Number 09-046 annexing two tracts of land, described as parts of the SE 1/4 of Section 28, T4N, R6E, and that part of Irving Street between Blocks 24 and 37, Glenover Addition. (Second Reading)**

Mayor Schuster announced consideration of the second reading of Ordinance Number 09-046 annexing two tracts of land, described as parts of the SE 1/4 of Section 28, T4N, R6E, and that part of Irving Street between Blocks 24 and 37, Glenover Addition.

Moved by Fetty, seconded by Schmale, that Ordinance Number 09-046, the title thereof be approved, and said ordinance be read by title only the second time tonight.

Roll Call: Yea: Catlin, Fetty, Lytle, Moore, Parde, Schmale
 Nay: None

Motion carried.

Mayor Schuster read Ordinance Number 09-046 by title the second time:

“An ordinance to extend the boundaries and include within the corporate limits of, and to annex to, the City of Beatrice, Nebraska a tract of land out of and part of the Southeast Quarter (SE ¼) of Section Twenty-Eight (28), Township Four (4) North, Range Six (6), East of the 6th P.M., Beatrice, Gage County, Nebraska; to provide service benefits thereto; to repeal conflicting ordinances; and to provide for publication in pamphlet form and effective date of this ordinance.”

6– Public Forum:

No one appeared at public forum.

7- Discussions/Reports:

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

Mayor Schuster referred to the City Administrator’s monthly report for January 2010 as printed in the packet.

8 – Miscellaneous:

Next regular council meeting is March 1, 2010 at 7:00 p.m. at BPS Admin Bldg meeting room.

Worksession is February 22, 2010 at 7:00 p.m. in the Beatrice Public Library N. Price Meeting room.

Moved by Fetty, seconded by Catlin, that the meeting be adjourned at 8:02 p.m.

Roll Call: Yea: Catlin, Fetty, Lytle, Moore, Parde, Schmale
 Nay: None

Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster