

SUMMARY OF THE CITY COUNCIL REGULAR MEETING HELD MARCH 1, 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 Carey, Catlin, Fairbanks, Fetty, Lytle, Moore, Parde, Schmale
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 15, 2010, as on file in the City Clerk's Office.
- e. Approval of minutes of worksession on February 22, 2010, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$235,614.39.
- g. Approval of BASWA Report of Claims in the amount of \$29,395.42.
- h. Resolution Number 5178 approving the concessions license agreement with Beatrice Bullets for the Northern Natural Fields Concession Stand.
- i. Refer claim of Lisa Busboom regarding her accident at the Beatrice Landfill on July 30, 2009, 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 item i, be approved, accepted and/or ratified as presented.

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

Motion carried.

Moved by Fetty, seconded by Fairbanks to refer claim of Lisa Busboom regarding her accident at the Beatrice Landfill on July 30, 2009, to the City Attorney and City's Insurance Carrier.

i – Councilmember Moore asked about the reference in the letter regarding rock on the road. It is placed on the road for traction.

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

Motion carried.

3 – Public Hearings/Bids:

4 – Resolutions:

- a. **Resolution designating Neal Niedfeldt as the person responsible for management of LPA Guidelines and Rex Behrends as the Responsible Charge Person for the TEP Historic Byway Signage Grant.**

Mayor Schuster introduced Resolution Number 5179 designating the Responsible Charge person for the TEP Historic Byway Signage Grant.

Moved by Fetty, seconded by Fairbanks, that Resolution Number 5179 be passed and adopted.

City Administrator Niedfeldt explained that this is required paperwork to continue with the grant, which was awarded last year.

Roll Call: Yea: Carey, Catlin, Fairbanks, Fetty, Lytle, Moore, Parde, Schmale

Nay: None.

Motion carried.

Resolution Number 5179 has been passed and adopted.

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. (Final Reading)**

Mayor Schuster announced consideration of the final 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 third and final time tonight.

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

Motion carried.

Mayor Schuster read Ordinance Number 09-046 by title the third 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.”

Moved by Fetty, seconded by Carey, that Ordinance Number 09-046 be passed and approved.

City Attorney Tempelmeyer presented the recommendation for approval from the Planning & Zoning Commission.

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

Motion carried.

Ordinance Number 09-046 has been passed and approved.

6– Public Forum:

No one appeared at public forum.

7- Discussions/Reports:

- a. Comprehensive Annual Financial Report for the year ending 9/30/2009.**

Gary Pohlmann, partner for the accounting firm of Dana F. Cole & Co., presented the audit of the City’s Fiscal Year ending September 30, 2009. He reviewed the financial statements with the council showing the city in an overall good financial position. During the course of the audit there were no findings considered to be a material weakness, no compliance issues, and no issues with management.

- b. Police Department Annual Report 2009**

Police Chief, Bruce Lang, presented the Police Department’s annual report for the calendar year 2009. He reviewed the numbers with the Council, crime is down, car thefts continue to be an issue, and the department remains focused on presenting a service while meeting the needs of change. A goal of 2010 is to for Officers to provide more interaction with the Community and the Council.

c. Discussion of claim of R.L. Tiemann Construction in the amount of \$29,674.68 for the remainder of work on the Kensington Awning Project.

Action on approval of this claim was deferred from the March 1st meeting. Discussion continued regarding the amount of the claim and the scope of work that was involved in restoring the awning as dictated by the Historical Society. The roofing sub-contractor's amount had been reduced pending further information, which has now been resolved. City Engineer, Rex Behrends, reported that the City received the \$22,500 from the Department of Roads per the agreement.

Moved by Fetty, seconded by Moore, to amend the claim of R.L. Tiemann Construction, adding back \$1,000, making the total amount \$30,674.68, for the remainder of work on the Kensington Awning Project, to be approved for payment.

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

Motion carried.

8- Miscellaneous:

a. Next regular council meeting is March 15, 2010 at 7:00 p.m. at BPS Admin Bldg meeting room.

Moved Fetty, seconded by Schmale, that the meeting be adjourned at 8:12 p.m.

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

Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster