

**MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD DECEMBER 17, 2012 AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5<sup>TH</sup> STREET.**

**1 – Roll Call:** Present: Mayor Schuster, Councilmembers Carey, Catlin, Fairbanks, Langdale, Moore, Parde, Tiemann  
Absent: Councilmember Cook

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 December 3, 2012 as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$903,214.88.
- f. Approval of BASWA Report of Claims in the amount of \$39,768.66.
- g. Approval of plans, specifications, and advertisement for bids for 2013 Misc. Concrete Street Repairs.
- h. Approval of plans, specifications, and advertisement for bids for Water Park Drainage Project.
- i. Approval of manager application of Duaine Arena in connection with Godfather's Pizza liquor license.
- j. Resolution Number 5482 appointing David Pede Catlin to serve as the City representative on NGage Board of Directors.
- k. Resolution Number 5483 entering into a Haying Agreement with Roger Little.
- l. Resolution Number 5484 entering into a Haying Agreement with Joel Fossler.

Moved by Catlin, seconded by Langdale, that the items listed under the consent agenda, with the exception of item e and i, be approved, accepted and/or ratified as presented. Parde abstained from item d.

Roll Call: Yea: Carey, Catlin, Fairbanks, Langdale, Moore, Parde, Tiemann  
Nay: None Motion carried.

Moved by Catlin, seconded by Langdale, that the Treasurer's Report of Claims in the amount of \$903,214.88 be approved.

Councilmember Moore questioned if the payment to Alley Poyner Architects was being paid with Beatrice Library Foundation funds; yes the foundation has reimbursed the City for the expenditure. Councilmember Fairbanks requested more information regarding a street fund payment to Speece Lewis Engineers, which was for the annual bridge inspection that they do each year; a separate payment was for their services to repair the sidewalks on the Indian Creek and West Court bridges.

Roll Call: Yea: Carey, Catlin, Fairbanks, Langdale, Moore, Parde, Tiemann  
Nay: None Motion carried.

Moved by Catlin, second by Langdale, that the application of Duaine Arena in connection with Godfather's Pizza liquor license, be approved.



## 5 – Ordinances:

- a. **Ordinance Number 12-048 to amend sections of the City Code to adopt the International Building, Mechanical, Plumbing, Residential, Energy Conservation, Property Maintenance, Fuel Gas, and Existing Building Codes, 2009 Edition, published by ICC. Second Reading.**

Mayor Schuster introduced the second reading of Ordinance Number 12-048 to amend sections of the City Code to adopt the International Building, Mechanical, Plumbing, Residential, Energy Conservation, Property Maintenance, Fuel Gas, and Existing Building Codes, 2009 Edition, published by ICC.

Moved by Catlin, seconded by Carey, that said Ordinance Number 12-048, the title thereof approved, and said ordinance be read by title only the second time tonight.

Mayor additional consideration code updates. Last meeting suggested considering require rough in for radon gas abatement in new residences.

Steve Printy, Code Enforcement Officer, presented information regarding radon gas abatement in new residences; there are two types of radon mitigation systems, passive or active which includes a fan. If the code is to be amended, it is his recommendation to require a complete passive mitigation system, estimated cost \$1,000-\$1,000, as the most cost effective when done during new construction. An EPA map shows that Gage County is in the highest classification for radon potential. Discussion was also held regarding requiring installation of gas-fed water heaters and appliances be done by a qualified person. Discussion followed to continue with passage of the current ordinance and draft a separate ordinance for consideration of any amendments.

Roll Call: Yea: Carey, Catlin, Fairbanks, Langdale, Moore, Parde, Tiemann

Nay: None

Motion carried.

Mayor Schuster read Ordinance Number 12-048 by title:

An ordinance to amend Sections 7-10, 7-11, 7-20, 7-21, 7-30, 7-31, 7-60, 7-61, 7-70, 7-71, 7-90, 7-91, and 7-317; to repeal Sections 7-12, 7-22, 7-92, 7-93, 11-1, 11-2, 11-3, 11-3.1, 11-3.2, 11-3.3, 11-3.4, 11-3.5, and 11-3.6; to adopt the *International Building Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Mechanical Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Plumbing Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Residential Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Energy Conservation Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Property Maintenance Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Fuel Gas Code*, 2009 Edition, published by the International Code Council with amendments; to adopt the *International Existing Building Code*, 2009 Edition, published by the International Code Council with amendments; to add Sections 7-7, 7-330, 7-331, 7-340, and 7-341 to the Beatrice City Code; to repeal all other conflicting ordinances or parts of ordinances; and to provide for publication in pamphlet form and an effective date of this ordinance.

- a. **Ordinance to vacate a portion of Irving Street between Pelham Ave and 6<sup>th</sup> Street.**

Mayor Schuster introduced an ordinance to vacate a portion of Irving Street between Pelham Ave and 6<sup>th</sup> Street.



Mayor Schuster referred to the City Administrator's Report as printed in the packet and councilmembers brought forth any questions regarding the information.

**8 – Miscellaneous:**

The next regular council meeting is January 7, 2013 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. There will be no worksession in December. Mayor Schuster wished everyone a Merry Christmas.

Moved by Catlin, seconded by Langdale, that the meeting be adjourned at 8:44 p.m.

Roll Call:        Yea: Carey, Catlin, Fairbanks, Langdale, Parde, Tiemann  
                      Nay: Moore

Motion carried.

**Linda S. Koch, City Clerk**

**Mayor Dennis Schuster**