

**MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD OCTOBER 1, 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, Fetty, Moore, Langdale, Parde, Tiemann  
Absent: Councilmember Schmale

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 September 17, 2012 as on file in the City Clerk's Office.
- e. Approval of minutes of worksession on September 24, 2012 as on file in the City Clerk's Office.
- f. Approval of minutes of special meeting on September 28, 2012 as on file in the City Clerk's Office.
- g. Approval to purchase new crack-sealing machine for the Street Department from Logan Contractors in the amount of \$59,000, as recommended by the BPW.
- h. Approval to purchase a new wheel loader for the Street Department from NMC Cat in the amount of \$116,200 as recommended by the BPW.
- i. Approval of plans, specifications, and advertisement for bids for a new 911 ambulance.

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

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Tiemann  
Nay: None

Motion carried.

Moved by Fetty, seconded by Tiemann, to approve the purchase of a new crack-sealing machine for the Street Department from Logan Contractors in the amount of \$59,000, as recommended by the BPW.

Councilmember Moore questioned whether Ron had looked into the option of renting a machine instead. Street Supt., Ron Baete, reported that he had not, but that the down-side would be having to wait until a rental machine was available to use.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Tiemann  
Nay: None

Motion carried.

Moved by Fetty, seconded by Langdale, to approve the purchase a new wheel loader for the Street Department from NMC Cat in the amount of \$116,200 as recommended by the BPW.

Councilmember Carey requested more information on the age of the old loader and its purpose. Street Supt. Baete explained that the old loader was a 2002 and is replacing it due to repair costs; the main use is snow removal and hauling.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Tiemann  
Nay: None

Motion carried.

Moved by Fetty, seconded by Langdale, to approve the plans, specifications, and advertisement for bids for a new 911 ambulance.

Councilmember Carey just wanted to clarify if the specifications called for a 4x4. Fire Chief, Brian Daake, confirmed that.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Tiemann  
Nay: None

Motion carried.

Mayor Schuster announced to now hear Item 7(a) under discussions:

**7 – Discussions/Reports:**

**a. Alley Poyner to present the recommendation of the Library Development Steering Committee.**

Dr. Dale Kruse, head of the Library Development Steering Committee, and Michael Alley and Nancy Novak of the Alley Poyner Macchietto Architecture firm from Omaha Nebraska, appeared before the council to present the proposed design for development of the Beatrice Public Library lower level and upstairs improvements. Dr. Kruse thanked all involved in the development and design process and especially the financial support provided through the bequests of Maurice and Dorothy Hevelone and Virginia Vette. Mr. Alley and Ms. Novak then reviewed the drawings of the proposed improvements, which include moving the Heritage & Genealogy Center to the lower level and using that room vacated upstairs for a Teen area, changes to the children’s library area, additional bathrooms, a stairway to the lower level, added study group and reading areas, and a new art display area in the lower level. Discussion followed. Approval of the design will be considered at the next city council meeting, then the bidding process can begin, with construction hopefully completed within 1 year.

Councilmember Schmale arrived at 7:35 p.m.

**3 - Public Hearings/Bids:**

**4– Resolutions:**

**a. Resolution requesting that DED return all unallocated program income and future payments on Revolving Loan Funds.**

Mayor Schuster introduced Resolution Number 5459 requesting that DED return all unallocated program income and future payments on Revolving Loan Funds.

Moved by Fetty, seconded by Schmale, that Resolution Number 5459 be passed and adopted.

Mayor Schuster explained that the Department of Economic Development has revised their policy and therefore cities can request that the funds sent to DED in May be returned back to the City to be used in a local Revolving Loan Fund program. City Administrator Tempelmeyer explained that the City would request back the \$173,000, plus has on hand another \$43,000, that can be used to continue operating the program. DED will only audit the 2011 program year.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Schmale, Tiemann  
Nay: None

Motion carried.

Passed and adopted Resolution Number 5459.

**5 – Ordinances:**

**a. Ordinance approving salaries of various City employees.**

Mayor Schuster introduced an Ordinance approving salaries of various City employees.

Moved by Fetty, seconded by Moore, that said ordinance be given number 12-044, the title thereof be approved, the rules be suspended, and said ordinance be read by number only three times tonight.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Schmale, Tiemann

Nay: None

Motion carried.

Mayor Schuster read Ordinance Number 12-044 by number only the first, second and third times.

Moved by Fetty, seconded by Tiemann, that Ordinance Number 12-044 be passed and approved.

Mayor Schuster explained that the ordinance enacts the various salary increases, primarily cost-of-living as spelled out in various union contracts; also 2% was given to department heads that are not a part of the bargaining unit; and performance based raises as provided for in the police and fire contracts plus 9 other individuals received 2.5% performance raises as recommended by department heads with the concurrence of the City Administrator and Mayor.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Schmale, Tiemann  
Nay: None

Motion carried.

Passed and approved Ordinance Number 12-044.

**b. Ordinance amending City Code Section 16-602 regarding leaving the scene of a motor vehicle accident.**

Mayor Schuster introduced an Ordinance amending City Code Section 16-602 regarding leaving the scene of a motor vehicle accident.

Moved by Fetty, seconded by Catlin, that said ordinance be given number 12-045, the title thereof be approved, the rules be suspended, and said ordinance be read by number only three times tonight.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Schmale, Tiemann  
Nay: None

Motion carried.

Mayor Schuster read Ordinance Number 12-045 by number only the first, second and third times.

Moved by Fetty, seconded by Schmale, that Ordinance Number 12-045 be passed and approved.

City Attorney, Greg Butcher, explained that the proposed ordinance brings the City Code into strict conformity with State Statutes.

Roll Call: Yea: Carey, Catlin, Fetty, Moore, Langdale, Parde, Schmale, Tiemann  
Nay: None

Motion carried.

Passed and approved Ordinance Number 12-045.

**6 – Public Forum:**

No one appeared at public forum.

**8 – Miscellaneous:**

The next regular council meeting is October 15, 2012 at 7:00 p.m. in the BPS Admin Bldg Meeting Room, a Worksession will be held on October 22, 2012 at 7:00 p.m. in the Beatrice Library Sargent Room, 100 N 16th.

Moved by Fetty, seconded by Schmale, that the meeting be adjourned at 7:47 p.m.

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

Motion carried.

**Linda S. Koch, City Clerk**

**Mayor Dennis Schuster**