

MINUTES OF THE BEATRICE CITY COUNCIL WORK SESSION

A work session of the Beatrice City Council was held on the 23rd day of December, 2013 at the Sargent Room, Beatrice Public Library, 100 North 16th Street, Beatrice, Nebraska.

Attending: Mayor Schuster, Councilmembers: Carey, Catlin, Cook, Langdale, Moore, Parde, and Tiemann. Also present: City Administrator Tobias Tempelmeyer and City Attorney Gregory Butcher.

Absent: Councilmember Fairbanks.

Mayor Schuster announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

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.

Moved by Catlin, seconded by Langdale, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Carey, Catlin, Cook, Langdale, Moore, Parde, and Tiemann.

Nay: None

MOTION CARRIED.

DISCUSSION ITEMS

Revision of Criminal Penalties in Beatrice City Code

City Attorney Greg Butcher discussed changes that he was proposing to increase penalties for serious crimes within the City of Beatrice Municipal Code. The penalties for these ordinances have fallen behind similar state statutes. Butcher explained that the maximum penalty that can be assessed for a City Code violation is a \$1,000 fine and/or six (6) months imprisonment. The proposed crimes included: criminal mischief, trespassing, disturbing the peace, revisiting arrest, impersonating an officer, and false reporting. Councilmember Parde inquired about how cases are handled by the City Attorney as opposed to the County Attorney. The proposal also requested the elimination of City penalties for prostitution, allowing those items to face the maximum penalty which can only be prosecuted by the County Attorney under state law. Mayor Schuster noted that these items would be brought for final consideration at a future regular meeting of the Council.

Street Department Funding

City Administrator Tempelmeyer updated the Council on the continuing topic of street and roads funding. Tempelmeyer demonstrated the revenue generated from numerous funding options including: the issuance of bonds and a city sales tax, issuance of bonds and increases to sales and property taxes, issuance of bonds and a property tax increase, and further mixtures of bonds, sales tax, and property tax. Councilman Moore inquired about a ¼ cent sales tax increase and its potential revenue. Mayor Schuster inquired into adding a property tax relief element to a sales tax ballot question. City Attorney Butcher noted that any tax reduction may be included in the ballot question. Mayor Schuster also noted that state funds for roads are no guarantee in time or amount. Councilmember Langdale inquired about using Sales Tax funds for other infrastructure projects other than roads, including water, waste water and electrical. Tempelmeyer noted that those projects are traditionally funded through rates. Don Vetrovsky, Chairman of the Board of Public Works, stated that the community will support the ballot question if they know what they are getting. City Attorney Butcher noted that the City would need to partner with another political subdivision on a project to pass the sales tax ballot question. Such joint project could make up five (5) percent of the committed sales tax revenues. The Councilmembers discussed projects with Gage County, Beatrice Rural Fire Department, and the Lower Big Blue NRD. The general consensus was that the City should investigate a ½ cent sales tax and contact Gage County and the NRD about projects. Mayor Schuster noted that the ballot question must be approved by 6 members of the council and sent to the County Clerk by March 1, 2014 in time for placement on the Spring Primary Election Ballot. Mayor Schuster felt that the City Council should continue to discuss the matter, likely at a regular session of the Council in January.

ADJOURNMENT

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

Roll Call: Yea: Carey, Catlin, Cook, Langdale, Moore, Parde, and Tiemann.

Nay: None

MOTION CARRIED.

Dennis M. Schuster, Mayor

Attest:

Linda S. Koch, City Clerk