

## **MINUTES OF THE BEATRICE CITY COUNCIL WORK SESSION**

A work session of the Beatrice City Council was held on the 28<sup>th</sup> day of April, 2014 at 7:00 p.m. at the BPS Administration Meeting Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Attending: Mayor Schuster, Councilmembers: Cook, Catlin, Clabaugh, Fairbanks, Kerr, Langdale, and Parde.

Absent: Councilmember Carey.

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: Cook, Catlin, Clabaugh, Fairbanks, Kerr, Langdale, and Parde.

Nay: None

MOTION CARRIED.

### **DISCUSSION ITEMS**

#### **Proposed Local Option Sales Tax**

There were no comments on the proposed Local Option Sales Tax.

#### **Return to Work Policy**

City Administrator Tobias Tempelmeyer explained that the policies provided were to detail the City of Beatrice's Return to Work Policy as it related to "work related injuries" and "non-work related injuries". Tempelmeyer explained that worked related injuries would be handled through workers compensation. It was noted that a return to work policy will lower the workers' comp mod in the calculation of insurance coverage. The City tends to have higher than average workers' compensation claims based upon the nature of some jobs including police and fire. Councilman Clabaugh inquired about the policy before this and it was noted that there currently was no clear or uniform policy in place. Councilman Fairbanks asked if light duty could be used to punish employees, Tempelmeyer noted that it should not be used for such purposes. Councilman Cook then inquired about the length of light duty when work related injuries are involved, such determinations would be up to the workers' compensation process.

Tempelmeyer went on to explain that non-work related injuries or serious health conditions were previously only protected under the Family Medical Leave Act ("FMLA"), which guaranteed the injured employee's position for twelve (12) weeks. Under the proposed policy after the twelve

(12) week FMLA has expired, an employee's job would continue to be protected until the sooner of: 1) one hundred-eighty (180) calendar days, 2) the employee is released for full duty, 3) the employee reaches maximum medical improvement, or 4) the employee has exhausted all of their accrued sick leave, vacation leave, personal leave, and comp time. Councilman Fairbanks inquired about employees who have larger "banks" of sick leave and if this would extend them past this date. Tempelmeyer noted that not many employees still have that large amount, with the current max for new employees being 1,240 hours. Councilman Parde inquired about short and long term disability at the City. The City does have long term disability which begins at ninety (90) days. Parde also inquired about review of this policy by the employees. Tempelmeyer noted that all Department Heads have review and made recommendations to the policies. This item will be brought forward to a regularly scheduled City Council meeting for formal consideration and adoption.

### **Removal of Parking on Lincoln Street from 6<sup>th</sup> Street to 19<sup>th</sup> Street and on 16<sup>th</sup> Street from Lincoln Street to Ella Street**

City Attorney Greg Butcher presented the findings of the Traffic Committee. Street Superintendent Jason Moore and City Engineer James Burroughs were also present. The Traffic Committee had no formal recommendation to remove either parking sections. The Committee also had no concerns if the parking was to be removed. Butcher noted that Lincoln Street is a "minor-arterial" while 16<sup>th</sup> Street is a "collector". Burroughs presented the most recent traffic counts on Lincoln Street and discussed the requirements for traffic lane widths. A standard lane is eleven feet (11') wide with a standard parking stall being eight feet (8'). Lincoln Street from 7<sup>th</sup> to 16<sup>th</sup> Streets is thirty feet (30') wide, but shrinks to twenty three feet (23') at some points between 16<sup>th</sup> and 18<sup>th</sup> Streets before returning to thirty feet (30') at 19<sup>th</sup> Street. Councilman Fairbanks felt that the only way he would support removal of parking was if alley access was given to all properties and the speed on Lincoln be reduced from 35 mph. Councilman Parde inquired about historical traffic counts and it was noted by Burroughs that traffic has decreased over the recent decade. Monte Adams (1515 Lincoln Street), George Nunns (1524 Lincoln Street), and Teresa Carell (1520 Lincoln Street) all spoke in opposition to the removal of parking on Lincoln Street and noted the specific hardships it would cause them. Alan Fetty (421 North 16<sup>th</sup> Street) spoke in favor of the removal and noted that he had been contacted in the past by residents along Lincoln Street who would like to see it removed. Councilman Catlin noted that this request was brought by a number of citizens who were concerned with safety and that this was the opportune time to consider it before street striping went back out. The Councilmembers did not seem to support formal consideration of removal of parking along Lincoln Street at this time.

The roadway on 16<sup>th</sup> Street is twenty four feet (24') wide and only supports one through lane of traffic when a vehicle is parked along the eastside of the road. Alan Fetty noted that with the curbside sidewalks and the rate and speed of traffic the area can feel very unsafe to pedestrians. The Council requested that further review of 16<sup>th</sup> Street parking be conducted by the Traffic Committee.

### **ADJOURNMENT**

Moved by Catlin, seconded by Langdale, that the meeting be adjourned at 8:22 p.m.

Roll Call:     Yea: Cook, Clabaugh, Fairbanks, Kerr, Langdale, and Parde.  
              Nay: Catlin

MOTION CARRIED.

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Dennis M. Schuster, Mayor

Attest:

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Linda S. Koch, City Clerk