

MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD JANUARY 20, 2014, AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5TH STREET.

Pledge of Allegiance

1 – Roll Call: Present: Mayor Schuster, Councilmembers Catlin, Carey, Fairbanks, Langdale, Parde, Tiemann
Absent: Councilmember Cook
Vacant Positions: One Councilmember

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 January 6, 2014, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$355,916.83.
- f. Approval of BASWA Report of Claims in the amount of \$22,760.84.
- g. Approval of contract with R.L. Tiemann Construction in the amount of \$77,617.10 for the 2014 Alley Projects, as recommended by the BPW.
- h. Approval of contract with Goossen Construction in the amount of \$48,190.00 for the 2014 Water Park Drainage Ditch Project, as recommended by the BPW.
- i. Approval of special designated liquor permit application of St. Joseph Catholic Church for a Spaghetti Dinner Fundraiser to be held March 2, 2014 from 4:00 p.m. to 7:00 p.m. at 612 High Street.
- j. Refer claim of GNS Corp and State Farm Mutual Automobile Ins Co for an accident allegedly involving City Equipment on February 21, 2013 on Highway 77 to the City Attorney and City's Insurance Carrier for review and disposition.

Moved by Catlin, seconded by Tiemann, that the items listed under the consent agenda, be approved, accepted and/or ratified as presented. Tiemann abstained from item g.

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

Motion carried.

Councilmember Cook arrived at 7:05 p.m.

3 - Public Hearings/Bids:

a. Hearings

(1) Public Hearing on the One and Six Year Road and Street Plan for the City of Beatrice

Mayor Schuster opened a public hearing on the proposed One and Six Year Road and Street Plan for the City of Beatrice.

Rex Behrends, Out-going City Engineer, and James Burroughs, Newly-appointed City Engineer, presented a summary of the proposed street improvement projects for Year One through Six. Year One includes a major project on South 6th Street which will be funded 50% City and 50% Federal dollars. Year two includes the 2nd Street Reconstruction project which is an 80% federally-funded grant project. By March of 2016 the City should begin receiving an estimated \$400,000 each year from the State to use towards some much needed concrete reconstruction projects. Discussion followed regarding which projects have been pushed back due to limited funding.

Moved by Catlin, seconded by Carey, that the public hearing be closed at 7:13 p.m.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

Moved by Catlin, seconded by Tiemann, that the One and Six Year Road and Street Improvement Plan for the City of Beatrice be approved as presented.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

4 – Resolutions:

5 – Ordinances:

a. Ordinance amending parts of City Code Section 17 regarding criminal codes.

Mayor Schuster introduced an Ordinance amending Sections 17-2, 17-5, 17-6, 17-30, 17-51 and 17-52 of the Beatrice City Code and repealing Sections 17-91 and 17-92, regarding criminal codes.

Moved by Catlin, seconded by Langdale, that said ordinance be given number 14-001, the title thereof be approved, the rules be suspended and said ordinance be read by number only three times tonight.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

Mayor Schuster read Ordinance Number 14-001 by number only the first, second and third times.

Moved by Catlin, seconded by Langdale, that Ordinance Number 14-001 be passed and approved.

City Attorney, Greg Butcher, presented the proposed changes which deal with criminal codes and penalties. The proposed increases provide the ability to be more in-line with State Law. The sections being repealed deal with prostitution, which should be charged solely under state statutes and handled by the County Attorney.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

Ordinance Number 14-001 has been passed and approved.

6 – Public Forum:

No one appeared at public forum.

7 – Discussions/Reports:

a. Discussion and approval of plans, specifications, and advertisement of bids for Library Renovation Project

Moved by Catlin, seconded by Tiemann, that the plans, specifications, and advertisement of bids for the Library Renovation Project, be approved.

City Administrator, Tobias Tempelmeyer, reviewed the steps that have taken place to finalize the plans for the Library Renovation project and the timeline for advertising and receiving bids. Dale Kruse, Beatrice Library Foundation Vice President, Eileen Shirk, Library Board member, and Laureen Riedesel, Library Director, all were present to express their support of the project and the final plans. The Foundation has funding available to pay for the estimated \$1.9 million dollar project, with the City paying for the heat pumps for the Sargent and Norva Price meeting rooms.

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

Nay: None

Motion carried.

b. NGage Quarterly Report

Grant Jones and Bob Morgan, representing the NGage Board of Directors, presented the NGage Quarterly Report. The search for an executive director is on track; Smart Solutions will review the applicants and divide them into tiers for the board to look at. They updated the council regarding activities, and informed the council of their upcoming annual meeting and that Glennis McClure has resigned.

c. Beatrice Plus Report and approval of award recommendations

City Administrator Tempelmeyer presented the three applications reviewed by the Beatrice Plus Committee and of the committee's recommendation to award two of them partly due to limited funds available and that the third application for plantings for downtown was an expense that would be required annually.

Moved by Catlin, seconded by Carey, that the application for Beatrice Plus funds from the Beatrice Girls Softball Association in the amount of \$4,679.05 for two scoreboards at Hannibal Ballfields, be approved.

Discussion held regarding whether continued funding for sports programs should just be handled through the public properties budget. Beatrice Plus funds are to be used for public purposes and these types of projects provide the extras for the parks. Also, discussed whether sponsorships had been sought for the scoreboards like those at West Scott, however, Coke and Pepsi support is minimal anymore and this group did not look at obtaining advertisers.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

Moved by Catlin, seconded by Cook, that the application for Beatrice Plus funds from Main Street Beatrice in the amount of \$1,729.74 for decorative lighting at Charles Park, be approved.

Discussion held as to why the measurements were not correct on the first award for this project. Michael Sothan, Main Street Director, explained it was a possible miscommunication but felt the project was worth finishing up with their extra lights so that the Carnegie building would be lighted like downtown buildings for the public to enjoy.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
Nay: None

Motion carried.

d. Discussion on proposed additional ½ cent sales tax

City Attorney Butcher explained the draft of a possible ballot question to ask for a ½ of 1 percent sales tax increase for a 10 year period with 95% of the additional revenue to be used for public infrastructure road and street projects; and 5% used for public infrastructure road and street projects in accordance with an interlocal agreement with the County of Gage. He also reviewed a draft of an interlocal agreement that would need to be entered into with the County of Gage, which would create an Agency that would administer and oversee an identified project, proposed as the reconstruction of 33rd Street or any other road project agreed upon by the Agency, to be completed during the 10-year term. Discussion followed.

e. Legislative Update Report

City Administrator Tempelmeyer presented the Legislative Update.

f. Monthly City Administrator's Report

City Administrator Tempelmeyer presented the Monthly City Administrator's report.

8 – Miscellaneous:

The next regular council meeting is February 3, 2014 at 7:00 p.m. in the BPS Admin Bldg Meeting Room; a Worksession will be January 27, 2014 at 7:00 p.m. in the Beatrice Public Library Sargent Room.

Moved by Catlin, seconded by Tiemann, that the meeting be adjourned at 8:30 p.m.

Roll Call: Yea: Catlin, Carey, Cook, Fairbanks, Langdale, Parde, Tiemann
 Nay: None

Motion carried.

Linda S. Koch, City Clerk

Mayor Dennis Schuster