

## MINUTES OF THE REGULAR CITY COUNCIL MEETING

A meeting of the City Council was held on the 6<sup>th</sup> day of July, 2015 at 7:00 P.M. in the BPS Administration Meeting Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Mayor Wirth led those in attendance in the Pledge of Allegiance.

### ROLL CALL

Attending: Mayor Wirth, Councilmembers: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde

Absent: Fairbanks

Mayor Wirth announced that a copy of the Open Meetings Act is posted 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.
- d. Approval of minutes of regular meeting on June 15, 2015, as on file in the City Clerk's Office.
- e. Approval of minutes of work session meeting on June 22, 2015, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims:
  - f(1) Approval of Beatrice Humane Society claims in the amount of \$5,000.00
  - f(2) Approval of Gage Area Growth-NGage claim in the amount of \$20,313.23.
  - f(3) Approval of Main Street claims in the amount of \$10.00.
  - f(4) Approval of the balance of Treasurer's Report of Claims in the amount of \$275,178.09.
- g. Approval of BASWA Report of Claims in the amount of \$40,303.61.
- h. Approval of Special Designated License for Risky's, Inc, dba Risky's Sports Bar for a Human Foosball Tournament in the south side lot of 2317 North 6<sup>th</sup> Street, on July 18, 2015 from 9:00 a.m. to 1:00 a.m. and on August 8, 2015 from 9:00 a.m. to 1:00 a.m.
- i. Resolution Number 5785 amending the City of Beatrice/Board of Public Works Flexible Benefit Plan.
- j. Resolution Number 5786 entering into a Consulting Services Agreement with Mountain West Series of Lockton Companies, LLC for health and welfare program assessment, as recommended by the Board of Public Works.
- k. Resolution Number 5787 amending the Recreational Trails Program Project Agreement with the Nebraska Game and Parks Commission to extend the project end date to September 1, 2016.
- l. Resolution Number 5788 entering into Point of Measurement Agreement with Nebraska Public Power District (NPPD), as recommended by the Board of Public Works.

- m. Resolution Number 5789 appointing Richard Moon to the Beatrice Airport Authority.
- n. Resolution Number 5790 designating streets or portions of streets as “Snow Emergency Routes” and “Snow Advisory Routes”.
- o. Resolution Number 5791 closing the alley between 5<sup>th</sup> Street and 6<sup>th</sup> Street near Logan Street.
- p. Resolution Number 5792 authorizing the application for grant assistance from the Margaret and Martha Thomas Foundation for the installation of a new playground at the Scott Street Ball Fields to be compliant with the Americans with Disabilities Act (ADA).
- q. Approval of contract with Building Crafts, Inc. in the amount of \$252,600.00 for the Water Pollution Control Raw Pumps #4 and #5, OA Project No. 015-0373, as recommended by the BPW.

Moved by Catlin, seconded by Kerr, that the items listed under the consent agenda, with the exception of item n, be approved, accepted and/or ratified as presented.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde

Nay: None

Abstain: Catlin - d and e; Clabaugh - f(3); Cook - f(1); Morgan - f(2); Parde - d

MOTION CARRIED.

n - Moved by Catlin, seconded by Parde, that Resolution Number 5790 designating streets or portions of streets as “Snow Emergency Routes” and “Snow Advisory Routes”, be passed and adopted.

Councilman Parde expressed he would like to have Hoyt Street, east of 19<sup>th</sup> Street by BSDC added to the snow routes with the recent annexation of BSDC. Tobias Tempelmeyer, City Administrator, noted that one (1) reason Hoyt Street was not included is because the two (2) main entrances to BSDC, 33<sup>rd</sup> Street and Lincoln Blvd, that are currently on the list. Councilman Parde noted he would like to look at the possibility of adding Hoyt Street in the future.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde

Nay: None

MOTION CARRIED.

### **PUBLIC HEARINGS/BIDS**

**Public Hearing on the acquisition of real property described as follows: Part of Block Nine (9), Wiebe’s City Gardens, an Addition to the City of Beatrice, Gage County, Nebraska, described as follows: Commencing at the Northeast corner of Block 9, thence running South 80 feet, thence running West 166 feet, thence running North to the North line of said Block 9, thence running Southeasterly along the North line of Block 9 to the place of beginning, and commonly known as 627 River Road.**

Tobias Tempelmeyer, City Administrator, informed the City Council that the owners of this property reached out to the City after experienced damage from the flooding in May and June. Both parties reached an agreement for the City to purchase the property for \$14,000.00. Tempelmeyer noted the City plans to demolish the house and leave as greenspace since the property is in the floodplain. Councilman Kerr inquired how many acres of greenspace the City

currently has. Mark Pethoud, Director of Public Properties noted the City has 255 acres. Councilman Kerr inquired how many more acres would be added with the purchase of both properties presented. Tempelmeyer noted it would be approximately one-quarter (1/4) of an acre.

Moved by Catlin, seconded by Kerr, to close public hearing at 7:09 p.m.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

**Public Hearing on the acquisition of real property described as follows: The West Seventeen and a half (17½) feet of Lot Five (5) and all of Lot Six (6), Block Thirty-one (31), A. J. Cropsey's Addition, an Addition to the City of Beatrice, Gage County, Nebraska, subject to the possessory interests if any in the West Two and a half (2½) feet of Lot Six (6), and commonly known as 813 Grant Street.**

Tobias Tempelmeyer, City Administrator, reported to the City Council the owner of this property approached City and was interested in deeding the property to City for one dollar (\$1.00) and the City took care of the necessary paperwork. Councilman Parde inquired if the City had any plans for City-owned property that is not in the floodplain, such as donating to Habitat for Humanity or a similar organization. Tempelmeyer noted that this property could be sold or donated in the future.

Moved by Catlin, seconded by Billesbach, that the public hearing be closed at 7:11 p.m.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

## RESOLUTIONS

**Resolution Number 5793 authorizing the purchase of real estate commonly referred to as 627 River Road, Beatrice, Nebraska from Duane M. Evans and Patricia A. Evans.**

Mayor Wirth introduced Resolution Number 5793 authorizing the purchase of real estate commonly referred to as 627 River Road, Beatrice, Nebraska from Duane M. Evans and Patricia A. Evans.

Moved by Catlin, seconded by Cook, that Resolution Number 5793 be passed and adopted.

Tobias Tempelmeyer, City Administrator, noted this resolution is to approve the contract for sale of real estate at 627 River Road. Councilman Parde inquired if there was any grant money being used for this purchase and Tempelmeyer noted there was not. Councilman Parde noted he felt the City does not need to purchase land that is not adjacent to City property currently.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Morgan  
Nay: Kerr, Parde MOTION CARRIED.

Resolution Number 5793 has been passed and adopted.

**Resolution Number 5794 authorizing the purchase of real estate commonly referred to as 813 Grant Street, Beatrice, Nebraska from S&G Land Holdings, LLC.**

Mayor Wirth introduced Resolution Number 5794 authorizing the purchase of real estate commonly referred to as 813 Grant Street, Beatrice, Nebraska from S&G Land Holdings, LLC.

Moved by Catlin, seconded by Morgan, that Resolution Number 5794 be passed and adopted.

Tobias Tempelmeyer, City Administrator noted this resolution is to approve contract for sale of real estate at 813 Grant Street. Councilman Kerr inquired what it would involve if the City was to donate property to Habitat for Humanity or a similar organization. Tempelmeyer noted the necessary paperwork would be drafted and ownership would be transferred. Councilman Kerr inquired if Habitat for Humanity was looking for property to build on and Tempelmeyer noted as far as he was aware they were not looking to build.

Michelle Harms, resident of Beatrice, noted she is a Girl Scout leader and was inquiring if this property could possibly be used for the Girl Scouts to have a Juliet boutique.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde  
Nay: None

MOTION CARRIED.

Resolution Number 5794 has been passed and adopted.

**Resolution Number 5795 entering into Contract with Call Management Resources for After Hours Calls, as recommended by the Board of Public Works.**

Mayor Wirth introduced Resolution Number 5795 entering into Contract with Call Management Resources for After Hours Calls, as recommended by the Board of Public Works.

Moved by Catlin, seconded by Kerr, that Resolution Number 5795 be passed and adopted.

Tobias Tempelmeyer, City Administrator, reported to the City Council that with the recent merger in which Beatrice Communications is now taking on the City of Crete emergency calls, Administration was notified they would no longer be able to answer the BPW after hour calls. When working on the contract for the merger, Beatrice Communications stated they were not going to offer those services to Crete and any future communities they may answer emergency calls for. Tempelmeyer noted Administration looked locally at CRT and they informed the City they are not set up for this type of service. Tempelmeyer also met with NPPD regarding their after hour call service and their estimate was approximately \$10,800 per year. Tempelmeyer also spoke with a representative from Call Management Resources (CMR) out of Ohio. Call Management Resources stated all calls would be answered in Ohio and their estimate was approximately \$1,100 per year. Upon approval of the contract with CMR, a call que will be set up so that their dispatchers know who to call out from a call out list that will be provided by the City. In case of an emergency situation, we can stop forwarding the calls at anytime and then pass the calls back to them once the emergency has been taken care of.

Councilman Clabaugh noted this was an inexpensive way to solve our issue. Councilman Parde was concerned with the costs associated with hiring three (3) additional employees and the additional expense from CMR.

Bruce Lang, Chief of Police, addressed the Council's concerns. One (1) issue Beatrice Communications faced was during a power outage with numerous phone calls coming in at once, causing the phones to jam. Lang also noted that while having an electrical outage is an inconvenience, it is not an emergency and they do not want the phone lines being jammed up with a utility issue. The City of Crete also answered after hours calls and they were told Southeast Communications would not offer that service to them either. Lang noted that the fees associated for the cost of expansion are covered completely under the contract with Crete. Mayor Wirth noted he felt that for \$100 per month, it was an inexpensive way to help the City run more efficiently.

Roll Call: Yea: Billesbach, Clabaugh, Cook, Morgan, Parde  
Nay: Catlin, Kerr

MOTION CARRIED.

Resolution Number 5795 has been passed and adopted.

### **ORDINANCES**

There were no ordinances.

### **PUBLIC FORUM**

Bruce Lang, Chief of Police, introduced Chris Moore, the 911 Director. Moore recently moved to Beatrice and is looking forward to provide excellent services to the citizens of Beatrice and surrounding communities.

### **DISCUSSIONS/REPORTS**

#### **Chautauqua Park Road**

Tobias Tempelmeyer, City Administrator, reported to the City Council that as a result of the flooding in May and June, there was extensive damage to the park road near the river and Administration's recommendation is to close this portion of the park road. Tempelmeyer noted the gravel stretch on west side of park would still be accessible. Mark Pethoud, Director of Public Properties, noted that to repair the road, it would be approximately \$33,000.

Tempelmeyer noted no action needed to be taken as the road is not an official street and with the approval of the City Council, the City will proceed with closing this portion of the park road. The City Council expressed their approval for removing the road.

**EXECUTIVE SESSION**

Moved by Catlin, that the Beatrice City Council go into closed session at 7:30 p.m., for the protection of public interest to discuss real estate and contract negotiations. Seconded by Clabaugh, that the Beatrice City Council go into closed session at 7:30 p.m., for the protection of public interest to discuss real estate and contract negotiations.

Mayor Wirth announced that Moved by Catlin, seconded by Clabaugh, that the Beatrice City Council go into closed session at 7:30 p.m., for the protection of public interest to discuss real estate and contract negotiations.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

Reconvened at 7:43 p.m.

**ADJOURNMENT**

The next regular City Council meeting is July 20, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room; there will be a Council Work Session on July 27, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room.

Moved by Catlin, seconded by Clabaugh, that the meeting be adjourned at 7:44 p.m.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**