

## MINUTES OF THE REGULAR CITY COUNCIL MEETING

A meeting of the City Council was held on the 1<sup>st</sup> day of June, 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, Fairbanks, Kerr, Morgan, Parde

Absent: None

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 May 18, 2015, as on file in the City Clerk's Office.
- e. Approval of minutes of Work Session on May 26, 2015, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims:
  - f(1) Approval of Street Department claims in the amount of \$9,613.73, as recommended by the BPW.
  - f(2) Approval of the balance of Treasurer's Report of Claims in the amount of \$291,733.61.
- g. Approval of BASWA Report of Claims in the amount of \$37,327.97.
- h. Approval of Special Designated License application for VIP Lounge, Inc. for a beer garden and band on June 18, 2015 from 4:00 p.m. to 2:00 a.m., and June 27, 2015 from 4:00 p.m. to 2:00 a.m. and permission to use City property for said beer garden.

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

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

Nay: None

Abstain: Billesbach – e; Catlin – all; Fairbanks – d

MOTION CARRIED.

**h** - Moved by Catlin, seconded by Parde, to approve the Special Designated License application for VIP Lounge, Inc. for a beer garden and band on June 18, 2015 from 4:00 p.m. to 2:00 a.m., and June 27, 2015 from 4:00 p.m. to 2:00 a.m. and permission to use City property for said beer garden.

Councilman Parde expressed his concerns with alcohol on City property. Parde noted he would like the City to require the business requesting use of City property to show proof of liability insurance.

Councilman Cook inquired if 5<sup>th</sup> Street, Court to Ella, would be closed. Tobias Tempelmeyer, City Administrator, noted that 5<sup>th</sup> Street would be closed from Court Street to Ella Street and also noted the beer garden would be a section in front of VIP, as they have done in the past.

Councilman Kerr noted he has been contacted by some residents living in the apartments along 5<sup>th</sup> Street who have expressed concerns with having a band on Thursday, June 18<sup>th</sup>, as they may be unable to sleep with the noise and will have to work the next day. Kerr noted he is ok with the event on June 27<sup>th</sup>, as that is a Saturday night.

Councilman Fairbanks made the suggestion to have Greg Butcher, City Attorney, look into if the City can require the person or business to have insurance policy in order to insure they are covered should there be any accidents, etc. Butcher noted that he spoke with Councilman Parde regarding charging a small fee if the person or business does not have the proper insurance requirements.

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

MOTION CARRIED.

### **PUBLIC HEARINGS/BIDS**

There were no public hearings/bids.

### **RESOLUTIONS**

#### **Resolution entering into an agreement with Socrata for the development and maintenance of a City of Beatrice online financial transparency application.**

Mayor Wirth introduced Resolution Number 5776 entering into an agreement with Socrata for the development and maintenance of a City of Beatrice online financial transparency application.

Moved by Catlin, seconded by Kerr, that Resolution Number 5776 be passed and adopted.

Tobias Tempelmeyer, City Administrator, presented the contract between the City and Socrata, which would be for the remaining of 2015 and 2016. Councilman Parde inquired if the City would be able to determine how many people besides the internal City Department Heads are looking at the information. Tempelmeyer noted he would have to check with the IT Department to see if that would be possible.

Councilman Fairbanks noted he has no problem with the software, but expressed his concern with the bidding process and inquired if this should have gone out for bids. Mayor Wirth noted he posed the same question to Tempelmeyer. Tempelmeyer noted there is another company, Open Government, and that they are the same group.

Councilman Clabaugh noted he really likes the program and feels it will help everyone to see where things go. Clabaugh noted his main concern is that some municipalities have had quite a challenge transferring their information over to Socrata. Clabaugh noted he feels that Linda Koch, Finance Director, has a lot on her plate right now with transition and maybe the City should delay this contract for a year.

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

Resolution Number 5776 has been passed and adopted.

**Resolution entering into a Delivery Service Agreement between NPPD, the State of Nebraska, and the City, as recommended by BPW.**

Mayor Wirth introduced Resolution Number 5777 entering into a Delivery Service Agreement between NPPD, the State of Nebraska, and the City, as recommended by BPW.

Moved by Catlin, seconded by Parde, that Resolution Number 5777 be passed and adopted.

Tobias Tempelmeyer, City Administrator, noted that the City signed a contract with Nebraska Public Power District (NPPD) in March, changing the way the transmission charges were billed as recommended by NPPD. NPPD has recommended the same changes to BSDC for their WAPA allocation. BSDC has already sign the contract and NPPD wants City to sign the contract also as BSDC's WAPA allocation is wheeled through the City. Tempelmeyer noted this contract should have no impact on the City and if there were any increases in fees, the City will pass those charges on to BSDC.

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

Resolution Number 5777 has been passed and adopted.

**ORDINANCES**

There were no ordinances.

**PUBLIC FORUM**

No one appeared at public forum.

**DISCUSSIONS/REPORTS**

**Legislative Update**

Tobias Tempelmeyer, City Administrator, presented the Legislative Update. Tempelmeyer noted that the session is now over. A number of bills to be carried over to next year and the only bill that will affect the City is the gas tax.

Councilman Fairbanks noted these updates are helpful and suggested that next year the Council review all of the bills at a Work Session where the Council can give their suggestions as to what bills to watch and support. Tempelmeyer noted that is something that they will look at doing next year. Greg Butcher, City Attorney, also noted that this would give Administration a good feeling on how high of priority the Council wants on certain bills.

### **EXECUTIVE SESSION**

Moved by Catlin, that the Beatrice City Council go into closed session at 7:17 p.m., for the protection of public interest to discuss real estate. Seconded by Billesbach, that the Beatrice City Council go into closed session at 7:17 p.m., for the protection of public interest to discuss real estate.

Mayor Wirth announces that Moved by Catlin, seconded by Billesbach, that the Beatrice City Council go into closed session at 7:17 p.m., for the protection of public interest to discuss real estate.

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

Reconvened at 7:52 p.m.

### **ADJOURNMENT**

The next regular City Council meeting is June 15, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room; there will be a Council Work Session on June 22, 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 7:52 p.m.

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

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**