

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A meeting of the City Council was held on the 18th day of May, 2015 at 7:00 P.M. in the BPS Administration Meeting Room, 320 North 5th Street, Beatrice, Nebraska.

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

ROLL CALL

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

Absent: Catlin, Cook, 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 May 4, 2015, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims:
 - e(1) Approval of Street Department claims in the amount of \$26,853.43, as recommended by the BPW.
 - e(2) Approval of the balance of Treasurer's Report of Claims in the amount of \$491,842.25.
- f. Approval of BASWA Report of Claims in the amount of \$9,885.84.
- g. Resolution Number 5771 appointing Michael Fakler, Jack Corey, Blake Meints, Troy Koch, and Kevin Wrightsman to the Board of Appeals.
- h. Resolution Number 5772 authorizing vendors approved by Community Possibilities permission to sell goods on City properties for 3rd Thursdays events.
- i. Approval of Change Order #1 for an increase in the amount of \$11,285.34 for the Armor Coat Paving Project #15-001 with Topkote, Inc. for the addition of Hannibal Park.

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

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

Nay: None

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

Public hearing to receive the semi-annual report of the Citizen's Advisory Review Committee as provided by the Local Option Municipal Economic Development Act R.R.S., 1943.

Mayor Wirth announced that a public hearing will now be held to receive the semi-annual report of the Citizen's Advisory Review Committee as provided by the Local Option Municipal Economic Development Act R.R.S., 1943.

Grant Jones, Chairman of Citizen's Advisory Review Committee, reported to the Council that there has not been a lot of activity during this period. The balance of the LB840 fund is approximately \$776,352.00 and the balance of the CDBG Reuse Loan Fund is approximately \$40,270.16. The Committee will be meeting next week to review an application for LB840 funding. Jones also noted that LMRRLR, LLC and Homestead Auto Glass, LLC are current on their payments; Canned Hams has been catching up on their payments; and Dempsters does not have anything due at this time.

Moved by Parde, seconded by Kerr, that the public hearing be closed at 7:05 p.m.

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

MOTION CARRIED.

Public hearing concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant.

Mayor Wirth announced that a public hearing will now be held concerning an application to the Nebraska Department of Economic Development for a Community Development Block Grant.

Greg Butcher, City Attorney, reviewed with the City Council that in 2010 the City applied for a Phase I grant for the Downtown Revitalization. The purpose of those funds was to undertake a plan which was adopted by the City in 2012. Upon developing a plan, the City applied for a Phase II grant and completed 5th Street in conjunction with the plan. A large part of the plan adopted in 2012 was geared around the realignment of the highway in the downtown. As there was not a lot of community support to realign the highway, the current downtown plan does not allow the City to perform many more of the ideas in the original plan. Butcher noted the City is asking to reapply to see what other options are out there to develop the downtown area without the realignment of Highway 136.

Councilman Kerr inquired if there was any money that needed to be paid back if the project was not completed. Butcher noted that the City has completed everything necessary. The next step is to determine what can be done from here without realigning the highways.

Councilman Clabaugh inquired if this grant was the one that DED representatives came down and ask to show the City has support with this project. Tobias Tempelmeyer, City Administrator, noted that it was and that DED would likely come down again. Butcher noted that he anticipates that between the grant application and an award, DED would conduct an onsite visit again. Bucher noted it is important to showcase that the City was successful with the project that was selected; however much of the rest of the plan is obsolete without moving the highway. Butcher also noted the applications are very similar and the vehicle traffic will still be discussed, along with the successes of the 5th Street project to show and talk about with the new application such as the popcorn stand, hotdog stand, and the new 3rd Thursdays events taking place in the downtown area. Councilman Clabaugh noted he is excited for the new possibilities.

Moved by Parde, seconded by Morgan, that the public hearing be closed at 7:14 p.m.

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

MOTION CARRIED.

RESOLUTIONS

Resolution authorizing the application in the amount of \$30,000.00 for a pre-development study for the revitalization and redevelopment of the downtown business district.

Mayor Wirth introduced Resolution Number 5773 authorizing the application in the amount of \$30,000.00 for a pre-development study for the revitalization and redevelopment of the downtown business district.

Moved by Parde, seconded by Clabaugh, that Resolution Number 5773 be passed and adopted.

Greg Butcher, City Attorney, noted that this is the formal application for the grant and the match from the City is \$7,500.00.

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

MOTION CARRIED.

Resolution Number 5773 has been passed and adopted.

Resolution declaring the official intent of the City of Beatrice, Nebraska to reimburse itself for expenditures made in connection with the acquisition of certain public safety equipment for the City.

Mayor Wirth introduced Resolution Number 5774 declaring the official intent of the City of Beatrice, Nebraska to reimburse itself for expenditures made in connection with the acquisition of certain public safety equipment for the City.

Moved by Parde, seconded by Morgan, that Resolution Number 5774 be passed and adopted.

Tobias Tempelmeyer, City Administrator, reported to the Council that every three to four (3-4) years, the City is allowed to issue public safety debt. The current public safety debt is set to expire in June 2016. One option the City has is to use the public safety debt to reimburse the General Fund after paying for the recent lightning strike at the Police Department. Most of the equipment is covered by insurance; however, some things are not covered or have to be applied to deductible. This does not obligate the City to issue the public safety debt.

Councilman Parde inquired if there is there a limit on the amount of public safety debt the City can issue. Tempelmeyer noted it is approximately \$0.05 on the dollar and the City used the estimate on first round of bills that have come in for the communication equipment.

Mayor Wirth inquired what the estimate amount was. Tempelmeyer noted it is approximately \$375,000.

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

MOTION CARRIED.

Resolution Number 5774 has been passed and adopted.

Resolution entering into a new Interlocal Cooperation Act Agreement with the City of Crete, Nebraska, to operate the Southeast 911 Center and radio dispatch system for a term of two (2) years.

Mayor Wirth introduced Resolution Number 5775 entering into a new Interlocal Cooperation Act Agreement with the City of Crete, Nebraska, to operate the Southeast 911 Center and radio dispatch system for a term of two (2) years.

Bruce Lang, Chief of Police, reported to the Council that with the approval of this agreement, the City will establish the Southeast 911 Center. Lang noted that the Center will have the capabilities to service a larger area than just Beatrice and it will help to share these costs with other communities. The Interlocal Agreement will add the City of Crete and the Crete EMS to the areas to be dispatched. The City will be adding two (2) public safety dispatchers, along with a Director. The County has agreed to pay for 20% of the Director's salary. Lang noted he is beyond excited and believes this will be a great addition for the citizens of Beatrice and Gage County.

Councilman Parde inquired if the City would need to upgrade the current backup dispatch center located at the Gage County Courthouse. Lang noted that with the purchase of a new component, a backup dispatch center can be set up on an offsite location. Can pick another dispatch center and develop that as backup center which would be more conducive than current one.

Councilman Kerr posed the question as to why the backup dispatch would not necessarily be at the Gage County Courthouse. Lang noted that they would have the capability to go wherever they could set up. The current system had to be pre-setup, but with the new capability, that would no longer be necessary and they would be able to go wherever.

Councilman Clabaugh inquired why the agreement was not longer than 2 years. Lang noted Crete want to have exit clause if there is an issue; however, the reality is that going back would be incredibly difficult. Councilman Clabaugh also inquired if the Director would be hired from outside and Lang noted that they would be hired from outside.

Councilman Billesbach inquired with the new system, would it be possible to add more communities. Lang noted he feels that they could possibly add all of the communities in Southeast Nebraska, by adding one more station and a few more people.

Greg Butcher, City Attorney, noted for clerical purposes paragraph 4c and 4d, strike June and replace with July.

Moved by Parde, seconded by Kerr, that Resolution Number 5775, as amended, be passed and adopted.

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

MOTION CARRIED.

Resolution Number 5775 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

Councilman Kerr thanked the various City Departments for all the work that was done with the recent flooding, including placing Police and Fire Department personnel on the West Side of the Big Blue River to ensure safety to those citizens.

Michael Sothan, Main Street Executive Director, reported to the Council that as part of the national preservation month school children were asked to draw “a building I’m glad to have in Beatrice”. A large number of drawings were City owned such as the Carnegie Building, Library, Chautauqua Park, Fire Department, Police Department, and the Humane Society. Sothan asked that City Administration distribute the drawings to the various departments.

DISCUSSIONS/REPORTS

City Administrator’s Monthly Report

Tobias Tempelmeyer, City Administrator, presented the Monthly City Administrator’s Report and highlighted the following: Rob Mierau has passed five (5) of the required certification tests and has been promoted to Building Inspector; Administration met with Travelers Insurance today regarding the recent lightning strike at the Police Department; Public Properties has been making improvements at Hannibal Park; the Electric Department installed a new transformer at Substation #9 to help upgrades to Industrial Park and the old transformer was installed at BSDC; and the Water Department has added a water main replacement project on 7th Street with an estimate of \$32,000, since the boring project came in well under budget and noted even with the additional project, the Department should remain under budget.

Legislative Update

Tobias Tempelmeyer, City Administrator, presented the Legislative Update. Tempelmeyer noted that LB610 passed over the Governor’s veto. Nebraska Department of Roads has come up with some numbers as a result of the bill. In the first fiscal year, cities will split \$2.1 million dollars. It is anticipated that next fiscal year, the City will receive \$19,464.00 and by FY2020 the bill will be fully implemented giving the City \$237,025, which amounts to being able to add a repaving project for one (1) city block.

ADJOURNMENT

The next regular City Council meeting is June 1, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room; there will be a Council Work Session on Tuesday May 26, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room.

Moved by Parde, seconded by Billesbach, that the meeting be adjourned at 7:45 p.m.

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

MOTION CARRIED.

Erin Saathoff, City Clerk

Stan Wirth, Mayor