

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 2nd day of November, 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, 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 October 19, 2015, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims:
 - e(1) Approval of Clabaugh Pharmacy claim in the amount of \$125.00.
 - e(2) Approval of Gage Area Growth-NGage claim in the amount of \$6,400.00.
 - e(3) Approval of Main Street Beatrice claim in the amount of \$679.44.
 - e(4) Approval of the balance of Treasurer's Report of Claims in the amount of \$117,130.49.
- f. Approval of BASWA Report of Claims in the amount of \$17,298.96.
- g. Approval of bid from RDO Truck Center in the amount of \$123,406.18 for the purchase of a 2017 Dump Truck for the Street Department, as recommended by the Board of Public Works.
- h. Resolution Number 5829 entering into an agreement with Quest Construction Data Network (QuestCDN) for Online Bidding, as recommended by the Board of Public Works.
- i. Approval of Beatrice Plus funding request from Beatrice Rotary Club in the amount of \$10,000.00 for the masonry restoration of the memorial plaque brick walls, as recommended by the Beatrice Plus Committee.
- j. Approval of Beatrice Plus funding request from the Beatrice Bullets in the amount of \$8,200.00 for the installation of scoreboards, bullpens, and sprinklers, as recommended by the Beatrice Plus Committee.
- k. Resolution Number 5830 identifying Gregory A. Butcher as the CDBG Administrator and the designated employee for the day-to-day responsibility for the administration of the Downtown Revitalization Grant awarded to the City of Beatrice referred to as Community Development Block Grant (CDBG) Contract No. 15-DTR-009.
- l. Resolution Number 5831 identifying Gregory A. Butcher as the CDBG Administrator and the designated employee for the day-to-day responsibility for the administration of the Public Works Grant awarded to the City of Beatrice referred to as Community Development Block Grant (CDBG) Contract No. 15-PW-010.

Moved by Catlin, seconded by Morgan, that the items listed under the consent agenda, with the exception of item i, be approved, accepted and/or ratified as presented. Clabaugh abstained from item e(1) and e(3). Morgan abstained from item e(2).

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, Parde
Nay: None
Abstain: Clabaugh – e(1) and e(3); Morgan – e(2)

MOTION CARRIED.

i - Moved by Catlin, seconded by Kerr, that the approval of the Beatrice Plus funding request from Beatrice Rotary Club in the amount of \$10,000.00 for the masonry restoration of the memorial plaque brick walls, as recommended by the Beatrice Plus Committee, be approved, accepted and/or ratified as presented.

Councilman Fairbanks stated he pulled this item from the consent agenda because he feels this is not the best use of the Beatrice Plus funds. Councilman Fairbanks noted that he would rather not use these funds for maintenance repairs. Councilman Fairbanks also questioned whether or not Rotary should be allowed to make this request, as they do not own the park.

Councilman Kerr inquired if the damage was caused by flooding this summer. Tobias Tempelmeyer, City Administrator, noted that there are some tuck pointing repairs that need to be done and it was necessarily caused by the flooding.

Mayor Wirth inquired if Rotary was able to make this request. Greg Butcher, City Attorney, noted he was not aware of any reason they would not be able to make such a request, and also noted that the Council just approved a funding request from the Beatrice Bullets for improvements to property that they do not own.

Councilman Parde noted he also feels that Beatrice Plus funds should not be used for this project and it should be paid out of other City funds. Tempelmeyer noted that while Rotary may not own the property, they wish to maintain and keep Veterans Park looking nice.

Councilman Kerr inquired if there was money available in the Keno fund or any other fund. Tempelmeyer noted he was not 100% sure what the Keno balance was and further noted other projects may need to be cut if you look at funding this from another source. Council President Catlin noted that the Beatrice Plus Committee looked at this request and it was their recommendation to proceed.

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

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

Public Hearing on the acquisition of real property described as follows: The East One Hundred Twenty-Five Feet (E 125') of the North One Hundred Twenty Feet (N 120') of Lot One (1), Block Eight (8), R.B. Harrington's Subdivision, Beatrice, Gage County, Nebraska, and commonly known as 401 West Court Street.

Mayor Wirth announced that a public hearing will now be held on the acquisition of real property described as follows: The East One Hundred Twenty-Five Feet (E 125') of the North

One Hundred Twenty Feet (N 120') of Lot One (1), Block Eight (8), R.B. Harrington's Subdivision, Beatrice, Gage County, Nebraska, and commonly known as 401 West Court Street.

Tobias Tempelmeyer, City Administrator, informed the City Council this is for the property owned by Lynn Reiff that the City has been working with FEMA in order to receive a grant to purchase this property. The grant has been awarded and the City's share will be approximately \$18,000. The purchase price of the property is \$60,000, all contingencies have been met, and the closing is anticipated to be on or before January 15, 2016.

Councilman Parde inquired if an environmental study has been completed. Tempelmeyer noted an environmental study was completed and that additional testing done after the flooding and everything was clear. Councilman Kerr inquired who did the testing for the City. Tempelmeyer noted Terracon was the company that did the testing.

Councilman Fairbanks noted that although he feels the purchase price is more than the property is worth, the property is an eye sore and needs to be part of park system.

Moved by Catlin, seconded by Clabaugh, that the public hearing be closed at 7:16 p.m.

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

RESOLUTIONS

Resolution Number 5832 authorizing the purchase of real estate commonly referred to as 401 West Court Street, Beatrice, Nebraska from Lynn D. Reiff and Lynnette G. Reiff.

Mayor Wirth introduced Resolution Number 5832 authorizing the purchase of real estate commonly referred to as 401 West Court Street, Beatrice, Nebraska from Lynn D. Reiff and Lynnette G. Reiff.

Moved by Catlin, seconded by Billesbach, that Resolution Number 5832 be passed and adopted.

Tobias Tempelmeyer, City Administrator, noted this is the contract to purchase the real estate on which a public hearing was just held.

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

Resolution Number 5832 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

There were no discussions/reports.

EXECUTIVE SESSION

Moved by Catlin, that the Beatrice City Council go into closed session at 7:18 p.m., for the protection of public interest to discuss contract negotiations. Seconded by Cook, that the Beatrice City Council go into closed session at 7:18 p.m., for the protection of public interest to discuss contract negotiations.

Mayor Wirth announced that it has been moved by Catlin, seconded by Cook, that the Beatrice City Council go into closed session at 7:18 p.m., for the protection of public interest to discuss contract negotiations.

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

Reconvened at: 7:55 p.m.

ADJOURNMENT

The next regular Council meeting is November 16, 2015 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. There will be a Work Session on November 23, 2015 at 7:00 p.m. in the BPS Admin Bldg Meeting Room.

Moved by Catlin, seconded by Billesbach, that the meeting be adjourned at 7:55 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor