

## MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 16<sup>th</sup> day of November, 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, Morgan, Parde

Absent: Kerr.

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 November 2, 2015, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims:
  - e(1) Approval of Beatrice Humane Society claim in the amount of \$5,000.00.
  - e(2) Approval of Clabaugh Pharmacy claim in the amount of \$225.00.
  - e(3) Approval of the balance of Treasurer's Report of Claims in the amount of \$516,444.96.
- f. Approval of BASWA Report of Claims in the amount of \$61,789.78.
- g. Approval of Change Order #7 increase in the amount of \$6,458.41 to Elkhorn West Construction, Inc. for the Beatrice Public Library Renovation.
- h. Approval of bid from Merit Construction in the amount of \$52,382.00 for the 2016 Bridge Repairs, as recommended by the Board of Public Works.
- i. Approval of pay request from Building Crafts, Inc., in the amount of \$91,379.70 for the Wastewater Treatment Facility, as recommended by the Board of Public Works.
- j. Resolution Number 5833 appointing Tim Doyle to the Civil Service Commission for a six (6) year term expiring November 16, 2021.

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

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

Nay: None

Abstain: Clabaugh – e(2); Cook – e(1)

MOTION CARRIED.

h - Moved by Catlin, seconded by Kerr, that the approval of bid from Merit Construction in the amount of \$52,382.00 for the 2016 Bridge Repairs, as recommended by the Board of Public Works., be approved, accepted and/or ratified as presented.

Councilman Fairbanks stated he pulled this item from the consent agenda because he wished for some clarification since the bid came in significantly lower than the \$120,000 that was budgeted for the bridge repairs. Tobias Tempelmeyer, City Administrator, noted that the bid is for the repair of three (3) bridges and when the James Burroughs, City Engineer, was putting together the bid specifications, the contractor that submitted the bid provided Burroughs with a rough estimate. Tempelmeyer further noted that the contractor was asked why there was such a difference between the estimate and bid and the contractor indicated that one reason was due to the timing of when the bid came out. Since the bid was put out early, the contractor will be able to work these repairs into their schedule easier. Another reason was that the actual quantities were down a little from what Burroughs originally submitted. Councilman Fairbanks inquired if there were any other bridges that needed to be looked at since the bid came in lower than anticipated. Tempelmeyer noted that there are currently no other bridges that need to be taken care.

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

Nay: None

MOTION CARRIED.

### **PUBLIC HEARINGS/BIDS**

**Public Hearing on the acquisition of real property described as follows: Lot One (1), Block Twenty-two (22), Wittenberg Addition to Beatrice, Gage County, Nebraska, commonly referred to as 1923 Ella Street, Beatrice, Nebraska.**

Mayor Wirth announced that a public hearing will now be held on the acquisition of real property described as follows: Lot One (1), Block Twenty-two (22), Wittenberg Addition to Beatrice, Gage County, Nebraska, commonly referred to as 1923 Ella Street, Beatrice, Nebraska.

Tobias Tempelmeyer, City Administrator, informed the City Council that this is to purchase the vacant lot in which the City had the house removed a number of years ago. The owner of lot has paid the City back for all cost associated with the demolition. An initial thought is to use this lot as the site of a house built by Prairie Gold Home.

Councilman Parde inquired the size of the lot being small in size. Tempelmeyer noted it is a 50' frontage lot and Prairie Gold does have a floor plan that will fit into this lot without any issues. Councilman Fairbanks noted he did not feel the City should purchase this lot for the purpose of building a Prairie Gold home, as the City already owns several lots that would work for this purpose. Councilman Fairbanks also inquired if there was any interest from the adjacent property owners. Tempelmeyer indicated there has been no interest expressed since the demolition.

Sherri Davis, 2001 Ella Street, a direct neighbor of the property appeared before the City Council and voiced some concerns the area residents have. Davis indicated there was some concern that if a house was built on that property it may become an eyesore. Davis also noted there were concerns with where the building equipment would be stored during construction. Davis noted that they would like to be involved in the process.

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

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

## RESOLUTIONS

### **Resolution Number 5834 authorizing the purchase of real estate commonly referred to as 1923 Ella Street, Beatrice, Nebraska from Frederick A. Fugett.**

Mayor Wirth introduced Resolution Number 5834 authorizing the purchase of real estate commonly referred to 1923 Ella Street, Beatrice, Nebraska from Frederick A. Fugett.

Moved by Catlin, seconded by Billesbach, that Resolution Number 5834 be passed and adopted.

Discussion:

Councilman Parde echoed that he feels the lot is small and he is not sure the City should be in the business of real estate. Mayor Wirth noted that he disagrees and believes the City needs to be involved in the real estate business.

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

Resolution Number 5834 has been passed and adopted.

### **Resolution Number 5835 entering into LB840 loan agreement with Chad and Courtney Lottman or their corporate entity for a total of \$400,000.00.**

Mayor Wirth introduced Resolution Number 5835 entering into LB840 loan agreement with Chad and Courtney Lottman or their corporate entity for a total of \$400,000.00.

Moved by Catlin, seconded by Parde, that Resolution Number 5835 be passed and adopted.

Chad Lottman, Diller, Nebraska, gave the City Council a brief presentation of what C & C Processing is currently doing in Diller, Nebraska and what their plans are for the future with the expansion in Beatrice. Lottman noted the main need for an expansion is due to the fact that they are at maximum production capacity at the location in Diller.

Lottman also noted that the expansion would employ a minimum of thirty to thirty-five (30-35) employees within the first twelve (12) months and hope to increase that number to fifty (50) within three (3) years. Lottman further noted that should they lose any of their current customers, they do have a waiting list of customers that would help keep the business going.

Councilman Billesbach inquired if there would be any issues with noise levels. Lottman noted there should not be any issues with noise as there will only be a few smaller compressor units on the outside of the building. Lottman also noted the only exhaust would be from the smokehouses, which would be the equivalent of four to five (4-5) woodpellet grills.

Councilman Parde inquired what kind of solid waste there would be after processing. Lottman noted the waste is minimal and he would continue to have a rendering company pick up the waste as they currently do.

Grant Jones, Chairman of the Citizens Advisory Review Committee (CARC), reported to the City Council the recommendation was approved with a 4-0, and one (1) member abstaining. Jones noted C&C's application was one (1) of the best applications that has been submitted to the CARC. The loan would be split into two (2) \$200,000 loans. The first portion would be paid back at two percent (2%) interest over two (2) years; the second portion of the loan would be paid back at zero percent (0%) interest, with no payments the first five (5) years, then repaid over the next five (5) years.

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

Resolution Number 5835 has been passed and adopted.

### **ORDINANCES**

There were no ordinances.

### **PUBLIC FORUM**

No one appeared at public forum.

### **DISCUSSIONS/REPORTS**

#### **City Administrator's Monthly Report**

Tobias Tempelmeyer, City Administrator, reported to the City Council that the property purchased from Lynn Reiff on West Court Street is now City owned. An asbestos inspection is scheduled for Wednesday and the Street Department should be proceeding with the demolition within the next couple of weeks. Tempelmeyer noted that the mill and overlay project started today with some of the curb replacement. Tempelmeyer also noted that the WPC Department has installed a shut off valve in Riverside Park that will allow the Department to close off the sanitary sewer lines in the event of any future flooding in order to help with the excess water being routed into the Plant.

### **EXECUTIVE SESSION**

Moved by Catlin, that the Beatrice City Council go into closed session at 7:34 p.m., for the protection of public interest to discuss contract negotiations. Seconded by Billesbach, that the Beatrice City Council go into closed session at 7:34 p.m., for the protection of public interest to discuss contract negotiations.

Mayor Wirth announced that it has been moved by Catlin, seconded by Billesbach, that the Beatrice City Council go into closed session at 7:34 p.m., for the protection of public interest to discuss contract negotiations.

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

Reconvened at: 8:36 p.m.

### **ADJOURNMENT**

The next regular Council meeting is December 7, 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 8:36 p.m.

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

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**