

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 19th day of October, 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 5, 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 \$525.00.
 - e(2) Approval of Gage Area Growth-NGage claim in the amount of \$24,986.06.
 - e(3) Approval of the balance of Treasurer's Report of Claims in the amount of \$365,728.45.
- f. Approval of BASWA Report of Claims in the amount of \$48,409.13.
- g. Approval of two (2) plaques to be placed in the lower level of the Beatrice Public Library.
- h. Approval of bid from Beatrice Ford in the amount of \$32,552.00 for the purchase of a 2016 ¾ ton SRW 4x4 Super Cap Pickup for the Street Department, as recommended by the Board of Public Works.
- i. Resolution Number 5827 entering into an agreement with Olsson Associates for Professional Services for the Beatrice Reservoir Inspection Project, as recommended by the Board of Public Works.
- j. Approval of special designated license for C & C Processing, Inc., for wine tastings on November 6, 13, 20, December 4, and 11, 2015 from 10:00 a.m. until 1:00 a.m. at 2312 North 6th Street, Beatrice, Nebraska.

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

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

Nay: None

Abstain: Clabaugh – e(1); Morgan – d and e(2)

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 CDBG fund is approximately \$74,000 and the balance of the LB840 fund is approximately \$870,000.

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

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

Public Hearing on the new application of KUQ & ZI LLC dba Florio's Italian Grill, for a Class I liquor license.

Mayor Wirth announced that a public hearing will now be held on the new application of KUQ & ZI LLC dba Florio's Italian Grill, for a Class I liquor license.

Bruce Lang, Chief of Police, under oath, reported to the Council that there was nothing out of the ordinary found regarding the request from Florio's Italian Grill, for a Class I liquor license. Rob Mierau, Building Inspector, under oath, reported to the Council that he did not foresee any negative effects, noting that Sam & Louie's had previously been operating in the same location with no issues. Councilman Clabaugh inquired if Florio's was the same owner as Luigi's that was located in downtown Beatrice at one time. Lang noted that to his knowledge it was not the same owner.

Moved by Catlin, seconded by Cook, that the public hearing be closed at 7:08 p.m.

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

Moved by Catlin, seconded by Parde, that the application of KUQ & ZI, LLC dba Florio's Italian Grill, 2205 North 6th Street, Suite 18, Beatrice, Nebraska, for a Class I liquor license, be recommended to the Nebraska Liquor Control Commission for approval.

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

Public Hearing on the new application of Frontier Lodging of Beatrice, LLC dba Holiday Inn Express & Suites, for a Class I liquor license.

Mayor Wirth announced that a public hearing will now be held on the new application of Frontier Lodging of Beatrice, LLC dba Holiday Inn Express & Suites, for a Class I liquor license.

Bruce Lang, Chief of Police, under oath, reported to the Council that there was nothing out of the ordinary found regarding the request for Frontier Lodging of Beatrice, LLC, noting it was simply a change of ownership and there are no concerns moving forward. Rob Mierau, Building Inspector, under oath, noted there was no foreseeable issue, echoing that it was simply a change of ownership.

Moved by Catlin, seconded by Clabaugh, that the public hearing be closed at 7:12 p.m.

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

Moved by Catlin, seconded by Billesbach, that the application of Frontier Lodging of Beatrice, LLC dba Holiday Inn Express & Suites, 4005 North 6th Street, Beatrice, Nebraska, for a Class I liquor license, be recommended to the Nebraska Liquor Control Commission for approval.

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

RESOLUTIONS

Resolution Number 5828 entering into an Interlocal Agreement with Beatrice School District for Middle School Resource Officer.

Mayor Wirth introduced Resolution Number 5828 entering into an Interlocal Agreement with Beatrice School District for Middle School Resource Officer.

Moved by Catlin, seconded by Kerr, that Resolution Number 5828 be passed and adopted.

Bruce Lang, Chief of Police, reported to the Council that the Police Department has had a School Resource Officer for the past thirteen (13) years, who splits his time between the High School and Middle School and the program has been very successful. Lang noted that the Beatrice Public School District approached the City with hopes of adding another school resource officer, so that both locations would have a full time officer. The School District worked together with the City and was successful on a grant application that was submitted to the Community Oriented Policing Services (COPS) program to provide funding for the additional position. The grant will pay seventy-five percent (75%) of the salary for the first three (3) years, with the City and School District covering the remaining twenty-five percent (25%) of the salary and benefits. The fourth (4th) year of the grant, the City and School District will split the salary for the school resource officer. At the end of the four (4) years, the City and School District will decide if the

position should remain. Councilman Kerr inquired if the Police Department would move one (1) of their current officers into the school resource officer position or if the Department would look to hire new personnel. Lang noted that the Department would move one (1) of the current officers to this position and then hire a new entry-level police officer to fill the vacant position. Mayor Wirth inquired if the school resource officer hired for the Middle School would also have contact in the elementary schools. Lang noted that the new school resource officer would also visit the various elementary schools in hopes to build a positive contact with those students as well.

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

Resolution Number 5828 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

NGage Quarterly Report

Glennis McClure, Executive Director of NGage, was present to review some of the highlights for the last quarter. The housing study is currently underway. World Lawn, Precise Fabrication, and Neapco participated in Manufacturing Day with the main intent of this program allowing the public to engage with those businesses and get a better understanding what manufacturing is all about. McClure noted NGage hosted two (2) small business workshops, with six (6) new/potential businesses attending. McClure also noted that NGage has launched their member/investor funding campaign in July and there have been twenty-one (21) members providing \$15,200 to date. Councilman Kerr inquired if the members would be asked to renew their membership on an annual basis and McClure noted that is the plan and NGage is hopeful the annual membership will continue to grow. Mayor Wirth inquired when the housing study is anticipated to be complete. McClure noted Hanna Keelan is looking at February or March. Councilman Clabaugh inquired the status of the business incubator. McClure noted at this time they have not seen the need for an incubator.

NPPD Presentation

Gary Thompson, NPPD Board Member, Traci Bender, Vice President and Chief Financial Officer, Tom Kent, Vice President and Chief Operating Officer, Ken Curry, Vice President of Customer Services, and Chad Podolak, Customer Account Manager, representatives of Nebraska Public Power District (NPPD), were present to give a presentation on NPPD's financial position,

future plans for NPPD, and answer any questions or concerns the City Council had in regards to the upcoming contract renewal.

Traci Bender reported NPPD's current outstanding debt is approximately \$1.7 billion dollars, noting that approximately \$700 million dollars of that debt will be paid off by the time the new agreement will take place. Bender noted that NPPD recently spent \$600 million dollars to ensure Cooper Nuclear Station can run an additional twenty (20) years. Bender went on to report that NPPD's debt service coverage is approximately 1.5 times, equaling about 182 days of cash, which is on the high side in comparison of their peers. Bender noted that NPPD tries to have a rapid pay down for their debt. Recently the debt service has been increasing the transmission rates due to significant transmission upgrades.

Tom Kent reported NPPD owns and/or operates thirty-three (33) generating facilities, which had a combined capacity of over 3,000 megawatts in 2014. NPPD has tried to focus on a less carbon intensive generation for over a decade, which will help with the EPA's clean power plan's latest rules that were published in August. Looking at all of NPPD's energy resources, forty-two percent (42%) are carbon free resources. Kent also gave an overview of how the daily price for energy is set. Councilman Fairbanks inquired why NPPD could not simply put all of their generating facilities online and help to reduce cost for everyone. Kent noted the reason is that NPPD cannot store the excess and the cost is based on the instantaneous match for the demand of electricity at the present time.

Ken Curry noted that NPPD plans for long term benefits for their customers and it is very important to them to help keep costs low. Curry noted that in the proposed contract there will be a performance based clause which will hold NPPD accountable and will be an incentive to continue to keep rates low. Curry closed noting NPPD will be here for the long term should the City decide to sign with NPPD. Councilman Clabaugh inquired if NPPD will be more active with economic development in the future. Curry noted NPPD still has a team focused on economic development with a reduced staff.

Tobias Tempelmeyer, City Administrator, inquired what the proposed rate increase will be in 2020 and 2021. Traci Bender noted it is anticipated to be three percent (3%). Tempelmeyer also inquired why NPPD suddenly feels the need to have the OPEP trust fully funded today. Bender noted NPPD has accrued liabilities should they start catching up. Bender also noted that there are some customers that want to stay with NPPD, however, they do not want to pay for obligations of those who customers who do not stay.

Tempelmeyer also inquired why NPPD is not looking to start collecting the OPEB costs for their retail customers. Bender noted that no decision has been made by the NPPD Board at this time on the transmission or retail share.

BPW Boardmember Baehr inquired why NPPD has not asked the retail customers to start funding the OPEB costs. Bender noted that at this point in time NPPD has unfunded liability for the duration of the contract, which is five (5) to six (6) years. BPW Boardmember Baehr inquired why NPPD is deferring retail until it is closer to the term of the contract. Bender noted they have put off borrowing at this time.

Tempelmeyer inquired if NPPD had not struggled with getting the contract signed with their wholesale customers, would NPPD not have collected OPEB. Bender noted this acceleration is not being done because of the customers that have left, it is due to unfunded obligations and sensing through negotiations that customers may look to do different things.

City Administrator's Monthly Report

Tobias Tempelmeyer, City Administrator, noted that there have been nine (9) applicants for the Sidewalk Improvement Program, and one (1) applicant has been paid out after completion of the application process. Tempelmeyer also noted that the ADA accessible playground equipment has been installed at the Scott Street Ball Fields and the shelter has also been constructed, thanks to a grant acquired by Keep Beatrice Beautiful.

ADJOURNMENT

The next regular City Council meeting is November 2, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room. There will **NOT** be a City Council Work Session in October.

Moved by Catlin, seconded by Billesbach, that the meeting be adjourned at 8:44 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor