

**MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD JANUARY 19, 2015, AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5<sup>TH</sup> STREET, BEATRICE, NE**

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

**1 – Roll Call:** Present: Mayor Wirth, Councilmembers Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Absent: Councilmembers Billesbach, Clabaugh

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.

**2 - 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 January 5, 2015, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$239,929.35.
- f. Approval of BASWA Report of Claims in the amount of \$39,442.92.
- g. Refer claim of Husker Rehabilitation & Wellness Centers for damages sustained allegedly as a result of a power outage on July 23, 2014, to the City Attorney and City's Insurance carrier for review and disposition.
- h. Resolution Number 5722 executing the Certificate of Compliance to the Nebraska Department of Roads regarding roadway maintenance.

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

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

**3 - Public Hearings/Bids:**

None.

**4 – Resolutions:**

- a. Resolution entering into an Agreement with Terracon Consultants, Inc. for a Hazardous Materials Assessment in relation to the Trail Extension Project South.**

Mayor Wirth introduced Resolution Number 5723 entering into an Agreement with Terracon Consultants, Inc. for a Hazardous Materials Assessment in relation to the Trail Extension Project South.

Moved by Catlin, seconded by Kerr, that Resolution Number 5723 be passed and adopted.

City Administrator, Tobias Tempelmeyer, explained that there may be some hazardous materials in this area so Terracon was contacted to conduct a review of potential sites and evaluate those issues for an amount not to exceed \$3,500.00.

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

Resolution Number 5723 has been passed and adopted.

**b. Resolution approving a union contract with International Brotherhood of Electrical Workers (IBEW) Local No. 1536.**

Mayor Wirth introduced Resolution Number 5724 approving a union contract with International Brotherhood of Electrical Workers (IBEW) Local No. 1536.

Moved by Catlin, seconded by Morgan, that Resolution Number 5724 be passed and adopted.

City Administrator Tempelmeyer explained that the contract calls for a 2% increase in wages retroactive to October 1 and clarified that employees covered by this union had not previously received a cost of living increase. Discussion held regarding the buyout of the excess sick leave bank and issues with that; going forward there will be no excess sick leave bank.

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

Motion carried.

Resolution Number 5724 has been passed and adopted.

**c. Resolution entering into a Lease Agreement with Carriage Motors for a portion of the right-of-way on Bell Street between 6<sup>th</sup> Street and 5<sup>th</sup> Street and on 5<sup>th</sup> Street between Bell Street and Market Street.**

Mayor Wirth introduced Resolution Number 5725 entering into a Lease Agreement with Carriage Motors for a portion of the right-of-way on Bell Street between 6<sup>th</sup> Street and 5<sup>th</sup> Street and on 5<sup>th</sup> Street between Bell Street and Market Street.

Moved by Catlin, seconded by Kerr, that Resolution Number 5725 be passed and adopted.

City Administrator Tempelmeyer explained that Carriage Motors had purchased the adjacent property and removed the houses in order to extend their lot and show area; they would like to park the cars out as far as possible and are therefore requesting to lease a portion of the City right-of-way on 5<sup>th</sup> and on Bell in order to do so. They will be putting in a sidewalk, which will have a 4-foot set back from the curb. The annual lease payment will be \$100.00.

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

Resolution Number 5725 has been passed and adopted.

**d. Resolution entering into a proposal for architectural services with Michael Fakler for the Beatrice Welcome Signs.**

Mayor Wirth introduced Resolution Number 5726 entering into a proposal for architectural services with Michael Fakler for the Beatrice Welcome Signs.

Moved by Catlin, seconded by Morgan, that Resolution Number 5726 be passed and adopted.

City Administrator Tempelmeyer explained that as a part of the ongoing process of replacing the welcome signs, this agreement will bring on Fakler Architects to provide architectural services to design the base and provide structural engineering requirements for two signs at a cost of \$4,000.

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

Resolution Number 5726 has been passed and adopted.

**5 – Ordinances:**

None.

**6 – Public Forum:**

No one appeared a public forum.

**7 – Discussions/Reports:**

**a. 407 Court Street**

City Administrator Tempelmeyer and City Engineer, James Burroughs, presented the report prepared by King Little, a Structural Engineer hired to examine the building at 407 Court Street. Mr. Little did an analysis on what happened and what needs to happen going forward and recommended that the City look for a licensed professional contractor with experience in demolition of this type. Discussion followed regarding options of what to do with the area once the demolition has been completed including providing for proper drainage. With the immediate safety concerns the City will move forward to put out a Request for Proposals that could include alternative options if the company is interested in also doing the reconstruction work. The building is free standing and has separate walls from adjoining properties however they will need to address shoring up those buildings. As a building with historical significance, further discussion was held regarding the option of saving the façade. Michael Sothan, Executive Director Main Street Beatrice, reported their group was looking for a positive outcome and while preservation of the façade would be wonderful, he presented pictures of other options that could be pursued such as a public gathering space or outdoor dining area using bricks from the building and help keep the historical integrity of the downtown district. David Lang, owner of 409 Court Street, also spoke in support of using elements of the building to create an aesthetically appealing and productive space. Mayor Wirth encouraged adjacent property owners and Main Street to provide their input. Laureen Riedesel, Chairperson of the Main Street Design Committee, shared information on what is involved to obtain the historical designation for Downtown Beatrice and encouraged saving as much as possible, even the lower floor windows, just something that shows the age of the bricks. Kate Ratigan, owner of 405 Court Street, expressed interest in looking for what would be positive for Beatrice; that the opportunity for green space or outside dining would be nice to have; the area is well-suited as it is shaded from the sun and sheltered from wind. She was concerned that paving may cause a drainage issue that would need to be sealed so water would not affect the foundation of their building and also noted that the façade was connected to her building and may be causing a crack.

**b. Request For Qualification for Renewable Generation**

City Administrator Tempelmeyer updated the Council on the Board of Public Works Board's recommendation to begin the process to put out a Request for Qualification (RFQ) to solicit qualifications from renewable energy developers. The current agreement with NPPD allows the City to pursue this; whether it is wind or solar the company would be responsible to operate and maintain facility and the City would just have a purchase power agreement to purchase the power from them.

### **c. Street Sweeper**

City Administrator Tempelmeyer and Street Superintendent, Jason Moore, presented a proposal to take advantage of the option to purchase the 2012 Elgin Street Sweeper at the end of the three-year lease, which ended December 2014, for \$90,000. Mr. Moore explained the need to have two sweepers in order to keep the community clean on a regular basis and that after doing some research the buyout was a good deal. Discussion held on the sweeping routes. Funding for the purchase is not in the current budget, so financing options were requested from various financial institutions, including all local banks. Mr. Tempelmeyer presented the quotes received and recommended a financing option with the first payment in December of 2015, which would spread out the cost over the next three fiscal years.

Moved by Catlin, seconded by Kerr, to take advantage of the option to purchase the 2012 Elgin Eagle F Street Sweeper at the end of the lease for \$90,000 and to finance said purchase through U.S. Bank for a 3-year term at 2.35% interest rate, annual payments beginning December 1, 2015.

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

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

City Administrator Tempelmeyer presented the monthly report and highlighted the following items: the Nebraska Department of Roads has retained an engineering firm to do the final design on the 2<sup>nd</sup> street project and are looking construction in the spring or summer of 2016; painting will begin in the City Auditorium this week with funds provided through a grant from Keep Beatrice Beautiful; the WPC department has met with Olsson Associates regarding pump and plant upgrades and future planning; City Council meetings are now available on YouTube, a link can be found on the City's website; to use the National Park emblem on the welcome sign the design needs to include a bigger tie to the park, so it has been modified and sent back to them for approval; and the branding project has completed interviews and is working on putting together the data.

### **e. Legislative Update**

City Administrator Tempelmeyer presented the legislative update.

### **8 – Miscellaneous:**

The next regular council meeting is February 2, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room; there will be a BASWA meeting followed by a Council worksession on January 26, 2015 at 7:00 p.m. in the Beatrice Public Schools Administration Building Meeting Room.

Moved by Catlin, seconded by Parde, that the meeting be adjourned at 8:17 p.m.

Roll Call: Yea: Catlin, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None

Motion carried.

**Linda S. Koch, City Clerk**

**Mayor Stan Wirth**