

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 4th day of April, 2016 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.

Mayor Wirth read a proclamation proclaiming April 10th-16th, as National Library Week. Laureen Riedesel, Library Director, was present to receive the proclamation. Riedesel reported to the City Council that the Beatrice Public Library has a number of activities scheduled for the month, including an art exhibit, book sale, doll lovers club, and the seed library. Riedesel noted there will be an open house on April 24, 2016 and invited any and all to attend.

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 March 21, 2016, as on file in the City Clerk's Office.
- e. Approval of minutes of work session meeting on March 28, 2016, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$163,982.65.
- g. Approval of BASWA Report of Claims in the amount of \$17,380.45.
- h. Approval of bid from TH Construction Co., in the amount of \$18,750.00 for the Sara Road Water Main Improvements – 2016, as recommended by the Board of Public Works.
- i. Approval of bid from T.L. Excavation, LLC, in the amount of \$46,011.00 for the 16th Avenue & Hoyt Street Water Main Improvements – 2016, as recommended by the Board of Public Works.
- j. Award bid from R.L. Tiemann Construction, Inc., in the amount of \$332,410.97 for the Standing Bear Trail – 2016 project.
- k. Resolution Number 5886 executing Amendment Number 4 to the "City of Beatrice/Board of Public Works Employee Health Plan".
- l. Resolution Number 5887 executing the New York Amendment to the "City of Beatrice/Board of Public Works Employee Health Plan".
- m. Approval of public funding request from Beatrice Area Chamber of Commerce in the amount of \$5,000.00 for the Homestead Days 2016 event.
- n. Approval of public funding request from Gage County Relay for Life in the amount of \$625.00 for the Relay for Life event.

- o. Approval of public funding request from Main Street Beatrice in the amount of \$525.00 for Wayfinding/Identification Signage for public parking areas.
- p. Resolution Number 5888 approving a request from the Beatrice Area Chamber of Commerce to close Highway 136, which is also known as Court Street, from 3rd Street to 19th Street, on Saturday, June 18, 2016, between 8:00 a.m. until 12:00 p.m. for the Homestead Days Parade.
- q. Resolution Number 5889 authorizing Mayor and City Administrator to sign documents for the Nebraska State Recycling Association grant.
- r. Resolution Number 5890 entering into a lease with Gage County for office space in the Beatrice Police Station used by the Gage County Probation Office.

Moved by Catlin, seconded by Cook, that the items listed under the consent agenda, with the exception of item n, be approved, accepted and/or ratified as presented.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde
 Nay: None
 Abstain: Clabaugh – o

MOTION CARRIED.

n - Moved by Catlin, seconded by Parde, that the approval of public funding request from Gage County Relay for Life in the amount of \$625.00 for the Relay for Life event, be approved, accepted, and/or ratified as presented.

Councilman Parde inquired if this was more of a donation or what the total cost of the Relay for Life event is. Lorrie Stierwalt, 1510 South 8th Street, and Brian Saathoff, 2525 Elk Street, were present and addressed the Council regarding their request. Stierwalt noted last year the direct expense was \$2,069.00, noting the expenses range from hiring a dj, survivor medallions, signage promotion, luminaries, and numerous other items.

Councilman Parde asked to ensure the total cost of the project is included in future public funding requests. Councilman Fairbanks inquired how much the Relay for Life raises. Stierwalt noted last year \$54,000 was raised throughout Gage County. Stierwalt noted the funds go towards the American Cancer Society, further noting items the funds help pay for are rides to get patients to and from their appointments, stays at Hope Lodge, as well as research to help find cures for cancer.

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

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

There were no public hearings/bids.

RESOLUTION

Resolution Number 5891 entering into the Amendment to Agreement between the City of Beatrice, Nebraska, the County of Gage, Nebraska, and Gage Area Growth Enterprise (NGage), to provide for additional funding to NGage.

Mayor Wirth introduced Resolution Number 5891 entering into the Amendment to Agreement between the City of Beatrice, Nebraska, the County of Gage, Nebraska, and Gage Area Growth Enterprise (NGage), to provide for additional funding to NGage.

Moved by Catlin, seconded by Billesbach, that Resolution Number 5891 be passed and adopted.

Mayor Wirth noted that the Gage County Board is also looking at this Agreement in effort to take NGage to next level, with the possibility of hiring an additional person, and attract businesses to our community.

Andrea Schafer, 2008 Elk Street, NGage President, was present to answer any questions of the City Council. Councilman Kerr inquired what the highest amount of funding had been used to date. Schafer noted the highest amount of the City's portion that has been used was \$78,000 in 2015. Councilman Kerr noted he has a hard time justifying spending the additional \$100,000.00, when NGage has not even hit what the City currently funds, further noting NGage can come back at any time to request extra funding from the City and County.

Councilman Fairbanks urged the Councilmembers to support the additional funding, noting these dollar amounts were initially talked about when first starting up NGage. Councilman Fairbanks noted NGage has had a large success rate to date and the additional funding will help in the progression of NGage. Councilman Fairbanks noted the NGage Board has reviewed the request and the Council should trust the NGage Board, further noting they have managed the money well, with no questions as to where the money has been spent.

Schafer noted NGage is on the cutting edge of landing some really exciting projects and has been working hard to bring success to Gage County. Schafer further noted NGage has been very prudent of spending tax payers dollars, while working together to bring success to the community.

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

Nay: Catlin, Kerr

Abstain: Morgan

MOTION CARRIED.

Resolution Number 5891 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

Councilman Kerr noted that the Public Properties Department has done a tremendous job on the facility updates at the West Scott Ballfields, as well as the new skateboard park. Councilman Kerr thanked the employees for their work and urged everyone to visit the area if they have not already done so.

DISCUSSIONS/REPORTS

Update on Capital Projects

Tobias Tempelmeyer, City Administrator, reported to the City Council that the bids for Standing Bear Trail were received and earlier tonight was awarded to R. L. Tiemann Construction in the amount of \$332,410.97. Tempelmeyer noted the City has \$262,500.00 budgeted and will receive \$250,000.00 from the Nebraska Game and Parks grant, leaving the project \$70,000.00 over budget. Tempelmeyer asked the City Council for their recommendation on how they wished to fund this shortfall, noting a couple alternatives would be to take \$70,000.00 out of Keno fund or looking at deferring another project to next year. Councilman Fairbanks recommended using Keno funds to pay for the remaining cost to complete the trail, noting the trail project is an excellent use of keno funds. Councilman Kerr inquired what the balance of the Keno fund would be if the City was to use the \$70,000.00 to pay for the trail. Linda Koch, Finance Director, noted after all of the projects were completed, the Keno fund balance would be around \$9,000.00, noting that it would be built up again to approximately \$60,000.00 next year, as there are no projects being funded out of Keno funds for 2017. Councilman Parde noted he would also like to use the Keno funds in order to complete the project.

Tempelmeyer also reported to the City Council that the City is applying for a grant for improvements to the City Auditorium. The grant does require a match, and they are checking to see if some of the match can come from public safety debt funds. Tempelmeyer noted Mark Pethoud, Director of Public Properties, has some money budgeted for repairs to the building and those funds may be moved up to this year to provide for the match. Tempelmeyer noted some of the repairs would be: tuck pointing the entire building, installation of heat unit, duct work, addressing water issues in the Fire Department, and making the building ADA accessible. Tempelmeyer further noted Administration is still looking at what repairs will be funded with the grant and what repairs will be funded out of the Public Properties budget.

Tempelmeyer noted the last update is on the 2nd Street project. Nebraska Department of Roads (NDOR) has indicated that they will not proceed with the project as designed, as they do not want any bad press. Tempelmeyer noted that when he pushed NDOR to find out the possibility of proceeding as planned, he was informed the hire ups would have to be asked and that the chances were very unlikely. Tempelmeyer noted if the Historical Society approves the current design and notifies NDOR, NDOR will then proceed, bidding sometime in September 2016 with the completion in Spring 2017. Tempelmeyer noted that the Historical Society has submitted a revised project design for the work to be performed on their property. If NDOR approves the changes, it is possible another environmental review may have to be done and the project would likely bid out in December 2016, with construction in Summer 2017. The three (3) changes proposed by the Historical Society are as follows: (1) moving the sidewalk near the building to run straight north and be constructed of brick and not concrete; (2) on the south side of the property would remove one-half (1/2) of the gravel parking lot and plant grass; and (3) where the driveway intersects with 2nd Street, a line of brick pavers would be placed at the entrance of the Historical Society's driveway. Tempelmeyer noted if these proposals are accepted, it is not anticipated that there will be any issues for SHPO or NDOR, and construction will likely be Summer 2017. Councilman Kerr inquired if this delay means 2nd Street will have to be closed two (2) times. Tempelmeyer noted that is the decision City Administration is asking the City Council to make, further noting that if the City knows the NDOR project will be in 2017, does

the City proceed with the plans to reconstruct Ella to Grant this summer, or push back that project and do both projects together in 2017, which was the recommendation of the Board of Public Works. Mayor Wirth noted that if the question is to shut down 2nd Street once or twice, the answer is once.

James Burroughs, City Engineer, noted that the City may be able to get good bids if both projects are done at the same time, noting that if we try to do the Ella to Grant Street portion yet this year, prices may come in significantly higher as many contractors have their summers booked already.

Councilman Fairbanks inquired what has caused the Historical Society to change their mind on the project, noting there was an agreement between the City and the Historical Society and now with a new Board of Directors things are changing. Fairbanks inquired if changing the sidewalk to brick would be allowed and if it could be ADA accessible or if it would have to be concrete. Burroughs noted he was not sure on that and would check into it.

Councilman Kerr noted there is another option which would be to take NDOR and the Historical Society out of the picture and concrete the entire section from Court to Grant and be done with the project. Tempelmeyer noted the City would have to pay the State back for engineering costs incurred to date and would have to kill other projects in order to fund this project. Councilman Parde inquired if the proposed changes have an increased cost. Tempelmeyer noted that all of the changes are on the Historical Society's property and the agreement says the Historical Society will pay for all improvements upon their property.

Tempelmeyer noted that if both projects are moved to 2017, the City will move projects up to 2016 so that the detour route is ready for the extra traffic. Tempelmeyer further noted that the City is looking at straightening out the intersection at 4th and Grant.

Legislative Update

Tobias Tempelmeyer, City Administrator, noted that City Administration is continuing to monitor LB958. Tempelmeyer noted there has not been a lot of activity in the Legislature, as they are near this session.

EXECUTIVE SESSION

Moved by Catlin, that the Beatrice City Council go into closed session at 7:54 p.m., for the protection of public interest to discuss contract negotiations. Seconded by Clabaugh, that the Beatrice City Council go into closed session at 7:54 p.m., for the protection of public interest to discuss contract negotiations.

Mayor Wirth announced that it has been Moved by Catlin, seconded by Clabaugh, that the Beatrice City Council go into closed session at 7:54 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 8:16 p.m.

ADJOURNMENT

The next regular Council meeting is April 18, 2016 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. There will be a Work Session on April 25, 2016 at 7:00 p.m. in the BPS Admin Bldg Meeting Room.

Moved by Catlin, seconded by Billesbach, that the meeting be adjourned at 8:16 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor