

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 2nd day of May, 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 presented the following elementary students with a “Mayor for a Day” honorary certificate for participating in the Great American Cleanup Elementary “Clean Your Block Party” sponsored by Keep Beatrice Beautiful: Gabby Long from Lincoln Elementary; Carson Workman from Paddock Lane Elementary; Annie Gleason from Stoddard Elementary; Hannah Stedman from St. Joseph’s Catholic School; and Waylon Overbeck from St. Paul’s Lutheran School. There were no entries from Cedar Elementary School this year. The winners this year were randomly drawn from all of the students who participated.

Mayor Wirth read a proclamation proclaiming April 29, 2016 as Arbor Day.

Mayor Wirth read a proclamation proclaiming May 2016 as “Preservation Month”. Michael Sothan, Main Street Executive Director, received the proclamation and noted that May 13, 2016, Main Street Beatrice will be submitting application to the State Historical Society and hopes Beatrice will be listed on the national registry. Sothan invited everyone to participate in the upcoming Mother’s Day Landmark Tour on May 8, 2016.

Mayor Wirth read a proclamation proclaiming May 1-7, 2016 as “Drinking Water Week”. Steve Kelley, Water Superintendent, received the proclamation and noted it has been his goal since becoming Superintendent to provide safe drinking water to the citizens of Beatrice. Kelley further noted he is honored to have a great group of employees in his Department and thanked Mayor Wirth and the City Council for their support.

Mayor Wirth read a proclamation proclaiming May 1-7, 2016 as “Municipal Clerks Week”. Erin Saathoff, City Clerk, thanked Mayor Wirth and the City Council for support. Saathoff noted she is on the second (2nd) year of a four (4) year program to become a Certified Municipal Clerk and is looking forward to attending the International Institute of Municipal Clerk’s (IIMC) 70th Annual Conference to be held in Omaha at the end of May.

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 April 18, 2016, as on file in the City Clerk's Office.
- e. Approval of minutes of work session meeting on April 25, 2016, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$251,049.39.
- g. Approval of BASWA Report of Claims in the amount of \$7,447.85.
- h. Award bid from R.L. Tiemann Construction, Inc., in the amount of \$97,176.65 for the Flood Debris Removal – 2016 project.
- i. Approval of special designated license for Main Street Beatrice for a beer garden in the parking lot at 120 N 6th Street, on June 18, 2016 from 10:00 a.m. until 12:00 a.m. for the annual Ribfest fundraiser and permission to use a portion of City right-of-way along the sidewalk of said parking lot.
- j. Resolution Number 5901 authorizing Mayor to Sign the Substantial Completion form for the Beatrice Public Library Renovation project.
- k. Resolution Number 5902 authorizing City Engineer and City Clerk to execute the Access Agreement between the City and Legion-Eagles Baseball, Inc., for the purpose of ingress and egress to the Christensen Field baseball facility.

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

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

Nay: None

Abstain: Clabaugh – i

MOTION CARRIED.

f - Moved by Catlin, seconded by Cook, that the Treasurer's Report of Claims in the amount of \$251,049.39, be approved, accepted, and/or ratified as presented.

Councilman Kerr noted he pulled the claims to vote against the \$4,000.00 claim for the purchase of the parking lot on South 6th Street.

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

Nay: Kerr

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 the Citizen's Advisory Review Committee, reported to the City Council there is approximately \$12,000.00 left in the CDBG fund at this time. Jones noted LMRRLR, LLC (former Dawgs Hut) is current on their payments, Homestead Auto Glass, LLC is close to being current, and Canned Hams is continuing to make their balloon payments in an effort to get caught up. Jones noted that the LB840 balance is approximately \$237,000.00, after the funds for LandMark have been earmarked. There have been no new applications since LandMark Snacks application in January 2016. Councilman Kerr inquired if the 6th and Industrial Row funds have also been taken out of the LB840 balance. Tobias Tempelmeyer, City Administrator, noted that project is being paid for through Street Department funds and no longer being funded through LB840 funds.

Moved by Catlin, seconded by Morgan, that the public hearing be closed at 7:24 p.m.

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

Public Hearing to consider declaring Redevelopment Area #5 to be substandard and blighted within the definitions set forth in the Community Development Law, Neb.Rev.Stat. §18-2101 et.seq.

Mayor Wirth announced that a public hearing will now be held to consider declaring Redevelopment Area #5 to be substandard and blighted within the definitions set forth in the Community Development Law, Neb.Rev.Stat. §18-2101 et.seq.

Greg Butcher, City Attorney, noted that the Blight and Substandard Plan as prepared by Hanna:Keelan, was reviewed by the Planning and Zoning Commission (P&Z), as well as the Community Redevelopment Authority (CRA), and it is the recommendation of both of those bodies to approve the Blighted and Substandard Plan. Councilman Billesbach inquired if this would affect the residential homes in the area. Butcher noted there should not be any affect on those homes. Councilman Fairbanks inquired who monitors the Plan. Butcher noted any potential development would be reviewed by the P&Z Commission and CRA, much like the Blight and Substandard Plan and Redevelopment Plan were to ensure any proposal follows the Comprehensive Plan.

Moved by Catlin, seconded by Morgan, that the public hearing be closed at 7:29 p.m.

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

Public Hearing for adoption of the Redevelopment Plan for Redevelopment Area No. 5

Mayor Wirth announced that a public hearing will now be held for the adoption of the Redevelopment Plan for Redevelopment Area #5.

Greg Butcher, City Attorney, reviewed the proposed Redevelopment Plan for Redevelopment Area No. 5. Butcher noted the Plan has been reviewed by the Planning and Zoning (P&Z) Commission, as well as the Community Redevelopment Authority (CRA) and it is the recommendation of both of these bodies to adopt the Redevelopment Plan. Councilman Kerr inquired if any project has to go to the County Board for approval. Tobias Tempelmeyer, City Administrator, noted that the proposed legislative bills that would have required this were not passed.

Moved by Catlin, seconded by Billesbach, that the public hearing be closed at 7:33 p.m.

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

RESOLUTION

Resolution Number 5903 declaring the proposed Redevelopment Area No. 5 as blighted and substandard

Mayor Wirth introduced Resolution Number 5903 declaring the proposed Redevelopment Area No. 5 as blighted and substandard.

Moved by Catlin, seconded by Parde, that Resolution Number 5903 be passed and adopted.

There was no further discussion held by the City Council or members of the public.

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

Resolution Number 5903 has been passed and adopted.

Resolution Number 5904 to approve Redevelopment Plan for Redevelopment Area No. 5

Mayor Wirth introduced Resolution Number 5904 to approve Redevelopment Plan for Redevelopment Area No. 5.

Moved by Catlin, seconded by Clabaugh, that Resolution Number 5904 be passed and adopted.

There was no further discussion held by the City Council or members of the public.

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

Resolution Number 5904 has been passed and adopted.

ORDINANCES

Ordinance repealing city codes regarding Fire Reserve Program

Mayor Wirth introduced an ordinance repealing city codes regarding Fire Reserve Program.

Moved by Catlin, seconded by Parde, that said ordinance be given number 16-018 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight.

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

Mayor Wirth read Ordinance Number 16-018 by number only the first, second, and third time.

Moved by Catlin, seconded by Parde, that Ordinance Number 16-018 be passed and approved.

Tobias Tempelmeyer, City Administrator, noted that recently the Fire Reserve Program was suspended and Administration is currently working to develop new program. Tempelmeyer noted it is the recommendation to remove the current City codes in order to start with a clean slate when the new Fire Reserve Program is implemented.

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

Ordinance Number 16-018 has been passed and approved.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

City-Wide Cleanup 2016 Report

Jason Moore, Street Superintendent, reported to the City Council there were over 1,300 locations with a pick up this year. Moore noted that the increase in the total manhours to 410 hours was due to the number of small items placed on the curb for the City crews to pick up, which took longer for the crews to load into the trucks. Moore further noted that the majority of the items were items that could have been placed on curb for Sanitary Garbage to pickup. Moore noted the Landfill saw approximately \$5,310.00 in lost revenue. Moore noted that he believes this is a good program, however there are issues that need to be looked at. Mayor Wirth inquired if Moore had any suggestions to improve the program. Moore noted he thought that by changing the limitations to not include boxes or bags would take care of the small items being placed out to be picked up, however, instead the items were simply stacked in piles or between the other furniture. Moore also expressed his concern regarding the possibility of his crew coming into

contact with bed bugs on the mattresses and other furniture after an exterminator asked Moore what precautions he was taking to avoid the spread of possible bed bugs. Moore indicated City Administration has discussed possible changes to the program for the safety of the employees after meeting with the Board of Public Works Board April 27, 2016. Councilman Fairbanks noted he likes the idea of an amnesty day and would suggest there be multiple occasions, however he was concerned that not everyone has access to a vehicle to transport items to the Landfill. Moore noted he would be in favor of offering an amnesty day or days. Council President Catlin noted the guys did a great job and asked Moore to please pass that along to the employees.

EXECUTIVE SESSION

Moved by Catlin, that the Beatrice City Council go into closed session at 7:47 p.m., for the protection of public interest to discuss real estate and contract negotiations. Seconded by Billesbach, that the Beatrice City Council go into closed session at 7:47 p.m., for the protection of public interest to discuss real estate and 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 7:47 p.m., for the protection of public interest to discuss real estate and contract negotiations.

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

Reconvened at 8:21 p.m.

ADJOURNMENT

The next regular Council meeting is May 16, 2016 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. There will be a Work Session on May 23, 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 8:21 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor