

## MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 16<sup>th</sup> day of May, 2016 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, 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 May as “General Aviation Appreciation Month”.

Mayor Wirth read a proclamation proclaiming May as “National Foster Care Month”.

### 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 May 2, 2016, 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 \$631.20.
  - e(2) Approval of the balance of Treasurer’s Report of Claims in the amount of \$329,787.45.
- f. Approval of BASWA Report of Claims in the amount of \$40,273.88.
- g. Approval of Change Order #1 increase in the amount of \$13,862.10 and final payment of \$66,244.10 to Merit Construction Services for the 2016 Bridge Repairs, as recommended by the Board of Public Works.
- h. Approval of Final Payment in the amount of \$28,085.00 to Building Crafts, Inc. for the Beatrice Water Pollution Control Raw Pumps #4 and #5 project, as recommended by the Board of Public Works.
- i. Approval of Final Payment in the amount of \$18,750.00 for the Sara Road (16<sup>th</sup> Avenue to 19<sup>th</sup> Street) Water Main Improvements – 2016, as recommended by the Board of Public Works.
- j. Resolution Number 5905 executing the Professional Service/Consultant Agreement between the City of Beatrice and Hanna:Keelan Associates, P.C., to conduct a study and develop a downtown revitalization plan.
- k. Resolution Number 5906 executing the Final Design Engineering Services Supplemental Agreement No. 2 with Snyder & Associates, Inc., for NDOR Project Number ENH-6105(6), Control Number 13127, 2<sup>nd</sup> Street, Court to Ella Street.

1. Award bid from American Fence Company in the amount of \$27,925.00 and Change Order #1 in the amount of \$17,835.00, for the Hannibal Park Ballfields – 2016 project.

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

Roll Call: Yea: Billesbach, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None  
Abstain: Clabaugh – e(1)

MOTION CARRIED.

### **PUBLIC HEARINGS/BIDS**

**Public Hearing on the rezoning of property legally described as: Parcel ID# 005064000. A part of the Southwest Quarter of the Northwest Quarter of Section 9, T3N, R6E of the 6<sup>th</sup> P.M., Beatrice, Gage County, Nebraska for Tracy Norris from AG to RR for the proposed Norris First Subdivision.**

Mayor Wirth announced that a public hearing will now be held on the rezoning of property legally described as: Parcel ID# 005064000. A part of the Southwest Quarter of the Northwest Quarter of Section 9, T3N, R6E of the 6<sup>th</sup> P.M., Beatrice, Gage County, Nebraska for Tracy Norris from AG to RR for the proposed Norris First Subdivision.

Tobias Tempelmeyer, City Administrator, reported to the City Council that Tracy Norris approached the City to replat the parcel into three (3) separate lots and will be required to rezone from AG to Rural Residential. The lots are located near Sumner Street and the closest street to the north is Belvedere Avenue. Councilman Kerr inquired if the plans were to build on the lots. Tempelmeyer noted he believed they would be used for residential purposes. Councilman Billesbach inquired how far out the City's zoning jurisdiction was and Tempelmeyer noted the City has a two (2) mile zoning jurisdiction. Councilman Clabaugh inquired if the neighbors surrounding the lots had any objections and Mayor Wirth noted he has not heard any concerns.

Moved by Parde, seconded by Cook, that the public hearing be closed at 7:09 p.m.

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

MOTION CARRIED.

### **RESOLUTION**

**Resolution Number 5907 designating the northern room and south wing of the lower level of the newly renovated Beatrice Public Library.**

Mayor Wirth introduced Resolution Number 5907 designating the northern room and south wing of the lower level of the newly renovated Beatrice Public Library

Moved by Parde, seconded by Billesbach, that Resolution Number 5907 be passed and adopted.

Dale Kruse, Director of Beatrice Public Library Foundation, noted the Foundation is thankful and blessed to have received the many donations over the years. Kruse noted the northern room will be named the “Thomas Heritage Room”, in memory of Margaret and Martha Thomas. The south wing of the lower level will be named the “Vette Cultural Arts Center” in memory of Fred and Virginia V. Vette.

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

Resolution Number 5907 has been passed and adopted.

**Resolution Number 5908 entering into a Letter Agreement for Professional Services with Olsson Associates, Inc. for the Building Roof Rehab Project for the Beatrice Municipal Auditorium.**

Mayor Wirth introduced Resolution Number 5908 entering into a Letter Agreement for Professional Services with Olsson Associates, Inc. for the Building Roof Rehab Project for the Beatrice Municipal Auditorium.

Moved by Parde, seconded by Clabaugh, that Resolution Number 5908 be passed and adopted.

Tobias Tempelmeyer, City Administrator, noted there has been an ongoing leak in the City Auditorium that primarily effects the dormitory of the Fire Department. Tempelmeyer noted they have tried to find source of the leak with no luck and this resolution would hire Olsson Associates to fix leak and move forward.

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

Resolution Number 5908 has been passed and adopted.

**Resolution Number 5909 declaring the official intent of the City of Beatrice, Nebraska to reimburse itself for expenditures made in connection with the rehabilitation of the Beatrice Municipal Auditorium/Fire Station.**

Mayor Wirth introduced Resolution Number 5909 declaring the official intent of the City of Beatrice, Nebraska to reimburse itself for expenditures made in connection with the rehabilitation of the Beatrice Municipal Auditorium/Fire Station.

Moved by Parde, seconded by Morgan, that Resolution Number 5909 be passed and adopted.

Tobias Tempelmeyer, City Administrator, noted that since the Fire Department is housed in the Auditorium, this project is eligible to be paid for thru public safety debt bonds which will be issued later this summer.

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

Resolution Number 5909 has been passed and adopted.

## **ORDINANCES**

### **Ordinance approving plat of Norris First Subdivision.**

Mayor Wirth introduced an ordinance approving plat of Norris First Subdivision.

Moved by Parde, seconded by Cook, that said ordinance be given number 16-019 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, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

Mayor Wirth read Ordinance Number 16-019 by number only the first, second, and third time.

Moved by Parde, seconded by Billesbach, that Ordinance Number 16-019 be passed and approved.

Tobias Tempelmeyer, City Administrator, noted this ordinance will approve the plat that was discussed earlier during the public hearing.

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

Ordinance Number 16-019 has been passed and approved.

### **Ordinance amending the Zoning Map for the City of Beatrice, Nebraska by changing the zoning of Lots One (1), Two (2), and Three (3), Norris First Subdivision, Gage County, Nebraska; from “AG” Agricultural to “RR” Rural Residential.**

Mayor Wirth introduced an ordinance amending the Zoning Map for the City of Beatrice, Nebraska by changing the zoning of Lots One (1), Two (2), and Three (3), Norris First Subdivision, Gage County, Nebraska; from “AG” Agricultural to “RR” Rural Residential.

Moved by Parde, seconded by Cook, that said ordinance be given number 16-020 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, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde  
Nay: None MOTION CARRIED.

Mayor Wirth read Ordinance Number 16-020 by number only the first, second, and third time.

Moved by Parde, seconded by Cook, that Ordinance Number 16-020 be passed and approved.

Tobias Tempelmeyer, City Administrator, noted this ordinance will rezone the three (3) lots of Norris First Subdivision from “AG” Agriculture to “RR” Rural Residential.

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

Ordinance Number 16-020 has been passed and approved.

### **PUBLIC FORUM**

Bruce Lang, Chief of Police, introduced Kerri McGrury, Victim Assistance Coordinator, who was recently named the Victim Advocate of the Year for Nebraska.

### **DISCUSSIONS/REPORTS**

#### **City Administrator’s Monthly Report**

Tobias Tempelmeyer, City Administrator, noted there have been eighteen (18) applications for the Sidewalk Improvement Program. Seven (7) applications have been processed and there is still over \$40,000.00 of funding available. Tempelmeyer noted along the trails, the grass is growing after being reseeded due to last year’s flooding. The revised plans for the 6<sup>th</sup> and Industrial Row project have been resubmitted to NDOR and comments are expected to be back shortly. Upon approval from NDOR, the project will go out for bid and hopefully be completed yet this summer.

Tempelmeyer also reviewed the financials, noting the revenues have come in above projections and the Department Heads have done a good job on keeping their expenses down. Tempelmeyer noted the Street Department revenues are up \$1 million, due to the \$645,000.00 that was not billed for the State mill and overlay project and the STP funding that was received this year. The unrestricted funds are also down \$1 million, as the Beatrice Municipal Airport runway is complete.

Councilman Parde noted the Building Inspections Department is doing a good job on cleaning up the nuisance properties.

### **EXECUTIVE SESSION**

Moved by Parde, that the Beatrice City Council go into closed session at 7:25 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 7:25 p.m., for the protection of public interest to discuss contract negotiations.

Mayor Wirth announced that it has been Moved by Parde, seconded by Billesbach, that the Beatrice City Council go into closed session at 7:25 p.m., for the protection of public interest to discuss contract negotiations.

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

Reconvened at 8:15 p.m.

**ADJOURNMENT**

The next regular Council meeting is June 6, 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 Parde, seconded by Billesbach, that the meeting be adjourned at 8:15 p.m.

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

Nay: None

MOTION CARRIED.

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**