MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 17th day of April, 2017 at 7:00 P.M. in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska.

Acting Mayor Catlin led those in attendance in the Pledge of Allegiance.

ROLL CALL

Attending:  Councilmembers:  Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde
Absent: None.

Acting Mayor Catlin announced that a copy of the Open Meetings Act is posted in the meeting room and is accessible to members of the public.

Acting Mayor Catlin read a proclamation proclaiming April 23-29, 2017 as “National Volunteer Week”.

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 3, 2017, as on file in the City Clerk’s Office.
e. Approval of Treasurer’s Report of Claims.
   e(1). Approval of Beatrice Humane Society claim in the amount of $5,000.00.
   e(2). Approval of Gage Area Growth-NGage claim in the amount of $36,920.50.
   e(3). Approval of balance of Treasurer’s Report of Claims in the amount of $228,421.07
f. Approval of BASWA Report of Claims in the amount of $89,599.92.
g. Approval of write-off of ambulance bad debts.
h. Award of bid for the 2nd Street Reconstruction Project, Ella to Grant – 2017 project to Lottman Carpenter Construction, in the amount of $541,504.15, as recommended by the Board of Public Works.
i. Approval of public funding request from Community Possibilities in the amount of $400.00 for the Beatrice Third Thursday events.
j. Approval of public funding request from Friends of the Homestead in the amount of $5,000.00 for the Solar Eclipse Weekend Transportation system.
k. Approval of Beatrice Plus funding request from St. Joseph Catholic School in the amount of $1,000.00 for the installation of an ADA compliant concrete path into playground.
l. Approval of Beatrice Plus funding request from Main Street Beatrice in the amount of $2,250.00 for downtown trash receptacles and a bench.
m. Approval of Beatrice Plus funding request from Friends of the Homestead in the amount of $5,000.00 for bus transportation during the eclipse weekend.
n. Resolution Number 6045 appointing Jana Robertson to the Beatrice Planning and Zoning Commission.

o. Resolution Number 6046 executing the agreement between the City of Beatrice and Nebraska Department of Roads, regarding improvements to Hwy US-77, as recommended by the Board of Public Works.

Moved by Parde, seconded by Clabaugh, that the items listed under the consent agenda, with the exception of items j, k, l, and m, be approved, accepted, and/or ratified as presented.

Roll Call:  Yea:  Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde
          Nay:  None
          Abstain:  Cook – e(1); Morgan – e(2)

MOTION CARRIED.

j - Moved by Parde, seconded by Cook, the approval of public funding request from Friends of the Homestead in the amount of $5,000.00 for the Solar Eclipse Weekend Transportation system.

Councilman Parde noted he pulled this since the Homestead is outside city limits and also inquired if there is any type of clause in the contract regarding inclement weather, should the buses not be needed.

Mark Engler, Superintendent of Homestead National Monument, and Diane Vicars, President of Friends of the Homestead, noted there was not currently anything in the specifications that addressed that issue, however that is something they could look into adding. Councilman Clabaugh inquired what the buses will be used for. Engler stated the buses will be used during the three (3) days as a transportation system for the anticipated visitors coming into Beatrice to view the eclipse. Engler noted there have been preliminary discussions with Main Street regarding having pick up locations within the downtown area, Gage County Fairgrounds, and the Monument. Engler further noted the plan is to have buses circling the community making stops at hotels, the Airport, downtown, Fairgrounds, and the Monument. Engler stated they are also writing into the specs a clause addressing what the cost to extend the hours of operation will be, as the Homestead will be extending their hours and remain open twenty-four (24) hours a day for this timeframe.

Councilman Fairbanks inquired where the funding is coming from for this request. Tobias Tempelmeyer, City Administrator, indicated the request is for public funding. Councilman Fairbanks stated he feels the appropriate revenue source would be lodging tax and suggested the Homestead charge $1.00 per ride to help offset the cost.

Acting Mayor Catlin stated he would like to encourage the extra visitors in town that weekend to use the buses in order to help alleviate parking issues downtown, at campsites, and at the Homestead National Monument.

Councilman Kerr inquired what liability the City would have if an accident were to occur. Greg Butcher, City Attorney, noted the City’s liability would be next to none. Engler noted there is a clause in the contract that addresses that situation.
Roll Call: Yea: Billesbach, Catlin, Clabough, Cook, Fairbanks, Kerr, Morgan, Parde
Nay: None  MOTION CARRIED.

k - Moved by Parde, seconded by Billesbach, the approval of Beatrice Plus funding request from St. Joseph Catholic School in the amount of $1,000.00 for the installation of an ADA compliant concrete path into playground.

Councilman Fairbanks stated he is against this item since this playground is not listed as a public park and does not feel the City should fund the project as it is on private property. Tobias Tempelmeyer, City Administrator, noted the playground is open to the public during non-school hours and St. Joseph will be installing a sign indicating this. Councilman Morgan also indicated his concerns with paying for an item on private property. Tempelmeyer noted looking back to one (1) of the first items paid for with Beatrice Plus funds was the playground in the mall.

Roll Call: Yea: Billesbach, Catlin, Cook, Kerr,
Nay: Morgan, Clabough, Parde, Fairbanks  MOTION FAILED.

l - Moved by Parde, seconded by Kerr, the approval of Beatrice Plus funding request from Main Street Beatrice in the amount of $2,250.00 for downtown trash receptacles and a bench.

Councilman Kerr stated he pulled this item for clarification as the City Council approved a public funding request two (2) weeks ago and on that application it asks for other funding, not from the City. Tobias Tempelmeyer, City Administrator, noted the Beatrice Plus meeting was not held prior to the last City Council meeting, therefore this request was not able to be brought at the same time. Tempelmeyer stated once these items are purchased, they will ultimately become City property. Councilman Kerr inquired what amount Main Street Beatrice is paying for on this project. Michael Sothan, Main Street Executive Director, stated Main Street will be paying for twenty-five percent (25%) of the project.

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

m - Moved by Parde, seconded by Morgan, the approval of Beatrice Plus funding request from Friends of the Homestead in the amount of $5,000.00 for bus transportation during the eclipse weekend.

Councilman Fairbanks stated he pulled this item because he feels the funding should come from lodging tax, not Beatrice Plus funds.

Moved by Fairbanks, seconded by Parde, to pay for the request out of Lodging Tax funds instead of Beatrice Plus funds.

Councilman Fairbanks noted he believes Beatrice Plus projects should be something like a capital improvement project, not for an event such as this, which would be better suited to be funded thru Lodging Tax. Tobias Tempelmeyer, City Administrator, stated if the City Council
wishes to fund this request from Lodging Tax, the budget will need to be amended at the end of the year for the additional $5,000, as all public funding account has been issued.

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

Vote on Motion as amended:
Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, Morgan, Parde
Nay: None
MOTION CARRIED.

PUBLIC HEARINGS/BIDS

Public Hearing on the new application of GIGJA69, LLC dba Florio’s Italian Grill, for a Class I liquor license.

Acting Mayor Catlin announced that a public hearing will now be held on the new application of GIGJA69, LLC dba Florio’s Italian Grill, for a Class I liquor license.

Bruce Lang, Chief of Police, under oath, reported to the City Council there was nothing out of the ordinary found regarding the request from Florio’s Italian Grill, for a Class I liquor license. Greg Butcher, City Attorney, under oath, reported to the Council there were no concerns found in the planning report, noting this request was a formality with the change of ownership of the restaurant.

Moved by Parde, seconded by Morgan, that the public hearing be closed at 7:41 p.m.

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

Moved by Parde, seconded by Billesbach, that the application of GIGJA69, 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.

There was no further discussion from the City Council or public.

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

RESOLUTIONS

There were no resolutions.

ORDINANCES

There were no ordinances.
PUBLIC FORUM

Mark Engler, Superintendent of Homestead National Monument, handed out a schedule of various programs and activities to be held August 19 – 21, 2017, during the eclipse. Engler noted they have received support from NASA and noted a special announcement will be coming in May.

DISCUSSIONS/REPORTS

NGage Quarterly Report

Walker Zulkoski, NGage Executive Director, presented the 1st Quarter report for 2017. NGage met with fifteen (15) businesses this quarter, noting the annual goal is forty (40) per year. Zulkoski noted NGage responded to two (2) DED projects. Zulkoski stated they are also working with Nebraska Department of Labor, Beatrice Public Schools, and several manufacturing businesses to develop a program in which high school students can earn high school credit while working with partnering businesses they will develop skills and possibly have a job right out of high school.

Zulkoski stated NGage has over forty (40) private investors now. Zulkoski noted Glennis McClure received the “2016 REAP Friend of the Year” award.

Councilman Kerr inquired how many new businesses have been brought into downtown. Michael Sothan, Main Street Executive Director, stated he would get a list to the Council. Zulkoski inquired if there was a target audience the Council would like NGage to focus on and Councilman Kerr stated any type of business would be great, further noting he would like to see more focus on getting businesses into town.

Councilman Fairbanks encouraged Zulkoski to make sure to relay to the State representatives the importance of ensuring cities have enough funding to take down dilapidated structures.

Councilman Morgan stated looking from NGage’s perspective, 2016 was a good year, further noting retail across the country has declined, which is likely why Beatrice is seeing a struggle in the downtown area.

City Administrator’s Monthly Report

Tobias Tempelmeyer, City Administrator, reported the 6th and Industrial Row project kicked off today. Cleanup continues on the former gas plant site. Tempelmeyer noted an amendment to complete the work west of the current site located on railroad property has been submitted and may be completed if the work can be done within the Co-op’s timeframe by July 1, 2017. If it cannot be completed this year, it will be pushed back to next year. Tempelmeyer noted the curb ramp replacement happening in various locations along Hwy 77 is a Nebraska Department of Roads project, further noting the City did not pick which ramps being replaced or the design of the new ramps. Bids will be received Wednesday for the piggyback for BASWA, which will be
approved at the BASWA meeting next Monday. Bids for the Ridgeview Drive extension are due this Thursday.

Councilman Kerr inquired how long the 6th and Industrial Row project is slated to last. Tempelmeyer indicated between 45 to 60 days. Councilman Parde inquired what will be done with items left behind from Citywide Cleanup. Tempelmeyer stated the Code Enforcement Officer has been out issuing notices. Greg Butcher, City Attorney, encouraged public to call the Building Inspections Department and report any items remaining curbside in order to clean up the nuisances.

**EXECUTIVE SESSION**

Moved by Parde, that the Beatrice City Council go into closed session at 8:06 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 8:06 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 8:06 p.m., for the protection of public interest to discuss contract negotiations.

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

**MOTION CARRIED.**

Reconvened at: 8:15 p.m.

**ADJOURNMENT**

The next regular Council meeting is May 1, 2017 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a Work Session on April 24, 2017.

Moved by Parde, seconded by Cook, 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