

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A special meeting of the City Council was held on the 26th day of November, 2018 at 7:00 P.M. in the BPS Administration Building Board 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, Clabaugh, Cook, Fairbanks, Kerr
Absent: Catlin, Morgan, Parde

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.

RECEIVE CERTIFICATION OF ELECTION

Moved by Clabaugh, seconded by Kerr, that the Certificate of Election of the November 6, 2018, General Election, as certified by the County Clerk, be received and placed on file.

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

MOTION CARRIED.

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 November 5, 2018, as on file in the City Clerk's Office.
- e. Approval of minutes of regular meeting on November 19, 2018, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims:
 - f(1). Approval of Clabaugh Pharmacy claim in the amount of \$750.00.
 - f(2). Approval of balance of Treasurer's Report of Claims in the amount of \$866,143.38.
- g. Approval of BASWA Report of Claims in the amount of \$233,691.84.
- h. Approval of Pay Request #3 in the amount of \$112,356.62 to Lottman Carpenter Construction, for the Standing Bear Trail – Phase II 2018 project.
- i. Resolution Number 6307 executing the agreement between the City of Beatrice and the State of Nebraska, Department of Transportation for Project No. ELEC-136-6(1015), Control No. 13399, regarding updating traffic signals as needed at various locations along Highway US-136 and Highway US-77 within the corporate limits of the City, as recommended by the Board of Public Works.
- j. Resolution Number 6308 authorizing the Mayor, City Clerk, and City Administrator to execute the Confirmation Letter regarding the acquisition of capacity, as recommended by the Board of Public Works.

Moved by Clabaugh, 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
Nay: None
Abstain: Clabaugh – item f(1)

MOTION CARRIED.

Mayor Wirth voted yea on item f(1) in order for the claim to be approved.

PUBLIC HEARINGS/BIDS

There were no public hearings/bids.

RESOLUTIONS

Resolution Number 6309 establishing various fees.

Mayor Wirth introduced Resolution Number 6309 establishing various fees.

Moved by Clabaugh, seconded by Kerr, that Resolution Number 6309 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council the updated fee resolution includes the administrative fee of \$75.00 for snow removal and junk vehicles, which were recently added with the revisions to city code. Tempelmeyer noted the \$20.00 fee for the daily storage of junk vehicles is also included. Councilman Fairbanks inquired why these are being reviewed again, as they have already been approved. Tempelmeyer explained while the ordinance allows the City to charge for those things, the resolution sets the amount of the fee.

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

MOTION CARRIED.

Resolution Number 6309 has been passed and adopted.

Resolution Number 6310 approving a Union Contract with the Fraternal Order of Police Lodge 84.

Mayor Wirth introduced Resolution Number 6310 approving a Union Contract with the Fraternal Order of Police Lodge 84.

Moved by Clabaugh, seconded by Billesbach, that Resolution Number 6310 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, presented the union contract with the Fraternal Order of Police Lodge 84 (FOP). Tempelmeyer explained this contract is for three (3) years, with a two percent (2%) cost of living increase each year of the contract. Tempelmeyer noted the most notable change was the increase of deductibles and out of pocket expenses to the health insurance. Councilman Fairbanks noted he typically votes against these

contracts, as he does not like percentage increases for cost of living. Councilman Fairbanks also noted he believes the FOP should ask for holidays that fall on Sundays, such as Easter, to be included in their contract. Councilman Fairbanks noted although he is opposed to it, he will vote for it, so the contract will be approved tonight.

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

MOTION CARRIED.

Resolution Number 6310 has been passed and adopted.

Resolution Number 6311 entering into an Interlocal Cooperation Act Agreement with Beatrice Rural Fire District, whereby the City of Beatrice will provide office space, storage space, and fire protection for Beatrice Rural Fire District for a term of ten (10) years, beginning on November 19, 2018 and ending on November 19, 2028.

Mayor Wirth introduced Resolution Number 6311 entering into an Interlocal Cooperation Act Agreement with Beatrice Rural Fire District, whereby the City of Beatrice will provide office space, storage space, and fire protection for Beatrice Rural Fire District for a term of ten (10) years, beginning on November 19, 2018 and ending on November 19, 2028.

Moved by Clabaugh, seconded by Cook, that Resolution Number 6311 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council one (1) requirement to increase the sales tax is the City must have an interlocal agreement with another body. Tempelmeyer noted the proposed Interlocal Agreement with the Beatrice Rural Fire District has many of the same agreements that were previously included. This Agreement also lays out that the two (2) entities will work together to design the new building, ensure there is appropriate space for both entities in the building, and will review the Agreement annually as required. Tempelmeyer noted the Beatrice Rural Fire District has approved and signed the Agreement.

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

MOTION CARRIED.

Resolution Number 6311 has been passed and adopted.

ORDINANCES

Ordinance imposing an additional city sales and use tax at the rate of one half of one percent (1/2%), increasing the total city sales and use tax rate from one and one half percent (1 1/2%) to two percent (2%) and approving related actions.

Mayor Wirth noted action on this item will be postponed until a special meeting to be held on Friday, November 30, 2018 at 7:30 a.m. in the City Hall Conference Room. Mayor Wirth reported ordinances requires a minimum of six (6) Councilmember votes to approve and the mayor cannot vote.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

City Administrator's Monthly Report

Tobias J. Tempelmeyer, City Administrator/General Manager, presented the City Administrator's Monthly Report to the City Council. Tempelmeyer reported the trail project and indoor batting facility are moving along. It is anticipated teams will be able to utilize the facility sometime after the first of the year. Tempelmeyer noted the splash pad is on hold due to weather. Tempelmeyer also reported the Police Department received a grant to fund the eticket program, which will allow officers to scan a person's driver's license to populate information into the ticket, which will be a faster and more efficient process. The Department plans to implement the program soon.

EXECUTIVE SESSION

Moved by Clabaugh, seconded by Cook, that the Beatrice City Council go into closed session at 7:15 p.m., for the protection of public interest to discuss contract negotiations.

Mayor Wirth announced that it has been Moved by Clabaugh, seconded by Cook, that the Beatrice City Council go into closed session at 7:15 p.m., for the protection of public interest to discuss contract negotiations.

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

MOTION CARRIED.

Reconvened at 7:30 p.m.

ADJOURNMENT

The next regular Council meeting is December 3, 2018 at 7:00 p.m. in the BPS Administration Building Board Room. There will NOT be a work session in December.

Moved by Clabaugh, seconded by Billesbach, that the meeting be adjourned at 7:31 p.m.

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

MOTION CARRIED.

Erin Saathoff, CMC, City Clerk

Stan Wirth, Mayor