

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 17th day of December, 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, Catlin, Clabaugh, Cook, Fairbanks, Kerr, McLain, Morgan

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.

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 December 3, 2018, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$835,191.37.
- f. Approval of BASWA Report of Claims in the amount of \$54,262.32.
- g. Approval of write-off of ambulance bad debts.
- h. Approval of Pay Request #4 in the amount of \$48,882.25 to Lottman Carpenter Construction, for the Standing Bear Trail – Phase II 2018 project.
- i. Approval of Change Order #3 increase in the amount of \$1,074.00 to Building Tech for the Beatrice Batting Complex.
- j. Resolution Number 6315 appointing Richard Clabaugh as the Beatrice City Council representative on the NGage Board of Directors.
- k. Resolution Number 6316 closing 4th Street between the alleys adjacent to the Beatrice Middle School building, except for public school bus traffic, during the thirty (30) minutes before and the thirty (30) minutes after school begins and ends on days that school is in session.
- l. Resolution Number 6317 stopping all traffic traveling north or south on 5th Street before entering the pedestrian crosswalk in front of the west entrance to the Beatrice Middle School, during the thirty (30) minutes before and the thirty (30) minutes after school begins and ends on days that school is in session.
- m. Resolution Number 6318 closing 7th Street between Scott Street and Ames Street, except for public school bus traffic, during the thirty (30) minutes before and the thirty (30) minutes after school begins and ends on days that school is in session.
- n. Resolution Number 6319 stopping all traffic traveling north or south on 19th Street before entering the pedestrian crosswalk in front of the west entrance to Lincoln Elementary School during the thirty (30) minutes before and the thirty (30) minutes after school begins and ends on days that school is in session.

- o. Resolution Number 6320 entering into an Agreement with Beatrice Humane Society, Inc., regarding the care, handling, and disposition of animals impounded by the City of Beatrice.
- p. Resolution Number 6321 executing the Donation Agreement between the City of Beatrice and the Beatrice Girls Softball Association regarding the donation from BGSA to be used for the construction, operation, and maintenance of the Beatrice Athletic Training Facility.
- q. Resolution Number 6322 executing the Donation Agreement between the City of Beatrice and Beatrice Bullets Baseball, Inc., regarding the donation from the Bullets to be used for the construction, operation, and maintenance of the Beatrice Athletic Training Facility.
- r. Resolution Number 6323 adopting the Handbook for Non-Union Employees.
- s. Resolution Number 6324 adopting the “Drug-Free Workplace Policy”.
- t. Resolution Number 6325 adopting the “Social Media Policy”.
- u. Resolution Number 6326 establishing policy guidelines regarding use of city-owned or leased vehicles.
- v. Resolution Number 6327 adopting the “Computer and Telephone Use Policy”.
- w. Resolution Number 6328 establishing policy guidelines for the review of all employee driving records.
- x. Resolution Number 6329 adopting the “City of Beatrice/Board of Public Works Inclement Weather Policy”.
- y. Resolution Number 6330 establishing policy guidelines prohibiting nepotism amongst employees.
- z. Resolution Number 6331 adopting the “Sexual and Other Unlawful Harassment Policy”.
- aa. Resolution Number 6332 establishing policy guidelines for the use of tobacco and electronic nicotine delivery systems by all employees and in buildings and vehicles owned by the City of Beatrice and Board of Public Works.
- bb. Resolution Number 6333 adopting a policy concerning implementation of the federal Family and Medical Leave Act of 1993, as amended (FMLA).

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

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Fairbanks, Kerr, McLain, Morgan
 Nay: None
 Abstain: Clabaugh – item j MOTION CARRIED.

r – Moved by Clabaugh, seconded by Fairbanks, that Resolution Number 6323 adopting the Handbook for Non-Union Employees, be approved, accepted, and/or ratified as presented.

Councilman Fairbanks noted he pulled this item off to explain while he will not be voting against the policy changes, he would have preferred that these policies and proposed changes were brought forward to a work session for the Council to review, as this body is in charge of policy setting.

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

PUBLIC HEARINGS/BIDS

There were no public hearings/bids.

RESOLUTIONS

Resolution Number 6334 executing the Employment Agreement between the City of Beatrice and Tobias J. Tempelmeyer, agreeing to employ Tempelmeyer as City Administrator, City Treasurer, and as General Manager of the Board of Public Works for the City of Beatrice.

Mayor Wirth introduced Resolution Number 6334 executing the Employment Agreement between the City of Beatrice and Tobias J. Tempelmeyer, agreeing to employ Tempelmeyer as City Administrator, City Treasurer, and as General Manager of the Board of Public Works for the City of Beatrice.

Moved by Clabaugh, seconded by Billesbach, that Resolution Number 6334 be passed and adopted.

Mayor Wirth reported to the Council that Mr. Tempelmeyer is one (1) of the last City Administrator's within the State to not have an employment agreement, so to be more uniform with other City's it is his recommendation to enter into this agreement.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, McLain, Morgan

Nay: None

MOTION CARRIED.

Resolution Number 6334 has been passed and adopted.

Resolution Number 6335 approving a Union Contract with International Brotherhood of Electrical Workers (IBEW) Local No. 1536.

Mayor Wirth introduced Resolution Number 6335 approving a Union Contract with International Brotherhood of Electrical Workers (IBEW) Local No. 1536.

Moved by Clabaugh, seconded by Catlin, that Resolution Number 6335 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council the IBEW Union agreed to a three (3) year contract with a seven percent (7%) cost of living raise over the course of the three (3) years, with a four percent (4%) year one (1), and a one and one-half percent (1 ½%) years two (2) and three (3). Tempelmeyer further noted there were also changes to the health insurance, which will increase the deductible and maximum out of pocket expense.

Roll Call: Yea: Billesbach, Catlin, Clabaugh, Cook, Kerr, McLain, Morgan

Nay: None

MOTION CARRIED.

Resolution Number 6335 has been passed and adopted.

ORDINANCES

There were no ordinances.

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 it has been a busy year so far for the Building Inspections, noting they have cleared 1,199 violations as of November 30, 2018. Tempelmeyer also noted the Department recently towed their first vehicle under the new ordinance regulations. Tempelmeyer reported to the Council Kelly Byrne was hired on as an officer for the Beatrice Police Department. Byrne will attend the Academy in January, which is a fourteen (14) week program, followed by fourteen (14) weeks in field training. The Fire Department has given away approximately 5,000 9-volt batteries and still have plenty to hand out. Tempelmeyer thanked Exmark for the recent grants received. A grant for \$5,000 was awarded to the City for landscape improvements at Rozell-Exmark Park. Keep Beatrice Beautiful was also awarded a grant for \$40,400 for landscaping improvements to Chief Standing Bear Trail from Trailhead Park to Dempsters, including planting trees and possibly decorative lighting in the area. Tempelmeyer also reported work will be done on two (2) downtown city-owned parking lots, which will include removing parking meter poles and adding landscaping and decorative lighting as well.

ADJOURNMENT

The next regular Council meeting is January 7, 2019 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a work session on January 28, 2019 at 7:00 p.m. in the BPS Administration Building Board Room.

Moved by Clabaugh, seconded by Cook, that the meeting be adjourned at 7:17 p.m.

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

MOTION CARRIED.

Erin Saathoff, CMC, City Clerk

Stan Wirth, Mayor