

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 15th day of January, 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, 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.

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 January 2, 2018 as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$360,090.71.
- f. Approval of BASWA Report of Claims in the amount of \$78,805.94.
- g. Approval of public funding request from Main Street Beatrice in the amount of \$466.25 for the Chocolate Lover's Shopping Day Extravaganza event.
- h. Approval of public funding request from Main Street Beatrice in the amount of \$280.00 for the Preservation Month (May) and Mother's Day Tour events.
- i. Approval of public funding request from Main Street Beatrice in the amount of \$949.00 for flowers and plants for downtown planters, bump-outs, and new parking lot improvement projects.
- j. Approval of public funding request from Main Street Beatrice in the amount of \$846.25 for the Beatrice Farmer's Market event.
- k. Approval of Beatrice Plus funding request from Main Street Beatrice in the amount of \$1,125.00 for downtown planters and new parking lot improvement projects for 2018, as recommended by the Beatrice Plus Advisory Board.
- l. Approval of Beatrice Plus funding request from Leadership Beatrice Class of 2017-18 in the amount of \$4,500.00 for improvements to the Big Blue Dog Park, as recommended by the Beatrice Plus Advisory Board.

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

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

Nay: None

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

Public Hearing regarding the Rezone Application of Matthew Ideus for Gage County Parcel ID#014507000 (Commonly known as 606 South 6th Street, Beatrice, NE) and the Rezone Applications of the City of Beatrice for Gage County Parcel ID#s: 010354000, 014522000, 014521000, 014518000, 014513000, 014511000, 014510000, 014515000 (Located between the commonly known addresses of 606 South 6th Street and 900 South 6th Street on the East of Highway 77), from "GI" General Industrial to "GC" General Commercial.

Tobias J. Tempelmeyer, City Administrator/General Manager, reviewed the rezoning application of Matthew Ideus, for his gun shop on South 6th Street. General Industrial does not allow for sale of goods and the property would need to be rezoned General Commercial. Since there was a rezoning application received, the City looked into the other property in the area that could be rezoned to General Commercial at the same time. Ideus spoke to other property owners regarding the rezone and several of the property owners agreed to have their property rezoned at this time as well. There is also some City owned property that will be rezoned as well. The Planning and Zoning Commission recommended approval of the rezoning application. Tempelmeyer noted there is one (1) other property to the south that did not want to be rezoned at this time and all other property to the south is located within the flood plain and is owned by the City.

Moved by Catlin, seconded by Billesbach, that the public hearing be closed at 7:06 p.m.

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

RESOLUTIONS

Resolution Number 6170 declaring the official intent of the City of Beatrice, Nebraska to reimburse itself for expenditures made in connection with the acquisition of certain public safety equipment for the City.

Tobias J. Tempelmeyer, City Administrator/General Manager, noted during the budget process the City was told our current servers would be sufficient for the 911 software upgrade, however, when the company began installation, they informed us the servers would need to be upgraded. In addition, a police cruiser involved in an accident was totaled and while insurance will pay for a portion of the cost to replace the vehicle, it will not cover the total cost. This resolution allows the City to spend the money today, and reimburse ourselves at later time. Councilman Kerr inquired if the servers were replaced after the lightning strike. Tempelmeyer noted not all of the servers were damaged in the lightning strike.

Moved by Catlin, seconded by Morgan, that Resolution Number 6170 be passed and adopted.

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

Resolution Number 6171 entering into a Subordination Agreement with Midwest Housing Initiatives, Inc. and Horizon Bank to subordinate the security interests of the City to the superior indebtedness of Horizon Bank.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council pursuant to the Loan Agreement with Midwest Housing Initiatives, Inc. (MHI), which is the senior housing Excel Development project, the City was granted a Deed of Trust as collateral for the LB840 loan and agreed to be subordinate to the primary lender for the project. Although the City waited to file the Deed of Trust, the City's deed was filed one (1) day before Horizon Bank. This agreement will make Horizon Bank's Deed of Trust superior to the City as stated in the LB840 Agreement.

Moved by Catlin, seconded by Clabaugh, that Resolution Number 6171 be passed and adopted.

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

Resolution Number 6172 entering into a Confidentiality Agreement with Southern Power Company, regarding potential investment in or acquisition of certain electric generation assets, project development partnerships, and/or real property, as recommended by the Board of Public Works.

Tobias J. Tempelmeyer, City Administrator/General Manager, noted as the City continues to exit away from Nebraska Public Power District (NPPD), we are looking for ways to provide our long term capacity needs. Southern Power, located in Georgia, believes they may have possible solutions to offer the City, however, in order to exchange numbers to ensure the feasibility, they have asked the City to sign a Confidentiality Agreement.

Moved by Catlin, seconded by Kerr, that Resolution Number 6172 be passed and adopted.

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

ORDINANCES

Ordinance amending the Zoning Map for the City of Beatrice, Nebraska by changing the zoning of Gage County Parcel ID#: 014507000 (Commonly known as 606 South 6th Street, Beatrice, NE) and Gage County Parcel ID#s: 010354000, 014522000, 014521000, 014518000, 014513000, 014511000, 014510000, 014515000 (Located between the commonly known addresses of 606 South 6th Street and 900 South 6th Street on the East of Highway 77), from "GI" General Industrial to "GC" General Commercial.

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

Moved by Catlin, seconded by Cook, that said ordinance be given number 18-001, 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.

Moved by Catlin, seconded by Billesbach, that Ordinance Number 18-001 be passed and approved.

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

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

NGage Quarterly Report

Walker Zulkoski, NGage Executive Director, presented the 4th Quarter report for 2017. Zulkoski noted one (1) of the highlights for 2017 as a whole was that Beatrice presented the Southeast Nebraska Community of the Year award by the Nebraska Delegates, and Rare Earth Salts being named Innovative Business of the Year, both setting the bar for 2018.

Zulkoski noted they have been working on making their website more user friendly, understanding their customers, and ensuring things are placed where they need to be for easy access. The company they have been working with has asked NGage to put together a webinar for others to view due to their increased numbers and high response.

Zulkoski noted the hotel study was wrapped up and according to the study there is a need for an additional fifty-five (55) room hotel to be built in Beatrice. They have met with potential developers regarding a possible project. The full report can be found on the NGage website.

Zulkoski reported the transaction for Excel Development to acquire the old hospital property occurred, which is a positive step to beginning the housing development.

Zulkoski reported on his recent South Korea trip he was able to build relationships and meet with several industry associates and will be reaching out to them in effort to hopefully bring potential business here.

Councilman Kerr inquired if a spec building would be beneficial and help in order to not have to turn businesses away. Zulkoski noted at this time they are not turning businesses away, some of the challenges have been finding a location that is suitable for interested businesses. Councilman Cook inquired what may go into the Store Kraft area. Zulkoski noted there is a ton of potential and there are a lot of ideas, however, he cannot comment on what may develop in that area at

this time. Councilman Fairbanks inquired if there is anything this body should be aware of or focus on in effort to help NGage with their goal of improving the quality of life and community. Zulkoski noted support for an upcoming USDA grant for a possible Civic Center, and CDBG planning grant, making Highway 77 look welcoming as people enter the community.

City Administrator's Monthly Report

Tobias J. Tempelmeyer, City Administrator/General Manager, presented the monthly report to the City Council. Tempelmeyer reported bids are going out this week for the demolition of three (3) dilapidated structures, two (2) of which are owned by the City. Clean up at 1st and High Street is almost complete. Closing on the Farmers Cooperative property is tomorrow at 10:00 a.m., and the City will look at selling the buildings located on the property. Councilman Fairbanks inquired if a total cost of this property acquisition, including purchase price and cleanup cost, could be put together, as well as how many acres were acquired. Councilman Kerr inquired if there was a list of properties the City has acquired and would be willing to sell. Tempelmeyer noted a list is available and anyone interested should contact him.

Tempelmeyer reported seventeen (17) Downtown Façade Improvement grants have been awarded. One (1) grant has completed all paperwork and work, seven (7) have received the Notice to Proceed, however, are waiting for spring to being the work. Seven (7) others have signed the Loan Agreements, but have not been granted their Notice to Proceed, as they have not submitted all necessary paperwork required, and two (2) others have not yet signed Loan Agreements. Tempelmeyer is working with these property owners to be comfortable with the project and move forward. Tempelmeyer noted all work for these grants must be completed by October 2018.

In regards to a possible new Fire Station, Tempelmeyer and Chief Daake have met with contractors to get an idea on how large of a building the Department needs, as well as looking at property that would be a good location.

Tempelmeyer also noted the Legislature is back in session and there are a number of bills that will be brought back to this body for further discussion.

ADJOURNMENT

The next regular Council meeting is February 5, 2018 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a work session on January 22, 2018 at 7:00 p.m. in the BPS Administration Building Board Room.

Moved by Catlin, seconded by Billesbach, that the meeting be adjourned at 7:46 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor