A regular meeting of the City Council was held on the 1st day of April, 2019 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.

Mayor Wirth presented the proclamation on Autism Awareness Month to Councilman Fairbanks.

Mayor Wirth presented the proclamation proclaiming April 7-13, 2019 as National Library Week and April as National Library Month to Laureen Riedesel, Library Director. Riedesel reviewed the various events happening at the Library this month, including Children’s Storytime every Wednesday morning and the Seed Library Program, featuring a seeded paper project that can be planted. Riedesel noted they are once again partnering with the SCC Art Department to provide an art exhibit from April 6-20th. There will be an Author Program held on April 16th, “Selfies with Sacajawea” by Nelsen Petersen, and a Book Discussion on April 15th on “The Iron Way, Railroad, The Civil War & the Making of America” by William G. Thomas, who is a Nebraska University professor. There will also be a book sale April 27th and 28th. The final program will be a Spring Gathering of Genealogists on April 30th at 7:00 p.m.

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 March 18, 2019, as on file in the City Clerk’s Office.
e. Approval of Treasurer’s Report of Claims in the amount of $67,829.10.
f. Approval of BASWA Report of Claims in the amount of $24,162.95.
g. Award of bid to HOA Solutions in the amount of $36,900.00 for the Well F4 & F5 VFD Replacements, as recommended by the Board of Public Works.
h. Resolution Number 6384 re-appointing Cheryl Sturdivant to the Housing Agency as Resident Advisor.
i. Resolution Number 6385 granting permission to Bobbie Cramer to sell or offer for sale or peddle goods, wares, or merchandise in Hannibal Park and at the West Scott Street Ballfields.
j. Resolution Number 6386 entering into an Administrative and Operational Agreement for Hazardous Materials Response Services, between the City and the State of Nebraska through the Nebraska Emergency Management Agency, to establish Beatrice Fire and Rescue as a State Emergency Response Team responsible for the provisions of hazardous material emergency response services.

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

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

i – Moved by Clabaugh, seconded by Kerr, that Resolution Number 6385 granting permission to Bobbie Cramer to sell or offer for sale or peddle goods, wares, or merchandise in Hannibal Park and at the West Scott Street Ballfields, be approved, accepted, and/or ratified as presented.

Councilman Kerr inquired if the vendors who are given permission to sell goods on City property, charge sales tax. Tobias J. Tempelmeyer, City Administrator/General Manager, stated the vendors are responsible to collect sales tax if necessary and reporting to the Department of Revenue.

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

DISCUSSIONS/REPORTS


Chris Lindner, representative from the audit firm of BKD LLP, presented the Auditor’s Report on the Comprehensive Annual Financial Report for the year ended September 30, 2018. Linder reviewed the audit process and thanked Linda Koch, Finance Director, and the rest of the City staff for their work that helped make the audit process go smoothly. Linder reported there were a few new GASB standards to implement this year, however, there were no significant impacts on the City. Linder also noted the Library Foundation is also included within the City’s audit, explaining they are also audited by another organization and both groups work together to coordinate those efforts. Linder reported the City had no compliance issues, no concerns with internal control matters, and there were no audit adjustments required. The City was given a clean and unmodified opinion. 

Linder noted there will be some upcoming new standards and he will work with Koch to ensure the City incorporates them. Linder also presented information regarding the City’s General Fund financial position which showed the City is well under its peer group with regards to debt and at the fiscal year end had sufficient cash reserves to cover 3.25 months of expenditures, noting the best practice is 2.5 months or higher. Councilman McLain inquired how this compared to previous years. Koch noted last year the cash reserves were lower due to the Gas Plant clean up. Councilman Clabaugh noted the City had discussion in the past of increasing the cash reserves to six (6) months and inquired if any other cities have that
amount built up. Linder noted no cities he works with have that much in cash reserves. Tobias J. Tempelmeyer, City Administrator/General Manager, noted one (1) thing to remember is that the cash reserves are significantly lower at times as they dip down the further away the City gets from the payments received for real estate taxes.

**PUBLIC HEARINGS/BIDS**

There were no public hearings/bids.

**RESOLUTIONS**


Moved by Clabaugh, seconded by Billesbach, that Resolution Number 6387 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council part of the Excel Housing Development agreement was that upon completion of building eight (8) duplexes within the set time frame and receiving a Certificate of Occupancy from the Building Inspections Department, the loan will be forgiven. Tempelmeyer stated all requirements have been met.

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

Resolution Number 6387 has been passed and adopted.

**ORDINANCES**

There were no ordinances.

**PUBLIC FORUM**

No one appeared at public forum.

**DISCUSSIONS/REPORTS**

**Water Department Overview**

Steve Kelley, Water Superintendent, gave an overview of the Water Department to the City Council. Kelley reported there are ten (10) full time employees, with usually one (1) part time employee during the summer months. Kelley noted all of the employees are certified water
operators with Nebraska Health and Human Services. Kelley then reviewed the duties of the various classifications within the Department. Kelley explained the City has two (2) well fields, which pump water into the two (2) reservoirs, located at 4th and Grant Street, which hold eight (8) million gallons between the two (2) of them. Due to the low level of nitrates, there is no required treatment of the City’s water supply, however, a chlorine made from table salt and is very safe for the public and employees, is added to the water. From the reservoirs, the chlorinated water is pumped into the system and any excess goes into the two (2) water towers.

Kelley noted the average in-town usage is 1.85 million gallons a day. Kelley explained the Department maintains approximately 5,700 service lines, meters, and taps. There are also 105 miles of water main in the city limits and 18 miles of transmission water main to be maintained. The Department also maintains 1,200 water valves and 728 fire hydrants, and checks and tests approximately 400 backflow devices annually. Kelley noted the Department tries to install and replace a minimum of one (1) mile of pipeline annually, which is all done in-house. In addition to the water main replacement projects, an average of 100 water taps are replaced during the project. During a normal year, approximately twenty-five (25) new water taps are also installed.

Mayor Wirth inquired when the reservoirs will be drained again. Kelley stated that is done every five (5) years and will be done again in two (2) years.

Councilman McLain inquired how many days of water reserve the City has. Kelley explained the City has approximately a four (4) day supply, which could be extended to last one (1) week by restricting water usage.

**WPC Department Overview**

Dean Kelch, Chief Plant Operator, gave an overview of the WPC Department to the City Council. Kelch reported there are six (6) full time employees and five (5) part time seasonal employees that work at the Compost Site. Kelch presented pictures of the Plant and explained the process of the various treatments the wastewater must go through before being released into the river. The first phase of the Plant is the bar screen, which was recently replaced. From there it goes to the primary clarifiers, a trickling filter, the RVC, and finally two (2) final clarifiers. Beginning May 1st, the UV system will be put into place. This step is required during the summer season and sterilizes the micro-organisms. Kelch explained the belt press will be the next piece of equipment that will need to be replaced, as the parts have become obsolete. Kelch noted the Plant has two (2) backup generators so the Plant can continue to operate if a power outage occurs.

Kelch noted the Department also helps with snow removal on the south side of river, including Belvedere and the Country Club area.

Kelch explained the Department maintains 100 miles of sewer lines. The Department has a camera that is used to video and record the sanitary sewer lines and has been very helpful in locating possible blockages. If a blockage is found, a letter is sent to the property owner, notifying them they may have a blockage in their sewer line in order to possibly prevent a sewer backup in the future.
Kelch reviewed the software that is used to pinpoint the sanitary sewer lines and taps. Kelch also noted the Department receives confined space training to safely perform their jobs.

Tobias J. Tempelmeyer, City Administrator/General Manager, also noted there are plans for additional improvements to the Plant over the next few years, which will be included in the Capital Budget and will be reviewed in July and August. The next piece of equipment that will be replaced is the belt press. Councilman Kerr inquired if the Plant was in compliance with the federal regulations. Tempelmeyer noted it is and the City has tried to be proactive and make necessary requirements prior to the projected regulations to be made effective.

**Legislative Update**

Tobias J. Tempelmeyer, City Administrator/General Manager, gave the City Council an update on some of the legislative bills the City is following. Tempelmeyer reported that Senator Dorn’s bill, LB472 which would allow imposing a County wide one-half cent sales tax to pay for federal judgments, did make out of Committee and is on General File. There is pending amendment which states if any county were to impose said sales and use tax, they must set the property tax levy at the maximum amount for each year the county is imposing such sales and use tax. The amendment also sets a termination date of January 1, 2027, and states the federal judgment must be in excess of $25,000,000. In addition, this tax would terminate after seven (7) years or upon payment of the judgement in full.

Councilman Kerr inquired if this would be implemented by County Boards. Tempelmeyer explained it would be a County Board vote and would not require the vote of the people. Tempelmeyer explained the League has been interested in knowing how this may affect the City. Councilman Kerr asked for verification that if this was implemented, Beatrice’s sales tax would be equal to Lincoln. Tempelmeyer stated it would, however, noted that Lincoln has occupation taxes in addition to sales tax. Councilman Kerr asked to have this item placed on the agenda to discuss and provide the City’s stance on this bill. Councilman Kerr noted he has had several unhappy people contact him due to the fact that this would be a vote of the County Board and not a vote of the people. Tempelmeyer noted Administration will do some research and provide to the Council what other cities occupation taxes are.

**ADJOURNMENT**

The next regular Council meeting is April 15, 2019 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a work session on April 22, 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 8:28 p.m.

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

MOTION CARRIED.

Erin Saathoff, CMC, City Clerk

Stan Wirth, Mayor

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