

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 1st day of August, 2016 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 July 18, 2016, as on file in the City Clerk's Office.
- e. Approval of minutes of work session meeting on July 25, 2016, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$232,188.75.
- g. Approval of BASWA Report of Claims in the amount of \$16,338.21.
- h. Approval of Change Order No. 2 increase in the amount of \$3,900.00 to R.L. Tiemann Construction, Inc., for demolition of the scale building adjacent to the trail for the Standing Bear Trail – 2016.
- i. Approval of write-off of ambulance bad debts.
- j. Refer claim of Justin Remmers regarding damages to his personal property to City Attorney and City Insurance carrier for review and disposition.
- k. Refer claim of Steve Janssen regarding damages to his personal property to City Attorney and City Insurance carrier for review and disposition.
- l. Resolution Number 5939 granting permission for the Beatrice Humane Society to hold a "Doggie Dip Evening" fundraiser at the Big Blue Water Park on August 25, 2016.
- m. Resolution Number 5940 granting Beatrice Area Chamber of Commerce, Inc., and their designees, permission to sell or offer for sale or peddle goods, wares, or merchandise on city property located in the Tabernacle at Chautauqua Park at 9th Street and Grable Avenue, on October 8, 2016 for the Oktoberfest fundraiser.
- n. Resolution Number 5941 entering into an Emergency Dispatch Service Interlocal Agreement with the County of Gage to operate a County-wide Enhanced 911 System and a radio dispatching system on behalf of the County of Gage, to provide funding for the position of the Southeast Nebraska 911 Center Director, and to detail such position's duties and obligations as it relates to Gage County.

- o. Resolution Number 5942 entering into an Agreement with Hanna:Keelan Associates, P.C., for professional services to conduct a blight/substandard determination study and conduct a general redevelopment plan for Redevelopment Area #7.

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

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

h - Moved by Catlin, seconded by Kerr, that Change Order No. 2 increase in the amount of \$3,900.00 to R.L. Tiemann Construction, Inc., for demolition of the scale building adjacent to the trail for the Standing Bear Trail – 2016, be approved, accepted, and/or ratified as presented.

Councilman Kerr inquired if the scale building was part of the elevator property that was purchased by the City through the tax sale. Kerr also inquired why the bid was not brought before the City Council to be discussed first. Greg Butcher, City Attorney, noted R.L. Tiemann Construction was awarded the original bid for the Standing Bear Trail and this change order allows for them to remove the building and tree in order to complete the dirt work that is adjacent to the trail. Councilman Fairbanks inquired if there is anyway of salvaging the tree. Butcher noted James Burroughs, City Engineer, would have the final say on that, further noting due to the dirt work and the significant depth as you go away from the trail.

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

l - Moved by Catlin, seconded by Cook, that Resolution Number 5939 granting permission for the Beatrice Humane Society to hold a “Doggie Dip Evening” fundraiser at the Big Blue Water Park on August 25, 2016, be approved, accepted, and/or ratified as presented.

Councilman Cook noted this is a great event and invited all to attend. John Rypma, President of Beatrice Humane Society, noted this is the third year the Humane Society has held this event and it has been extremely successful. Rypma noted they do ask that owners with aggressive animals not attend, further noting that they have not had any problems over the years.

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

PUBLIC HEARINGS/BIDS

There were no Public Hearings/Bids.

RESOLUTION

Resolution Number 5943 establishing the final allocation for levy authority for property taxes for the Airport Authority for the fiscal year ending September 30, 2017.

Mayor Wirth introduced Resolution Number 5943 establishing the final allocation for levy authority for property taxes for the Airport Authority for the fiscal year ending September 30, 2017.

Moved by Catlin, seconded by Kerr, that Resolution Number 5943 be passed and adopted.

No discussion was held.

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

Resolution Number 5943 has been passed and adopted.

Resolution Number 5944 executing the Application for NPPD Approval to Connect Local Generation, as recommended by the Board of Public Works.

Mayor Wirth introduced Resolution Number 5944 executing the Application for NPPD Approval to Connect Local Generation, as recommended by the Board of Public Works.

Moved by Catlin, seconded by Billesbach, that Resolution Number 5944 be passed and adopted.

Greg Butcher, City Attorney, noted as part of the process to connect local generation, such as a single wind turbine proposed by Bluestem, an application must be filed with NPPD in order for NPPD to review the proposal and ensure there are no issues where the local generation connects.

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

Resolution Number 5944 has been passed and adopted.

ORDINANCES

Ordinance to change the name of Freeman Lane located in Gage County Industrial Park Second Addition to the City of Beatrice, Gage County, Nebraska to be named Hybrid Lane.

Mayor Wirth introduced an ordinance to change the name of Freeman Lane located in Gage County Industrial Park Second Addition to the City of Beatrice, Gage County, Nebraska to be named Hybrid Lane.

Moved by Catlin, seconded by Parde, that said ordinance be given number 16-034 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.

Mayor Wirth read Ordinance Number 16-034 by number only the first, second, and third time.

Moved by Catlin, seconded by Parde, that Ordinance Number 16-034 be passed and approved.

Greg Butcher, City Attorney, noted that since there is a roadway named Freeman Lane already in Pioneer Acres, it was recommended to rename the roadway that has been platted in Gage County Industrial Park Second Addition where the new hatchery will be located in order to avoid confusion. Butcher noted the roadway name needs to be listed on the plat in order to assign addresses for future use.

Moved by Billesbach, seconded by Morgan, to amend Ordinance Number 16-034 to read Tegtmeier Lane instead of Hybrid Lane.

Councilman Morgan noted that after taking a step back and reviewing BPW's unanimous recommendation to renaming the roadway Dick Tegtmeier Lane, he is ok with proceeding with renaming the roadway as amended to Tegtmeier Lane. Councilman Parde noted he does not feel it is necessary to name roadways after individuals, unless it be for those who lost their life during military action or as a public servant.

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

MOTION CARRIED.

Mayor Wirth inquired if there was any further discussion on the motion as amended. No further discussion was held.

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

MOTION CARRIED.

Ordinance Number 16-034 has been passed and approved.

PUBLIC FORUM

Linda Grell, Keep Beatrice Beautiful, noted the tire collection will be held August 10th & 11th, or until 375 tons of tires have been collected, at the parking lot north of the Gage County Fairgrounds. Grell noted Keep Beatrice Beautiful applies for a grant and holds the event every other year. Councilman Fairbanks inquired if this is limited to personal use and if there is a limit for an individual to bring in. Grell noted there is no limit per individual, however due to the terms of the grant, tire retailers or anyone who takes money for tires may not participate. Councilman Clabaugh inquired where the tires are taken. Grell noted this year David City Landfill was awarded the bid and they will use the tires for landfill cover. Grell noted this is the eleventh (11th) time the tire collection has been held and further noted this event is only for Gage County residents.

DISCUSSIONS/REPORTS

There were no discussions/reports.

ADJOURNMENT

The next regular Council meeting is August 15, 2016 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a Work Session on August 22, 2016 at 7:00 p.m. in the BPS Administration Building Board Room.

Moved by Catlin, seconded by Billesbach, that the meeting be adjourned at 7:24 p.m.

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

Erin Saathoff, City Clerk

Stan Wirth, Mayor