

**MINUTES OF THE CITY COUNCIL REGULAR MEETING HELD MAY 5, 2014, AT 7:00 P.M. IN THE BPS ADMINISTRATION MEETING ROOM, 320 NORTH 5<sup>TH</sup> STREET.**

Pledge of Allegiance

**1 – Roll Call:** Present: Mayor Schuster, Councilmembers Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Absent: Councilmember Carey

Mayor Schuster announced that a copy of the Open Meetings Act is posted in the meeting room and is accessible to members of the public.

**Proclamations:**

Mayor Schuster read a Proclamation proclaiming May 4-10, 2014 as Drinking Water Week.

Mayor Schuster read a Proclamation proclaiming May 2014 as National Preservation Month; Michael Sothan, Main Street Beatrice Executive Director, received the proclamation and thanked the mayor and council for recognizing Historic Preservation Month as Beatrice has unique character and a story to tell and invited everyone to take part in the events planned.

**2 - 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 April 21, 2014, as on file in the City Clerk's Office.
- e. Approval of minutes of worksession on April 28, 2014, as on file in the City Clerk's Office.
- f. Approval of Treasurer's Report of Claims in the amount of \$246,806.01.
- g. Approval of BASWA Report of Claims in the amount of \$31,629.96
- h. Approval of special designated license for VIP Lounge Inc. for a beer garden in front of 106 North 5<sup>th</sup> Street on June 9, 2014 from 3:00 p.m. until 2:00 a.m. for the Chamber of Commerce mural dedication and permission to use a portion of City right-of-way along the sidewalk.
- i. Resolution Number 5629 reappointing Robert Moran to the Beatrice Board of Public Works.
- j. Resolution Number 5630 approving an agreement with Beatrice Community Hospital for reimbursement of costs in relation to laundry service provided by BCH for Beatrice Fire & Rescue.
- k. Resolution Number 5631 closing 7<sup>th</sup> Street between Ames and Scott Streets between 7:45 a.m. and 8:30 a.m. and between 2:50 p.m. and 3:30 p.m., or as the school day may require, on days that school in session.
- l. Resolution Number 5632 placing stop signs for north and south traffic on 7<sup>th</sup> Street at the intersection of 7<sup>th</sup> & Perkins Streets.
- m. Resolution Number 5633 authorizing an application for grant funding from the Margaret & Martha Thomas Foundation for the Heritage Room being built on the lower level of the Beatrice Public Library.

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

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

**3 - Public Hearings/Bids:**

**a. Hearings**

**(1) Public hearing on the application of Store Kraft Mfg for a CDBG Reuse loan in the amount of \$252,500.**

Mayor Schuster announced that a public hearing be held on the application of Store Kraft Mfg for a CDBG Reuse loan in the amount of \$252,500.

City Administrator, Tobias Tempelmeyer, reviewed the proposed terms of the loan, which would be like a \$250,000 line of credit that could be drawn upon each year for five years provided that the entire amount of the loan, including 3% interest, had been repaid on December 31<sup>st</sup> of the previous year. The loan is for job retention at the Beatrice facility. Gary Schacht, President, and Bob Reed, Treasurer and CFO, of Store Kraft Mfg. appeared to further explain the company's need for the loan and commitment to continue a good relationship with the City. Council discussion followed. Dan Forke, an employee at Store Kraft, spoke in support of approving the loan and noted that the employees in attendance at the meeting to support Store Kraft represent 300 years of tenure.

Moved by Catlin, seconded by Kerr, that the public hearing be closed at 7:27 p.m.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

**(2) Public hearing on the application of Homestead Auto Glass LLC for a CDBG Reuse Loan in the amount of \$21,500.**

Mayor Schuster announced that a public hearing be held on the application of Homestead Auto Glass LLC for a CDBG Reuse Loan in the amount of \$21,500.

City Administrator Tempelmeyer reviewed the proposed terms of the loan, which is for \$20,000, a four-year term at 3% interest, with escalating payments over the course of the loan, and to retain 2 jobs. Paul Pond, owner of Homestead Auto Glass, appeared to request approval of the loan which will provide needed cash flow for the small family-owned business, which he hopes to expand and grow. Council discussion followed. Glennis McClure, NGage Director, spoke that she had resources that could provide some business coaching help to Mr. Pond.

Moved by Catlin, seconded by Kerr, that the public hearing be closed at 7:35 p.m.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

**4 – Resolutions:**

**a. Resolution approving CDBG Reuse Loan in the amount of \$250,000 for financial assistance to Store Kraft Mfg. Co., plus \$2,500 administration fees to the City, for a total of \$252,500.**

Mayor Schuster introduced Resolution Number 5634 approving CDBG Reuse Loan in the amount of \$250,000 for financial assistance to Store Kraft Mfg. Co., plus \$2,500 administration fees to the City, for a total of \$252,500.

Moved by Catlin, seconded by Clabaugh, that Resolution Number 5634 be passed and adopted.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

Passed and adopted Resolution Number 5634.

**b. Resolution approving a CDBG Reuse Loan in the amount of \$20,000 for financial assistance to Homestead Auto Glass LLC, plus \$1,500 administrative fees to the City, for a total of \$21,500.**

Mayor Schuster introduced Resolution Number 5635 approving a CDBG Reuse Loan in the amount of \$20,000 for financial assistance to Homestead Auto Glass LLC, plus \$1,500 administrative fees to the City, for a total of \$21,500.

Moved by Catlin, seconded by Kerr, that Resolution Number 5635 be passed and adopted.

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

Motion carried.

Passed and adopted Resolution Number 5635.

- c. Resolution releasing securities, guarantees, or obligations of Store Kraft Mfg. Co. upon completion of all requirements pursuant to the CDBG Loan Agreement entered into on June 18, 2003.**

Mayor Schuster introduced Resolution Number 5636 releasing securities, guarantees, or obligations of Store Kraft Mfg. Co. upon completion of all requirements pursuant to the CDBG Loan Agreement entered into on June 18, 2003.

Moved by Catlin, seconded by Cook, that Resolution Number 5636 be passed and adopted.

City Administrator Tempelmeyer explained that Store Kraft had met all the requirements of the 2003 CDBG Loan therefore passage of this resolution will release all necessary documents.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

Passed and adopted Resolution Number 5636.

- d. Resolution adopting a City of Beatrice/Beatrice Board of Public Works Return-to-Work Policy for Work Related Injuries.**

Mayor Schuster introduced Resolution Number 5637 adopting a City of Beatrice/Beatrice Board of Public Works Return-to-Work Policy for Work Related Injuries.

Moved by Catlin, seconded by Parde, that Resolution Number 5637 be passed and adopted.

City Administrator Tempelmeyer explained that this will set a uniform policy for employees off work due to a work related injury to come back to light duty and sets out certain expectations for communication by the employee to their department head. All unions have been contacted and if any conflict exists between this policy and a union contract, the union contract shall supersede.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

Passed and adopted Resolution Number 5637.

- e. Resolution adopting a City of Beatrice/Beatrice Board of Public Works Return-to-Work Policy for Non-Work Related Injuries or Serious Health Conditions.**

Mayor Schuster introduced Resolution Number 5638 adopting a City of Beatrice/Beatrice Board of Public Works Return-to-Work Policy for Non-Work Related Injuries or Serious Health Conditions.

Moved by Catlin, seconded by Kerr, that Resolution Number 5638 be passed and adopted.

City Administrator Tempelmeyer explained that this policy deals with employees that are off work due to an injury off the job or that have a serious health condition and sets out the length of time that an employee's job is protected; once the 12 weeks FMLA is passed it is the sooner of 180 days, released to full-duty, maximum medical improvement, or all paid leave is exhausted. Employees are allowed to be brought back on light-duty.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

Passed and adopted Resolution Number 5638.

**5 – Ordinances:**

**None.**

**6 – Public Forum:**

No one appeared at public forum.

**7 – Discussions/Reports:**

**None.**

**8 – Miscellaneous:**

Next regular council meeting is May 19, 2014 at 7:00 p.m. in the BPS Admin Bldg Meeting Room. Worksession on Tuesday, May 27, 2014 at 7:00 p.m. in the BPS Admin Bldg Meeting Room.

Moved by Catlin, seconded by Clabaugh, that the meeting be adjourned at 7:50 p.m.

Roll Call: Yea: Catlin, Clabaugh, Cook, Fairbanks, Kerr, Langdale, Parde  
Nay: None

Motion carried.

**Linda S. Koch, City Clerk**

**Mayor Dennis Schuster**