

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on Monday, August 4, 2025 at 6:00 PM in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska 68310. Mayor Wirth led those in attendance in Pledge of Allegiance.

Barnard: Present, Doyle: Present, Eckhoff: Present, Eskra: Present, Fairbanks: Present, Hydo: Present, McLain: Present, Ruh: Present.

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.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. Presentation of Certified Economic Development Community – *Nebraska Dept. of Economic Development*

field rep kris benson - recognize beatrice as certified economic development. EDCC business expansion & recruitment. paddock hotel, reroute hwy 136, congrats to NGage, Main Street, Hoppe, USDA, Dpt of Transportation. ongoing CDBG \$900,000 to local projects. over 11 years.

4. DISCUSSIONS/REPORTS

4.a. NGage Quarterly Report.

Q4 report

actively workin on industrial site study throughout county. struure locations, etc
target industry analysis - NPPD partner. had run report not including Lancaster County.

Mature Key POtential _____; advanced MFG, Ag - target businesses

can we use what could target downtown potential buisnesses. nothing on list shocked, if included Lancaster, some drop off. real estate & leasing -quite a few broker terms...still not enough

ted - is this just Gage county? what report encompass? RK - on front -did ask for Washington to be included, not able to pull. trade area with workers & commuters.

ted - how often do you receive - RK - as asked. first one requested through NGage, Trevor did do one when he was here. Ted - last page - someone else generated for you? RK - met to discuss parameters, put together for us. if anyone else would request within NPPD service area. Ted - 1 declining, other than gypsum mining, is that what their referring to? RK- believe so. Ted - healthcare - broken down by public or private? RK - just industry. Ted- interested in cowing private or public moving forward

Terry - tragets, will NGage prioritize or what will be done with infomraiton? RK - efforts stay the course & utilize supply chain what else is our community missing & how can we access. Board wil have discussion along with industrial site study. if outside what we are targeting, we may shift to that. TD - if they could highlight

Ted - Ngage 2nd to last - active recruitment process - bioaviation plant - RK- still in very loose negotiations. dependent upon federal government & bills/credits TED - look at as opportunity for generation. not been asked to put any energy into RK - actively working with them. conference in san Fran?

5. CONSENT AGENDA

5.a. Approve agenda as submitted.

- 5.b. Receive and place on file all notices pertaining to this meeting.
- 5.c. Receive and place on file all materials having any bearing on this meeting.
- 5.d. Approval of minutes of regular meeting on July 21, 2025, as on file in the City Clerk's Office.
- 5.e. Approval of minutes of work session meeting on July 21, 2025, as on file in the City Clerk's Office.
- 5.f. Approval of Treasurer's Report of Claims in the amount of \$429,981.07.
- 5.g. Approval of BASWA Report of Claims in the amount of \$438,542.64.
- 5.h. Approval of BPW Report of Claims in the amount of \$88,151.68.
- 5.i. Approval of Change Order #3 increase in the amount of \$12,628.17 to M.E. Collins Contracting Co., Inc., for the Beatrice Lincoln Street Improvements, as recommended by the Board of Public Works.
- 5.j. Approval of Pay Request #2 in the amount of \$205,75.46, to M.E. Collins Contracting Co., Inc., for the Beatrice Lincoln Street Improvements.
- 5.k. Approval of Pay Request #7 in the amount of \$423,299.88, to Genesis Contracting Group for the BASWA South MSW Landfill Site Entrance Facility project.
- 5.l. Resolution Number 7594 executing Amendment No. 2, and any and all documents necessary, between WAPA and the City, to the Contract for Firm Electric Service, Contract No. 13-UGPR-1073, as recommended by the Board of Public Works.
- 5.m. Resolution Number 7595 granting permission for the Beatrice Humane Society to hold a "Doggie Swim Evening" fundraiser at the Big Blue Water Park on August 19, 2025.
- 5.n. Resolution Number 7596 executing the Participation Form involving the opioid litigation brought by states and local political subdivisions against Purdue and the Sackler family, and any and all other documents necessary for the City to receive the City's direct share of settlement proceeds and/or to be eligible to receive any additional distribution or grant from the State of Nebraska's share of said proceeds.
- 5.o. Resolution Number 7597 executing an Agreement retaining Kidwell, Inc., to upgrade Cat3/5 network cables and an Agreement retaining Heartland Business Systems, LLC, to upgrade Network Switches, at the Beatrice Public Library.

5.p. Resolution Number 7598 executing a Memorandum of Understanding between City and the Firefighters Union Local No. 1098 in effort to bolster retention of its Firefighter/Paramedic and Firefighter/EMT staff by including additional options for receiving credit for a “shift call back” for purposes of calculating their percentage of shift call backs made for their performance-based raise.

5.q. Resolution Number 7599 executing the Request for Reconveyance and the Deed of Reconveyance, along with all other necessary documents to terminate the Deed of Trust for the Energy Efficiency Loan Agreement, dated May 6, 2020, between the City and Jason Duff and Ashley Mentgen-Duff.

5.r. Resolution Number 7600 executing the Request for Reconveyance and the Deed of Reconveyance, along with all other necessary documents to terminate the Deed of Trust for the Energy Efficiency Loan Agreement, dated June 12, 2020, between the City and Jeremy J. Glynn and Dusty Glynn.

5.s. Resolution Number 7606 entering into an Agreement between the City and the Center for Internet Security (CIS) for the purpose of renewing the City’s Endpoint Security Services.

no issue, will vote for. question on if this will be done before school starts. TT - yes, if stops raining. main road has been poured. sidewalks will not be done. contractor aware of school hours...not 8a & 3p. CO is to address drainage on NWC of school lot. when designed, culvert ran under trail. we removed & 2 engineering groups didn't make contact with each other. inserting inlet into storm sewer & drain water.

Moved by McLain, seconded by Fairbanks, that the items listed under the consent agenda, with the exception of item i, be approved, accepted, and/or ratified as presented. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0 Moved by McLain, seconded by Ruh, that item i - approved. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

6. PUBLIC HEARINGS/BIDS

6.a. Public Hearing for the purpose of considering an application to the Nebraska Department of Economic Development for a Community Development Block Grant (CDBG) from the Land and Water Conservation Fund (LWCF), for the construction of new pickleball courts at Chautauqua Park.

LWCF fund applied for in past, others awarded playground at scott street ballfields, cmpground sites. gastro park playground unsuccessful recently. close to current courts...smal parking area. \$1 for \$1 \$250,000 match. if awarded FY27 construction.

Moved by McLain, seconded by Ruh, that the public hearing be closed at 6:31 p.m. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

6.b. Public Hearing on the acquisition of real property from Franklin W. Rash, legally described as follows: All of Lots One (1) and Two (2), Block Thirty (30), lying South of that portion of said Lots which was deeded to the State of Nebraska on July 23, 1942, and recorded in the Register of Deeds Office, Gage County, Nebraska, in Book 151 of Deeds at Page 451, all in Wittenberg Addition to the City of Beatrice, Gage County, Nebraska, Parcel ID No: 015162000.

South of senior center across hwy - near druels auto. drainage ditch acquire for storm water use. rash donate \$120 assessed value.

Moved by McLain, seconded by Barnard, that the public hearing be closed at 6:33 p.m. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

6.c. Public Hearing on the acquisition of real property from Daniel E. Pethoud and Bonny M. Pethoud, legally described as follows: Lots Five (5) and Six (6), Block Three (3), Wadsworth's Subdivision, an Addition to the City of Beatrice, Gage County, Nebraska, commonly known as 1123 South 6th Street, Beatrice, Nebraska, Parcel ID No: 014740000.

located south 6th between biggs & rolla rena, caught on fire, city demo'd owners owe money, judgement & worked out agreement will still owe \$!2,____, will pay bak over 4 years...will obtain &

Moved by McLain, seconded by Ruh, that the public hearing be closed at 6:34 p.m. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

7. RESOLUTIONS

7.a. Resolution Number 7601 executing the application and any other documents necessary to apply for federal assistance from the Land and Water Conservation Fund (LWCF) Program for the purpose of acquiring property and constructing new pickleball courts at Chautauqua Park.

tery - timing? TT - application due within 2 weeks, usually 6 mo hearing back.. fy27 construction
Hydo- courts are busy? TEed - yes, group played tourney, HS & group waiting to play.very busy. not throughout winter, play at city aud & y then. total # member of association 100..175 regular players. hickman, Crete, s lincoln

Moved by McLain, seconded by Barnard, that Resolution Number 7601 be passed and adopted. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

7.b. Resolution Number 7602 executing the Contract for Donation of Real Estate and all necessary documents to acquire real estate from Franklin W. Rash.

no further discussion

Moved by McLain, seconded by Ruh, that Resolution Number 7602 be passed and adopted. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

7.c. Resolution Number 7603 executing the Contract for Donation of Real Estate and all necessary documents to acquire real estate from Daniel E. Pethoud and Bonny M. Pethoud.

no further discussion

Moved by McLain, seconded by Barnard, that Resolution Number 7603 be passed and adopted. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

7.d. Resolution Number 7604 executing the Loan Agreement, Promissory Note, Personal Guaranty, and Deed of Trust between the City and Amy Lynn Redd, for a direct loan in the amount of Seven Thousand Eight Hundred Sixty-Five Dollars (\$7,865.00) from the City's CDBG Downtown Revitalization Grant (23-DTR-002).

another DTR 23 grant cycle owns on east court, natural vibes. used in past, reapplied, repair signage, windows, tuck pointing \$7 _____, all others forgivable loan for 5 years forgiven.

TD - lot of work on

Ted- timeframe on grant? May 2026. Ted - clock start now or when done? TT - when work completed.

Moved by McLain, seconded by Barnard, that Resolution Number 7604 be passed and adopted. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

7.e. Resolution Number 7605 executing an Agreement retaining HDR, Inc., to evaluate electric generation equipment and to develop a comprehensive strategy for the procurement, permitting, and installation of electric generation, as recommended by the Board of Public Works.

RUH_ NOOOO

background. energy & capacity expire 2030 additional SWPP we are part of they are increasing energy & capacity requirements. also seeing increase of consumption. due diligence for electrical providers, with that, talking to vendors for capacity & energy. exploring our own generation of energy & capacity. need to continue to explore building our own. 1898 study to look for locations in SE nebraska. next step, hire HDR to help evaluate our generation options. which makes the most sense. timeline, procurement, design, construction, permitting, develop cost estimate. done within 6 months. not to exceed _____, does not obligate us to build, does help determine best interest for rate customers.

Mike - requirements? TT - some power plant could produce 25% increase. Mike - across US? TT- yes all others are seeing same thing. seeing greater shrinkage of available capacity. less & less reserves available to be purchased. Mike - can't wait til last minute

Duane - not a full time running plant? TT - for capacity not electrical needs, will be dependent upon needs of SWPP. If SWPP would dispatch, it would dispatch Ruh - otherwise just sit there? TT _ yes
barnard - ahead of other communities & we have timeline? TT - correct on both, very good position when comes with our power supply 10 years since rate increase. procurement - some - 5-6 years, 2030 fairly quickly.

Doyle - will we be talking to non NPPD users about partnering with us to help split? TT - that portion would be done by John Kra & TT - if we can get other partners, makes better -

Hydo - move so quickly that we don't give public time to speak. time not our friend on this, we need to move this forward to ensure we are in good place. not final say, rather be ahead of others

Mayor - council has been proactive. new landfill, secondly wellhead protection set up for future, laSt piece, secure power set up long term for community with water, landfill & electricity. helps all constituents & be a strong economic driver to help grow beatrice. Thank TT for researching & PF - one of greatest things to move community forward.

Moved by McLain, seconded by Ruh, that Resolution Number 7605 be passed and adopted. **MOTION: Carried.**

Ruh: Nay, Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea
Yea: 7, Nay: 1

7.f. Resolution Number 7607 executing any and all documents necessary to consent to the pledge, assignment, and transfer of the LB840 Loan proceeds to Security First Bank, as security for a loan from Security First Bank to The Paddock, LLC.

city & paddock entered into 1840 agreement. looking to get all \$ upfront & pay back security first over time. sec first requiring us to make payments to them. doesn't change our terms. we make payment to Sec First, not HOpee

Moved by McLain, seconded by Ruh, that Resolution Number 7607 be passed and adopted. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

8. **ORDINANCES** - None

9. **PUBLIC FORUM**

no one

10. **EXECUTIVE SESSION** - Contract Negotiations

Moved by McLain, seconded by Ruh, that the Beatrice City Council go into closed session at 6:53 p.m., for the protection of public interest to discuss contract negotiations. **MOTION: Carried.**

Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea
Yea: 8, Nay: 0

11. **MISCELLANEOUS**

11.a. The next regular City Council meeting is August 18, 2025 at 6:00 p.m. in the BPS Administration Building Board Room.
national night out tomorrow - thank murphy & staff for their efforts.

Erin Saathoff, City Clerk

Stan Wirth, Mayor