

## **MINUTES OF THE REGULAR CITY COUNCIL MEETING**

A regular meeting of the City Council was held on Monday, October 6, 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. CONSENT AGENDA**

3.a. Approve agenda as submitted.

3.b. Receive and place on file all notices pertaining to this meeting.

3.c. Receive and place on file all materials having any bearing on this meeting.

3.d. Approval of minutes of regular meeting on September 15, 2025, as on file in the City Clerk's Office.

3.e. Approval of minutes of special meeting on September 30, 2025, as on file in the City Clerk's Office.

3.f. Approval of Change Order #1 increase in the amount of \$2,629.00 to Judds Brothers Construction for the West Court Street Water Main Crossing project, as recommended by the Board of Public Works.

3.g. Resolution Number 7631 executing the amended Exhibit "B" of the Contract for Firm Electric Service, Contract No. 13-UGPR-1073, between WAPA and the City, as recommended by the Board of Public Works.

3.h. Resolution Number 7632 executing any and all documents necessary for the implementation and administration of the amended and restated City of Beatrice Police Officers Retirement Plan and to appoint Tobias J. Tempelmeyer, Hannah Bell, and Erin Saathoff, as trustees of the Trust Agreement for said retirement plan.

3.i. Resolution Number 7633 entering into a Lease Agreement between the City and Eakes Office Solutions, for the leasing of printers and other office equipment.

3.j. Resolution Number 7634 entering into an Agreement between the City and Premier Cloud, Inc., for software services related to the City's email system.

3.k. Resolution Number 7635 entering into an Agreement between the City and Global Payments Direct, Inc., for credit card processing services for payments made at the City landfill.

Moved by McLain, seconded by Ruh, that the items listed under the consent agenda, 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

#### 4. DISCUSSIONS/REPORTS

##### 4.a. Federal Funding Updates – Merchant McIntyre Associates

MM presentation - Brett, MaryEllen, \_\_\_\_\_  
thanks for the partnership, serve non profit & local government 23 people on team.  
fed funding through grants to in - 2 members of team experts  
wins - notably RAISE Grant, current funding environment - city place where federal tax payers are spent well, impact proven with these wins commitment of leadership & council, earmark front - \$782,000 earmarked - appropriation bills issue with federal passing the bills  
pending applicaitons - clarify been able to apply for more grants than ever before more than \$11 million pending, environment more challenging, but have also worked hard to prepare city to be able to happy for more  
CHARlie - 2 week turnaround times, uncertainty on some programs, help offset ongoing complications, put together - federal funding realities - merch mc - appropriations & grants - lots of knowledge look at comprehensive list, lots of opportunities - active oppruntunities - demisters - EPA brownfield cleanup program - currently engaging with local state, working to prepare another application for cleanup. expect due late Nov  
Bret - bronwfields grant, standard process - grants.cog  
MaryEllen - PSD meet with chiefs, body cam grant, 50% match \$2,000 camera cap, would recommend - due 11/3 - start looking at data, get quotes, also potential to lease, community based violence grant - no match - straight forward, reduce violence & crime - big goal to engage with organizations in community.  
Technology & equipment upgrades \$500,000 small but useful recommend due 11/3 - plan to send additional earmark - \$\_\_\_\_\_ for congressional funding - are waiting but looking at est. time 1.5 ours out - recommend thinking about FY27 earmarks - suggested award request range up to \$3 million; recommend as they can get think smith  
bret - earmarking - congress has used for a long time, 4-5 years ago brought back to insert their authority, has been useful. helps to plan ahead. Tobias has done a great job, lots of time & effort, phenomenal partnership. council's commitment  
Barnard - appreciate you coming to visit. thanked Terry & Ted to push for this WHAT is our total investment & total return? RETURN on investment \$112/\$1 - does not include time & effort for city time. big part is single grant, but very important, pending \$11 million pending with 4 agencies, job to drive higher.  
Ted - thank for visiting dempsters. appreciate questions asked & understanding of what we have put into it & we need to get out of it. hae \$250,000 budgeted, need big grant \$, could be spent in more important areas. Hope there is something else besides the brownfield grant. Charlie - also opportunity - state cleanup grant, wont cover same as brownfield, but looking at every avenue we can to apply. Ted - work with local government, do you limit to our size? Bret - our sweet spot, 10-20,000 people, many can be unable or understaffed to be able to provide information what we need.  
Terry - drove the raise grant location, 4th & 5th improvements, appreciate all efforts. has been a 40 year project, finally going to happen that comment astonished MM, surprised how many buildings were full, lastly - take pride in last comment - normally asked to get more housing, but next couple years we are putting in 150=200 housing.  
Bret - challenge many have is based on what you see in the news. shutdown will be resolved, don't need to wait, our abiltiy to plan, housing, strategic planning, is a significant competitive advantage. we make it fun & easy to work on these projects.  
Gary - mentioned TT - thank & without him, not all of this would have bene able to be done.  
mayor - great partnership, been at it for 4 decades & this council took initiative to move forward, they do work we can't do when writing grant, if we don't feed back story & facts, and pass a concept we will not go anywhere.

##### 4.b. Presentation of ADA Transition Plan – JEO Consulting, Inc.

Kristin - hired JEO in Nov/Dec looks at selected sites, parks & buildings for structural & sidewalk needs. 4-5 months visited 15-20 sites, recorded all online tool - will make easy for public works - what requirements will be necessary. restrooms compliant, online tool - prioritized how readily achievable is the project, to larger items that may take hiring contractor. other level - priority is impact to public, what about it makes it \_\_\_\_\_

Mike - timeline to make corrections? K - just a guideline, has to show City will be actively making these  
 T - \$ - TT - not necessarily, what may do is if making improvements,  
 Mike - on our website? TT - available now & working to get online map available as well.  
 K - will publish notice

TT - looked at site & block from each facility as well looking at sidewalks & entry, parking lots, also looked at this facility even though it is not ours.

TEd - breaks down costs, do we have a \$ if we had to do everting? K - have 20% contingency as well, so not sure what it would be compared to today & years down. it is broken down by area - TEd -how do we prioritize. TT - council do we want to pick a couple  
 TEd - how is this policies? K - it would be take at a civil rights

Mayor - look at how much it is used. appreciate work done on this.do want to make sure give those who need it, the opportunity to use your facilities. Terry - other cities? did anything pop up here? K - no architect/lead - truly what would be seen in other communities

TT - why did we do this study? Required to have one when applying for grants, last one was in 1995. needed to be updated. SS4A grant.

## 5. PUBLIC HEARINGS/BIDS

5.a. Public Hearing for the purpose considering the proposed issuance of revenue bonds for a student housing facility located in Lincoln, Nebraska, as allowed under Section 147 of the Internal Revenue Code.

TT - discussed in past, student housing, looking to refinance debt with conduit bonds reached out to City, CC willing to, PH & bond ordinance to move this project forward. What's in for City - \$60,000 fee, also ongoing annual fee 2 basis points 0 \$38,000 \$7500??? 4 units for students within Gage County.

Jed - Kutak Rock, usually help issue governmental bonds, also bond counsel for this transaction, TT - city's liability? Jed - conduit bonds, city is only liable payment IDD Act? conduit issuer is not liable only to payment??? documents specifically have that language in. P3 borrower, City has to indemnify, completely indemnify the city? incredibly low  
 Jesse, P3 representative, work with Kim. appreciate all work with the City being willing to work with. involved since 2013 high quality housing for students

Hydo - does this affect our own bonds moving forward? JED - no, one of reasons the City was good partner, because we have issued over \$10 million, that would have taken away our \_\_\_\_ status. 2026 start over, Hydo - will it show up in our financials? Jed - possibly as a footnote

Terry - fee upfront, ongoing fee & scholarships to Beatrice, is it income based? Jesse - not sure, UNL housing, 4 each year.  
 Hydo - comment - first presented was on no side, couldn't see benefit to Beatrice, TT sent out email with benefits, students means more to her

Ruh - contact any other industries? Jed - Steve boss, believe there was no hesitation, just bond Ruh - not in favor of it, have had 7 calls concerned about. look at further, not a bad deal, but \_\_\_\_

Jesse - not capacity to be able to

TT - Steve indicated that at the last meeting

Mayor - Beatrice/gage county will benefit, think about that, us being good neighbors that will benefit this partnership

Moved by McLain, seconded by Ruh, that the public hearing be closed at 6:42 p.m. **MOTION: Carried.**

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

5.b. Ordinance authorizing the issuance of up to \$38,000,000 for the benefit of P3 Foundation Inc., a nonprofit corporation and a tax-exempt organization, for the purpose of refinancing the costs of acquiring, constructing, and equipping a student housing facility located in Lincoln, Nebraska.

Sole member of P3 foundation - AEP89??

Moved by McLain, seconded by Barnard, that said ordinance be given number 25-33 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **MOTION: Carried.**

Ruh: Nay, Barnard: Yea, Doyle: Yea, Eckhoff: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea  
Yea: 7, Nay: 1 Moved by McLain, seconded by Ruh, that Ordinance Number 25-33 be passed and approved. **MOTION: Carried.**

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

5.c. Public Hearing for the purpose of the acquisition of real property from Gary D. Rupprecht, Trustee of the Gary D. Rupprecht Revocable Trust dated July 23, 2008, and Sharon K. Rupprecht, Trustee of the Sharon K. Rupprecht Revocable Trust, dated July 23, 2008, legally described as follows: The North 173 feet of Lots 1-4, Wagner's First Addition to the City of Beatrice, Gage County, Nebraska, Parcel ID No: 014745100.

TT - 2 acres south of hannibal view, west of BSDC, east of Hannibal Park approached City to acquire \$15,000, platted for 4 lots, small street extension needed, would also gain 2 lots in hannibal view, all utilities are there.

Hydo- plan to sell lots? TT - yes  
Ted - or use them, Jefferson Street

Moved by McLain, seconded by Ruh, that the public hearing be closed at 6:46 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. RESOLUTIONS

6.a. Resolution Number 7636 executing the Contract for Sale of Real Estate and any and all documents necessary to acquire real estate from Gary D. Rupprecht, Trustee of the Gary D. Rupprecht Revocable Trust dated July 23, 2008, and Sharon K. Rupprecht, Trustee of the Sharon K. Rupprecht Revocable Trust, dated July 23, 2008.

Moved by McLain, seconded by Barnard, that Resolution Number 7636 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

6.b. Resolution Number 7637 rejecting Vogts Parga Construction, LLC's bid and readvertise for bids to construct a new T-Hangar, upgrade Taxilanes, and reconstruct a hangar approach at the Beatrice Municipal Airport.

Hangar project at Airport, senator fisher appropriation bids. 90 day bid was held, well beyond the 90 days, had accepted bid contingent, reached back out, need to adjust price, \$271,\_\_\_\_\_, increase to their bid. when Benash looked at that, was not justifiable. FAA recommended to formerly reject bid & rebid project, bids back around Christmas time as we go back out for bids. Low bidder had error on submitted bid, They wer not low bid

Ted - do we have to change parameters TT - no, TEd -doesnt seem very fair, but think we can get the money for this? will we extend to 120? TT - money ready to go, just need under contract,  
Eskra - is Vogts Para able to bid again? TT - yes, all eligible to bid again.

Moved by McLain, seconded by Barnard, that Resolution Number 7637 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. ORDINANCES

7.a. Ordinance vacating Lots Eight (8) and Nine (9), Block Two (2), Nicholas LePoidevin's First Subdivision to the City of Beatrice, Gage County, Nebraska.

these 2 go together. 2 lots owned by Henhouse, 1 lot platted, other non descript. 3 houses on 2 lots, not sure who's job to make sure met setback, each have garage built over lot line. wants to divide these 2 lots into 3 lots to sell individual lots, vacate what is there today & replant them. calls out that there are violations so everyone is aware of that, understand if rebuilt, have to rebuild according to rules

Moved by McLain, seconded by Barnard, that said ordinance be given number 25-34 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **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 Ordinance Number 25-34 be passed and approved. **MOTION: Carried.**

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

7.b. Ordinance approving the plat of Henhouse Addition, City of Beatrice, Gage County, Nebraska.

approves henhouse addition  
HYdo - what is over the property line? TR - garage, shed

Moved by McLain, seconded by Barnard, that said ordinance be given number 25-35 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **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 Ordinance Number 25-35 be passed and approved. **MOTION: Carried.**

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

## 8. PUBLIC FORUM

Welcomed Boy Scouts.

## 9. EXECUTIVE SESSION - Contract Negotiations & Potential Litigation

Moved by McLain, seconded by Fairbanks, that the Beatrice City Council go into closed session at 7:10 p.m., for the protection of public interest to discuss contract negotiations and potential litigation. **MOTION: Carried.**

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

## 10. MISCELLANEOUS

10.a. The next regular City Council meeting is October 20, 2025 at 6:00 p.m. in the BPS Administration Building Board Room.

Moved by McLain, seconded by Fairbanks, that the meeting be adjourned at 7:49 p.m. **MOTION: Carried.**

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

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**