

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

A regular meeting of the City Council was held on Monday, January 19, 2026 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: Absent, 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 January 5, 2026, as on file in the City Clerk's Office.

3.e. Approval of Treasurer's Report of Claims in the amount of \$1,102,110.64.

3.f. Approval of BASWA Report of Claims in the amount of \$251,755.90.

3.g. Approval of BPW Report of Claims in the amount of \$799,841.91.

3.h. Approval of certificate of substantial completion for the Corral Crossing Addition project, as recommended by the Board of Public Works.

3.i. Approval of Pay Request #12 in the amount of \$67,950.00, to Genesis Contracting Group for the BASWA South MSW Landfill Site Entrance Facility project.

3.j. Approval of Change Order #1 increase in the amount of \$4,917.22 to Genesis Contracting Group for the BASWA South MSW Landfill Site Entrance Facility project.

3.k. Approval of Pay Request #6 in the amount of \$57,861.20 to Van Kirk Brothers Contracting for the 2025 Corral Crossing Addition project.

3.l. Approval of Change Order #3 regarding the time extension for the Substantial and Final Completion Time Extension with a \$11,000 contract reduction and Pay Request #5 in the amount of \$171,721.11 to Van Kirk Brothers Contracting for the 2025 Heritage Heights Addition project.

3.m. Approval of special designated license for Beatrice Mary Family YMCA for a fundraiser on February 28, 2026, from 5:30 p.m. to 11:00 p.m., at 1801 Scott Street, Beatrice, Nebraska.

3.n. Resolution Number 7705 executing the ACCO Chemical System Usage Agreement #01152026 for the purchase of ACCO Liquid Chlorinating Concentrate Solution-L, as recommended by the Board of Public Works.

3.o. Resolution Number 7706 appointing Thomas Bradney, David Painter, and Vaughn Wright to the Beatrice Planning and Zoning Commission.

3.p. Resolution Number 7707 executing the Renewal of Excess Stop Loss Agreement with QBE Insurance Corporation for the City's self-funded employee health plan.

3.q. Resolution Number 7708 entering into a farm lease with Taiten Harms for farming purposes.

3.r. Resolution Number 7709 entering into a farm lease with Adam Kimmerling for farming purposes.

3.s. Resolution Number 7710 entering into a farm lease with Devon Tate for farming purposes.

3.t. Resolution Number 7711 executing the Grant Agreement with Nebraska Department of Water, Energy, and Environment (DWEE) for the purpose of funding the City's Tire Amnesty Program through DWEE's Waste Reduction & Recycling Incentive Grant Program.

3.u. Resolution Number 7712 entering into a Smart Print Agreement between the City and Eakes Office Solutions, for the leasing and servicing of printers and other office equipment.

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

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

#### 4. PUBLIC HEARINGS/BIDS

4.a. Public Hearing for the purpose of considering the application of Beatrice Petroleum, LLC, dba, NP Mart 36, 200 North 6th Street, Beatrice, Nebraska, for a Class D liquor license.

chet - zoning standpoint ind CBE, liquor sales permitted within zoning . note church within 100', they do have a waiver included in their application

jay -2010 conviction in Douglas county for manager, tobacco to minor, good to note, not listed on the liquor license, may have gotten over looked.

TED - what is waiver? TT - state statute, looking within 150' church, file waiver & LCC then gets their application - may be issued if notice to church & holds public hearing. They ultimately decide  
ruh- same question, did anyone contact the church? Ted - you did Mayor - should come from LCC

Dave - \_\_\_\_\_ omaha, - represent NP Mart, 36th location throughout the state. \$1.1 million not intended to be liquor store, reality of convenience store, part of mechanics, necessary to make business. Colleague reached out - had wrong church. Ruh - what about the pastor? Dave - assume he will speak, not sure there is an official. typically try to work

Terry - what kind of signage? Dave - not sure architectural plan, mayor - not relavent...can answer now that has asked. Mayor - do have to follow our rules regarding signs

TEd - thanked for attending tonight, liquor license will go to? Anne Gordon - principal owner is \_\_\_\_\_, Ted - is this first one outside of Lincoln or Omaha? Norfolk, Fremont, roughly 15-20% outside of Barnard - first hand what goes through.

Ted - we don't make decision, they have approved even when we have denied.

Dave - if it matters, would like to say believe will be a typical convenience store, fresh fruits, pizza, etc...

jeff Collins, interim pastor 205 N 7th, 2.5 years. unknown gentleman, Shawn Kelly, sent to wrong church...today first correspondence. asking for letter of support or no objection, state statute - not issued within 150', approx 75'. 2024 august reached out to have liquor, voted to reject & correspondence ended. want council to know church exists for betterment of community, willow center. feel strongly allowing selling liquor will \_\_\_\_\_, position against any facility selling alcohol. will request a hearing against.

Mayor - no ordinance relating to this. issue will eventually be hearing at liquor control commission.

JULie Collins, 281650???, appeared to voice against issuance of liquor control. has dozens of locations where sold & served, placing liquor store next to church unnecessary & \_\_\_\_\_. encroachment. can allow what is legal, \_\_\_\_, or can be city to be wise.

Dennis Applegarth, 901 N 7th, thank Jeff & Julie, 72' from church. yes gas stations sell alcohol, doesn't mean it has to be done. near heart of city, significant appearance of stamp of approval by city. crimes, etc higher with liquor use. over long term will see affects. urge not to abandon part we can deny.

Hydo - thank you, thought church had signed off. not final say. great spot & great economic development, but church saying no. is this the best use for the spot. church says no, do we say no

Gary - competition with brother? Hydo - did think of that, willing to abstain if council believes they want. Hydo - does not own a piece of business, Mayor - how you vote is your right.

Ruh - thank for speaking. came to church didn't think they had been contacted. Dave - did make attempts. Ruh - no vote due to location of. would like convince store there, but liquor no

Ted - completely up to Hydo - CC has voted against previously, and liquor control has approved them. did have issue with Denny's previously, does make a little difference. ONE more not going to make a difference. get all pleas.

Terry - established company knows what they are doing, with permanent jobs, vacant lots, think no vote. may be a better facility at that location. three other options

Eskra - not sure, convenience store is selling more than just alcohol. all other conveniences to downtown area, all eggs in alcohol basket, understand where coming from, 80% likely not from other items

Ted - if building was closer to 6th street, may not be an issue.

Hydo - agree LCC do what they want,

TT - Lnk, Norfolk, just applied in Seward & \_\_\_\_\_

TED \_ voting yes, most difficult dont' personally agree with, not for economic development -

Moved by McLain, seconded by Ruh, that the public hearing be closed at 6:43 p.m. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1 Moved by McLain, seconded by Barnard, that the application of Beatrice Petroleum, LLC, dba,

NP Mart 36, 200 North 6th Street, Beatrice, Nebraska, for a Class D liquor license, be recommended to the Nebraska Liquor Control Commission for approval. **MOTION: Carried.**

Eckhoff: Absent, Doyle: Nay, Hydo: Nay, Ruh: Nay, Barnard: Yea, Eskra: Yea, Fairbanks: Yea, McLain: Yea  
Yea: 4, Nay: 3, Absent: 1

## 5. RESOLUTIONS

5.a. Resolution Number 7713 entering into an Agreement with Gage County regarding the disbursement of GCED funds.

did this couple weeks ago, GCED had \$30,000 in account, working with GCED to return, essentially same, changed a few wording, must be used for economic development. approve tonight, county wed, & move forward

Mayor - County didn't like way resolution was written cuz CC was calling the shots, GCED is giving back for economic. not trying to control anything.

Moved by McLain, seconded by Fairbanks, that Resolution Number 7713 be passed and adopted. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

5.b. Resolution Number 7714 executing the General Release, Request for Reconveyance, and the Deed of Reconveyance, along with all other necessary documents to release and discharge MEI Homes, LLC, regarding their Contract for Sale of Real Estate.

MEI homes, 430 N 5th, Alley to Post Office, has completed all terms & conditions. releases from all. Eskra - looks a lot nicer than anticipated.

Moved by McLain, seconded by Fairbanks, that Resolution Number 7714 be passed and adopted. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

## 6. ORDINANCES

6.a. Ordinance vacating a portion of 25th Street adjacent to Lots 1, 2, and 3, and Outlot A, Crest 1st Addition to the City of Beatrice, Gage County, Nebraska.

platted in 1800s, not been used for extended period of time. red & down to Scott street, vacated, city maintain rest of lot. next to leseberg, sell red lot to RWR for parking lot. all of red box, southern portion city will retain  
Mayor - no exit to north or west out of parking lot. no street access from parking lot

Moved by McLain, seconded by Fairbanks, that said ordinance be given number 26-1 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1 Moved by McLain, seconded by Fairbanks, that Ordinance Number 26-1 be passed and approved. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

6.b. Ordinance conveying real estate owned by the City to RWR, LLC.

looking to sell red box to RWR for \$9,000 parking lot meets all zoning rules & setbacks. all stormwater will go to their drainage pond on their site.

Ruh - parking lot? TT - paved

Moved by McLain, seconded by Fairbanks, that said ordinance be given number 26-2 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1 Moved by McLain, seconded by Fairbanks, that Ordinance Number 26-2 be passed and approved. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

6.c. Ordinance conveying real estate owned by the City to Landmark Snacks, LLC.

1st step, ordinance then resolution selling 24.1 acres of schwartzkoft, sale \$14,000 acre = \$ \_\_\_\_\_  
when sell 30 day remonstrance period. TD - all in LB840? TT - yes, put back in. Mayor - what City paid per acre, TT - correct

Moved by McLain, seconded by Fairbanks, that said ordinance be given number 26-3 the title thereof be approved, the rules be suspended and said ordinance be read by number only three (3) times tonight. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1 Moved by McLain, seconded by Fairbanks, that Ordinance Number 26-3 be passed and approved. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

## 7. RESOLUTIONS

7.a. Resolution Number 7715 entering into a Contract for Sale of Real Estate with RWR, LLC.

no further discussion

Moved by McLain, seconded by Fairbanks, that Resolution Number 7715 be passed and adopted. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

7.b. Resolution Number 7716 entering into a Contract for Sale of Real Estate with Landmark Snacks, LLC.

mayor - tjanks for binging in expansion

Moved by McLain, seconded by Ruh, that Resolution Number 7716 be passed and adopted. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

## 8. PUBLIC FORUM

### 9. DISCUSSIONS/REPORTS

#### 9.a. 2025 Year End Review.

lincoln street 25-27, 10 bids, final \$585,000 good price ME COLLINS, JEO design  
Corral Crossing - moved along, only thing left electricity, weather permitting not long.  
Heritage Heights - concrete poured a couple weeks ago, will halt at this time. Playground purchased, will wait for installation, as we don't have street at this time.  
MSW Landfill - \$6.22 million  
Entrance - \$4.05 million had to redo scale house, etc., 70 years  
Ted - bonds, how long? TT - 30 year bonds, when sell garbage? TT - if sell building, go to MARS, Mars will rent old Landfill  
Eskra - compost stay? TT - believe so  
Aquatic park study - at next meeting on study with recommendations  
fire hoses - don't think about - merch mc - AFG grant \$128,000 to purchase finished training last week.  
Eskra- life in old hoses? TT - not sure where will all go - some to water dept  
Taxiway C - just about wrapped up \$\_\_\_\_\_ 10% just over \$500,000 benesh engineer, tanks installed, pressure testing & then will issue fuel again Ted - overview of Airport site map  
Mayor - think Benesh did a great job, end of day will see it paid off. cost of them being behind is significant, benesh on board with  
West Court Water Main - was attached to bridge, now bored under. state doesn't like attaching to bridge, possibly renewing the bridge, bore under river \$415,000  
Chautauqua Park Playground - RCRP grant 1/4 million like field turf, all credit to Amanda & Mark - picked out great equipment, diversity throughout the community.  
Sertoma - thanks to Sertoma, transformed over last few years, splash pad, restroom & now playground.  
Froberry Park - Front & Mulberry by south water tower - old had been since 80s  
Hydo - love playgrounds, need one on the west side  
Mayor - all different - colors, diff equipment  
Pickleball seating area - donation agreement last meeting to add shade structures investing in recreation facility \$125,000 - Pickleball Association \$40,000 Eskra - great use of old set of tennis courts  
Lift Station #6 - store craft, Olsson & Carkoski, but when doesn't work. fast food to hospital, one of major \$548,000  
4th Street Improvements - CCCFF grant - give glimpse of what is to come with RAISE grant.  
5th Street - listened to complaints, James great solution  
TT - thank for encouragement & support of  
Mayor - thanked committees for additional work  
Terry - thank Mayor & TT - remember little things happened through all a lot of money spent, but immediately thought of a few more thank for support  
Hyod - grant - makes a huge impact  
Ted - appreciate committees, many wouldn't have gotten as far as they have  
Eskra - develop cohesive plan with group - what else did he say???

Mayor - come together & just approve everything. Try to make sure everything done right before bringing here, would rather have chance to fix behind scene to get to point where

#### 9.b. City Administrator's Monthly Report.

RAISE Grant - senator rickets office checked in, in office of secretary of transportation since 12/22 for their review. NDOT did start website for our grant, so they must be anticipating  
Senator Fisher - \$750,000 911 grant for equipment  
Code numbers - why so large number of open cases. TT - 455 open cases, if not back in software, still showed as open case. closed cases - 1,001 closed, 72 open cases. 38 opened in December, pending cases - certain just sit there due to moving of car, but likely it is coming back.  
Hyod - did appreciate the additional information Erin will add back

10. MISCELLANEOUS

10.a. The next regular City Council meeting is February 2, 2026 at 6:00 p.m. in the BPS Administration Building Board Room.

Moved by McLain, seconded by Ruh, that the meeting be adjourned at 720 p.m. **MOTION: Carried.**

Eckhoff: Absent, Barnard: Yea, Doyle: Yea, Eskra: Yea, Fairbanks: Yea, Hydo: Yea, McLain: Yea, Ruh: Yea  
Yea: 7, Nay: 0, Absent: 1

**Erin Saathoff, City Clerk**

**Stan Wirth, Mayor**