MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on Monday, November 16, 2026 at 6:00 PM in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska 68310.
Mayor McLain led those in attendance in Pledge of Allegiance.

Barnard: Present, Doyle: Present, Eckhoff: Present, Eskra: Present, Fairbanks: Present, Hydo: Present, Ruh: Present, Craig Zarybnicky: Present.

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

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **PROCLAMATION** – National Stormwater Day – November 16, 2026

4. **CONSENT AGENDA**

4.a. Approve agenda as submitted.

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

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

4.d. Approval of minutes of regular meeting on November 2, 2026, as on file in the City Clerk's Office.

4.e. Approval of Treasurer's Report of Claims in the amount of $1,160,542.95.

4.f. Approval of Envision Landscaping Claim in the amount of $8,650.00.

4.g. Approval of BASWA Report of Claims in the amount of $114,777.15.

4.h. Approval of BPW Report of Claims in the amount of $691,179.29.

4.i. Approval of Pay Request #2 in the amount of $266,462.18 to R.L. Tiemann Construction, Inc., for the 7th Street, Arthur to Monroe, Concrete Reconstruction 2026 project.

4.j. Approval of Change Order No. 2 decrease in the amount of $39,142.50, to AHRS Construction, Inc., regarding Phase 1A/1B As-Built Quantities, Liquidated Damages, and June/July weather days for the Beatrice Municipal Airport Construct T-Hangar/Taxilines, CDS 3-31-0009-024 project.

4.k. Resolution Number 7888 appointing Nick Bell to the Planning and Zoning Commission.

4.l. Resolution Number 7889 appointing Brandi Heard to the Planning and Zoning Commission.

4.m. Resolution Number 7890 executing the Annual Certification Form for the Nebraska Department of Transportation for the period of October 1, 2025 thru September 30, 2026.

UPDATE MINUTES - Ordinance has Mayor Morgan

Moved by Fairbanks, seconded by Ruh, that the items listed under the consent agenda, be approved, accepted, and/or ratified as presented. Eckhoff abstain from item f. **MOTION: Carried.**

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

5. **PUBLIC HEARINGS/BIDS**

5.a. Public Hearing for the purpose of considering the acquisition of real property from Roger Aden Rentals, LLC, legally described as follows: Lots 1 – 11, Block 17, and all the vacated alley within said Block 17, and the South 100 feet of Lots 5-9, Block 16, and all of vacated Green Avenue and Nicholls Avenue lying East of 9th Street, all in Riverside Park Addition to the City of Beatrice, Gage County, Nebraska, near 9th Street and Green Avenue.

acquire property 9th & Green ave, old good sam addtional pickleball courts, LW___ purchase $150,000. 1/2 IN 2026 & OTHER 1/2 IN 2027

Moved by Fairbanks, seconded by Barnard, that the public hearing be closed at 6:05p.m. **MOTION: Carried.**

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

6. **RESOLUTIONS**

6.a. Resolution Number 7891 executing a Contract for Sale of Real Estate and all necessary documents to acquire real estate from Roger Aden Rentals, LLC, near 9th Street and Green Avenue.

res to approve property acquisition, next will order title insurance & start process

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7891 be passed and adopted. **MOTION: Carried.**

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

6.b. Resolution Number 7892 entering into an Interlocal Cooperation Act Agreement between the City and the Village of Swanton, Nebraska, to provide garbage collection services for the Village.

swatnton went out for bids in sept. started picking up in October still do not have signed agreement, they meet once a month.

Alex - what other communities around Swanton: JM - Tobias on individual basis 50 homes, 40, dakin, western, Plymouth, 80% of rural homes. Alex - DeWit?? JM - Friday pickup, firth, 350 stops on Friday. not including dewitt. over 600 stops then. Ruh - 350 are rural? JM - Yes
Hydo - garbage collection always bothered her. in competition, but we are in competition, less about MARS and more about our Landfill. in 1994 decision was made to have landfill, now we have to feed that landfill. that's what this is all about. fixed costs at the landfill. in Beatrice, have to have more tons going in to landfill. seems crazy to say that, why are we doing & it's less than Beatrice rates, reality is to keep Beatrice garbage costs down, if lay it out, that's the reality. if less tons go in, our rates will have to go up.

ruh - people question why others pay less, we do need to have tha quantity. don't like that we pay more. nice thing is we are getting more rural customers to help offset costs. make sure landfill becomes profitable. don't like competing against private, but we made choice to build landfill

Ted - 720 rural customers, rural customers pay more than Beatrice pays. communities pay different from $18 - $20, lengths different. bonds - annual payment is $_____; MARS lease payment $187,000; BASWA bonds started in 2025 $13, 110, annual payment $_____ paying over $1 mill in bond payments, we need more customers, more customers we have, we need longevity.

TD - 5 year contract, can adjust? Yes

JIm Nelson, 1025 N 6th St, rural customers within zoning district pay same price as Beatrice residents. when did the rates go up? TT - will look. does the additional tonnage reduce life of landfill. increasing wear & tear on garbage trucks, longer time for employees to be on road, Why charge more to consituants than those who live outside communities? What were the residents of Swanton paying. TT - not sure. Jim nelson - gouging Beatrice citizens & will limit life of landfill.

Ted - BASWA landfill 70 year landfill, but not going to shorten down incrementally. suggest younger generation looks to buy additional land in 30 years.

Ruh - swanton's Facebook page - they were paying with Midwest Refuge - was $18.____?

Moved by Fairbanks, seconded by Eckhoff, that Resolution Number 7892 be passed and adopted. **MOTION: Carried.**

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

6.c. Resolution Number 7893 providing written notice to the Beatrice Rural Fire District of the City's termination of the Interlocal Agreement executed in 2019.

have had agreement with rural fire for decades, at the point now where our processes have evolved. we have housed & maintained rural equipment at BFR. pay $11,000 annually. as BFR has gotten busier with more calls, looked at increasesing amount paying. currently we drive vehicle to scene & rural meets there to take over. time to part ways. asking this Body to give notice, 2.5 year notice to find a place to house them. worked in past, in today environment better to go a different way. Ted - if they are month short, will we work with them? TT - Yes

Matt Langley, 1412 East Sargent Road, Rural Chief, clarification TT stated housing & maintaining, maintenance - city does do, repairs upkeep Rural takes care of cost. great working relationship will continue to do so. have had discussions 1-2 years, looking for different options. yes payment $11,000 2 options presented, less service from BFR to Rural, nothing we couldn't work thru, about 20x annual payment. above annual property tax they receive. other option using space & respondigin with own - also have office space & access to classroom. $1.5 mill of apparatus. BFR also does use it - keep in mind, not sure if _____ is included. a lot of discussion is the staffing issues at BFR. call increase has increased. 95-110 calls annually, 60% are medical calls and would still be responded to by BFR. when fire station was presented to public, as part of needed space, great improvement, Rural assets were also included for the need of the station. Rural did make financial contribution $_____ want to continue to work together. realize $11,000 payment probably needs to be increaed, but not 20x, would like to discuss further to see if there could be an agreement of not such a huge agreement. willing to look at some increase more realistic. for 45-50 calls

Hydo - rent space? ML - yes, but financially too high. Hydo - donation to fire station? $100,000 for 10 years, prorated if termed before 10 years

Terry - if we zip this contract what kind of hardship? ML - finding central location could be difficult, finding enough space. Terry - enough money to build? ML - $250,000 operating budget. Would likely have to bond it out. Ted - did you look over last few years when smaller communities were building that federal helped with or did you just think didn't need to? ML - yes, looked into grants, looking into at this time.

Mike - cash reserves? ML - not sure Dustin Fritch, Secretary.

Barnard - apparatus in various locations? want all in 1? ML - benefits to both. north side of Beatrice, at Homestead, and at his personal home. other big hurdle is the river, depending upon situation will dictate what is best way to go. Works well when City brings vehicle to us, as soon as possible they return BFR employee. GB _ will this give you enough time? ML - will be a rush, biggest would be finding a lot or building in centralized location.

Craig - if this terminates, and they can;'t find location, doesn't mean couldn't redraft an agreement? TT _ yes

Daake, 2721 Elk St space is not an issue, staffing is the problem. times when we can't get out right away. one call took 17 minutes for us to get the vehicle out the door. went high with increase expecting a counter offer. Hydo - looking to increase staffing? Daake - can't continue with how things are now, wanting to make sure we are able to provide service.

Terry - waiting for counteroffer? Daake - during negotiations didn't give counteroffer, so decided to move forward this way.
Mike - eliminates liability from CIty if Rrural not in our buildg.

Jim Nelson, thought heard CIty uses Rural equipment when needed, if not case, what is the cost of the truck? Daake - unsure. Mutual Aid - TT - JIm - will you have to buy additional equipment? Daake - no. Craig - time is of an essence, terminate the contract, knowing won't extend. Hydo - say we are going to terminate the agreement, everyone needs to get together & look at another contract. Ted - suggest to vote to terminate & look at a new agreement. Hydo - sounds like we need to move forward to terminate & see what other optiosn. Mayo r- forces each party to make deciswion

Kyle Spilker, 21159 SW 117th Road, Beatrice, NE Not desire to terminate this agreement. didn't feel they could have submitted a counter offer with the option was presented. biggest value of this agreement is response time. don't think resolution is in accordance with contract. think have to have 3 years. should table & look closer to terms of the agreement.
Hydo - answer for that? TT - we are good.

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7893 be passed and adopted. **MOTION: Carried.**

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

6.d. Resolution Number 7894 providing written notice to the American Association of Retired Persons (AARP) terminating use of the City's Library in 2027 and beyond for their tax preparation services.

AARP has used library for several years, recently negatviely impacting the LIbrary. giving them time to find another location to perform their services. Ruh - understand issues with LIbrary, is there some other facility they could use, like Main Street office? helps a lot of elderly people. TT - could be an option, they would have to let us know what they are looking for. Ruh - should help them
Doyle- what time notice? TT - feb/

Moved by Fairbanks, seconded by Eckhoff, that Resolution Number 7894 be passed and adopted. **MOTION: Carried.**

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

6.e. Resolution Number 7895 executing the Service Agreement with Merchant McIntyre Associates for services related to finding and applying for competitive and discretionary grants on behalf of the City.

started in 4th Qtr, 1 year, contract for 2027, rate increased by $500/month. they have secured $_____ another $_____ pending, at least $1 million has been preliminary approved
Mayor - best moves as a group they have provided a tremendous return.
Hydo - 2 large street projects is amazing, can't imagine what we would have done without their help, how much it is
Mayor - thorough
Hydo - appreciate their newsletter to ensure they are keeping up on it

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7895 be passed and adopted. **MOTION: Carried.**

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

6.f. Resolution Number 7896 declaring the City's official intent under the Internal Revenue Code of 1986, as amended, to reimburse certain capital expenditures from the proceeds of tax-exempt or tax-favored debt obligations, for the purchase of public safety equipment.

Reimbursement Resolution - budget passed this year calls for PSD. haven't done since covid. this year - defibrilatiors, police cameras, _____; one issue is timelimit you have to spend money, try to buy & issue a reimbursement res to purchase now & remibusre when we issue PSD. pass with intent of $650,000. this allows to purchase, that have different leadimtes.

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7896 be passed and adopted. **MOTION: Carried.**

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

6.g. Resolution Number 7897 adopting the City's Artificial Intelligence (AI) Policy.

anymore can't do anything without AI taking over a google search. policy in place to have guidelines. very simple. don't put private information into AI database, if you use AI, have a human review before sending out. very fluid policy as we move forward, will look to bring back frequently, to make adjustments. already using it, just want procedures in place

Ted - where did we get this? TT - Matt came up with what other communities, reviewed from there.
Terry - see cyber security issues, have we done necessary? TT - yes, IT does excellent job. not perfect, but changes made internally, understand what they are doing & keeping us in the safest place we can.

Moved by Fairbanks, seconded by Eckhoff, that Resolution Number 7897 be passed and adopted. **MOTION: Carried.**

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

6.h. Resolution Number 7898 adopting the City's Purchasing Policy.

state law recently changed. before $30,000 had to get bids. now $90,000, city code currently, made more sense to create policy. note: how written under $10,000 no quotes, $10-90,000 quotes, $90 - bids. all same exceptions that city code has today. professional services, emergencies, software, buying local, irresponsible bidder, biggest change is added sentence - federal? checking with vendors to make sure not been barred. ALso included credit card procedures.

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7898 be passed and adopted. **MOTION: Carried.**

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

6.i. Resolution Number 7899 entering into a lease between the City and Hydo Properties, LLC, near 11th and Caldwell.

MARS property, now at old Landfill, no longer need. Hydo Prop High $575,000. tonight docs to sell to Hydo, in preparation, no current legal descriptions match the fenced in area. easiest to replant that matches, will take time. while working on getting plat ready, leasing to Hydo.

Hydo - will vote, by state law, no interest in anything they own.

Moved by Fairbanks, seconded by Barnard, that Resolution Number 7899 be passed and adopted. **MOTION: Carried.**

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

7. **ORDINANCES**

7.a. Ordinance adding Section 2-98 and 2-99 to the Beatrice City Code regarding City Councilmembers placing items on the agenda and the order of items on the agenda.

for every council had right to put on agenda. May 2023 removed this option,. this puts back into city code to place any item on the agenda with at least 1 more in agreement. 2-99 codifies what practice is today. working on agenda, clerk puts agenda in correct order.

Mayor - good to have on. gives public if they have 2 councilmembers on if they have an issue.
Terry - thanks for bringing forward.
Ruh - limit to how many times councilmembers can bring an item forward? TT -at this time no, Ruh - think should consider. Ted - previously had councilmember who brought the same thing forward every time had to have 5 members. appreciate thought process to only bring forward, may have leave as is
Hyod - appreacte thouhgt.

Moved by Fairbanks, seconded by Barnard, that said ordinance be given number 26-37 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, Ruh: Yea, Craig Zarybnicky: Yea
Yea: 8, Nay: 0Moved by Fairbanks, seconded by Barnard, that Ordinance Number 26-37 be passed and approved. **MOTION: Carried.**

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

7.b. Ordinance repealing Sections 2-660 to 2-669 of the Beatrice City Code regarding purchasing.

repeals all prchasing code that we just adopted th policy for

Moved by Fairbanks, seconded by Barnard, that said ordinance be given number 26-38 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, Ruh: Yea, Craig Zarybnicky: Yea
Yea: 8, Nay: 0Moved by Fairbanks, seconded by Barnard, that Ordinance Number 26-38 be passed and approved. **MOTION: Carried.**

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

7.c. Ordinance conveying real estate owned by the City to Hydo Properties, LLC, near 11th and Caldwell.

ordinance to approve Hydo propeties contract

Moved by Fairbanks, seconded by Ruh, that said ordinance be given number 26-39 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, Ruh: Yea, Craig Zarybnicky: Yea
Yea: 8, Nay: 0Moved by Fairbanks, seconded by Ruh, that Ordinance Number 26-39 be passed and approved. **MOTION: Carried.**

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

8. **RESOLUTIONS** (continued)

8.a. Resolution Number 7900 executing a Contract for Sale of Real Estate with Hydo Properties, LLC, near 11th and Caldwell.

res to sign docs to Hydo

Moved by Fairbanks, seconded by Ruh, that Resolution Number 7900 be passed and adopted. **MOTION: Carried.**

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

9. **DISCUSSIONS/REPORTS**

9.a. City Administrator's Monthly Report.

beatricd commons veticle on new buildng & townhomes, crest addition - 4th bldg has gone verticle
airport hanger - veticle concrete poured, sidewalls going up
landmark snacks, lots of work
Stoddard II - stormwater required a retention, no area for pond, that is under ground.
OPen house fro demisters 12/1 4-6 @ library. will also have info on brownfield grna
NDOT - Thurs Open House @ Senior Center 5-7p

Eckhoff - Hwy 136? TT - having issues with their subcongrators have some sealing work hope to be done & off 136 this week, weather depending.
No date has been set for retreat.

10. **EXECUTIVE SESSION**: Personnel

Moved by Fairbanks, seconded by Barnard, that the Beatrice City Council go into closed session at 7:20 p.m., for the protection of public interest to discuss personnel. **MOTION: Carried.**

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

11. **MISCELLANEOUS**

11.a. The next regular City Council meeting will be held on **December 7, 2026** at 6:00 p.m. in the BPS Administration Building Board Room.

Erin Saathoff, City Clerk Michael McLain, Mayor