

AGENDA

SEWARD CITY COUNCIL MEETING

Tuesday, August 4, 2015 @ 7:00 PM

NOTICE IS HEREBY GIVEN that a meeting of the City Council of the City of Seward, Nebraska will be held at 7:00 PM on Tuesday, August 4, 2015, in the Municipal Building Council Chambers, 142 North 7th Street, Seward, Nebraska, which meeting will be open to the public. The Mayor and City Council reserve the right to adjourn into Closed Session as per Section 84-1410 of the Nebraska Revised Statutes. An Agenda for such meeting, kept continually current, is available at the Office of the City Clerk, 537 Main Street, Seward, Nebraska, during normal business hours. Individuals requiring physical or sensory accommodations, who desire to attend or participate, please contact the City Clerk's Office at 402.643.2928 no later than 3:30p.m. on the Friday preceding the Council Meeting.

City financial claims and related invoices will be available for Councilmember review, audit and voluntary signatures at Council Chambers beginning 30 minutes prior to the scheduled meeting time.

AGENDA ITEMS

CALL TO ORDER – Mayor Eickmeier

PLEDGE OF ALLEGIANCE-MOMENT OF SILENCE - Mayor Eickmeier

DISCLOSURE OF OPEN MEETINGS ACT & OTHER NOTIFICATIONS - Mayor Eickmeier

This is an Open Meeting of the Seward Nebraska Governing Body. The City of Seward abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is displayed on the north wall of this meeting room facility as required. Disclosure of meeting recording processes is posted in the Meeting Room. A participant sign-in sheet is available for use by any Citizen addressing the Council. Presenters shall approach the podium, state their name & address for the Clerk's record and are asked to limit remarks to five minutes. All remarks shall be directed to the Mayor who shall determine by whom any appropriate response shall be made. The City of Seward reserves the right to adjust the order of items on this Agenda if necessary and may elect to take action on any of the items listed.

ROLL CALL - Mayor Eickmeier

1. CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF JULY 21, 2015 - Bonnie Otte

2. CONSIDERATION OF CONSENT AGENDA

- A. Claims & Payables Reports
- B. Publication of Salaries in Accordance with Section 19-1102 of the Nebraska State Statute
- C. Approve Refuse Hauler's License - Callaway Rolloffs, LLC - David City
- D. Seward County Economic Development Corporation Director's Report
- E. Infrastructure Cost Items Reimbursable Back to the City

3. CONFIRMATION OF MAYOR'S APPOINTMENTS - Mayor Eickmeier

- A. Civic Center Commission - 3 yr term - Reappointment of Betty Jean Kolterman;

- appointment of Juanita Goings to replace Gerald Rathje (deceased)
- B. Electrician's Board - 2 yr term - Reappointment of Cory Mueller; appointment of Mike Langner to replace Donald Baack (deceased); reappointment of Ed Gonzalez and Larry Ruether
 - C. LB840 Sales Tax Application Review Board for Economic Development - 3 yr term - Appointment of Jessica Kolterman to replace Gary Fett (resigned)
4. **CONSIDERATION OF APPROVAL OF KAYLA EISENMENGER AS MANAGER OF VETERAN'S FW POST #4755, 243 S 9TH ST, CLASS C LIQUOR LICENSE - Bonnie Otte**
 5. **CONSIDERATION OF SUPPLEMENTAL AGREEMENT NO. 2 WITH SCHEMMER ASSOCIATES FOR NEBRASKA DEPARTMENT OF ROADS "SEWARD TRAIL PROJECT" FOR PRELIMINARY ENGINEERING - John Hughes**
 - A. Consideration of a Resolution approving Supplemental Agreement No. 2 with Schemmer Associates for preliminary engineering services for the Seward Trail project
 6. **CONSIDERATION OF APPROVING THE UPDATED SEWARD URBAN AREA MAP FOR THE NEBRASKA DEPARTMENT OF ROADS AND THE US DEPARTMENT OF TRANSPORTATION - John Hughes**
 7. **PRESENTATION OF SEWARD COUNTY ECONOMIC DEVELOPMENT CORPORATION (SCEDC) ANNUAL REPORT AND ANNUAL FUNDING REQUEST - Jonathan Jank**
 8. **CITY ADMINISTRATOR'S REPORT- Bruce Smith**
 9. **FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION - Mayor Eickmeier**
 10. **ANNOUNCEMENT OF UPCOMING EVENTS - Mayor Eickmeier**
 11. **MOTION TO ADJOURN**

I, Bonnie Otte, the duly appointed, qualified and acting Assistant Administrator/Clerk-Treasurer/Budget & Human Resource Director of the City of Seward, Nebraska, hereby certify:

That the foregoing Notice of Meeting and Agenda for such meeting has been posted in the following places: Seward City Hall, Seward County Courthouse, Seward Memorial Library and CityofSewardNE.com

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City this 31st day of July, 2015.

Bonnie Otte
Assistant Administrator/Clerk-Treasurer/Budget & Human Resource Director

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G1

CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF JULY 21, 2015 - Bonnie Otte

Administrative Report: A motion to approve the minutes as written or with modifications would be in order.

Staff Contact:

July 21, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, July 21, 2015, with Mayor Joshua Eickmeier presiding and Assistant Administrator /Clerk-Treasurer /Budget & Human Resources Director Bonnie Otte recording the proceedings. Upon roll call, the following Councilmembers were present: Ellen Beck, Dean Fritz, Barbara Pike, John Singleton, Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Councilmembers Jon Wilken, Sid Kamprath, and Chris Schmit.

Notice of the meeting was given in advance thereof by the method of communicating advance notice of the regular and special meetings of the City Council of the City of Seward, Nebraska, as stated in Ordinance No. 2015-08, which was adopted on the 5th day of May, 2015; said method stating that the notice of such meeting, with the agenda thereon, be posted in the following places: City Hall, Seward County Courthouse, Municipal Building, and Seward Public Library. The certificate of posting notice is attached to these minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the City Council and a copy of their acknowledgment of receipt of notice and the agenda are attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

THE PLEDGE OF ALLEGIANCE

Mayor Eickmeier announced that a copy of the Agenda for this meeting is posted on the north wall of the Municipal Building and copies are available on the north wall where a copy of the Open Meetings Act is also posted for public inspection. He also noted that any citizen wishing to address the Council should come to the podium, state their name and address and limit their comments to five minutes. All remarks should be directed to the Mayor/Chairperson, who will then determine who will make any appropriate response. The City of Seward reserves the right to adjust the order of items on this agenda if necessary and may elect to take action on any of the items listed.

1. APPROVAL OF MINUTES OF JULY 7, 2015 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the July 7, 2015 City Council meeting be approved.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Singleton moved, seconded by Councilmember Pike, that the following Consent Agenda items be approved in one single motion:

- A. Claims & Payables Reports
- B. City Clerk-Treasurer Report
- C. City Codes Director Report
- D. Police Department Report
- E. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST
7-21-15
COUNCIL MEETING

Abbreviations: Bu, Building Upkeep; Eq, Equipment; Ex, Expense; Ma, Maintenance; Mi, Mileage; Misc, Miscellaneous; Re, Repairs; Sa, Salaries, Se,

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Services; Su, Supplies; Ut, Utilities, CI, Capital Improvements; GU, Grounds Upkeep.

Payroll	144,709.73
Mattson Ricketts Law Firm, Se	4,140.00
Advanced Floor Care, Ma	250.00
Eric Ahrens, Ex	45.00
Alamar Uniforms, Uniforms	177.31
Melvin Aldrich, Ex	90.00
All Road Barricades, Su	200.00
Alliance Technologies, Se	682.50
Amazon.Com Credit, Su, Bu	453.01
Aqua Chem, Su	2,263.20
Armor Systems, Se	66.57
TJ Austin, Ex	180.00
Baker & Taylor, Su	2,975.21
Charlotte Baldinger, Mi	27.60
Barcel Landscape Product, Su	179.50
Bill/Barbara Bird, Misc	600.00
Black Hills Energy, Ut	1,918.81
Robert Blevens, Misc	1,200.00
Nickalas Bloebaum, Ex	90.00
Blue River Electric, Bu	126.00
Blue River Jewelry, Misc	48.00
Blue River Umpires Assn, Ex	155.00
Blue Valley Contracting, Se	464.00
Kent Brunckhorst, Ex	90.00
CLIA Laboratory, Se	150.00
Zach Cambier, Ex	170.00
Capital Business Systems, Ma	79.00
Capital Business Systems, Ma	225.00
Cash-Wa Distributing, Su	473.04
Alan Cihal, Ex	90.00
Library Petty Cash, Su	86.63
City-Merchant Services, Se	1,050.30
Water Dept, Ex	2,400.00
Cline Williams Law Firm, Se	962.00
ME Collins Contracting, CI	47,601.97
Commonwealth Electric, Re, Gu	722.02
Company Care, Se	22.00
Concordia University, Ex	1,950.00
Consolidated Mgmt, Su	185.00
Country Woman Magazine, Su	29.98
Cummins Central Power, Re	118.29
DX Enterprise, Re	72.79
Danko Emergency Equipment, Su	69.27
Dean Davis, Ex	110.00
Davisson Furniture, Bu	39.01
John Deere Landscapes, Su	413.60
Diamond Vogel, Su	443.80
Clayton Dredge, Ex	90.00
Bryan Duer, Ex	90.00
Dan Duffek, Ex	90.00
EMC Insurance, Ins	1,220.54
Electronic Contracting, Se	240.00
Elifeguard, Su	263.47
Engineered Controls, Bu	240.00
Environmental Resource, Su	161.21
Faller Landscape, Su	821.75

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Farmers Coop, Su	4,583.39
Fast Mart, Su	84.84
Fastenal Company, Su, Re	343.00
Steve Ferguson, Ex	90.00
Nathan Foley, Ex	55.00
Matthew French, Ex	90.00
Jeremy Geidel, Ex	55.00
General Fire & Safety Equip, Bu	561.00
Jared Gerdes, Mi	92.00
Gerhold Concrete, Gu, Su	1,686.93
Edward Gonzalez, Ex	90.00
Grainger, Su	113.52
H & S Plumbing, Heating, AC, Bu	121.85
Hamilton County Sheriff, Se	47.79
Dan Hansen, Ex	90.00
Hemphill Electric, Gu	826.87
Hireright Solutions, Se	34.15
Jared Hochstein, Ex	90.00
John Hughes, Ex	90.00
Husker Electric, Re	223.63
Huskers Illustrated, Su	62.95
JC Repair & Service, Re	189.35
Jackson Services, Ma	183.93
Janway Company, Su	121.31
Randy Johner, Ex	90.00
Jerry/Marcy Kremer, Ex	30.00
Kriz-Davis, Re	8,151.43
Last Mile Network, Se	90.00
Lee's Refrigeration, Bu	223.11
Lincoln Tree Service, Se	6,525.00
Matheson Tri-Gas, Su	118.50
Mead Lumber & Rental, Re	83.75
Memorial Health-Drug, Se	60.00
Menards, Gu, Su	334.92
Merle's Garden Center, Gu	40.00
Metering & Technology Solution, Su	2,811.67
Brian Meyer, Ex	60.00
Mid-American Benefits, Ins	416.33
Midwest Auto Parts, Re, Su	305.33
Midwest Automotive, Re	1,532.47
Midwest Laboratories, Se	717.08
Midwest Turf & Irrigation, Re	525.12
Robert Miers, Ex	90.00
John Moody, Ex	220.00
Municipal Automation & Control, Re	970.50
Nebraska Crime Commission, Su	32.00
Nebraska State Historical, Ex	32.00
Nebraska Workforce Development, Ex	54.00
Nebraska Library Commission, Se	1,548.00
Nebraska Power Review Board, Dues	1,201.90
Nebraska Pub Power, Ut	564,385.76
Nebraska Sports, Su	71.09
Niemann's Port-A-Pot, Gu	350.00
OCLC, Su	174.61
John O'Kief, Ex	90.00
O'Reilly Auto Parts, Su, Re	44.14
Odeys, Su	239.25
Olsson Associates, Eq	1,145.55
One Call Concepts. Se	133.40

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Orscheln Farm & Home, Su, Re	379.63
Donna Otte, Ex, Mi	67.71
Pac N Save, Su	134.59
Henry Pankoke, Se	220.00
Brent Pedersen, Ex	90.00
Dylan Penas, Ex	45.00
Logan Penas, Ex	45.00
Plains Equipment Group, Re	10.77
Brandon Policky, Ex	90.00
Cody Pollak, Ex	90.00
Douglas Pollak, Ex	149.00
Precision Tool & Machine, Re	105.50
Quill Corp, Su	334.71
Reams Sprinkler, Re, Ci	5,967.45
Record Automatic Doors, Bu	409.62
Tim Richtig, Ex	90.00
Larry Ruether, Ex	90.00
Patricia Sanley, Ex	90.00
Schaefer Concrete, Re	2,985.74
Troy Schaefer, Ex	90.00
Seward County Clerk, Se	54.00
Seward County Independent, Misc, Ex	1,114.89
Seward County Public Power, Ut	1,431.49
Seward County Sheriff, Ex	18.50
Seward County Treasurer, Se	14,959.33
Seward Lumber & Home, Su, Re, Gu	1,157.29
Seward School District, Ex	75.00
Cameron Smith, Ex	60.00
Michelle St. Louis, Ex	90.00
Stutzman Digging, Re	465.00
Suhr & Lichty Ins, Ins	475.00
Supplyworks, Su	143.96
Sysco Lincoln, Su	377.25
Dan Thurber, Ex	30.00
Tiger Direct, Eq	1,007.94
US Postal Service, Su	238.00
Upstart, Su	88.97
Jack Vavra, Se	4,085.78
Verizon Wireless, Se	50.08
Visa	137.30
Gotprint.com, Su	46.43
Walmart, Su	34.91
RS*Name.com, Se	49.99
Hobby-Lobby, Su	5.97
Jennifer Waller, Ex	75.00
Mark Wattier, Ex	90.00
Week Magazine, Su	198.90
Windstream Nebraska, Se	2,611.16
Brandon Wood, Ex	135.00
Woods & Aitken, Se	2,533.30
Total	867,823.39

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

3. CONSIDERATION OF MAYOR'S APPOINTMENTS

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Councilmember Beck moved, seconded by Councilmember Pike, that Mayor Eickmeier's appointment of Councilmember Jonathon Wilken to the Community Redevelopment Authority (CRA) for Tax Increment Financing to replace Councilmember Lieske be approved.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

Councilmember Fritz moved, seconded by Councilmember Pike, that Mayor Eickmeier's appointment of Councilmember Jonathon Wilken to the Community Development Block Grant (CDBG) Application Review Board for Economic Development (Program Loan Reuse) to replace Councilmember Lieske be approved.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

4. PUBLIC HEARING - 7:00 P.M. - REVIEW THE FUNCTIONING AND PROGRESS OF THE SEWARD ECONOMIC DEVELOPMENT PROGRAM (LB840) FUNDED BY LOCAL CITY SALES TAX

Greg Walz, Citizen Advisory Review Committee Member, 726 Bader Avenue, addressed the City Council presenting the semi-annual report in response to review and progress of the Seward Economic Development Plan. The report indicated the Committee met on June 24, 2015 and the Committee felt the Economic Development Plan is operating as intended and the Committee had no comments or recommendations.

Mayor Eickmeier opened the public hearing. Hearing no comments, Mayor Eickmeier closed the public hearing.

Councilmember Hans moved, seconded by Councilmember Singleton, to accept the semi-annual report from the Citizens Advisory Review Committee dated June 24, 2015 on the functioning and progress of the Seward Economic Development Program (LB840) funded by local City sales tax.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

5. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF AMENDING THE AREA WITHIN THE CITY TO BE SUBSTANDARD AND BLIGHTED AND IN NEED OF REDEVELOPMENT

Building/Zoning & Codes Enforcement Director Ed Gonzalez addressed the City Council stating this amended blighted area now includes the Lincoln/Seward Rail Campus development area. The property must be determined to be blighted and substandard to qualify for Tax Increment Financing. The Planning Commission considered the amended blighted area at a public hearing on July 13, 2015 with unanimous approval of the amended area. Mr. Gonzalez stated, if approved, the City will have 29% of total City acres declared blighted; the maximum is 35%. He also added that the western portion of the proposed development site would need to be annexed into the City for Tax Increment Financing consideration. He stated, while not required by law, the property owners affected by this proposed amended blighted area were notified of the proposed amendment and the public hearing. He stated he is not aware of any other areas that are being proposed for development that would need to be blighted.

Mayor Eickmeier opened the public hearing. Hearing no comment, Mayor Eickmeier closed the public hearing.

Councilmember Pike introduced the following resolution:

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RESOLUTION NO. 2015-18

WHEREAS, the Mayor and City Council of the City of Seward, Nebraska, have by ordinance created the Community Redevelopment Authority of the City of Seward as authorized by the Community Development Act; and

WHEREAS, the Mayor and City Council of the City of Seward, Nebraska have identified an area within the City to be substandard and blighted and in need of redevelopment, such area described as follows:

Legal Description of Blighted Area - Seward, NE

Beginning at the NE corner of Lot 1, Block 85, Cloyds Addition, and heading west to the NW corner of Block 85 Cloyds Addition, then south to the NW corner of Lot 12, Block 85 Cloyds Addition, then west to the NW corner of Lot 12, Block 84, Cloyds Addition, then south to the SW corner of Block 41, Cloyds Addition, then west to the NW corner of Lot 1, Block 39, Cloyds Addition, then south to the NW corner of Lot 10, Block 39, Cloyds Addition, then west to the NW corner of Lot 7, Block 39, Cloyds Addition, then south to the NW corner of Block 8, Seward Original Town, then west to the NW corner of Block 57, Seward HM & R Addition, then south to the SW corner of Block 55, Seward HM & R Addition, then west to the SW corner of Block 52, Seward HM & R Addition, then south to the SW corner of Block 45, Seward HM & R Addition, then west to the SW corner of Block 46, Seward HM & R Addition, then north to the NE corner of Block 47, Seward Miers Subdivision, then west to the NW corner of Block 47, Seward HM & R Addition, then north to the NE corner of Block 49, Seward HM & R Addition, then west to the NW corner of Lot 4, Block 49, Seward HM & R Addition, then south to the NW corner of Lot 4, Block 48, Seward HM & R Addition, then east to the NW corner of Lot 3, Block 48, Seward HM & R Addition, then south to the SW corner of Lot 10, Block 33, Seward HM & R Addition, then west to the SW corner of Block 33, Seward HM & R Addition, then south to the SW corner of Block 16, Seward HM & R Addition, then east to the SE corner of Lot 9, Block 16, Seward HM & R Addition, then north to the NE corner of Lot 4, Block 16, Seward HM & R Addition, then east to the NE corner of Block 15, Seward HM & R Addition, then south to the SW corner of Block 14, Seward HM & R Addition, then east to the SE corner of Block 12, Seward HM & R Addition, then north to the NW corner of Block 27, Seward HM & R Addition, then east to the NW corner of Lot 5, Block 27, Seward HM & R Addition, then north to the NW corner of Lot 8, Block 38, Seward HM & R Addition, then east to the NW corner of Lot 10, Block 38, Seward HM & R Addition, then north to the SW corner of Lot 10, Block 43, Seward HM & R Addition, then east to the SW corner of Block 23, Seward Original Town Addition, then south to the SW corner of Block 12, Burlington Addition, then east to the SW corner of Block 11, Missouri Addition, then east to the SE corner of Block 11, Missouri Addition, then south to the SW corner of Block 10, Missouri Addition, then east to the SE corner of Block 10, Missouri Addition, follow Highway 15 south to Walker Rd, then west to the SW corner of the SE ¼ NE ¼ SEC 29 T11N R3E, then north to the NE corner of the SE ¼ NE ¼ SEC 29 T11N R3E, then west to the NW corner of the SW ¼ NW ¼ SEC 29 T11N R3E, then south to the SW corner of the SW ¼ SEC 29 T11N R3E, then east to 280th Street, then south to the NE corner of the South Crest 4th Addition, then west to the NW corner of the South Crest 4th Addition, then south to the SW corner of the South Crest 2nd Addition, then east to the SE corner of the South Crest 2nd Addition, then south to the SW corner of South Crest 3rd Addition, then east to Highway 15, then north to the SW corner of the NPPD SUB, then east to the SE corner of the NPPD SUB, then north to the NE corner of the NPPD SUB, then west to the NW corner of the NPPD SUB, then north to Lot 1, Plaza South Subdivision, then west to the NW corner of the Twin Oaks 1st Addition, then north to NW corner of the SW ¼ SE ¼ SEC 29 T11N R3E, then east to Highway 15, then follow Highway 15 north to the SW corner of Block 7, Railroad Addition,

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then east to the SE corner of Block 4, Boyes Addition, then north to the NW corner of Lot 7, Block 18, Seward Original Town, then east to the NE corner of Lot 8, Block 16, Seward Original Town, then south to South St, then east to Highway 34, then follow Highway 34 to the SE corner of Block 15, Seward Original Town, then north to the NE corner of Lot 8, Block 15, Seward Original Town, then west to the SE corner of Lot 5, Block 13, Seward Original Town, then north to the NE corner of Block 34, Seward Cloyd's Addition, then west to the SW corner of Lot 6, Block 43, Seward Cloyd's Addition, then north to the NW corner of Lot 2, Block 43, Seward Cloyd's Addition, then east to the NE corner of Lot 2, Block 43, Seward Cloyd's Addition, then north to the NE corner of Block 43, Seward Cloyd's Addition, then west to the SE corner of Block 85, Seward Cloyd's Addition, then north to the NE corner of Block 85, Seward Cloyd's Addition, arriving back to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA as follows:

1. The City Council of the City of Seward hereby declares the afore-described area to be a substandard and blighted area in need of redevelopment

All previous resolutions in conflict with this resolution are hereby revoked.

Councilmember Fritz moved, seconded by Councilmember Pike, that the resolution be adopted. Upon vote, the following Councilmembers voted Aye: Beck, Fritz, Pike, Singleton, Hans. Nay: None. Absent: Wilken, Kamprath, Schmit.

The Mayor declared the resolution adopted.

Dated this 21st day of July, 2015.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator
Clerk-Treasurer
Budget & HR Director

(SEAL)

6. CONSIDERATION OF A PLAN FOR STORM WATER RUNOFF AND SANITARY SEWER IMPROVEMENTS FOR ST. JOHN'S NEW DAYCARE CENTER TO BE LOCATED AT HILLCREST DR. AND COLUMBIA AVE

- A. Consideration of financial participation in the relocation of sanitary sewer line and improvements
- B. Consideration of financial participation in the relocation of storm sewer and consideration of constructing a new storm sewer line

City Administrator Bruce Smith addressed the City Council stating St. John's Church came to the City Council June 2, 2015 requesting financial participation in the relocation and replacement of a sewer line and financial participation in constructing a new storm sewer line. On July 7, 2015, the City Council approved payment for replacing the north/south sewer line to the west of the new development, at a cost of \$52,000. Mr. Smith stated

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Water/Wastewater Director Tim Richtig does not believe the City should assist with the relocation of the existing 8" sanitary sewer line that runs under the private property. Mr. Smith stated, with regard to participating with building a new 48" storm sewer and accepting land from St. John's for a retention cell, additional review/study needs to be done. He added that none of these projects are included in the current budget.

Additional discussion was held on dollar amounts requested from St. John's Church, whether the project consideration should be included in upcoming budget discussions, the actual dollar amount requested by St. John's Church, and how the cost share would be applied, including the proposed retention cell property.

Councilmember Singleton moved, seconded by Councilmember Beck, that consideration of financial participation in the relocation of sanitary sewer line and improvements, relocation of storm sewer, and construction of a new storm sewer line be tabled until the City Administrator can meet with St. John's Church to clarify the City's participation in these projects and the funding requested.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

7. CONSIDERATION OF A NON-BINDING LETTER OF INTENT REGARDING PROJECT HOT MILL

Darl Naumann of Ayars & Ayars, 2436 N 48th St, Lincoln, addressed the City Council stating letters of intent are common tools for economic development projects and he has been involved with them when he worked for the State of Nebraska and City of Lincoln. He stated he prepared the proposed letter of intent and added that this is a non-binding document. He added that he contacted the developer regarding proposed language change in the first sentence, which the developer approved. The language read, "The City of Seward is ~~committed~~ determined to ~~having~~ have your company become the flagship industry of the Seward/Lincoln Regional Rail Campus." Mr. Naumann stated, if approved, he believes Mr. Havens can take this to his investors to assist in moving forward to the next stages of the project.

City Attorney Kelly Hoffschneider stated, that he agrees the letter is a non-binding letter of intent and he does not have a concern with how the letter is written or with the proposed language change.

Mayor Eickmeier reiterated the non-binding intent of the letter and added that the City Council will have several opportunities for voting on moving forward with the project, which includes a Tax Increment Financing application, redevelopment agreement and plan, annexation, and bonding.

Jessica Kolterman, 1059 Plainview, Seward, stated she is a business owner, a member of the Seward County Economic Development Corporation and the Chamber of Commerce and is very interested in opportunities to grow the City of Seward. She stated she supports the proposed Letter of Intent. She said she fears that if the City chooses to not sign the letter, it may appear to this company and other potential developers that the community is not interested in developing the rail campus.

Gerald Homp, 1210 Eastridge, Seward, stated he is one of the owners of Bottle Rocket Brewing and as a new business owner, feels this is a great opportunity for the community. He stated the letter of intent indicates the community is excited about the project and will not only bring in a projected 150 employees, but their families as well.

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Diana Garske, 432 S Columbia Ave, Seward, stated she is a Seward County Commissioner and she and other Commission Members had the opportunity to attend one of the meet and greet sessions with the proposed developer and the feedback on the project has been positive. She stated, as a member of the SCEDC, she also is excited for the opportunities.

Councilmember Beck moved, seconded by Councilmember Singleton, that the proposed nonbinding Letter of Intent regarding Project Hot Mill be approved, contingent upon the wording changed in the first sentence from "...committed to having..." to "...determined to have..." as this wording is more consistent with the remainder of the letter.

Aye: Hans, Beck, Pike, Fritz, Singleton

Nay: None

Absent: Wilken, Kamprath, Schmit. Motion carried.

8. CONSIDERATION OF SUPPLEMENTAL AGREEMENT NO. 1 WITH JEO CONSULTING GROUP, INC FOR NEBRASKA DEPARTMENT OF ROADS (NDOR) KAROL KAY BLVD, BADER-HILLCREST PROJECT FOR ENGINEERING AND DESIGN OF MITIGATION PLAN AND SITE

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2015-19

Whereas: City of Seward and JEO consulting Group, Inc., have previously executed a Preliminary Engineering Services Agreement (BK1329) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Seward understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

Whereas: City of Seward and JEO Consulting Group, Inc. wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Seward, Nebraska that:

Joshua Eickmeier, Mayor of the City of Seward, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between the City of Seward, and JEO Consulting Group, Inc.

NDOR Project Number: URB-6763(1)

NDOR Control Number: 13161

NDOR Project Description: Karol Kay Blvd., Bader-Hillcrest

Councilmember Hans moved, seconded by Councilmember Singleton, that the resolution be adopted. Upon vote, the following Councilmembers voted Aye: Beck, Fritz, Pike, Singleton, Hans. Nay: None. Absent: Wilken, Kamprath, Schmit.

Adopted this 21st day of July, 2015 at Seward, Nebraska.

July 21, 2015

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator/
Clerk-Treasurer
Budget & HR Director

(SEAL)

9. CONSIDERATION AND APPROVAL OR DISAPPROVAL OF PROPOSED SETTLEMENT OF ALL
PENDING CLAIMS BY BRETT BAKER AGAINST THE CITY OF SEWARD

City Attorney Kelly Hoffschneider stated this agenda item is for the City Council to consider a settlement agreement for all pending claims with former City Administrator Brett Baker. He recommended the Council consider going into executive closed session to review the details of the proposed settlement.

Councilmember Fritz moved, seconded by Councilmember Hans, that the City Council, Mayor, City Attorney Hoffschneider, and Attorney Randall Goyette (hired by Employer's Mutual Insurance - City's insurance carrier) enter into executive closed session for the protection of the public interest and pursuant to Neb. Rev. Stat. Section 84-1410(1) to discuss a proposed settlement agreement of all pending claims by Brett Baker against the City, which constitutes pending litigation or litigation which is imminent as evidenced by communication of a claim or threat of litigation against the City of Seward, with the closed session lasting no more than thirty minutes.

Aye: Hans, Beck, Pike, Fritz, Singleton
Nay: None
Absent: Wilken, Kamprath, Schmit. Motion carried.

Mayor Eickmeier stated the City Council voted to enter into executive closed session for the protection of the public interest and pursuant to Neb. Rev. Stat. Section 84-1410(1) to discuss the a proposed settlement of all pending claims by Brett Baker against the City, which constitutes pending litigation or litigation which is imminent as evidenced by communication of a claim or threat of litigation against the City of Seward, with the closed session lasting no more than thirty minutes, and to include City Council, Mayor, City Attorney Hoffschneider, and Attorney Randall Goyette.

The executive closed session began at 7:43 p.m.

At 8:01 p.m., Councilmember Fritz moved, seconded by Councilmember Singleton, that the Council return to open session and stated no formal action was taken by the City Council during the closed session.

Aye: Hans, Beck, Pike, Fritz, Singleton
Nay: None
Absent: Wilken, Kamprath, Schmit. Motion carried.

The following Councilmembers were present: Ellen Beck, Dean Fritz, Barbara Pike, John Singleton, Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Councilmembers Jon Wilken, Sid Kamprath, and Chris Schmit.

July 21, 2015

Councilmember Singleton moved, seconded by Councilmember Fritz, that the City agrees to pay Brett Baker the sum of \$50,000, less all customary and usual withholdings, and the City's insurance carrier will pay to or on behalf of Brett Baker the sum of \$50,000, a portion of which will be paid directly to his attorneys, as settlement of Brett Baker's contract claims, tort claims, civil rights claims, Department of Labor claims and any and all other claims asserted against the City of Seward, and that the Mayor be directed to execute any and all documents relevant to the settlement of said claims.

Aye: Hans, Beck, Fritz, Pike, Singleton

Nay: None

Absent: Schmit, Wilken, Kamprath. Motion carried.

10. CITY ADMINISTRATOR REPORT

Bruce Smith presented an update on City projects. Mr. Smith reported that the grant application for purchase of the building to the north of the Civic Center, was not successful.

Mayor Eickmeier stated, the City will likely not pursue obtaining this property until there is a clear revenue source or other ideas for obtaining this property.

Councilmember Singleton moved, seconded by Councilmember Pike, that the City Administrator's Report dated July 21, 2015 be accepted.

Aye: Hans, Beck, Fritz, Pike, Singleton

Nay: None

Absent: Schmit, Wilken, Kamprath. Motion carried.

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

12. ANNOUNCEMENT OF UPCOMING EVENTS

None

13. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the July 21, 2015 City Council Meeting adjourn.

Aye: Hans, Beck, Fritz, Pike, Singleton

Nay: None

Absent: Schmit, Wilken, Kamprath. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator
Clerk-Treasurer
Budget & Human Resources Director

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G2

CONSIDERATION OF CONSENT AGENDA

Claims & Payables Reports

Publication of Salaries in Accordance with Section 19-1102 of the Nebraska State Statute

Approve Refuse Hauler's License - Callaway Rolloffs, LLC - David City

Seward County Economic Development Corporation Director's Report

Infrastructure Cost Items Reimbursable Back to the City

Administrative Report: After review of listed Consent Agenda items and supporting documents/reports, one motion to approve the consent agenda would be in order. Council may choose to pull any item from the Consent Agenda and consider/act on it separately.

Staff Contact:

CLAIMS LIST
8-4-15
COUNCIL MEETING

Abbreviations: Bu, Building Upkeep; Eq, Equipment; Ex, Expense; Ma, Maintenance; Mi, Mileage; Misc, Miscellaneous; Re, Repairs; Sa, Salaries, Se, Services; Su, Supplies; Ut, Utilities, CI, Capital Improvements, Gu, Grounds Upkeep.

Alliance Technologies	Se		\$ 3,790.00
Allied Surveying & Mapping	Se		\$ 110.00
Ameritas Life Insurance Co	Retirement		\$ 5,942.41
Aqua-Chem Inc	Su		\$ 1,730.05
Awards Unlimited Inc	Misc		\$ 45.00
Blue Cross Blue Shield Ne	Ins		\$ 51,520.84
Campbell Cleaning & Restoration	Re		\$ 135.19
Capital Business Systems	Ma		\$ 322.70
Carroll Dist/Const Supply	Su, Re		\$ 920.00
Chase Card Service			\$ 1,614.53
DLT Solutions	Su	\$1,046.37	
Walmart	Su	\$453.36	
Zoomshift, Inc	Se	\$70.00	
ARC*Services/Training	Trng	\$27.00	
RepairClinic.com	Gu	\$17.80	
City Seward Buildings/Gr	Operations		\$ 2,000.00
City Seward Electric Fund	Ut		\$ 86,747.21
City Seward Library Petty	Su		\$ 105.24
City Seward Payroll Account	Payroll 07-17-15		\$140,609.42
Consolidated Management	Meals		\$ 157.00
Constellation Newengergy	Ut		\$ 90.79
Core Robert	Ex		\$ 90.00
Danko Emergency Equipment	Re, Su		\$ 376.67
Delta Dental	Ins		\$ 1,333.10
Dillon Jason	Se		\$ 100.00
Dutton-Lainson Co	Ci		\$ 34,600.00
Elifeguard Inc	Su		\$ 104.72
Else Regan	Refnd		\$ 30.00
Fastenal Company	Su, Re		\$ 206.01
Fields Kevin / Deidra	Refnd		\$ 30.00
Fyr-Tek	Re		\$ 1,400.00
General Fire & Safety Equipment	Bu		\$ 488.85
Gerdes Jared	Mi		\$ 184.00
Gerhold Concrete Co Inc	Su, Re, Ci		\$ 6,647.12
Great Plains Communications	Se		\$ 850.00
H & S Plumbing Heating & Hawkins Inc	Bu		\$ 282.00
Helmlink Printing Inc	Su		\$ 2,268.77
Hobson Automotive & Tire	Su		\$ 489.00
Husker Electric Supply Co	Re		\$ 106.51
Hydraulic Equipment Service	Re, Equip		\$ 617.17
Jackson Amanda	Re		\$ 409.73
Jackson Services Inc	Refnd		\$ 35.00
Klute Truck Equipment	Ma		\$ 108.68
Kriha Fluid Power	Eq		\$ 4,833.80
Kriz-Davis Co	Re		\$ 67.37
	Su		\$ 902.01

L T R Products Llc	Bu		\$ 19,670.00
Last Mile Network Consult	Bu, Se		\$ 454.00
Latsch'S	Su		\$ 13.02
Matheson Tri-Gas Inc	Su		\$ 7.70
Memorial Health-Meals	Meals		\$ 2,094.96
Menards	Bu, Gu		\$ 74.62
Merle'S Garden Center	Re		\$ 161.70
Mid-American Benefits Inc	Ins		\$ 1,866.52
Midwest Turf & Irrigation	Re		\$ 385.00
Nebraska Equipment Inc	Su		\$ 30.46
Nebraska Health Environment	Se		\$ 1,664.00
Nebraska Notary Association	Ex		\$ 100.00
Northern Safety Co Inc	Su		\$ 274.07
Olsson Associates	Se		\$ 27,428.66
O'Reilly Auto Parts	Re		\$ 6.62
Orscheln Farm & Home	Su, Bu, Ma		\$ 195.85
Pitney Bowes Inc	Ex		\$ 105.00
Plains Equipment Group In	Re, Su, Gu		\$ 93.50
Plunkett'S Pest Control	Bu		\$ 57.32
Poley Jennifer	Refnd		\$ 35.00
Precision Tool & Machine	Su		\$ 30.00
Principal Financial Group	Ins		\$ 662.66
Reams Sprinkler Supply	Su		\$ 245.10
Ri-Tec Industrial Product	Su		\$ 220.00
Sack Lumber Company	Re		\$ 75.00
Sam'S Club (Lib-Rec-Pool)	Su		\$ 207.48
Sam'S Club (Sen Center)	Su		\$ 481.41
Seward Electronics	Re		\$ 37.45
Seward Kiwanis Club	Su		\$ 42.00
Shelton James	Refnd		\$ 68.75
Smith Bruce	Ex		\$ 100.00
Smith Michael	Ex		\$ 90.00
Superior Lamp Inc	Bu		\$ 323.87
Tiger Direct Inc	Su		\$ 453.35
Time Warner Cable	Se		\$ 79.38
U S Cellular	Se		\$ 228.32
Visa - Pinnacle Bank			\$ 196.73
WPUS CC NSP Crime	Misc	\$54.00	
Hobby-Lobby	Su	\$32.77	
Gift Theory Clockway	Ma	\$97.98	
Walmart	Su	\$11.98	
Vrbka Amy	Refnd		\$ 35.00
			<hr/>
	CLAIMS TOTAL		\$410,695.39

SALARY CERTIFICATION LIST (UPDATED JULY, 2015)Consent Agenda Item - Publication of SalariesMinutes:

a. Publication of Salaries - Publication of Salaries in accordance with Section 19-1102 of the Nebraska State Statutes:

<u>Class Title</u>	<u>No. of Employees</u>	<u>Pay Range</u>
Account Clerk I	1	\$ 15.43
Util. Billing Clerk/Cust. Serv. Rep.	1	19.15
Account Clerk III	1	16.65
Assistant Library Director	1	3,727.00
Library Assistant II/Social Media/IT	1	17.24
PT Library Assistant I/Children's Outreach	1	12.99
PT Library Assistant I/Community Outreach	1	12.99
PT Library Assistant I	1	11.62
Library Clerk	6	8.65 - 11.22
Bldg./Zoning/Code Enforcement Officer	1	4,359.00
Permits Technician	1	11.77
Civic Center Live-in Caretaker	1	8.15 - 9.86
Custodian	3	12.40 - 17.32
Asst. Power Director/Line Crew Chief	1	30.41
Lineman First Class	4	25.66 - 27.87
Meter Reader	1	18.92
Seasonal Electric Groundman	1	18.71
Pub. Prop. Caretaker II	4	17.63 - 19.07
Asst. Park Dir.	1	21.14
Pub. Prop. Summer Laborer	3	9.03 - 9.27
Street Maint. Worker II	1	19.23
Street Maint. Worker I	3	13.68 - 17.28
Street Foreman	1	22.48
Street Seasonal Laborer	1	9.75
Recycling Center Worker	1	13.15
Facility Maint. Supervisor	1	22.54
Wastewater Treatment/Water Plant Operator	1	23.79
Utility Maint. Worker I	2	16.62 - 19.22
Utility Maint. Worker II	1	26.19
Water/Wastewater Summer Laborer	1	9.03
Aging Service Commission Asst.	1	13.11
Recreation Director Assistant	1	3,456.00
Recreation Summer Laborer	2	9.03 - 9.99
Pool Manager	1	11.16
Assistant Pool Manager	5	9.23 - 10.98
Lifeguard	35	8.00 - 9.25
Pool Office Worker	8	8.00 - 9.73
Swim Program Coordinator	1	10.39
Pool Lesson/Water Safety Instructor	2	9.00 - 10.00
Police Officer I	2	18.45 - 19.20
Police Officer II	5	20.85 - 24.02
Police Sergeant	1	27.87
Asst. Police Chief	1	5,358.00
Admin. Secretary/Records Clerk	1	18.09
Community Service Officer	1	16.21
City Administrator	1	8,497.00
Asst. Admin/Clerk-Treas./Budget/HR Dir.	1	6,256.00
Deputy Clerk/Finance Dir./Asst. Treasurer	1	4,676.00
Electric & Power Resource Dir.	1	6,286.00
Water/Wastewater Supt.	1	5,980.00
Police Chief	1	6,706.00
Street/Trans. & Recycling Supt.	1	6,455.00
Parks/Recreation/Cemetery Dir.	1	5,282.00
Civic Center Manager	1	3,083.00
Library Dir.	1	4,885.00
Pub. Fac./Cap. Imp. & GIS Dir.	1	5,542.00
Mayor	1	5,000.00 per yr.
Councilmember	8	2,400.00 per yr.

APPEARS ON CONSENT AGENDA FIRST MEETING IN AUGUST (ALL SALARIES)

(WP, PAYROLL FORMS, "SAL-CERT")

**PLEASE RETURN THIS FORM, ALONG WITH \$25.00 PER TRUCK, TO CITY OF SEWARD,
P.O. BOX 38, SEWARD NE 68434 - NO LATER THAN DECEMBER 31, 2014**

**2015 APPLICATION FOR LICENSE
TO COLLECT, HAUL OR CONVEY GARBAGE
OR REFUSE FOR HIRE**

Name of Applicant Callaway Rolloffs LLC
Residence Address 216 N 4th St.
Business Location David City NE 68432
Telephone Number 402-367-3867

<u>Ownership of Vehicle(s) to be used</u>	<u>Number & Kind of Vehicles</u>	<u>Description</u>
<u>LLC</u>	<u>2</u>	<u>Rolloff trucks 1-RedKW, 1-White Pete</u>

**Bond filed with the Administrator Assistant/City Clerk-Treasurer in the sum of
\$1,000.00.**

Name of Bonding Company: Old Republic Surety Company

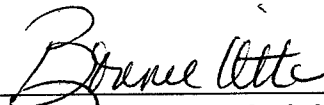
Date Filed; 7-31-15

Approved by the Seward City Council on _____

License Fee 50.00 Date Paid 7-31-15

License valid from 7-31-15 to 12-31-15

License Issued _____



**Assistant Administrator
Clerk-Treasurer/Budget & HR Director**

**Seward County Economic Development Corporation
Activities Report – Jonathan Jank**

Director's Report – July 31, 2015

Report period: 5/24/2015-7/31/2015

Presentations

- Submitted articles, quotes, and/or press releases for the Seward County Independent
- Promoting SCEDC via Facebook page and website updates
- Seward/Lincoln Regional Rail Campus meetings (Multiple)
- Presentations for EntrepreneurShip Investigation (ESI) Camp for Middle School Students in Seward County (Multiple)
- Presentations to City of Milford, Seward County Commissioners, and Village of Utica to present annual report and funding request for the SCEDC (Multiple)
- Quoted in Omaha World Herald Rural Futures Institute article (7/27)

Financial Information

- Seward County Economic Development Corporation Primary Account Balance: \$35,960.95
- Seward County Economic Development Corporation Secondary Account Balance: \$41,580.36
- Fundraising:
 - ➔ Recent donations/grants:
 - Private Sector Annual Contributions (Pledges, Cash, and Donation of Facilities) to the SCEDC – Ayars and Ayars (\$833.36) and Edward Jones (\$125)
 - Debit Card Dime-A-Time – \$0.60 and \$0.30
- Events:
 - SCEDC Grant Funded Economic Development Research Trip in Europe – May 23 – June 13
 - EntrepreneurShip Investigation (ESI) Camp for Middle School Students in Seward County – June 23 – 27
- Upcoming Events:
 - SCEDC Come and Learn Events about the Seward County Justice Center – August 3
 - Community Venture Network – August 21 and December 18
 - National Manufacturing Day – October 2
 - Rural Opportunities Fair – October 21
 - University of Oklahoma Economic Development Institute – December 6 – 10

Administration

- Meetings:
 - Seward County Bridges Board (Board Meeting – 6/23 and 7/28)
 - Seward Area Development Corporation (Luncheon Meeting – 6/25 and 7/30)
 - Seward County Economic Development Corporation (Board Meeting – 6/25; Committee Meetings – 6/25 and 7/10)
 - Seward City Council Meeting (Bi-Monthly Meeting – 6/16, 7/7, 7/21)
 - Milford City Council Meeting (Presentation about SCEDC – 7/7)
 - Village of Utica Trustees Meeting (Presentation about SCEDC – 7/6)
 - Seward County Commissioners Meeting (Presentation about SCEDC – 6/30)

Membership Meetings

- Milford Chamber of Commerce (Monthly Luncheon – 7/9)
- Utica Commercial Club (Monthly Luncheon – None)
- Seward Area Chamber of Commerce (Monthly Luncheon – 7/14)
- Seward Kiwanis Club (Monday Meetings)
- Seward County Interagency Council (None)
- Milford Community Development (Downtown Revitalization Meetings – Multiple)
- Utica NEDED Downtown Revitalization Application (Meeting – Multiple)
- Lincoln Area Development Partnership (None)
- Southeast Nebraska Development District/Southeast Resource Network (None)
- UNL President's Advisory Council (None)
- Community Change Catalyst with the Sherwood Foundation (7/17)

Trainings

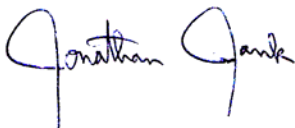
- None

Projects (works in progress)

- Working on Project Hot Mill for the Seward/Lincoln Regional Rail Campus – Multiple meetings, conference calls, and written correspondence
- Hosted a site visit in Seward County for an interested restaurateur
- Working on building a fiber optic network to the home for Seward County communities
- Hosted site visits for downtown revitalization grant applications in Milford and Utica with the Nebraska Department of Economic Development
- Conducting Seward downtown consumer surveys and planning for downtown building and business owner interviews
- Working on hiring an assistant director for Seward County Economic Development Corporation
- Planning Connecting Young Professionals Regional training/networking event in Seward County
- Working on annual SCEDC audit
- Working on annual SCEDC membership campaign
- Working with multiple new recruitment projects and entrepreneurs across Seward County to find suitable sites and buildings
- Provided job opening information to multiple contacts inside and outside of Seward County
- Answered multiple phone calls and e-mails about suitable housing in Seward County
- Working with multiple businesses to find and hire the quality talent for their businesses to grow in Seward County
- Working on submitting the Leadership Community application for City of Milford
- Responded to dozens of e-mails regarding requests for information about future development opportunities in Seward County
- Working on planning for many upcoming events (see above) in Seward County and to promote Seward County...

Holiday and Vacation – Grant Funded Research Trip from May 23 through June 15 (Two Weeks' Vacation); May 25 and July 3 (Holidays); July 31 (Half-Day Vacation)

Signature:



Date: 7/31/15



City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G3

CONFIRMATION OF MAYOR'S APPOINTMENTS - Mayor Eickmeier

Civic Center Commission - 3 yr term - Reappointment of Betty Jean Kolterman; appointment of Juanita Goings to replace Gerald Rathje (deceased)

Electrician's Board - 2 yr term - Reappointment of Cory Mueller; appointment of Mike Langner to replace Donald Baack (deceased); reappointment of Ed Gonzalez and Larry Ruether

LB840 Sales Tax Application Review Board for Economic Development - 3 yr term - Appointment of Jessica Kolterman to replace Gary Fett (resigned)

Administrative Report: Following review and discussion, a motion to confirm the Mayor's each of the appointments would be in order.

Staff Contact:

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G4

CONSIDERATION OF APPROVAL OF KAYLA EISENMENGER AS MANAGER OF VETERAN'S FW POST #4755, 243 S 9TH ST, CLASS C LIQUOR LICENSE - Bonnie Otte

Administrative Report: Following review and discussion, a motion to approve Kayle Eisenbenger as Manager of Veteran's FW Post #4755 Class C Liquor License would be in order.

Staff Contact:



Pete Ricketts
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Robert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814 or (402) 471-2374

TRS USER 800 833-7352 (TTY)

web address: <http://www.lcc.ne.gov/>

July 17, 2015

SEWARD CITY CLERK
PO BOX 38
537 MAIN STREET
SEWARD NE 68434

RE: Manager Application Kayla Eisenmenger

LICENSE #C-001681

Dear Clerk:

Enclosed is a copy of a manager application for Kayla Eisenmenger, in connection with the Veterans F W, located in Seward.

Please present this application for manager to your City/Village Council or County Commissioners and send us the results of their action.

Sincerely,

Jacqueline Rodriguez
Licensing Division
NEBRASKA LIQUOR CONTROL COMMISSION
402-471-2571

encl.

Janice M. Wiebusch
Commissioner

Robert Batt
Chairman

Bruce Bailey
Commissioner

An Equal Opportunity Employer

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

RECEIVED

JUL 17 2015

NEBRASKA LIQUOR
CONTROL COMMISSION

MUST BE:

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form MUST be included with your application.**
- ✓ **21 years of age or older**

Corporation/LLC information

Name of Corporation/LLC: Veterans FW 4755

Premise information

Liquor License Number: 001681 Class Type C (if new application leave blank)

Premise Trade Name/DBA: VFW Post 4755

Premise Street Address: 243 S. 9th St.

City: Seward County: Seward Zip Code: 68434

Premise Phone Number: 402-643-6038

Email address: _____

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi

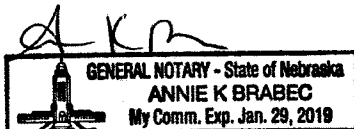
Jeffrey M. Baker

7-13-15

Jeffrey M. Baker

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)



1500016672

Form 103
REV JAN 2015
Page 2 of 6

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Eisenmenger First Name: Kayla MI: F.I.
 Home Address (include PO Box if applicable): 1258 N. 6th Street
 City: Seward NE County: Seward Zip Code: 68434
 Home Phone Number _____ Business Phone Number _____
 Social Security Number _____ Drivers License Number & State: _____
 Date Of Birth: _____ Place Of Birth: _____
 Email address: kaylafieisenmenger@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☒ YES

☐ NO

JUL 9 2015

Spouse's information

NEBRASKA LIQUOR
CONTROL COMMISSION

Spouses Last Name: Eisenmenger First Name: Dane MI: R
 Social Security Number: _____ Drivers License Number & State: _____
 Date Of Birth: _____ Place Of Birth: _____

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Lincoln, NE	2013	2014	Norfolk NE	2005	2007
Wayne, NE	2009	2013	Lincoln NE	2007	2009
Oakland NE	1991	2009	Wayne NE	2009	2012
Seward, NE	2014	Present	Lincoln NE	2013	2014
			Seward NE	2014	Present

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JUL 17 2015

NEBRASKA LIQUOR CONTROL COMMISSION
Form 103
REV JAN 2015
Page 3 of 6

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2014	2015	Bright Beginnings Child Development Center	Kerry Murphy	402-309-3642
2013	2014	Westminister Preschool	Suzanne Schneider	402-617-7470

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

☐ YES ☒ NO

IF YES, list the name of the premise(s):

RECEIVED

JUL 9 2015

NEBRASKA LIQUOR
CONTROL COMMISSION

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

☒ YES ☐ NO

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JUL 17 2015

NEBRASKA LIQUOR
CONTROL COMMISSION

Form 103
REV JAN 2015
Page 4 of 6

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

*For list of NLCC Certified Training Programs see www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Mayla Eisenmenger waitress	2010-2013	Godfather's Wayne NE 68787

5. Have you enclosed Form 147 regarding fingerprints?

☒ YES ☐ NO

RECEIVED
JUL 17 2015
NEBRASKA LIQUOR
CONTROL COMMISSION

RECEIVED
JUL 9 2015
NEBRASKA LIQUOR
CONTROL COMMISSION

Form 103
REV JAN 2015
Page 5 of 6

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Kayla F. Eisenmenger Dane Eisenmenger
Signature of Manager Applicant Signature of Spouse

RECEIVED

JUL 17 2015

ACKNOWLEDGEMENT

State of Nebraska
County of

Seward

NEBRASKA LIQUOR
CONTROL COMMISSION

The foregoing instrument was acknowledged before me this

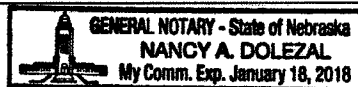
14th day of July

by

Kayla F. Eisenmenger & Dane Eisenmenger
name of person acknowledged

Nancy A. Dolezal
Notary Public signature

Affix Seal



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.



City of Seward, Police Department
Chief of Police
Alan D. Baldwin
148 South First Street
Seward Nebraska 68434
Phone and TDD 402-643-2579 Fax 402-643-6785

July 17, 2015

Liquor license manager's application

Kayla Eisenmenger

VFW Post 4755
Seward, NE

There were no pertinent negative local contacts

Recommendation is to issue license

Chief Alan D. Baldwin
Chief Alan D. Baldwin

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G5

CONSIDERATION OF SUPPLEMENTAL AGREEMENT NO. 2 WITH SCHEMMER ASSOCIATES FOR NEBRASKA DEPARTMENT OF ROADS "SEWARD TRAIL PROJECT" FOR PRELIMINARY ENGINEERING - John Hughes

Consideration of a Resolution approving Supplemental Agreement No. 2 with Schemmer Associates for preliminary engineering services for the Seward Trail project

Administrative Report: The City and Schemmer have been meeting with the Seward County Fair Board over the last six to nine months identifying alternate trail alignments through the Fair Board property. On April 20, the Fair Board agreed to a trail alignment along the east side of their auditorium (west side of N. 14th Street). This new alignment would construct the trail on the pond dam on the south side of the fairgrounds, extending east to N. 14th Street and then extending north to the north edge of the fairgrounds. This new alignment requires topographic survey and additional wetland delineation be performed totaling 2200 feet.

Following review and discussion, a motion to approve the agreement and subsequent resolution would be in order.

Staff Contact:

SUPPLEMENTAL AGREEMENT # 2

CITY OF SEWARD
THE SCHEMMER ASSOCIATES, INC.
PROJECT NO. ENH-80(33)
CONTROL NO. 13225
SEWARD TRAIL

THIS SUPPLEMENTAL AGREEMENT is between the City of Seward ("LPA") and The Schemmer Associates Inc. ("Consultant"), collectively referred to as the "Parties".

WHEREAS, Consultant and LPA entered into an agreement ("Original Agreement") BK1313 and Supplemental Agreement #1 providing for Consultant to provide Preliminary Engineering for LPA's Federal Aid project, and

WHEREAS, it is necessary that design for new trail alignment be added under this Supplemental Agreement, and

WHEREAS, it is necessary to increase Consultant's compensation by this Supplemental Agreement for the additional work necessary to complete the project.

WHEREAS, it is the desire of LPA that the project be constructed under the designation of Project No. ENH-80(33), as evidenced by the Resolution of LPA, attached as EXHIBIT "B" and incorporated herein by this reference, and

NOW THEREFORE, in consideration of these facts and mutual promises, the Parties agree as follows:

SECTION 1. SCOPE OF SERVICES

Consultant will perform the additional work as set out in in Exhibit "B" Consultant Work Order 2, attached and incorporated herein by this reference.

SECTION 2. NOTICE TO PROCEED AND COMPLETION SCHEDULE

The State issued Consultant a written Notice-to-Proceed on July 8, 2015. Any work or services performed by Consultant on the project prior to the date specified in the written Notice-to-Proceed is not eligible for reimbursement.

Consultant will complete all work as set out in the Original Agreement, Supplemental Agreement(s) #1, and this Supplemental Agreement by July 30, 2017.

SECTION 3. FEES AND PAYMENTS

For the work required, **SECTION 9 FEES AND PAYMENTS** of the Original Agreement, as amended in supplement(s) #1, is hereby further amended in accordance with Exhibit "B" so that the fixed-fee-for-profit is increased from \$40,743.71 to \$41,854.14, an increase of \$1,110.43. Actual costs are increased from \$327,770.20 to \$340,202.95, an increase of \$12,432.75. The total agreement amount is increased from \$368,513.91 to \$382,057.09, an increase of \$13,543.18 which Consultant must not exceed without the prior written approval of the State.

Project No. ENH-80(33)
Control No. 13225
Seward Trail
Template T-AGR-1S Revised 8-4-14

Page 1 of 3
AGREEMENT # BK1313 Sup # 2

SECTION 4. ENTIRE AGREEMENT

The Original Agreement, any and all other previous supplements thereto, and this Supplemental Agreement, constitute the entire agreement ("The Agreement") between the Parties. The Agreement supersedes any and all other previous communications, representations, or other understandings, either oral or written; all terms and conditions of the Original Agreement and all previous supplements thereto, to the extent not superseded, remain in full force and effect, and are incorporated herein as if set forth in their entirety.

SECTION 5. CONSULTANT CERTIFICATION AND REAFFIRMATION

The undersigned duly authorized representative of Consultant, by signing this Supplemental Agreement, hereby reaffirms, under penalty of law, the truth of the certifications set out in the Original Agreement and all Supplements thereto, including this Supplement. Further, Consultant has a duty to inform LPA of any material changes in the accuracy of all assertions set out in the Original Agreement and all Supplements thereto.

SECTION 6. CERTIFICATION OF LPA

By signing this Supplemental Agreement, I do hereby certify that, to the best of my knowledge, Consultant or its representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this agreement to:

- (a) employ or retain, or agree to employ or retain, any firm or person, or
- (b) pay or agree to pay to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this certification is to be furnished to the FHWA, upon their request, in connection with this agreement involving participation of Federal-Aid highway funds and is subject to applicable LPA and federal laws, both criminal and civil.

IN WITNESS WHEREOF, the Parties hereby execute this Supplemental Agreement pursuant to lawful authority as of the date signed by each party. Further, the Parties, by signing this Supplemental Agreement, attest and affirm the truth of each and every certification and representation set out herein.

EXECUTED by Consultant this _____ day of _____, 2015.

THE SCHEMMER ASSOCIATES, INC.
Steve D. Kathol, P.E.

Principal

STATE OF NEBRASKA)
)ss.
DOUGLASCOUNTY)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2015.

Notary Public

EXECUTED by LPA this _____ day of _____, 2015.

CITY OF SEWARD
Joshua Eickmeier

Mayor

Subscribed and sworn to before me this _____ day of _____, 2015.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Form of Agreement Approved for
Federal Funding Eligibility:

Date

AGRS-1S

Project No. ENH-80(33)
Control No. 13225
Seward Trail
Template T-AGR-1S Revised 8-4-14

Page 3 of 3
AGREEMENT # BK1313 Sup # 2

Consultant Work Order (Local Projects)

Project No.: ENH-80(33)		Control No.: 13225
Consultant: (Name and Representative) Schemmer Associates, Doug Holle		Agreement No.: BK 1313
LPA: (Name and Representative) City of Seward, Melvin Aldrich		Work Order No.: 2
		Constr. Change Order No.: (If applicable)
<p>All parties agree the following described work needs to be performed by the consultant as part of the referenced project. All parties concur and hereby give notice to proceed based on the following: justification to modify contract, scope of services, deliverables, schedule, and estimated total fee. All other terms of existing agreements between the parties are still in effect. It is understood by all parties that the work described herein will become part of a future supplement to the agreement indicated above.</p> <p>Justification to modify agreement: (Include scope of services, deliverables, and schedule) See attached</p>		
Work Title		Summary of Fee
		A. Total Direct Labor Cost = 3,162.38
		B. Overhead (Factor * x A) = 5,445.59
		C. A + B = 8,607.95
		D. Profit/Fee (Factor ** x C) = 1,110.43
		E. Direct Non-Labor Cost = 324.80
*Overhead Factor: 172.20%	F. Subconsultant Services = 3,500.00	
**Profit/Fee Factor: 12.90%	TOTAL FEE: C + D + E + F = \$13,543.18	
Total Fee Notes: see attached for hour breakdown		<input type="checkbox"/> ESTIMATED TOTAL FEE: <input type="checkbox"/> FINAL TOTAL FEE:

Work Order Authorization – May be granted by email and attached to this document.

Consultant: <u>Schemmer</u>		
Doug Holle	Doug Holle	4-28-15
Name	Signature	Date
LPA: <u>City of Seward</u>		
Melvin Aldrich	Melvin Aldrich	5-12-15
Name	Signature	Date
LPS PC (for Preliminary Engineering) and State Rep. (for Construction Engineering):		
Judy Borer	Judy Borer	7-8-15
Name	Signature	Date
LPS Unit Head Review (for PE Phase):		
Jeff Sola	Jeff Sola	7/8/15
Name	Signature	Date
LPS Engineer or Construction Engineer (Construction Phase):		
Larry L. Hege	Larry L. Hege	7/8/15
Name	Signature	Date
FHWA: (FHWA Approval on Full Oversight Projects Only)		
Name	Signature	Date

Notice to Proceed will be granted by email by:
LPS PC for Preliminary Engineering & CD PC for Construction Engineering.

Notice to Proceed Date:
7-8-15

Distribution: Consultant, LPA – RC, State Rep., FHWA, LPS PC, NDOR Agreements Engineer, Highway Funds Manager, CD PC
DR Form 250, March 2014

Work Order #2 Justification
ENH-80(33), CN 13225

The City of Seward and Schemmer have been meeting with the Seward County Fair Board over the last six to nine months identifying alternate trail alignments through their property. On Monday, April 20th, the fair board did agree to a trail alignment along the east side of their auditorium (west side of N. 14th Street. This new alignment would construct the trail on the pond dam on the south side of the fairgrounds, extending east to N. 14th Street and then extending north to north edge of the fairgrounds. This new alignment requires topographic survey and additional wetland delineation be performed totaling 2200 feet.

The hatched area in the attached figure identifies the additional survey area required.

Hour Estimate Form Work Order #2-Additional Survey and Wetland Delineation Seward Trail City of Seward															
NDOR Project No. ENH-40(33); C.M. 13225															
April 28, 2015															
ITEM NO.	TASK DESCRIPTION	PRIN	PROJ MGR	SEN PROJ ENGR	REG DESIGN ENGR	ENGR/ SEN TECH	ENGR TECH	SEN REG SURVEYOR	PARTY CHIEF SURVEYOR	ASSOC SURVEYOR	NEPA SPECIALIST	ADMIN ASST	TOTAL PER TASK		
I.	Project Management														
I.1	Contract Administration/Scheduling & Coordination of Design Professionals		2											2	
II.	FIELD SURVEY														
II.a	Topographic Field Survey							5	24	24				24	
II.b	Historical and Visual Corrid													12	
II.c	Existing Utilities								6	6				12	
II.d	Drafting Base Plan						16							16	
II.e	Research and Draft Existing Right-of-Way and Property Lines						16	16						32	
	TOTALS	0	2	0	0	0	32	22	30	30	0	0		118	

Exhibit C
Seward Trail
City of Seward

NDOR Project No. ENH-80(33); C.N. 13225
 Work Order #2-Additional Survey and Wetland Delineation

FEE SUMMARY SCHEDULE

April 28, 2015

Direct Salary Costs

PROJECT TASK & PERSONNEL CLASSIFICATION	ESTIMATED HOURS	RATE	ESTIMATED LABOR CHARGE	TASK COST
I. Project Management				\$346.31
PRINCIPAL	0	\$58.62	\$0.00	
PROJECT MANAGER	2	\$56.34	\$112.69	
SENIOR PROJECT ENGINEER	0	\$54.06	\$0.00	
REGISTERED DESIGN ENGINEER	0	\$41.79	\$0.00	
ENGINEER/ SENIOR TECHNICIAN	0	\$25.25	\$0.00	
ENGINEERING TECHNICIAN	0	\$23.06	\$0.00	
REGISTERED SURVEYOR	0	\$38.63	\$0.00	
PARTY CHIEF SURVEYOR	0	\$28.60	\$0.00	
ASSOCIATE SURVEYOR	0	\$20.13	\$0.00	
NEPA SPECIALIST	0	\$43.67	\$0.00	
ADMINISTRATIVE ASSISTANT	0	\$19.70	\$0.00	
II. Field Survey				\$9,372.07
PRINCIPAL	0	\$58.62	\$0.00	
PROJECT MANAGER	0	\$56.34	\$0.00	
SENIOR PROJECT ENGINEER	0	\$54.06	\$0.00	
REGISTERED DESIGN ENGINEER	0	\$41.79	\$0.00	
ENGINEER/ SENIOR TECHNICIAN	0	\$25.25	\$0.00	
ENGINEERING TECHNICIAN	32	\$23.06	\$737.91	
REGISTERED SURVEYOR	22	\$38.63	\$849.86	
PARTY CHIEF SURVEYOR	30	\$28.60	\$858.00	
ASSOCIATE SURVEYOR	30	\$20.13	\$603.90	
NEPA SPECIALIST	0	\$43.67	\$0.00	
ADMINISTRATIVE ASSISTANT	0	\$19.70	\$0.00	
	116		\$3,162.36	
Subtotal Direct Salary Costs			\$3,162.36	
Overhead Costs		172.2%	\$5,445.59	
Subtotal Labor Charges + Overhead			\$8,607.95	
Fixed Fee		12.90%	\$1,110.43	
Subtotal Labor Charges + Overhead + Fixed Fee			\$9,718.38	
DIRECT NON-SALARY COSTS:	No.	Rate (\$)		
Printing - full-size	\$	-	\$	-
Mileage	\$	0.555	\$	-
Survey Mileage	560	0.580	\$	324.80
Misc. Dozer for Geotech Drilling	\$	-	\$	-
Geotech (Field Drilling Subcontractor)	\$	-	\$	-
Geotech (Lab Reimbursable)	\$	-	\$	-
Lodging	\$	-	\$	-
Title Search	\$	-	\$	-
Wetland Delineation (EA)	1	3,500.00	\$	3,500.00
Per Diem	\$	-	\$	-
Hazardous Material Research (EA)	\$	-	\$	-
Sub-Total Direct Non-Salary Costs			\$	3,824.80
TOTAL ESTIMATED FEE			\$	13,543.18



EXHIBIT "B"
Page 5 of 13

The Schlemmer Associates
Seward Trail Wetland Delineation
Cost Estimate

	Senior Technical Review/ Senior PM	Project Manager	Senior Scientist	Mid-level Scientist	Junior Scientist	CADD/GIS	Administrative Assistant	TOTAL	Comments
Phase 1 - Wetland Delineation									
Mobilization					2				
Desktop Analysis					2				
Field Work		1			16				
Draft Report	1	1			14				
Final Report	1	1			4				
Task Total Hours	2	3	0	0	38	0	0	43	
Total Phase 1	2	3	0	0	38	0	0	43	

TOTAL COST SUMMARY
The Schemmer Associates
Seward Trail Wetland Delineation
Cost Estimate

	Labor Hours	Labor Cost	Subcontractor	ODC's	Travel	TOTAL
Phase 1 - Wetland Delineation	43	\$3,294.01	\$0.00	\$205.98	\$0.00	\$3,500.00
TOTALS	43	\$3,294.01	\$0.00	\$205.98	\$0.00	\$3,500.00

Soula, Jeffrey

From: Holle, Doug <dholle@schemmer.com>
Sent: Wednesday, July 01, 2015 11:57 AM
To: Soula, Jeffrey
Cc: Borer, Judy; Aldrich, Melvin; Legg, Larry
Subject: RE: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2
Attachments: additional wetland delineation hour breakdown.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff,

Attached is the breakdown of hours for the additional wetland delineation. I previously emailed you a figure showing what's been surveyed and what needs surveyed.

Dan Bigbee from EA Engineering Science and Technology (our wetland delineation sub-consultant) spoke with Mary Shroer about the questions you and her had regarding the original wetland delineation. EA will pick up a couple more sample points when they go back to the site for this additional delineation. The deliverable will be a completed delineation report based on the new alignment. We'd like to get this approved to get the project moving again. Please let me know if you have further questions.

Thanks,

Doug

SCHEMMER
ARCHITECTS ENGINEERS PLANNERS

Doug Holle
Transportation Group Manager

402.488.2500 Phone | 402.431.6206 Direct
SCHEMMER.COM

From: Soula, Jeffrey [mailto:jeffrey.soula@nebraska.gov]
Sent: Friday, June 12, 2015 3:59 PM
To: Holle, Doug
Cc: Borer, Judy; Aldrich, Melvin; Legg, Larry
Subject: RE: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Doug,

We are going to need a breakdown of what exactly will be provided for the wetland delineation. A quick review of the report that was submitted seemed to show that it was missing a lot of the data/sample points which would be needed in order to verify the wetlands. We will need a breakdown of the hours and deliverables. Unless I misread your email below, we also cannot provide additional funds for work that is already complete but was underestimated (out of scope).

1

EXHIBIT "B"
Page 8 of 13

Would you have a copy of the current trail alignment as well showing what has been surveyed and what will be surveyed? From what I remember, the alignment to the north was in question at one time due to the ROW issues and was wondering if the full alignment had been worked out.

Thanks,
Jeffrey Soula, PE
Urban Engineer
NDOR Local Projects
Office: 402-479-3562
Cell: 402-432-8454

CONFIDENTIAL INFORMATION: Federal Law, 23 U.S.C. §409, prohibits the production of this document or its contents in discovery or its use in evidence in a State or Federal Court. The State of Nebraska has not waived any privilege it may assert as provided by that law through the dissemination of this document and has not authorized further distribution of this document or its contents to anyone other than the original recipient.

From: Holle, Doug [mailto:dholle@schemmer.com]
Sent: Friday, June 12, 2015 2:36 PM
To: Soula, Jeffrey
Subject: RE: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Jeff, any update on this? I did talk with Mel Aldrich yesterday and he was going to give you a call as well. The fair board has been asking for updated plans in front of their building but we can't do anything on that until we get the survey.

Thanks,

Doug

From: Holle, Doug
Sent: Friday, June 05, 2015 3:16 PM
To: Soula, Jeffrey; Aldrich, Melvin
Cc: john.hughes@cityofsewardne.com; Legg, Larry; Borer, Judy; McKinstry, Deana
Subject: RE: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Jeff,

Thanks for your review. Regarding the wetland delineation, the work has been done but I have not submitted the report as of yet. The original estimate for the wetland delineation (\$3080.00) was underestimated a little bit for a 5-mile trail with 1 mile of it being through trees. The additional wetland delineation fee of \$3500 is composed of the additional work that was original underestimated along with the additional 2200 feet that still needs delineated due to the new alignment of the trail. I'll email the wetland delineation to you with a link to download the report since it is rather large.

Regarding the survey, the primary reason the survey has taken longer was the amount of time it took to survey 1 mile through the trees. Although the hours for survey took longer than expected, I feel from an overall budget standpoint we are still in line. I've also attached the latest progress report which shows where we stand on the preliminary design.

Please review the additional info and let me know if you have any more questions.

Thanks Jeff.

Doug

2

From: Soula, Jeffrey [mailto:jeffrey.soula@nebraska.gov]
Sent: Friday, June 05, 2015 2:47 PM
To: Aldrich, Melvin; Holle, Doug
Cc: john.hughes@cityofsewardne.com; Legg, Larry; Borer, Judy; McKinstry, Deana
Subject: FW: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

I have reviewed the CWO with our surveyor and the additional hours for the survey work are reasonable. I will need justification and a cost breakdown for the wetland delineation. No delineation has taken place yet that I can tell and there is no breakdown of what the previously scoped amount covers or why additional funds will be needed.

The bigger issue that we will need to discuss is that it appears you are nearly out of hours for functional design and survey (1400 hours billed out of approx. 1500 available) and we do not even have a 30% plan set or the alignment of the north end of the trail determined. We need to discuss why the survey hours are over, if the reason is justifiable, and what will be needed to finish the survey and functional trail design. We cannot sign off on this CWO until this is resolved. If it can be justified by email, that will be the easiest, but we can do a meeting as well. Please let Judy or I know.

Thank you,
Jeffrey Soula, PE
Urban Engineer
NDOR Local Projects
Office: 402-479-3562
Cell: 402-432-8454

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From: Borer, Judy
Sent: Friday, June 05, 2015 1:57 PM
To: Soula, Jeffrey
Subject: FW: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

From: Mel Aldrich [mailto:Melvin.Aldrich@cityofsewardne.com]
Sent: Monday, May 18, 2015 2:55 PM
To: Borer, Judy
Subject: RE: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Judy, I reviewed and signed the CWO last Tue. May 12. I will send it again. Mel

From: Borer, Judy [mailto:Judy.Borer@nebraska.gov]
Sent: Monday, May 18, 2015 1:27 PM
To: Mel Aldrich
Cc: Holle, Doug; John Hughes
Subject: FW: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Mel,

Have you had a chance to review the CWO yet? If no revisions are needed, please sign it and send to me by email as soon as possible.

Thank you.

Judy Borer, Project Coordinator
NDOR M&R -- Local Projects Section
Phone 402-479-4435
Email judy.borer@nebraska.gov

Confidentiality Notice: This e-mail, including all attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the Nebraska Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: Holle, Doug
Sent: Tuesday, April 28, 2015 5:53 PM
To: Mel Aldrich (melvin.aldrich@cityofsewardne.com); Borer, Judy
Cc: john.hughes@cityofsewardne.com
Subject: ENH-80(33), CN 13225, Seward Trail Consultant Work Order #2

Melvin and Judy,

As discussed previously, attached is consultant work order #2 for the additional survey and wetland delineation due to the change in alignment through the Seward County Fairgrounds. We would like to get approval quickly on this so we can get our surveyors on-site to pick up this area so we can get this project moving again. Please review and let me know if you have any questions.

Thanks,

Doug

SCHEMMER
ARCHITECTS ENGINEERS PLANNERS

Doug Holle
Transportation Group Manager

402.488.2500 Phone | 402.431.6206 Direct
SCHEMMER.COM

The Schemmer Associates
Seward Trail Wetland Delineation
Cost Estimate

	Senior Technical Review/ Senior PM	Project Manager	Senior Scientist	Mid-level Scientist	Junior Scientist	CADD/GIS	Administrative Assistant	TOTAL	Comments
Phase 1 - Wetland Delineation									
Mobilization					2				
Desktop Analysis					2				
Field Work		1			16				
Draft Report	1	1			14				
Final Report	1	1			4				
Task Total Hours	2	3	0	0	38	0	0	43	
Total Phase 1	2	3	0	0	38	0	0	43	

TOTAL COST SUMMARY
The Schemmer Associates
Seward Trail Wetland Delineation
Cost Estimate

	Labor Hours	Labor Cost	Subcontractor	ODC's	Travel	TOTAL
Phase 1 - Wetland Delineation	43	\$3,294.01	\$0.00	\$205.99	\$0.00	\$3,500.00
TOTALS	43	\$3,294.01	\$0.00	\$205.99	\$0.00	\$3,500.00

RESOLUTION NO. 2015-

Whereas: City of Seward and The Schemmer Associates, Inc., have previously executed a Preliminary Engineering Services Agreement (BK1313) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Seward understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

Whereas: City of Seward and The Schemmer Associates, Inc. wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Seward, Nebraska that:

Joshua Eickmeier, Mayor of the City of Seward, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 2 between the City of Seward, and The Schemmer Associates, Inc.

NDOR Project Number: ENH-80(33)

NDOR Control Number: 13225

NDOR Project Description: Seward Trail

Adopted this 4th day of August, 2015 at Seward, Nebraska.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator/
Clerk-Treasurer
Budget & HR Director

(SEAL)

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G6

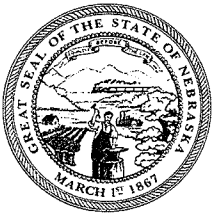
CONSIDERATION OF APPROVING THE UPDATED SEWARD URBAN AREA MAP FOR THE NEBRASKA DEPARTMENT OF ROADS AND THE US DEPARTMENT OF TRANSPORTATION - John Hughes

Administrative Report: After each decennial census, the Federal Highway Administration initiates an update, applying the latest census data, to the Federal-Aid Urban Area Boundaries. The Nebraska Department of Roads prepared an updated Seward Urban Area Map for review by the City.

The City Building/Zoning and Codes Division reviewed the map and have prepared some corrections to the map.

Following review and discussion, a motion to approve the updated map, to include the South Hwy 15 section, which was annexed on September 1, 2009 and to authorize the Mayor to execute the updated map, would be in order.

Staff Contact:



Pete Ricketts
Governor

STATE OF NEBRASKA

DEPARTMENT OF ROADS

Kyle Schneeweis, P.E., Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 471-4567 • FAX (402) 479-4325 • www.roads.nebraska.gov

July 15, 2015

Bonnie Otte, City Clerk-Treasurer
City of Seward
537 Main Street
P.O. Box 38
Seward, NE 68434-0038

RE: Federal-Aid Urban Area Boundary Update

Dear Ms. Otte:

After each decennial census the Federal Highway Administration (FHWA) initiates an update, applying the latest census data, to the Federal-Aid Urban Area Boundaries. Along with this update the functional classifications are reviewed. As per guidelines from the FHWA, the State Transportation Agency shall have the primary responsibility for developing and updating urban area boundaries and functional classifications and shall work with appropriate local governmental entities to complete this update.

To insure that urban areas in Nebraska meet the requirements of the 2010 Census update, Census boundaries for the Seward Urban Area were reviewed. Where necessary the boundary was extended to encompass the census designated area and the corporate limits of the city. Functionally classified routes may have been revised.

I have enclosed a copy of the updated Seward Urban Area Map for review by the Seward City Council. If the council concurs with the revised system and boundary, have a designated representative sign the signature block and return the map in the enclosed envelope. A county map was enclosed for reference.

The Seward County Board of Commissioners will be asked to review and approve revisions that affect areas under County jurisdiction. The revisions approved by the city and county will be forwarded to the FHWA for review. Upon FHWA approval an updated map will be returned for your records.

Please return the signed map by October 15, 2015.

Any questions should be directed to David Brokaw (402) 479-4896,
dave.brokaw@nebraska.gov.

Sincerely,

Mark Osborn
Roadway Asset Management

Enclosures

An Equal Opportunity Employer

Date: July 29, 2015

Re: Nebraska Department of Roads Urban Area Boundary Update

This report is in reference to the NDOR's request to review their map of the City's Urban Area Boundaries, which includes the City's Corporate Limits, and City Street classifications (see enclosed NDOR letter dated July 15, 2015, and Seward Urban Area map).

After reviewing the Seward Urban Area map, there is one discrepancy on the Corporate Limit boundary. A section of South Hwy 15 (South 6th St.), just north of the Big Blue River, to an area just south of Izaak Walton Road, which is not depicted on the map as being included in the Corporate Limits.

This area was annexed into the City's Corporate Limits by the City Council by Ordinance No. 7-09, on September 1, 2009 (see enclosed copy of Ord. 7-09).

NDOR Roadway Asset Management Representative David Brokaw, was contacted and advised of this. Brokaw advised to submit the map to the City Council for their review, and if there were no other corrections, ask the Council to approve the map, with the correction of the South Hwy 15 section to be added, and then return the signed map, and a copy of the Ordinance which annexed that area, back to the NDOR.

It should be noted that the NDOR does not include Private Streets on the Urban Area map, such as Ridge Run, Wildwood, and Goldenrod Lane.

If there are any questions, please feel free to contact me.

Ed Gonzalez

Ed Gonzalez

Building-Zoning-Code Enforcement Director

ORDINANCE NO. 7-09

AN ORDINANCE DECLARING THE ANNEXATION OF CERTAIN CONTIGUOUS AND ADJACENT TRACTS OF LAND, URBAN AND SUBURBAN IN CHARACTER, MORE SPECIFICALLY A TRIANGULAR SHAPED TRACT OF LAND OWNED BY THE STATE OF NEBRASKA AND LOCATED ON THE WEST SIDE OF HIGHWAY 15 JUST SOUTH OF THE BLUE RIVER BRIDGE; TO DESCRIBE THE REAL ESTATE TO BE ANNEXED AND ITS BOUNDARIES; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. TERRITORY ANNEXED; DESCRIPTION. The following described property is annexed to the corporate limits of the City of Seward, as follows:

DESCRIPTION OF A 20.96 ACRE TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE IN A SOUTHERLY DIRECTION, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28, ON AN ASSUMED BEARING OF S 01°14'36" E FOR A DISTANCE OF 2652.14' TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28

THENCE N 88°21'38" E, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28, FOR A DISTANCE OF 423.26'

THENCE N 01°38'22" W FOR A DISTANCE OF 33.00'

THENCE N 82°17'07" W FOR A DISTANCE OF 278.71'

THENCE N 01°15'49" W FOR A DISTANCE OF 378.21'

THENCE ON A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 607.89', A RADIUS OF 2422.48', A CHORD BEARING OF N 08°20'43" E, A CHORD LENGTH OF 621.23'

THENCE N 19°49'50" E FOR A DISTANCE OF 225.05'

THENCE N 70°58'31" W FOR A DISTANCE OF 98.56'

THENCE N 28°46'33" E FOR A DISTANCE OF 44.66'

THENCE N 21°50'17" E FOR A DISTANCE OF 204.24'

THENCE N 24°28'19" E FOR A DISTANCE OF 84.38'

THENCE N 19°01'56" E FOR A DISTANCE OF 63.00'

THENCE N 11°59'37" E FOR A DISTANCE OF 81.62'

THENCE N 17°16'52" E FOR A DISTANCE OF 229.11'

THENCE N 12°52'36" W FOR A DISTANCE OF 23.17'

THENCE N 18°44'24" E FOR A DISTANCE OF 125.33'

THENCE N 14°19'25" E FOR A DISTANCE OF 559.16' TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28

THENCE S 88°47'41" W FOR A DISTANCE OF 680.00' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 20.96 ACRES

Section 2. CORPORATE LIMITS EXTENDED. The corporate limits are hereby extended to include the territory described in Section 1 of this Ordinance as part of the corporate limits of the City of Seward, Nebraska, as the same is designated, and hereby shall be part of and annexed to the City of Seward, Seward County, Nebraska.

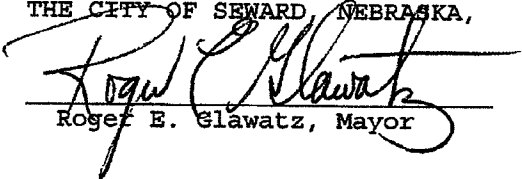
Section 3. FILING AND RECORDING. A certified copy of this Ordinance declaring such annexation under the Seal of the City of Seward, Nebraska, shall be filed with the office of the County Clerk of Seward County, Nebraska.

Section 4. BENEFITS TO INHABITANTS. The inhabitants, if any, of the above described territory as set forth in Section 1 of this Ordinance, annexed to the corporate limits of the City of Seward Nebraska, shall receive substantially the benefits of all other inhabitants of the City and such inhabitants shall be subject to the Ordinances and Regulations of the City of Seward, Nebraska.

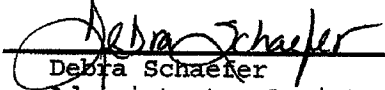
Section 5. PAMPHLET FORM; PUBLICATION; WHEN OPERATIVE. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication as provided by law and city ordinance.

Passed and approved this 1st day of September, 2009.

THE CITY OF SEWARD, NEBRASKA,


Roger E. Glawatz, Mayor

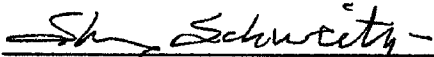
ATTEST:


Debra Schaefer
Administrator Assistant/
City Clerk-Treasurer



State of Nebraska)
County of Seward)^{ss}

Filed for record on September 10, 2009
at 10:00 am and recorded in Misc book
89, page 25.


Sherry Schweitzer, County Clerk
Fee:\$10.50

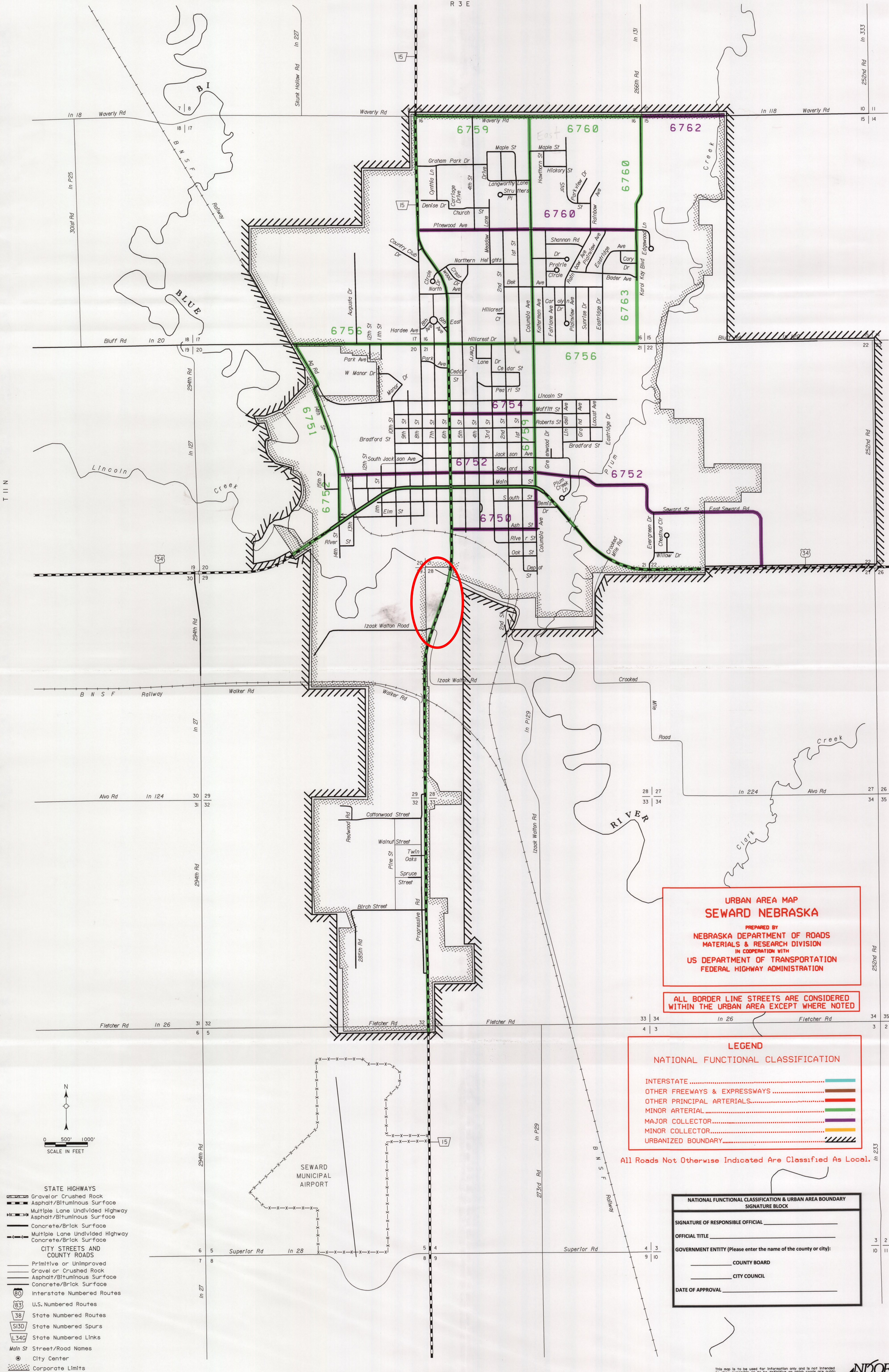
SEWARD

SEWARD COUNTY
NEBRASKA

POPULATION 6,964 (2010 CENSUS)

2014

R 3 E



URBAN AREA MAP SEWARD NEBRASKA

PREPARED BY
NEBRASKA DEPARTMENT OF ROADS
MATERIALS & RESEARCH DIVISION
IN COOPERATION WITH
US DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

ALL BORDER LINE STREETS ARE CONSIDERED
WITHIN THE URBAN AREA EXCEPT WHERE NOTED

LEGEND

NATIONAL FUNCTIONAL CLASSIFICATION

INTERSTATE	
OTHER FREEWAYS & EXPRESSWAYS	
OTHER PRINCIPAL ARTERIALS	
MINOR ARTERIAL	
MAJOR COLLECTOR	
MINOR COLLECTOR	
URBANIZED BOUNDARY	

All Roads Not Otherwise Indicated Are Classified As Local.

NATIONAL FUNCTIONAL CLASSIFICATION & URBAN AREA BOUNDARY SIGNATURE BLOCK

SIGNATURE OF RESPONSIBLE OFFICIAL _____

OFFICIAL TITLE _____

GOVERNMENT ENTITY (Please enter the name of the county or city):

COUNTY BOARD _____

CITY COUNCIL _____

DATE OF APPROVAL _____

- STATE HIGHWAYS**
- Gravel or Crushed Rock
 - Asphalt/Bituminous Surface
 - Multiple Lane Undivided Highway
 - Asphalt/Bituminous Surface
 - Concrete/Brick Surface
 - Multiple Lane Undivided Highway
 - Concrete/Brick Surface
- CITY STREETS AND COUNTY ROADS**
- Primitive or Unimproved
 - Gravel or Crushed Rock
 - Asphalt/Bituminous Surface
 - Concrete/Brick Surface
- INTERSTATE NUMBERED ROUTES**
- 80
 - 83
 - 38
 - 130
 - 134G
- U.S. Numbered Routes**
- State Numbered Routes
 - State Numbered Spurs
 - State Numbered Links
- Main St Street/Road Names**
- City Center
 - Corporate Limits

CORPORATE LIMITS AS OF 2014
STATE HIGHWAYS CORRECTED TO 2014

This map is to be used for information only and is not intended to show ownership or to be definitive on which roads are public or private. The Nebraska Department of Roads makes no warranties, guarantees or representations for the accuracy of this information and assumes no liability for errors or omissions. Any inconsistencies should be reported to NDOR.



SEWARD - 80

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G7

PRESENTATION OF SEWARD COUNTY ECONOMIC DEVELOPMENT CORPORATION (SCEDC) ANNUAL REPORT AND ANNUAL FUNDING REQUEST - Jonathan Jank

Administrative Report: Following presentation, review and discussion, a motion to accept the report and provide direction on the funding request for the 2015-2016 budget would be in order.

Staff Contact:

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G8

CITY ADMINISTRATOR'S REPORT- Bruce Smith

Administrative Report: The City Council will receive an update on capital and other on-going projects.

Following delivery of report, a motion to accept the report would be in order.

Staff Contact:

CITY ADMINISTRATORS REPORT

8-4-15

- Working on the budget with Bonnie, John and all of the department heads.
- Have done facility tours with all departments
- Continue working on the Rail Campus Project – Project Hot Mill
- Council Member Kamprath and I have been approached, and have met with the Seward Country Club concerning their financial situation and the possibility of the City purchasing the assets of the Country Club and making it a City Golf Course. We are getting more information from the Club and I am researching the costs of doing a feasibility study.

The departments are working on the following projects to name a few:

- Repairs and clean up from the storm last weekend
- The college URD wire replacement project
- Had a pre-construction conference on the 14th Street Substation Project
- Continuing to install LED street lights
- Utility billings/collections and disconnections
- Working with EMC on draft “return to work program for light duty”
- Emergency repairs to the digester continue
- Updated DHHS Emergency Contact List
- Working on a new hydrant at the Fire Hall
- Water line for new business
- Installation of irrigation system at Plum Creek Soccer Fields is complete
- Concrete removal and replacement – Evergreen Dr.
- Levee Inspection was completed by the Army Corp of Engineers
- Pump repairs at pump station
- Inspections, permits, plan reviews, and property maintenance complaints.
- Continuing to gather information on St. Johns request for cost sharing on sanitary sewer relocation and storm sewer improvements
- Continuing to gather information on Star Street drainage issues
- General maintenance of all facilities, and doing utility locates

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G9

FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION - Mayor Eickmeier

Administrative Report: This item is to allow Council members an opportunity to request future agenda items. To remain in compliance with the open meetings law, no discussion of an item will be allowed beyond what is necessary to clarify the request.

Staff Contact:

City of Seward, NE

Tuesday, August 4, 2015

Regular Session

Item G10

ANNOUNCEMENT OF UPCOMING EVENTS - Mayor Eickmeier

Staff Contact:

City of Seward, NE
Tuesday, August 4, 2015
Regular Session

Item G11

MOTION TO ADJOURN

Staff Contact: