

**City of Seward, NE**  
**Tuesday, October 6, 2015**  
**Regular Session**

**Item G1**

**CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF  
SEPTEMBER 15, 2015 - Bonnie Otte**

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

**Staff Contact:**

September 15, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, September 15, 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: Jon Wilken, Ellen Beck, Sid Kamprath, Dean Fritz, John Singleton, Chris Schmit, Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Barbara Pike.

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 SEPTEMBER 1, 2015 COUNCIL MEETING

Councilmember Fritz moved, seconded by Councilmember Singleton, that the minutes of the September 1, 2015 City Council meeting be approved.

Aye: Hans, Beck, Fritz, Wilken, Singleton, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

#### 2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Singleton moved, seconded by Councilmember Beck, 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  
9-15-15  
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.

Advanced Floor Care Inc	Ma	250.00
Alliance Technologies	Se	558.00
Allied Surveying & Mapping	Se	476.90
Amazon.Com Credit Service	Su	1,125.20
Ameritas Life Insurance	Ins	235.30
Baack Andrea	Ex	25.00
Baker & Taylor	Su	1,534.58
Beaver Bearing Co York LLC	Bu	111.54
Berens-Tate Consulting Group	Se	3,000.00
Blue River Electric LLC	Bu	1,555.00
Blue Valley Pest Control	Bu	150.00
Brees Lute	Ex	25.00
Bryan Medical Center	Misc	1,187.00
Buell Tom	Ex	30.00
Burhoop Jon	Ex	25.00
Burt Mike	Ex	30.00
Capital Business-Cheyenne	Ma	79.00
Capital Business-Dallas	Ma	225.00
Cash-Wa Distributing Co	Su	142.80
Cattle National Bank/Trust	Eq Loan	12,657.50
City Seward Library Petty	Bu, Su	115.68
City Seward Merchant Services	Ex	1,462.72
City Seward Payroll Account	Payroll	114,356.14
Collins Jill/Corey	Ex	30.00
Concordia University	Lighting Inc	1,150.00
Concrete Industries Inc	Su	251.00
Consolidated Management	Meals	114.00
Danko Emergency Equipment	Uniform	857.73
Deere John Landscapes	Gu	115.82
Demco Inc	Su	373.42
Dowling Adam	Ex	25.00
Dutton-Lainson Co	Su	36,044.50
Else Regan	Refnd	50.00
Farmers Coop Seward	Gu, Su, Re	3,843.58
Fast Mart	Su	95.54
Fastenal Company	Su	26.96
Ford Credit Dept	Eq Loan	10,732.57
Friends Seward Memorial Library	Misc	3,210.00
Fyr-Tek	Re	36.73
Gale / Cengage Learning	Su	50.00
Gerdes Jared	Mi	72.45
Gerhold Concrete Co Inc	Su, Bu	3,381.40
Grafix Shoppe	Su	159.47
Graybar	Eq	745.64
H & S Plumbing Heating & AC	Bu	95.00
Helmink Printing Inc	Su	54.00

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Hobson Tim	Ex	25.00
Husker Electric Supply Co	Re, Gu, Su	1,409.72
Hydraulic Equipment Service	Re	1,151.72
Int'L Assoc Law Enforcement	Trng	300.00
J R Welding Inc	Ci	1,772.08
Jackson Services Inc	Ma	109.94
Jones Automotive	Re	505.00
Jorgensen Denis J	Ma	30.00
Juranek Jeff	Ex	25.00
Knott Nate	Ex	30.00
Koch Lacey	Ex	25.00
Konica Minolta Business	Se	786.19
Krahulik Owen / Stephanie	Ex	25.00
Kriz-Davis Co	Re, Su	3,386.78
Langner Michael	Ex	25.00
Last Mile Network Consultant	Se	73.00
Loos Josh	Ex	50.00
M C 2 Inc	Re	147.96
Matheson Tri-Gas Inc	Su	100.91
Mattson Ricketts Law Firm	Se	4,000.00
Menards	Su	4.44
Merle'S Garden Center	Gu, Su	263.05
Mid-America Recycling	Trailer	4,400.00
Mid-American Benefits Inc	Ins	197.75
Midwest Auto Parts	Re, Su	254.39
Midwest Pump & Equipment	Su	25.51
Midwest Service & Sales	Su	164.50
Miller Karl / Rachel	Ex	25.00
Motion Picture Licensing	Ins	120.00
Mueller Michael	Ex	25.00
Municipal Supply Nebraska	Re, Ci	4,890.92
Naber Krystel	Ex	30.00
Nat'L Geographic Little K	Su	15.00
Nebraska Emergency Medicine	Misc	467.62
Nebraska Equipment Inc	Su, Re	958.44
Nebraska Notary Association	Su	88.99
Nebraska Pub Pow-Des Moine	Se, Ut	602,868.94
Nebraska Recreation & Park	Dues	60.00
Nebraska Revenue	Ex	25.00
Nebraska Roads Dept	Su	576.00
Nebraska Rural Water Asso	Trng	150.00
Nebraska Sports	Eq	78.20
Nebraska Treasurer	Fees	40.74
Niemann'S Port-A-Pot LLC	Gu	250.00
Odeys Inc	Su, RE	3,276.00
One Call Concepts Inc	Eq	102.45
O'Reilly Auto Parts	Se	18.98
Orscheln Farm & Home	Su	91.89
Otte Bonnie	Mi	124.20

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Otte Donna	Mi	37.38
Pac 'N' Save Discount Foods	Su	85.06
Pankoke Henry W	Ma	220.00
Penas Dylan / Ann	Ex	30.00
Phillips Julie	Ex	30.00
Plains Equipment Group Inc	Re	361.83
Plunkett'S Pest Control	Bu	57.32
Precision Tool & Machine	Re, Bu	241.85
R & H Body Shop	Re	79.61
R & T Poured Walls	Se	5,500.00
Richters Inc	Bu, Eq	12,748.73
Rumery Lawn & Landscape	Su, Re	978.63
Runcie Scott	Ex	25.00
Salyer Justin	Ex	25.00
Sam'S Club (Lib-Rec-Pool)	Bu, Su	298.44
Schaefer Travis	Ex	30.00
Seward Aging Serv Foundation	Programs	975.00
Seward Area Chamber Commerce	Misc	25.00
Seward County Clerk/Reg Deeds	Se	16.00
Seward County Independent	Ex	733.86
Seward County Public Power	Ut	2,197.90
Seward County Treasurer	E911	14,959.35
Seward Electronics	Re	55.00
Seward Lumber & Home Center	Su, Bu, Re, Gu	1,041.02
Seward School District	Fines	130.00
Southeast Nebraska Dev District	Dues	4,500.00
Sports Express	Su	783.20
Steinmeyer Zach	Ex	25.00
Stokes Robert	Ex	25.00
Terracon Inc	Su	345.00
Tiger Direct Inc	Eq, Su	966.36
Time Warner Cable	Se	79.38
Tools Plus Industries LLC	Su	867.35
U S A Bluebook - Cust 812	Su	1,308.48
Vancura Brad	Ex	25.00
Verizon Wireless	Se	96.25
Visa - Pinnacle Bank	Su, Bu	126.57
Wesco Distribution Inc	Su	1,011.15
Windstream Nebraska Inc	Se	2,262.19
CLAIMS TOTAL		<hr/> 887,746.39

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

3. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF CATERING APPLICATION FOR CURRENT CLASS L LIQUOR LICENSE OF BOTTLE ROCKET BREWING, LLC, 230 S 5<sup>TH</sup> STREET

Gerald Homp, Manager of Bottle Rocket Brewing, LLC, presented a request to add a catering license to their current Class L liquor license, which allows

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them to deliver, sell, or dispense alcoholic liquor, including beer, for consumption at premises designated in a special designated license.

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

Councilmember Schmit introduced the following resolution:

RESOLUTION NO. 2015-21

BE IT RESOLVED by the Mayor and Council of the City of Seward, Nebraska, that,

WHEREAS, Notice of Application for a Catering (K) to Class L Liquor License for Bottle Rocket Brewing, LLC, dba Bottle Rocket Brewing, 230 S 5<sup>th</sup> Street, Seward, Nebraska was published in the Seward County Independent on September 2, 2015; cost of such publishing fee being \$11.25, and,

WHEREAS, a public hearing was held before the Mayor and Council of the City of Seward on September 15, 2015;

WHEREAS, no written protests were filed with the City, and no oral objections were heard by the Mayor and Council,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Seward, Nebraska, that a Catering (K) be granted to add to the Class L Liquor License for Bottle Rocket Brewing, LLC, dba Bottle Rocket Brewing, 230 S 5<sup>th</sup> Street, Seward, Nebraska.

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

The Mayor declared the resolution adopted.

Dated: September 15, 2015

THE CITY OF SEWARD, NEBRASKA

\_\_\_\_\_  
Joshua Eickmeier  
Mayor

ATTEST:

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

(SEAL)

4. CONSIDERATION OF AMENDING CLASS L LIQUOR LICENSE FOR BOTTLE ROCKET BREWING, 230 S 5<sup>TH</sup> STREET TO INCLUDE OUTDOOR BEER GARDEN

Gerald Homp, Manager of Bottle Rocket Brewing, LLC, presented a request for a 65' x 24' L-shaped outdoor area addition to the north/northwest of the existing licensed building for the purpose of a beer garden.

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Councilmember Singleton moved, seconded by Councilmember Fritz, that the request to amend Bottle Rocket Brewing, LLC's current Class L Liquor license to include the addition of a 65' x 24' L-shaped outdoor area to the north/northwest of the licensed existing building for the purpose of a beer garden be approved.

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

5. CONSIDERATION OF SPECIAL DESIGNATED LIQUOR PERMIT FOR BOTTLE ROCKET BREWING, LLC, 230 S 5<sup>TH</sup> STREET

Councilmember Singleton moved, seconded by Councilmember Schmit, that a special designated liquor license be issued to Bottle Rocket Brewing, LLC, for a Grand Opening/Octoberfest event to be held October 23 & 24, 2015 at Bottle Rocket Brewing, 230 S 5<sup>th</sup> Street.

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

6. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF PRELIMINARY AND FINAL PLAT OF TWIN OAKS DEVELOPMENT 6<sup>TH</sup> ADDITION

Public Facilities/Capital Improvement & GIS Director John Hughes presented a preliminary and final plat for a 2-lot addition to Twin Oaks located north of Birch Street. The subdivision involves re-platting two lots, making one lot bigger and one lot smaller. Mr. Hughes stated the subdivision conforms to the City's Comprehensive Plan Future Land Use map with Industrial use type. There is no change in zoning at this time, with the plan to add buildings for enclosed storage.

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

Councilmember Hans moved, seconded by Councilmember Schmit, that the preliminary plat of Twin Oaks Development 6<sup>th</sup> Addition be approved.

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

Ordinance No. 2015-13 approving the final plat of Twin Oaks Development 6<sup>th</sup> Addition was adopted.

7. PUBLIC HEARING - 7:00 P.M. - NOTICE OF 2015-2016 BUDGET HEARING AND BUDGET SUMMARY ON ADOPTING A DIFFERENT PROPERTY TAX LEVY FROM PRIOR YEAR

City Administrator Smith and Assistant Administrator/Clerk-Treasurer /Budget & Human Resources Director Bonnie Otte presented the proposed 2015-2016 City Budget stating the levy remains as it was for the current year budget of 0.3530.

Mayor Eickmeier opened the public hearing to hear support, opposition, criticism, suggestions, or observations regarding the proposed 2015-2016 Budget and to hear support, opposition, criticism, suggestions or observations relating to setting the Final Tax Request at a different amount than the prior year tax request, which includes an additional one percent (1%) increase in restricted funds.

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Hearing no further comment from the public, Mayor Eickmeier closed the public hearing.

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2015-22

WHEREAS, pursuant to Section 77-1601.02 of the Nebraska Revised Statutes, the Governing Body of the City of Seward Nebraska held a public hearing on Tuesday, September 15, 2015 at 7:00 p.m. at the Council Chambers, 142 N 7<sup>th</sup> Street, Seward for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the 2015-2016 final property tax request at a different amount than the 2014-2015 property tax request, and

WHEREAS, said hearing was published in a legal newspaper as required by law, and,

WHEREAS, the following requirements were in said published notice:

2014-2015 Property Tax Request	\$1,354,143.15
2014 Tax Rate	0.318000
Property Tax Rate (2014-2015 Request/2015 Valuation)	0.305586
2015-2016 Proposed Property Tax Request	\$1,409,153.94
Proposed 2015 Tax Rate	0.318000

WHEREAS, 0 people were present to comment on the proposed modification of said tax request at said hearing.

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

The final levy of 0.318000 for fiscal year 2015-2016 for the City of Seward Nebraska is hereby approved.

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

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

The Mayor declared the resolution adopted.

Dated: September 15, 2015

THE CITY OF SEWARD, NEBRASKA

ATTEST:

\_\_\_\_\_  
Joshua Eickmeier, Mayor

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

(SEAL)



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Councilmember Schmit moved, seconded by Councilmember Singleton, that the minutes of the proceedings of the Mayor and Council of the City of Seward, Seward County, Nebraska in the matter of passing and approving Ordinance No. 2015-13 AN ORDINANCE TO APPROVE THE PLAT ENTITLED "TWIN OAKS 6<sup>TH</sup> ADDITION TO THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED WEST OF PINE STREET, SOUTH OF LOT 6 OF TWIN OAKS 5<sup>TH</sup> ADDITION, NORTH OF BIRCH STREET; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT and Ordinance No. 2015-14, "AN ORDINANCE TO ADOPT THE BUDGET STATEMENTS TO BE TERMED THE BUDGET AND ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM" be preserved and kept in a separate and distinct volume known as "Ordinance Record, City of Seward, Nebraska" and that said separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein.

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

8. CONSIDERATION OF APPROVAL OF CAPITAL IMPROVEMENT PROJECT PLAN FOR 2015-2016

City Administrator Bruce Smith presented the 2015-2016 Capital Improvement project plan. He stated this plan was part of the budget which was just adopted and did not feel it necessary to take action. Mr. Smith stated he plans to organize the Capital Plan differently in future years and there will be less maintenance type items on the plan. He said Administration will continue to come back to Council on Capital Improvement Projects, even though they are approved in an annual plan.

The Council briefly discussed whether they should set some dollar amount for capital items on the list to be individually approved by Council. Public Facilities/Capital Improvement & GIS Director John Hughes stated that anything over \$5,000 must be listed on the Capital Improvement Plan, per prior Ordinance. It was agreed that the Capital Improvement Plan provides a forecast for capital outlay for future years and was a good tool and they would like to discuss in the future some options of the format of the plan.

Councilmember Singleton moved, seconded by Councilmember Hans, that the 2015-2016 Capital Improvement Project Plan be approved as presented, with continued discussion on future capital project plan format.

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

9. CITY ADMINISTRATOR REPORT

City Administrator Bruce Smith mentioned he attended a Nebraska Energy Symposium, which included energy suppliers. He stated the City's contract with NPPD is up for renewal in 2021; however, it is likely that the NPPD representative will be on the agenda in October requesting the City renew the contract. Mr. Smith stated he will likely be asking the Council to consider hiring a consultant to review other opportunities prior to committing to the NPPD contract.

Councilmember Singleton moved, seconded by Councilmember Fritz, that the City Administrator's Report dated September 15, 2015 be accepted.

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

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Nay: None

Absent: Pike. Motion carried.

10. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Kamprath stated he will be requesting an agenda item for an update on Project Hot Mill and also an item for information on dates when the rail site land purchase options are up for renewal.

11. ANNOUNCEMENT OF UPCOMING EVENTS

None.

12. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Fritz, that the September 15, 2015 City Council Meeting adjourn.

Aye: Hans, Beck, Fritz, Singleton, Wilken, Schmit, Kamprath

Nay: None

Absent: Pike. Motion carried.

THE CITY OF SEWARD, NEBRASKA

\_\_\_\_\_  
Joshua Eickmeier, Mayor

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