

AGENDA

SEWARD CITY COUNCIL MEETING

Tuesday, October 20, 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, October 20, 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. INTRODUCTIONS, SPECIAL PRESENTATIONS & PROCLAMATIONS - Mayor Eickmeier

A. Introduction of Katrina Goldsmith as the Aging Services Commission Assistant

2. CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF OCTOBER 6, 2015 - Bonnie Otte

3. CONFIRMATION OF MAYOR'S APPOINTMENTS - Mayor Eickmeier

- A. Accept resignation of Thomas Spunaugle from Planning Commission and Seward Community Redevelopment Authority
- B. Accept resignation of David Kumm from the LB840 Sales Tax Application Review Board for Economic Development
- C. Accept resignation of Mary Meyer from Civil Service Commission

- 4. CONSIDERATION OF CONSENT AGENDA**
 - A. Claims & Payables Reports
 - B. City Clerk-Treasurer Report
 - C. City Codes Director Report
 - D. Police Department Report
 - E. Seward County Economic Development Corporation Director's Report
 - F. Infrastructure Cost Items Reimbursable Back to the City
- 5. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF PRELIMINARY AND FINAL PLAT OF PITSCH ADDITION - John Hughes**
 - A. Consideration of an Ordinance approving the Final Plat of Pitsch Addition
- 6. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF A SPECIAL USE PERMIT FROM PAMELA HAMPL, 1075 AUGUSTA DRIVE, TO OPERATE A HAIR SALON AT RESIDENCE - John Hughes**
- 7. CITIZEN CONCERNS REGARDING CELL TOWER SETUP AND LOCATION - Norm Porter**
- 8. CONSIDERATION OF STREET CLOSURE CROSSING HWY 15 FOR CHAMBER OF COMMERCE ANNUAL HOLIDAY PARADE PERMIT ON NOVEMBER 28, 2015 - Interim Executive Director Kathy Evert**
- 9. CONSIDERATION OF REJECTION OF BID FOR ROBERTS STREET AREA DISTRIBUTION LINE UPGRADES - Olsson Associates, Garrett Klein**
- 10. PRESENTATION BY NEBRASKA PUBLIC POWER DISTRICT ON WHOLESALE POWER CONTRACT - Chad Podolak & Pat Pope**
- 11. CONSIDERATION OF A CONSULTING SERVICES AGREEMENT WITH JK CONSULTING FOR PROVIDING A COMPLETE POWER SUPPLY EVALUATION - Bruce Smith & John Krajewski, P.E.**
- 12. CONSIDERATION OF AN AGREEMENT WITH EARTH NETWORKS, INC FOR PLACEMENT OF A WEATHER CAMERA, WEATHER STATION, AND RELATED HARDWARE AND SOFTWARE ON THE WATER TOWER- Tim Richtig**
- 13. CITY ADMINISTRATOR'S REPORT- Bruce Smith**
- 14. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION - Mayor Eickmeier**
- 15. ANNOUNCEMENT OF UPCOMING EVENTS - Mayor Eickmeier**
 - A. October 25 @ 10:00 a.m. - 5:00 p.m. - Seward Youth Center Fundraiser - 4th Street between Hwy 34 & South Street
 - B. October 31 @ 4:30-7:00 - United Methodist Church-Halloween Trunk N Treat-Northern Heights to Crestwood on N 5th
 - C. November 28 @ 5:30 p.m. - Annual Holiday Lighted Parade
- 16. 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 16th day of October, 2015.

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

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G1

**INTRODUCTIONS, SPECIAL PRESENTATIONS &
PROCLAMATIONS - Mayor Eickmeier**

Introduction of Katrina Goldsmith as the Aging Services Commission Assistant

Staff Contact:

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G2

**CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF
OCTOBER 6, 2015 - Bonnie Otte**

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

Staff Contact:

October 6, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, October 6, 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, Barbara Pike, John Singleton, Chris Schmit, Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: None.

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 15, 2015 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Fritz, that the minutes of the September 15, 2015 City Council meeting be approved.

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

Nay: None

Absent: None. 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. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST

10-6-15

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.

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Alliance Technologies	Se		3,457.00
Amazon.Com Credit Service	Su, Bu, Misc		2,554.96
American General Life Ins	Ins		339.00
American Library Assoc	Dues		269.00
Ameritas Life Insurance Co	Ex		235.30
Art On Display	Su		1,230.00
Awards Unlimited Inc	Su		56.00
Baker & Taylor	Su		551.37
Baldinger Charlotte	Mi		26.45
Barnes & Noble Bookseller	Su		31.92
Battery Universe	Su		499.50
Black Hills Energy	Ut		187.32
Blue Cross Blue Shield Ne	Ins		53,767.47
Blue River Electric LLC	Se		710.40
Boggs Seth	Se		705.00
Capital Business-Dallas	Ma		341.20
Cash-Wa Distributing Co	Su		434.55
Chase Card Service			3,353.01
Holiday Inn Express	Trng	284.70	
WalMart	Su	265.30	
ACT*GP ADA Center	Trng	400.00	
Embassy Suites	Meals, Trng	406.44	
Round the Bend Stkhouse	Meals	60.00	
Menards	Bu	34.21	
Interstate All Battery	Su	22.14	
Adobe*ExportPDF	Ex	-23.88	
Zoomshift	Ex	70.00	
Paypal	Su	61.60	
Alert All Corp	Su	1,772.50	
City Seward Buildings/Gr	Operations		2,000.00
City Seward General Fund	Franchise/Park Fees		637,740.29
City Seward Library Petty	Bu, Su		252.33
City Seward Payroll Accnt	Payroll		115,067.00
Collins ME Contracting Co	Ci		16,640.00
Commonwealth Electric Co	Ci		12,725.00
Consolidated Management	Meals		146.75
Constellation Newenergy	Ut		78.11
Continental Fire/Alarm/De	Se		190.00
Deere John Landscapes	Su		91.68
Delta Dental	Ins		1,436.40
Dutton-Lainson Co	Su		34,600.00
Emergency Medical Product	Su		388.36
Fair-Play Company	Ci		45,990.00
Fastenal Company	Su		118.05
Gabriel Burger Else Cpa PC	Se		7,000.00
Garden Gate Magazine	Su		39.00

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General Code	Se	2,570.40
Gerdes Jared	Mi	72.45
Gerhold Concrete Co Inc	Su	25,387.14
Great Plains Communication	Se	586.00
H & S Plumbing Heating AC	Bu, Se	767.58
Herb'S Window Service	Ma	650.00
Hireright Solutions	Se	34.15
Hobson Automotive & Tire	Re	307.38
House Beautiful Magazine	Su	26.97
Husker Electric Supply Co	Su	2,580.00
Hydraulic Equip Service	Re, Bu	1,184.64
I E S Commercial Inc	Ci	81,622.26
Int'l Public Management	Su	314.50
J R Welding Inc	Su	148.74
Jackson Lindsey	Refnd	13.20
Jackson Services Inc	Ma	109.94
Johnson Bryce C	Me, Mi	161.46
Jones Automotive	Se, Eq	9,002.18
Koranda Construction	Bu, Su	1,075.23
Kriz-Davis Co	Su, Re	20,567.95
Last Mile Network Consult	Se	90.00
Latsch'S	Su	41.98
Leadership Resources	Se	590.80
Lincoln Journal-Star	Su	306.80
Lincoln Tree Service Inc	Se	5,925.00
Lincoln Winwater Works	Su	363.80
Matheson Tri-Gas Inc	Su	16.50
Memorial Health-Drug	Su	30.00
Merle'S Garden Center	Gu	258.50
Mid-American Benefits Inc	Ins	917.63
Midwest Laboratories Inc	Se	751.10
Midwest Turf & Irrigation	Re	243.62
Mother Earth News Magazine	Su	17.00
Mountain Plains Library	Dues	55.00
Nat'l On-Site Waste Water	Trng	100.00
Nebraska Library Assoc	Trng	570.00
Nebraska Life Magazine	Su	44.00
Net-Tech Distributing Inc	Re, Su	5,875.86
Nifco Mechanical Systems	Bu	100.00
Northern Safety Co Inc	Bu	502.76
O C L C Inc	Se	180.69
Odeys Inc	Su, Gu	758.98
Olsson Associates	Se	10,986.07
Omaha World Herald	Su	247.00
O'Reilly Auto Parts	Re	52.79
Orscheln Farm & Home	Su, Re, Eq	489.43

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Overdrive	Su		800.00
Pac 'N' Save Discount Food	Su		7.57
Pankoke Henry W	Ma		220.00
Peavey Lynn Co	Su		160.50
Plains Equipment Group Inc	Re		150.26
Precision Tool & Machine	Re		170.00
Principal Financial Group	Ins		667.86
Quill Corp	Su		240.06
Resco Electric Utility	Eq		3,375.00
Roehr Ed Safety Products	Eq		780.00
Sam'S Club (Lib-Rec-Pool)	Su		1,202.09
Sam'S Club (Sen Center)	Su		250.71
Seward Woman'S Club	Awards		150.00
Smith Bruce	Ex, Meal		107.00
St John Lutheran Church	Ci		51,800.00
Stutzman Digging	Ci		6,990.00
Supplyworks	Su		101.94
Tools Plus Industries LLC	Eq		76.73
U S A Bluebook - Cust 812	Su		2,959.35
U S A Today	Su		300.00
U S Cellular	Ex		228.32
University Nebraska-Bio	Trng		120.00
Visa - Pinnacle Bank			378.62
Lighting Supply.com	Re	333.65	
Pac N Save	Su	34.97	
WalMart	Su	10.00	
Woods & Aitken LLP	Se		82.50
Wreckonciled Collision	Re		3,216.47
Claims Total			<u>\$1,194,484.88</u>

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

Nay: None

Absent: None. Motion carried.

3. CONSIDERATION OF AN ORDINANCE AMENDING WATER UTILITY RATES

Andrew Ross, Nebraska Municipal Power Pool Director, presented the rate study information for the electric, water and sewer utilities. He stated that earlier projections suggested increasing the electric rates by 4.7% beginning October 1. However, based on current cash reserves, debt service, cost of power purchase, and capital needs, the result is a recommendation of no electric rate change at this time and possibly none in 2016; however, after that, due mainly to the capital needs, increasing cost of transmission and NPPD rising costs, there will likely be proposed increases of 3-4% each year beginning in 2017.

Mr. Ross stated the rate study for the sewer utility also indicated no need for an increase, but is indicating a 4.5% rate increase in October of 2016.

Mr. Ross then reviewed the rate study information for the water utility and stated that due to the capital expenses, the recommendation is to increase the rates by 2.6%. He stated the cash reserves are healthy; however, there

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are some very large expenses planned and even with the 2.6% increase, there will be a need to use some of the cash reserves for stabilization of rates.

Mr. Ross stated the 2014 community survey is complete and he will forward this information to the City to share. He stated this comparison does not compare facilities, but just rates.

Ordinance No. 2015-15 initiating a 2.6% increase for water rates was adopted.

Councilmember Pike moved, seconded by Councilmember Schmit, 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. 2015-15, "AN ORDINANCE TO AMEND SECTION 3-127 OF THE CITY CODE; TO INITIATE A 2.6% INCREASE IN REVENUES CHARGED TO CUSTOMERS FOR SERVICE FROM THE WATER SYSTEM OF THE CITY EFFECTIVE WITH THE OCTOBER 2015 BILLING; TO PROVIDE FOR BILLING THEREOF; TO REPEAL SECTION 3-127; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT" 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, Pike, Singleton, Kamprath

Nay: None

Absent: None. Motion carried.

4. AUTHORIZE PLACEMENT OF "WELCOME TO SEWARD" SIGN ON CITY PROPERTY ON EAST HWY 34

Clarence Wattier, representing the Seward Area Chamber of Commerce First Impressions Committee, presented a request to utilize City property to erect a "Welcome To Seward" sign on east Highway 34 north of the old John Deere building. The sign is meant to enhance and compliment Seward's Fourth of July City designation, the Parade of Flags, and the National Guard museum while welcoming visitors. He stated the plan is to have two galvanized steel sign posts and aluminum tube construction with 3M high performance vinyl lettering. He stated the funding for the project will come from private donations, and the Seward Area Chamber of Commerce will serve as the grant applicant for potential grants through Seward County Visitors' Committee, Seward Foundation, LB840 grant, and WalMart. He said the City will be asked to provide the electricity to illuminate the LED lights, and they may be requesting City assistance for dirt work and concrete for construction, but there should be very little maintenance. The proposed cost of the project is \$11,755.86 and none of the work would begin until the funds are secured.

There was additional discussion as to whether this new sign would replace the current sign on east Hwy 34 or if that sign would remain and whether the proposed location for the new sign is the best location considering potential growth of the City to the east and the tree line which would obstruct view of the sign. There was a suggestion to contact the property owners further to the east and inquire whether they would allow placement of the sign on their property.

City Attorney Hoffschneider stated that if the City approves placement on City property, it would be recommended to prepare an easement for construction and a maintenance and utility agreement so all parties understand the future responsibility for the sign.

Councilmember Singleton moved, seconded by Councilmember Pike, that the City supports the sign conceptually; however, requests the Seward Area Chamber of Commerce Impressions Committee look at alternative locations for placement

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of the sign east of the proposed location north or south of Hwy 34.

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

Nay: None

Absent: None. Motion carried.

5. CONSIDERATION OF MEMBERSHIP AGREEMENT WITH SEWARD COUNTY ECONOMIC DEVELOPMENT CORPORATION

Councilmember Beck moved, seconded by Councilmember Pike, that the Membership Agreement with Seward County Economic Development Corporation be approved.

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

Nay: None

Absent: None. Motion carried.

6. CONSIDERATION OF A FUNDING AGREEMENT WITH SEWARD COUNTY ECONOMIC DEVELOPMENT CORPORATION

Councilmember Schmit moved, seconded by Councilmember Fritz, that a Funding Agreement with Seward County Economic Development Corporation in the amount of \$40,000.00 be approved.

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

Nay: None

Absent: None. Motion carried.

7. CONSIDERATION OF A FUNDING AGREEMENT WITH SEWARD AREA CHAMBER OF COMMERCE

Councilmember Singleton moved, seconded by Councilmember Hans, that the Funding Agreement with the Seward Area Chamber of Commerce in the amount of \$22,500.00 be approved.

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

Nay: None

Absent: None. Motion carried.

8. CONSIDERATION OF A SETTLEMENT AGREEMENT WITH CHARLES AND LAVONNE EVANS REGARDING PURCHASE OF CEMETERY LOTS AT SEWARD GREENWOOD CEMETERY

City Attorney Kelly Hoffschneider presented an agreement with Charles and LaVonne Evans to settle any potential dispute arising from two cemetery lots purchased by the Evans that were erroneously sold to another party. The agreement states the City shall provide the opening and closing of two newly deeded cemetery lots at no additional cost to the Evans.

Councilmember Kamprath moved, seconded by Councilmember Pike, that the Settlement Agreement with Charles and LaVonne Evans regarding purchase of cemetery lots at Seward Greenwood Cemetery be approved.

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

Nay: None

Absent: None. Motion carried.

9. CONSIDERATION OF SEWARD FOUNDATION APPLICATIONS

Becky Baker, Seward Memorial Library Director presented a request in the amount of \$1,135 as a grant funding match to purchase a table and chairs for use with an Early Literacy Station (Bilingual) and Edge Tablet equipment.

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She stated this same grant was approved by the City Council last year and forwarded to the Seward Foundation; however, the Library did not receive the grant funds from the Nebraska Library Commission, so she withdrew the request from the Seward Foundation.

There was an inquiry as to whether this application should be submitted to the Seward School Board, since it involves educational equipment and the Seward School system is part of the educational arm of the community. It may be beneficial on the grant application to get the School Board's support.

Ms. Baker stated that everything about the Library is educational and all City requests have always come to the City Council and teacher and school requests go to the School Board.

Councilmember Schmit moved, seconded by Councilmember Singleton, that the request in the amount of \$1,135 as a grant funding match to purchase a table and chairs for use with an Early Literacy Station (Bilingual) and Edge Tablet equipment be approved and forwarded on to the Seward Foundation for consideration.

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

Nay: None

Absent: None. Motion carried

10. CONSIDERATION OF A RESOLUTION AUTHORIZING THE LEASE/PURCHASE AND/OR FINANCE OF EQUIPMENT THROUGH CATERPILLAR FINANCIAL SERVICES CORPORATION

Public Facilities/Capital Improvement/GIS Director John Hughes presented a lease agreement with Caterpillar Financial Services for a 60-month lease of a motor grader at an annual cost of \$20,258.69.

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2015-23

WHEREAS, the laws of the State of Nebraska (the "State") authorize City of Seward (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

The Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

BE IT THEREFORE RESOLVED, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (III) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that

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the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Joshua Eickmeier, Mayor

be, and each is authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the agreement and related documents; and

that the City Clerk of the Governmental Entity is authorized to attest to these resolutions and affix the seal of the governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligation of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

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

The Mayor declared the resolution adopted.

Dated: October 6, 2015

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

(SEAL)

11. REQUEST FOR UPDATE ON STATUS OF PROPOSED HOT MILL PROJECT TO INCLUDE DETAILS AND TIMELINE OF LAND PURCHASE OF OPTIONS ON RAIL CAMPUS PROPERTY

City Attorney Hoffschneider stated that if the Council wants to hear detail

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information on the amounts of the land purchase options on the Rail Campus property, he recommends the Council go into closed executive session for the purpose of conducting a strategy session for the purchase of real estate.

Councilmember Schmit stated that he and Councilmember Pike are on the Lincoln/Seward Regional Rail Committee and there was a meeting on October 2 to discuss the Hot Mill Project; however, Darl Naumann, Project Hot Mill representative, was not in attendance. Mr. Schmit stated the Community Redevelopment Authority requested additional information to consider Tax Increment Financing Funding, and to date, this information has not been delivered. He said he did not see anything happening with the project until the developer provides the requested information.

City Attorney Hoffschneider stated the renewal dates for the options are September 2016, January 2017 and February 2017.

No action was taken on this item.

12. CITY ADMINISTRATOR REPORT

Councilmember Schmit stated Mel Bolte was presented with a plaque and recognition for 50 years of service on the Seward Park and Recreation Board.

There was an inquiry as to when work on East Seward Street would begin at which John Hughes stated removal of the surface, grading, and a new overlay would begin within the week.

Councilmember Pike moved, seconded by Councilmember Kamprath, that the City Administrator's Report dated October 6, 2015 be accepted.

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

Nay: None

Absent: None. Motion carried.

13. CONSIDERATION OF A TORT CLAIM FROM JAY AND CONNIE SEITSINGER, 848 N 6TH STREET FOR PERSONAL PROPERTY DAMAGE

City Attorney Hoffschneider stated the City received a letter from Greg Damman, representing Jay & Connie Seitsinger, 848 N 6th Street for a Tort Claim based on a sewer backup. Mr. Hoffschneider stated the Seitsingers submitted a claim, which the Council denied at the February 17, 2015 City Council meeting and forwarded it to Employer's Mutual Insurance (City's insurance carrier). Employer's Mutual also denied the claim stating their investigation discovered no negligence on the City's part. He stated he believes this Tort Claim is a resubmission of the same claim, pursuant to the Political Subdivisions Tort Claims Act of Nebraska. He recommended the Council follow their previous action and deny this claim. He also recommended the Council enter into executive closed session if they would like to further discuss the details of the claim. Mr. Hoffschneider stated denying this claim does not deter the City from reaching a resolution with the Seitsinger's. He stated that if the Council denies the claim and no resolution is reached, the property owner could file a lawsuit in District Court.

Councilmember Pike moved, seconded by Councilmember Beck, that the City deny the Tort Claim, based on a sewer backup, submitted by Greg Damman, representing Jay & Connie Seitsinger, 848 N. 6th Street.

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

Nay: None

Absent: None. Motion carried.

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14. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

15. ANNOUNCEMENT OF UPCOMING EVENTS

- A. October 25 @ 10:00 a.m. - 5:00 p.m. - Seward Youth Center Fundraiser
- 4th Street between Hwy 34 & South Street
- B. October 31 @ 4:30-7:00 - United Methodist Church - Halloween Trunk
N Treat -Northern Heights to Crestwood on N 5th
- C. November 28 @ 5:30 p.m. - Annual Holiday Lighted Parade

16. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the October 6, 2015 City Council Meeting adjourn.

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

Nay: None

Absent: None. 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, October 20, 2015
Regular Session

Item G3

**CONFIRMATION OF MAYOR'S APPOINTMENTS - Mayor
Eickmeier**

*Accept resignation of Thomas Spunaugle from Planning Commission and Seward Community
Redevelopment Authority*

*Accept resignation of David Kumm from the LB840 Sales Tax Application Review Board for Economic
Development*

Accept resignation of Mary Meyer from Civil Service Commission

Administrative Report: Following review and discussion, a motion to confirm the acceptance of
resignations would be in order.

Staff Contact:

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G4

CONSIDERATION OF CONSENT AGENDA

Claims & Payables Reports

City Clerk-Treasurer Report

City Codes Director Report

Police Department Report

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
10-20-15
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.

Advanced Floor Care Inc	Ma	250.00
Aldrich Melvin L	Ex	90.00
Alliance Technologies	Se	3,823.60
Allied Surveying & Mapping	Se	200.00
Ameritas Life Insurance Co	Ins	8,466.56
Anderson Brock	Misc	70.00
Austin T J	Misc	70.00
Awards Unlimited Inc	Su	5.00
Baker & Taylor	Su	626.07
Baldwin Alan	Mi, Su, Meals	216.87
Beehive Industries LLC	Se	33,600.00
Black Hills Energy	Ut	123.05
Bloebaum Nickalas	Ex	90.00
Brunckhorst Kent	Ex	90.00
C N A Surety	Ins	100.00
Capital Business-Cheyenne	Su	103.00
Capital Business-Dallas	Ma	225.00
Car & Driver Magazine	Su	12.00
Cihal Alan F	Ex	90.00
City Seward Electric Fund	Ut	44,682.93
City Seward Library Petty	Su	138.43
City Seward Merchant Services	Fees	1,441.77
City Seward Payroll Account	Payroll	229,526.39
Consolidated Management	Meals	85.50
Core Robert	Ex	160.00
Cross & Sons Inc	Su	215.00
Ditch Witch Omaha	Re	59.15
Dredge Clayton	Ex	90.00
Duer Bryan	Ex	90.00
Duffek Daniel D	Ex	90.00
Dutton-Lainson Co	Su	2,702.82
E M C Insurance Companies	Ins	1,114.44
Farmers Coop Seward	Gu, Su, Re	2,654.65
Fast Mart	Su	17.51
Fastenal Company	Su, Re	590.99
Ferguson Steven C	Ex	90.00
Fisher Zachary G	Misc	375.00
French Matthew	Ex	90.00
Fritz Dean	Trees	150.00
Fyr-Tek	Re	87.80
G I S Workshop Inc	Se	7,725.00
Garbage Company 3057	Se	6,480.51
Garcia Carol	Incentive	400.00

General Fire & Safety Eq	Bu	51.75
Gerhold Concrete Co Inc	Re, Su	3,087.66
Gonzalez Edward	Ex	90.00
Graybar	Ci	2,589.40
H & S Plumbing Heating & AC	Bu	187.50
Hansen Dan	Ex	90.00
Health Magazine	Su	30.00
Hecker Jeanie	Su	32.00
Helmink Printing Inc	Su	895.10
Hemphill Electric LLC	Su	334.24
Hobson Automotive & Tire	Re	941.32
Hochstein Jared	Ex	90.00
Holiday Inn-Kearney	Trng	263.85
Hughes John	Ex	90.00
Husker Electric Supply Co	Re, Su	3,556.33
Internal Revenue Service	Fees	9.48
Int'L Institute Municipal	Dues	250.00
Jackson Ron	Misc	70.00
Jackson Services Inc	Ma	162.32
Janicek Gary M	Meals	9.08
Johner Randy	Ex	121.01
Jones National Bank & Trust	Eq	278.20
Kriz-Davis Co	Re, Su, Ci	38,957.76
Languein Connie	Se	920.00
Last Mile Network Consult	Se	223.60
Latsch'S	Su	80.25
League Ne Municipalities	Conf	373.00
Lincoln Winwater Works	Re	661.26
Love Of Quilting Magazine	Su	32.97
Mailand'S Clothing	Uniforms	38.50
Matheson Tri-Gas Inc	Su	94.30
Mattson Ricketts Law Firm	Se	4,001.00
Memorial Health-Meals	Meals	2,113.02
Mid-American Benefits Inc	Ins	397.22
Midwest Auto Parts	Su, Re, Bu	592.78
Midwest Automotive	Re	2,850.26
Midwest Laboratories Inc	Se	1,406.37
Miers Robert M	Ex	90.00
Miller Greg / Mindy	Misc	325.00
Mueller Ronald	Incentive	30.00
Municipal Supply Nebraska	Re	758.44
Nat'L Audio Company	Su	343.92
Nebraska Equipment Inc	Re	2,494.19
Nebraska Health Environment	Se	469.00
Nebraska Mun Clerks' Asso	Dues	70.00
Nebraska Pub Pow-DesMoine	Incentive, Ut	581,911.11
Nebraska Safety Council	Dues	350.00
Nebraska Sports	Eq	278.95
Niemann'S Port-A-Pot LLC	Gu	400.00
Nitz Arden A	Bu	160.74
O C L C Inc	Se	180.69

Office Depot Inc	Bu, Su	179.98
O'Kief John F	Ex	90.00
One Call Concepts Inc	Se	104.05
One Source Background Check	Se	19.00
O'Reilly Auto Parts	Re, Su	459.36
Orscheln Farm & Home	Su, Bu, Re	273.67
Otte Donna	Mi	37.38
Pac 'N' Save Discount Foods	Su	682.30
Page My Cell	Se	500.00
Pedersen Brent	Ex	90.00
Pfeil Heather	Misc	250.00
Pitney Bowes Reserve Acco	Su	3,200.00
Plains Equipment Group Inc	Re	14.84
Policky Brandon A	Ex	90.00
Pollak Cody	Ex	90.00
Pollak Douglas W	Ex	100.30
Porter Norman	Incentive	35.00
Precision Tool & Machine	Re, Su	57.00
Quill Corp	Su	711.18
Regulatory Compliance Ser	Se	395.00
Regulatory Software Ser	Se	948.00
Richtig Tim L	Ex	90.00
Ri-Tec Industrial Product	Su	125.00
Ruether Larry L	Ex	90.00
Sam'S Club (Lib-Rec-Pool)	Su	447.68
Sam'S Club (Sen Center)	Dues, Ex	132.17
Sanley Patricia	Ex	90.00
Schaefer Concrete LLC	Su	3,646.00
Schaefer Troy	Ex	90.00
Schindler Elevator Corp	Ma	843.72
Schranz Jacquelyn	Su	39.52
Seward County Independent	Su	636.02
Seward County Public Power	Ut	1,346.46
Seward County Treasurer	Se	15,188.50
Seward High Cross Country	Misc	300.00
Seward Lumber & Home Center	Su, Bu, Re	606.18
Seward School District	Ex	195.05
Smith Bruce	Meals, Misc	200.07
Smith Michael	Ex, Glasses	283.19
Spickelmier & Son Inc	Re	7,315.00
Sports Express	Su	289.00
St Louis Michelle	Ex	90.00
Suhr & Lichty Insurance A	Ins	260,678.00
Taser Training Academy	Trng	200.00
Taste Of The South Magazine	Su	32.00
Time Warner Cable	Se	79.38
U S A Bluebook - Cust 812	Su	1,091.75
U S Postal Service	Su	168.00
Ultramax	Su	1,073.00
Vancura Brad	Misc	140.00
Verizon Wireless	Se	189.03

Visa - Pinnacle Bank	Misc	43.76
Wattier Mark	Ex	90.00
Wesco Distribution Inc	Ci	107,614.52
Windstream Nebraska Inc	Se	2,318.94
Wolter Gary	Ex	171.88
	CLAIMS TOTAL	<u>\$1,415,403.49</u>

		CLERK-TREASURER'S REPORT			
		MONTH OF: SEPTEMBER 2015			
		VARIANCE AT:	100.00%		
		2014-2015			
VARIANCE	DEPARTMENT	BUDGET	EXPENDITURES	UNEXPENDED BALANCE	
62.50%	ELECTRIC	\$13,106,939.00	\$8,191,848.16	\$4,915,090.84	
100.27%	ELEC BOND PYMT	\$334,570.00	\$335,467.50	-\$897.50	
62.39%	WATER	\$1,586,736.00	\$990,016.12	\$596,719.88	
93.63%	WATER BOND PYMTS	\$458,214.00	\$429,043.52	\$29,170.48	
0.00%	WATER SINKING FUND	\$0.00	\$0.00	\$0.00	
79.77%	WASTEWATER TREATMENT	\$1,419,070.00	\$1,131,978.32	\$287,091.68	
100.35%	WWTW BOND PYMT	\$336,500.00	\$337,675.81	-\$1,175.81	
0.00%	WWTW SINKING FUND	\$0.00	\$0.00	\$0.00	
	TOTAL UTILITIES	\$17,242,029.00	\$11,416,029.43	\$5,825,999.57	
	CAPITAL PROJECTS	\$0.00	\$1,195,056.44	-\$1,195,056.44	
72.01%	LEGISLATIVE (LESS DONATIONS)	\$253,697.00	\$182,695.15	\$71,001.85	
49.39%	DONATIONS	\$100,000.00	\$49,394.45	\$50,605.55	
24.31%	LEGAL	\$259,040.00	\$62,979.30	\$196,060.70	
90.74%	POLICE	\$1,199,035.00	\$1,088,051.84	\$110,983.16	
100.00%	E911	\$179,512.00	\$179,512.00	\$0.00	
4.51%	POLICE EQUITABLE SHARING	\$100,000.00	\$4,507.52	\$95,492.48	
36.58%	STREET	\$2,297,362.00	\$840,446.61	\$1,456,915.39	
88.59%	DEBT SERVICE	\$642,848.00	\$569,500.93	\$73,347.07	
2.23%	RAIL CAMPUS	\$1,100,160.00	\$24,564.42	\$1,075,595.58	
3.46%	CDBG ECON. DEV. LOAN FUND	\$110,900.00	\$3,839.11	\$107,060.89	
51.91%	CDBG AFFORD HOUSING	\$222,770.00	\$115,647.96	\$107,122.04	
0.00%	CDBG RURAL ENTERPRISE ASST	\$0.00	\$50,549.25	-\$50,549.25	
0.00%	CDBG RAIL SITE	\$0.00	\$0.00	\$0.00	
25.92%	BLDGS & GRDS (CITY HALL)	\$99,890.00	\$25,887.79	\$74,002.21	
42.02%	CIVIC CENTER	\$328,940.00	\$138,206.49	\$190,733.51	
102.71%	LIBRARY (LESS BLDG. IMPRV)	\$503,954.00	\$517,623.98	-\$13,669.98	
0.00%	LIBRARY BLDG IMPRVMTS	\$0.00	\$0.00	\$0.00	
54.85%	PUBLIC PROPERTIES	\$673,547.00	\$369,410.48	\$304,136.52	
173.78%	CEMETERY	\$135,130.00	\$234,824.65	-\$99,694.65	
0.00%	NEW PARK DEVELOPMENT	\$0.00	\$0.00	\$0.00	
0.82%	NEW CEMETERY DEVELOPMENT	\$188,340.00	\$1,548.96	\$186,791.04	
72.50%	GUTHMAN TRUST - REGULAR	\$200.00	\$145.00	\$55.00	
0.00%	GUTHMAN TRUST - PAVING	\$0.00	\$0.00	\$0.00	
0.00%	PERPETUAL CARE - PRINCIPAL	\$0.00	\$0.00	\$0.00	
0.00%	PERPETUAL CARE - INTEREST	\$0.00	\$0.00	\$0.00	
106.65%	BLDGS & GRDS (OTHER)	\$16,300.00	\$17,383.81	-\$1,083.81	
75.36%	BUILDING INSPECTION	\$167,260.00	\$126,052.10	\$41,207.90	
29.56%	FIRE (LESS DONATIONS)	\$518,290.00	\$153,196.51	\$365,093.49	
0.00%	FIRE DONATIONS	\$0.00	\$0.00	\$0.00	
0.00%	FIRE EQUIPMENT SINKING FUND	\$51,624.00	\$0.00	\$51,624.00	
6.63%	TREE BOARD	\$8,000.00	\$530.50	\$7,469.50	
45.86%	PLANNING COMMISSION	\$83,010.00	\$38,070.63	\$44,939.37	
80.21%	DOWDING POOL (LESS DONATIONS)	\$237,700.00	\$190,651.04	\$47,048.96	
0.00%	POOL DONATIONS	\$0.00	\$0.00	\$0.00	
0.00%	CONCESSION STAND	\$0.00	\$0.00	\$0.00	
53.53%	SWIMMING LESSONS	\$20,100.00	\$10,760.23	\$9,339.77	
55.91%	RECREATION	\$379,870.00	\$212,388.82	\$167,481.18	
96.28%	SENIOR CENTER	\$105,522.00	\$101,596.82	\$3,925.18	
66.81%	SENIOR SHUTTLE	\$3,488.00	\$2,330.38	\$1,157.62	
57.14%	RECYCLING	\$50,130.00	\$28,643.78	\$21,486.22	
	ECONOMIC DEVELOPMENT	\$373,900.00	\$93,169.74	\$280,730.26	
	TAX INCREMENT FINANCING	\$832,956.00	\$1,004,914.53	-\$171,958.53	
	TOTAL BUDGET	\$28,485,504.00	\$7,634,081.22	\$9,435,393.35	

City of Seward Treasurer

Securities Pledged at The Jones National Bank & Trust Company

Account Number	Long Account Description	Original Par Value	Original Coupon Rate	Original Maturity Date	Original Book Value	Safekeep Receipt Number	Source Name	Market Value
155	GOEHNER NE	\$10,000.00	4.2500%	07/15/2016	\$10,000.00	365006860	COMMERCE BANK	\$10,025.00
385	FHLMC (AFS)	\$1,000,000.00	1.2500%	05/12/2017	\$1,021,350.00	60027094	COMMERCE BANK	\$1,010,660.00
156	GOEHNER NE	\$10,000.00	4.3000%	07/15/2017	\$10,000.00	365006861	COMMERCE BANK	\$10,024.70
281	WEST POINT NE CTFS OF PARTIC	\$100,000.00	4.2500%	11/01/2017	\$100,000.00	365007602	COMMERCE BANK	\$100,199.00
361	FFCB (AFS)	\$1,000,000.00	0.9300%	04/26/2018	\$1,002,060.00	528004571	COMMERCE BANK	\$998,390.00
277	WAVERLY NE COMB UTIL	\$130,000.00	3.7000%	06/15/2018	\$130,000.00	457003526	COMMERCE BANK	\$130,195.00
157	GOEHNER NE	\$15,000.00	4.3500%	07/15/2018	\$15,000.00	365006862	COMMERCE BANK	\$15,038.10
430	FNMA (AFS)	\$1,000,000.00	1.6250%	11/27/2018	\$1,003,920.00	60027564	COMMERCE BANK	\$1,017,880.00
403	FHLB (AFS)	\$1,000,000.00	1.3000%	10/29/2019	\$1,001,000.00	401001463	COMMERCE BANK	\$996,520.00
482	SEWARD CO RPPD ELEC SYS REV	\$160,000.00	1.6000%	11/15/2019	\$160,000.00	561000719	COMMERCE BANK	\$160,705.60
444	SEWARD CO NE SD#9 GO REF BOND	\$200,000.00	1.4500%	12/15/2019	\$200,000.00	548002035	COMMERCE BANK	\$201,846.00
389	FHLMC (AFS)	\$1,000,000.00	1.6500%	03/13/2020	\$1,002,750.00	60027072	COMMERCE BANK	\$1,009,380.00
335	MADISON CO NE SD#2 (NORFOLK)	\$200,000.00	1.8000%	12/15/2020	\$200,000.00	528002911	COMMERCE BANK	\$201,450.00
338	SARPY CO SD #37 GO BONDS	\$195,000.00	2.1500%	12/01/2021	\$195,000.00	528003135	COMMERCE BANK	\$195,828.75
330	THURSTON NE SD #1, PENDER 2012	\$155,000.00	2.0500%	12/15/2021	\$155,000.00	528001710	COMMERCE BANK	\$155,833.90
463	BUFFALO CO NE SD#7 KEARNEY GO	\$200,000.00	2.3500%	12/15/2023	\$200,000.00	359001318	COMMERCE BANK	\$204,980.00
407	CLAY CO NE HWY ALLOC GO	\$200,000.00	2.3000%	06/15/2024	\$200,000.00	165042481	COMMERCE BANK	\$200,628.00
456	SCOTTSBLUFF COUNTY NE SD #32	\$250,000.00	2.5000%	06/15/2024	\$250,000.00	548002441	COMMERCE BANK	\$252,932.50
435	BUFFALO CO NE SD#19-SHELTON NE	\$200,000.00	3.1500%	12/15/2024	\$200,000.00	548001430	COMMERCE BANK	\$204,734.00
302	FHLMC CMO FHR-3997 LN	\$1,000,000.00	2.5000%	03/15/2040	\$1,024,375.00	60026304	COMMERCE BANK	\$391,780.37
Summary		\$8,025,000.00			\$8,080,455.00			\$7,469,030.92

Oct 1, 2015

1

5:30:07 AM

City of Seward Treasurer

Securities Pledged at The Jones National Bank & Trust Company

Fax # (402) 643-6491

Carla Hain

CASH IN BANK = \$6,681,622.15

Date: 09/28/15
Time: 17:46:09
User: ACCT4

Pledge Inventory Report
For 09/30/15

Report#: P010
Version:
Page#: 1

Institution: 052 (The Cattle National Bank)

Pledge-Tx# Portfolio	Total Par Total Deposits	Maturity Settle	Trans# Sloc	CUSIP Receipt#	P l e d g e d I n v e n t o r y			TTL FFIEC	Pledged Par MBS Face Par	Collateral-Value Market-Value
					Security Description	Rate/Div	Maturity			
CITY OF SEWARD (CITY)										
0005220028 1	3,004.80	12/01/18 03/24/03	DAD	31371HCF3	FNMA - Pool#: 252170 6.50000	12/01/2018	11/01/98	Y	3,004.80 500,000.00	3,452.45 3,436.17
0005220029 1	4,424.34	02/01/26 03/24/03	DAD	31375HAP9	FNMA ARM - Pool#: 334914 2.38800	02/01/2026	01/01/96	Y	4,424.34 1,000,000.00	4,631.90 4,623.10
0005220030 1	6,104.77	04/01/19 03/25/03	DAD	31363ARX3	FNMA ARM - Pool#: 083302 3.98000	04/01/2019	10/01/89	Y	6,104.77 3,500,000.00	6,391.03 6,370.78
0310240054 1	11,337.54	10/01/22 10/24/03	DAD	31335HUG6	FHLMC - Pool#: C90583 6.00000	10/01/2022	10/01/02	Y	11,337.54 700,000.00	12,800.92 12,744.23
0805230005 1	120,000.00	04/15/17 05/23/08	DAD	25933TAG0	DOUGLAS CNTY NEB SAN & IMPT 3.95000	04/15/2017	04/15/08	Y	120,000.00 0.00	123,845.27 121,659.60
0807240220 1	10,716.75	04/01/17 07/24/08	DAD	31371NCT0	FNMA - Pool#: 256682 5.50000	04/01/2017	03/01/07	Y	10,716.75 500,000.00	11,037.03 10,987.91
0807240221 1	34,383.39	06/01/24 07/24/08	DAD	31371LQY8	FNMA - Pool#: 255271 5.00000	06/01/2024	05/01/04	Y	34,383.39 500,000.00	38,024.41 37,881.15
0807240222 1	28,019.14	04/01/18 07/24/08	DAD	31390UMM5	FNMA - Pool#: 656564 5.00000	04/01/2018	04/01/03	Y	28,019.14 1,000,000.00	29,290.32 29,173.57
0909220085 1	42,501.24	10/01/20 09/22/09	DAD	31407T2J8	FNMA - Pool#: 840577 5.00000	10/01/2020	10/01/05	Y	42,501.24 545,000.00	45,629.64 45,452.55
0909220086 1	43,370.67	05/01/19 09/22/09	DAD	31402C5E8	FNMA - Pool#: 725445 4.50000	05/01/2019	04/01/04	Y	43,370.67 925,000.00	45,288.18 45,125.54
1004230111 1	15,222.08	04/01/18 04/23/10	DAD	31283KTH1	FHLMC - Pool#: G11452 6.50000	04/01/2018	09/01/03	Y	15,222.08 2,000,000.00	15,750.31 15,667.86
1004230112 1	6,577.95	01/01/18 04/23/10	DAD	31282CJ73	FHLMC - Pool#: M30286 4.50000	01/01/2018	02/01/03	Y	6,577.95 1,000,000.00	6,657.57 6,632.90
1005210487 1	100,000.00	02/01/26 05/21/10	DAD	68189TBA3	OMAHA NEB SPL OBLIG 6.40000	02/01/2026	03/25/08	Y	100,000.00 0.00	116,744.67 115,678.00
1101240491 1	150,000.00	06/01/20 01/24/11	DAD	287754BA2	ELKHORN NEB SUBN FIRE DIST 2 2.95000	06/01/2020	09/30/10	Y	150,000.00 0.00	151,614.50 150,139.50
1101240493 1	150,000.00	10/15/20 01/24/11	DAD	25935GAU5	DOUGLAS CNTY NEB SAN & IMPT 3.60000	10/15/2020	10/15/10	Y	150,000.00 0.00	152,808.00 150,318.00
1102230226 1	250,000.00	12/01/21 02/23/11	DAD	231868LX6	CUSTER PUB PWR DIST NEB ELEC 3.20000	12/01/2021	11/30/10	Y	250,000.00 0.00	253,161.67 250,495.00
1102230229 1	150,000.00	11/01/21 02/23/11	DAD	25930YBL0	DOUGLAS CNTY NEB SAN & IMPT 3.80000	11/01/2021	11/01/10	Y	150,000.00 0.00	152,955.50 150,580.50
1104270112 1	9,635.91	09/01/17 04/27/11	DAD	31410KNK6	FNMA - Pool#: 889694 6.50000	09/01/2017	06/01/08	Y	9,635.91 180,000.00	10,003.51 9,951.32
1108240265 1	120,000.00	09/15/16 08/24/11	DAD	226490AE0	CRETE NEB 1.85000	09/15/2016	06/28/11	Y	120,000.00 0.00	121,321.47 121,222.80
1108240266 1	250,000.00	12/15/19 08/24/11	DAD	803770MB9	SARPY CNTY NEB SCH DIST NO 037 3.35000	12/15/2019	03/11/11	Y	250,000.00 0.00	255,073.47 252,607.50
1110030079 1	115,000.00	12/15/15 09/30/11	DAD	433605AD4	HITCHCOCK CNTY NEB SCH DIST 70 1.35000	12/15/2015	07/27/11	Y	115,000.00 0.00	115,715.88 115,258.75
1110240559 1	100,000.00	06/01/23 10/24/11	DAD	486800CA1	KEARNEY CNTY NEB 3.65000	06/01/2023	06/15/11	Y	100,000.00 0.00	103,708.67 102,492.00
1110240562 1	240,000.00	12/15/21 10/24/11	DAD	433605AK8	HITCHCOCK CNTY NEB 3.05000	12/15/2021	07/27/11	Y	240,000.00 0.00	243,823.33 241,668.00
1202270145 1	75,000.00	08/01/24 02/27/12	DAD	357406DJ3	FREMONT NE 3.15000	08/01/2024	10/04/11	Y	75,000.00 0.00	75,873.00 75,479.25
1204240052 1	150,000.00	12/15/25 04/24/12	DAD	803770NS1	SARPY CNTY NE SCH DIST #37 2.45000	12/15/2025	03/22/12	Y	150,000.00 0.00	152,319.58 151,237.50
1206220440 1	200,000.00	12/15/25 06/22/12	DAD	93811RBD5	WASHINGTON CNTY NE SCD #24 2.95000	12/15/2025	05/16/12	Y	200,000.00 0.00	202,917.22 201,180.00

Date: 09/28/15
Time: 17:46:09
User: ACCT4

Pledgee Inventory Report
For 09/30/15

Report#: P010
Version:
Page#: 2

Institution: 052 (The Cattle National Bank)

Pledge-Tx# Portfolio	Total Par Total Deposits	Maturity Settle	Trans# Sloc	CUSIP Receipt#	P l e d g e d I n v e n t o r y			TTL FFIEC	Pledged Par MBS Face Par	Collateral-Value Market-Value
					Security Description Rate/Div	Maturity	Issued			
CITY OF SEWARD (CITY)										
1209210358 1	55,000.00	10/15/23 09/21/12	DAD	428826AM3	HICKMAN NE COMB UTIL REV 2.75000	10/15/2023	05/01/12	Y	55,000.00 0.00	55,946.58 55,249.15
1209210359 1	140,000.00	08/01/26 09/21/12	DAD	854746DB7	STANTON CNTY NE PUB PWR DIST 2.75000	08/01/2026	03/29/12	Y	140,000.00 0.00	138,502.47 137,860.80
1210260189 1	125,000.00	11/15/20 10/26/12	DAD	259260BC0	DOUGLAS CNTY NE SANTN & IMPT 3.30000	11/15/2020	11/15/11	Y	125,000.00 0.00	130,725.83 129,167.50
1210260190 1	150,000.00	12/15/22 10/26/12	DAD	259353DQ0	DOUGLAS CNTY NEB SCH DIST 059 3.60000	12/15/2022	05/12/11	Y	150,000.00 0.00	153,577.50 151,987.50
1210260192 1	105,000.00	04/01/22 10/26/12	DAD	372136EB3	GENEVA NEB 4.05000	04/01/2022	02/25/11	Y	105,000.00 0.00	108,849.30 106,723.05
1210260194 1	250,000.00	09/01/16 10/26/12	DAD	67868UBV4	OKLAHOMEA CNTY OK FIN AUTH 5.84000	09/01/2016	07/14/09	Y	250,000.00 0.00	261,856.67 260,640.00
1301240229 1	200,000.00	06/15/23 01/24/13	DAD	88609PCW2	THURSTON CNTY NE SCD #16 3.70000	06/15/2023	09/27/12	Y	200,000.00 0.00	203,036.89 200,858.00
1301240230 1	200,000.00	10/01/23 01/24/13	DAD	259344AU3	DOUGLAS CNTY NE SAN & IMPT 3.25000	10/01/2023	10/01/12	Y	200,000.00 0.00	204,204.00 200,954.00
1301240231 1	200,000.00	10/15/23 01/24/13	DAD	80376DCN7	SARPY CNTY NE SAN & IMPT DIST 3.25000	10/15/2023	10/15/12	Y	200,000.00 0.00	204,317.22 201,320.00
1304300067 1	100,000.00	11/15/23 04/30/13	DAD	68905FFE4	OTOE CNTY NE SCH DIST #111 2.50000	11/15/2023	02/15/13	Y	100,000.00 0.00	100,186.44 99,242.00
1304300068 1	135,000.00	06/15/27 04/30/13	DAD	930583CT4	WAHOO NE UTILITY REVENUE 3.00000	06/15/2027	03/12/13	Y	135,000.00 0.00	134,893.80 133,701.30
1305230401 1	137,315.22	07/01/19 05/23/13	DAD	3128MMAD5	FHLMC - Pool#: G18003 5.50000	07/01/2019	07/01/04	Y	137,315.22 3,000,000.00	146,537.77 145,908.41
1306210220 1	150,000.00	12/15/26 06/21/13	DAD	397802KH1	GRETNA NE 2.75000	12/15/2026	05/31/13	Y	150,000.00 0.00	145,058.58 143,844.00
1307240271 1	200,000.00	06/01/25 07/24/13	DAD	287742LU2	ELKHORN NE RURAL PUBLIC PWR 2.65000	06/01/2025	06/27/13	Y	200,000.00 0.00	197,850.67 196,084.00
1307240272 1	278,772.85	12/15/26 07/24/13	DAD	36176WB6	GNMA-I - Pool#: 778670 4.00000	12/15/2026	12/01/11	Y	278,772.85 560,000.00	296,002.78 295,073.54
1308230267 1	100,000.00	12/15/25 08/23/13	DAD	757045DV8	RED WILLOW CNTY NE 2.65000	12/15/2025	06/20/13	Y	100,000.00 0.00	99,366.28 98,586.00
1309230059 1	215,233.66	07/01/26 09/23/13	DAD	3138AMK38	FNMA - Pool#: AI7513 4.50000	07/01/2026	07/01/11	Y	215,233.66 500,000.00	231,572.05 230,764.92
1310300064 1	65,505.33	12/20/20 10/30/13	DAD	36241KJN9	GNMA-II - Pool#: 782069 5.50000	12/20/2020	03/01/06	Y	65,505.33 750,000.00	69,971.04 69,670.81
1310300067 1	56,620.18	12/01/17 10/30/13	DAD	31391XHQ5	FNMA - Pool#: 679839 5.50000	12/01/2017	12/01/02	Y	56,620.18 2,000,000.00	58,819.21 58,559.70
1310300068 1	63,323.11	03/20/23 10/30/13	DAD	36202ERL5	GNMA-II - Pool#: 004091 5.00000	03/20/2023	03/01/08	Y	63,323.11 500,000.00	67,396.35 67,132.50
1310300070 1	128,013.04	08/01/22 10/30/13	DAD	31371NJQ9	FNMA - Pool#: 256871 6.50000	08/01/2022	07/01/07	Y	128,013.04 1,100,000.00	142,829.14 142,135.74
1406230215 1	150,000.00	12/15/25 06/23/14	DAD	919558KF2	VLY CNTY NE 2.90000	12/15/2025	05/28/14	Y	150,000.00 0.00	152,911.33 151,630.50
1406230216 1	125,000.00	11/15/27 06/23/14	DAD	818474DD7	SEWARD CNTY NE PUBLIC PWR DIST 4.00000	11/15/2027	08/20/13	Y	125,000.00 0.00	132,808.89 130,920.00
1406230217 1	90,000.00	09/01/27 06/23/14	DAD	818488FC7	SEWARD NE WTR SYS REVENUE 2.85000	09/01/2027	03/22/13	Y	90,000.00 0.00	88,901.55 88,687.80
1406270096 1	396,327.05	05/15/25 06/27/14	DAD	3620ARB59	GNMA-I - Pool#: 737260 3.50000	05/15/2025	05/01/10	Y	396,327.05 1,000,000.00	419,957.67 418,801.72
1408220277 1	89,594.41	06/01/21 08/22/14	DAD	3128PVN22	FHLMC - Pool#: J15809 3.00000	06/01/2021	06/01/11	Y	89,594.41 285,000.00	93,715.89 93,491.90
1409230158	168,522.28	12/01/24		3128MMLQ4	FHLMC - Pool#: G18334			Y	168,522.28	181,719.98

st : 000
 port: BAS/6000-004 19.02.5
 stem: 09/30/15 17:04
 EDGED TO: 37 CITY OF SEWARD
 SECURITY PORTFOLIO ANALYSIS
 BOND ACCOUNTING SYSTEM
 PLEDGED ACCOUNTS
 Page: 14
 Run Date: 09/30/15
 Processed Thru: 09/30/15

ACCOUNT	COSIP NUMBER	CL	MATURITY DATE	PAR VALUE	Coupon RATE	BOOK VALUE	MARKET VALUE	PLEDGED VALUE	PRE	DATE	EXPIRES	AMOUNT
1480	912828C24	01	02/28/2019	10000,000.00	1.5000	9,951,093.82	10,145,000.00	111,595.00	1	03/27/14	02/28/19	110,000.00
T NOTES												
1200 WELLS FARGO												
SAFEKEEPING												
110,000.00												
111,595.00												
** TOTALS **												
NUMBER 1 10000,000.00 1.5000 9,951,093.82 10,145,000.00 111,595.00												

CURRENT YEAR: September 2015

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	1	\$ 600.00	\$ 3,000,000.00
REMODEL/ADDIT.	17	\$ 1,008.50	\$ 246,607.00
ACCESSORY	6	\$ 97.50	\$ 6,850.00
ELECTRIC	5	\$ 234.50	\$ -
PLUMBING	4	\$ 100.00	\$ -
MECHANICAL	4	\$ 710.00	\$ -
SEWER TAP	0	\$ -	\$ -
WATER TAP	0	\$ -	\$ -
TEMP. ELEC.	0	\$ -	\$ -
ELECTRIC SER.	0	\$ -	\$ -
TOTALS	37	\$ 2,750.50	\$ 3,253,457.00

YEAR TO DATE January to December 2015

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	17	\$ 13,260.51	\$ 21,592,592.42
REMODEL/ADDIT.	177	\$ 12,744.97	\$ 4,483,524.73
ACCESSORY	106	\$ 23,225.75	\$ 1,230,734.53
ELECTRIC	67	\$ 4,359.50	\$ -
PLUMBING	77	\$ 4,150.00	\$ -
MECHANICAL	33	\$ 3,015.00	\$ -
SEWER TAP	14	\$ 3,500.00	\$ -
WATER TAP	14	\$ 13,250.00	\$ -
TEMP. ELEC.	14	\$ 700.00	\$ -
ELECTRIC SER.	13	\$ 3,800.00	\$ -
TOTALS	532	\$ 82,005.73	\$ 27,306,851.68

FISCAL YEAR: Oct. 2014 to Sept. 2015

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	26	\$ 17,804.71	\$ 22,978,892.22
REMODEL/ADDIT.	199	\$ 379,183.97	\$ 4,685,516.73
ACCESSORY	140	\$ 315,809.50	\$ 906,319.28
ELECTRIC	91	\$ 5,966.25	\$ -
PLUMBING	103	\$ 5,992.00	\$ -
MECHANICAL	52	\$ 5,263.00	\$ -
SEWER TAP	31	\$ 7,750.00	\$ -
WATER TAP	31	\$ 25,575.00	\$ -
TEMP. ELEC.	32	\$ 1,600.00	\$ -
ELECTRIC SER.	31	\$ 7,400.00	\$ -
TOTALS	736	\$ 772,344.43	\$ -

LAST YEAR: September 2014

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	14	\$ 1,717.80	\$ 2,292,074.43
REMODEL/ADDIT.	69	\$ 2,265.00	\$ 765,930.00
ACCESSORY	26	\$ 4,974.25	\$ 151,114.00
ELECTRIC	9	\$ 518.75	\$ -
PLUMBING	14	\$ 960.00	\$ -
MECHANICAL	5	\$ 635.00	\$ -
SEWER TAP	3	\$ 750.00	\$ -
WATER TAP	3	\$ 2,175.00	\$ -
TEMP. ELEC.	3	\$ 150.00	\$ -
ELECTRIC SER.	3	\$ 600.00	\$ -
TOTALS	149	\$ 14,745.80	\$ 3,209,118.43

YEAR TO DATE January to December 2014

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	34	\$ 45,793.53	\$ 22,896,798.02
REMODEL/ADDIT.	141	\$ 309,081.95	\$ 25,524,839.69
ACCESSORY	98	\$ 27,336.75	\$ 818,912.00
ELECTRIC	68	\$ 19,642.75	\$ -
PLUMBING	102	\$ 16,470.00	\$ -
MECHANICAL	50	\$ 13,865.00	\$ -
SEWER TAP	18	\$ 16,200.00	\$ -
WATER TAP	18	\$ 42,450.00	\$ -
TEMP. ELEC.	22	\$ 3,375.00	\$ -
ELECTRIC SER.	20	\$ 16,150.00	\$ -
TOTALS	571	\$ 510,364.98	\$ 49,240,549.71

FISCAL YEAR: Oct. 2013 to Sept. 2014

Permits	Quantity	Permit Fee	Valuation
NEW CONST.	45	\$ 21,409.33	\$ 9,227,708.02
REMODEL/ADDIT.	176	\$ 27,407.45	\$ 13,823,800.69
ACCESSORY	109	\$ 13,556.25	\$ 745,049.00
ELECTRIC	117	\$ 8,728.00	\$ -
PLUMBING	190	\$ 10,113.00	\$ -
MECHANICAL	80	\$ 8,550.00	\$ -
SEWER TAP	26	\$ 6,500.00	\$ -
WATER TAP	27	\$ 19,550.00	\$ -
TEMP. ELEC.	31	\$ 1,525.00	\$ -
ELECTRIC SER.	30	\$ 7,000.00	\$ -
TOTALS	831	\$ 124,339.03	\$ 23,796,557.71

City of Seward - OPEN Code Violation Report

					Last Update	10/15/15
Property Address	Violation Type	Deadline	Owner Information	Delivery Type		

2015

635 N 2nd	Weeds	10/07/15	Marianna Bailey, 4415 Colfax Cr. Lincoln, NE 68504	Posted Property	This is a repeat violator. Owner failed to comply with Notice & Orders, City staff abated code violations and billed owner.
1422 Kolterman	Weeds	10/07/15	Seward Church of Christ, 1422 Kolterman Seward, NE	Posted Property	City staff called Church Rep. Doug Yoder multiple times, did not comply. Mailed Certified Notice & Orders, they refused to pick up mail. Posted Notice & Orders on property, failed to comply. City staff abated code violations, billed owner.
832 Seward St	Weeds	09/23/15	Mark Masek, 484 Branched Oak Rd. Davey, NE	Posted Property	This is a repeat violator. City staff called owner and advised of Notice & Orders. Posted Notice & Orders, failed to comply, City staff abated code violations and billed owner.

2014

200 E Pinewood	Storm water drainage	Pending	Seward School District, 643-2941	Served by Brett Baker	Voluntary compliance request letter delivered. Response letter received 3-10-15 from School District Atty, forwarded to Mayor, City Administrator, and City Atty.
2401 Karol Kay Blvd	Storm water drainage	Pending	Seward School District, 643-2941	Served by Brett Baker	Voluntary compliance request letter delivered. Response letter received 1-30-15 from School District Atty, forwarded to Mayor, City Administrator, and City Atty.
191 E Seward St	Storm water drainage	Pending	Wattier Rentals LLC, 235 Plum Creek Ln. Seward, NE 643-3117	Certified	Voluntary compliance request letter mailed

City of Seward - OPEN Code Violation Report

193 E Seward St	Storm water drainage	Pending	Wattier Rentals LLC, 235 Plum Creek Ln. Seward, NE 643-3117	Certified	Voluntary compliance request letter mailed
152 S Columbia Ave	Storm water drainage	Pending	NE District of Lutheran Church MO Synod, PO Box 407 Seward, NE 68434, 643-2961	Certified	Voluntary compliance request letter mailed. Letter received from NE District Lutheran Office, forwarded to Mayor, City Administrator, City Atty.
919 N Columbia Ave	Storm water drainage	Pending	St John Lutheran Church, 919 N Columbia Ave. Seward, NE 643-2983	Certified	Voluntary compliance request letter mailed. Communication response received from St John Engineer Dan Rossenthal, forwarded to Mayor, City Administrator, City Atty.
243 S 2nd St	Exterior openings, Protective treatment, decayed wood, gutters-downspouts, worthless vegetation	11/06/14	Kirojen LLC, 134 S 13th St. Lincoln, NE 402-475-8433	Certified	Owner failed to rectify Code violations. City abated some of the violations and invoiced the owner. Invoice paid. Received additional complaint, sent additional
110 S 12th St	Retaining wall failing	07/18/14	Locust Apartments 312 E 3rd St. Neligh, NE	Certified	Owner requested time extension to secure Contractor
424 N 7th St.	Exterior openings, Protective treatment, decayed siding/soffitts/facsia, Trash-junk	11/14/14	Jeremy Martin, 424 N 7th St. Seward, NE 402-641-6127	Served by SPD	gargae as soon as it warms up. Advised will need a Bldg permit, and to clean up yard while waiting. Owner is making progress cleaning, and repairing garage. Property cleaned up, making progress.
262 S 13th St	Exterior openings, Protective treatment, decayed siding/soffitts/facsia, Mold	Pending	Jessica Ferguson (address unknown). Purchased taxes-Charles Aden 2606 SW 14th St. Lincoln, NE 68522	Certified	Owner of Record is Jessica Ferguson (Co. Assessor), Aden purchased the taxes for the parcel in 2010 (Co. Treasurer). Proceeding to Condemnation. Trying to get reconveyance documents from Mortgage/Foreclosure
2013					
146 N 3rd	Plumbing-Elec systems, strucural concerns, stairs	09/22/13	Jerry & Sharon Culp 132 N 3rd, 643-4487	Served by SPD	Making progress, asked for time extension.

City of Seward - OPEN Code Violation Report

2012

518 N 5th St	Protective Treatment, Exterior wall repairs	11/11/12	Scott Duer, PO Box 73 Staplehurst, NE 68439, 402-643-5478	Personal	Spoke to Owner. Scott called req. time extension. Holes in garage are patched, will paint this Spring.
149 N 1st	Elec System Hazard, Protective treatment, Abandoned Veh's	03/06/12	Robert Wasser, PO Box 115, Bee, NE 68314, 402-643-6384	Verbal	During inspection Wasser became angry at City Officials and stated he did not have funds to rectify violations, so the City should go ahead and start filing liens. No action taken by Wasser, proceeding to written/served formal Notice & Orders.

2011

535 S Columbia	Unsafe Structures, Foundation failing, Protective treatment	01/18/12	Daniel & Barbara Liska, 1215 Eastridge Seward, NE 68434	Verbal	Barb Liska stated; they're in the process of Demo garage, have roll off dumpster on site; the house is a large project that is taking them a while
608 S 1st	Junk & Litter	06/03/13	James Kuhlman, 608 S 1st St. Seward, NE 68434, 402-641-4709 cell	Served by SPD	financial hardship, will work on putting up privacy fence, pulled Building permit for fence. 12-12-11 has removed some appliances and some junk, Progress on fence; Diggers Hotline has been there. Some post have been set and framing started. Just had hip surgery. NOTICE & ORDERS issued 5-3-13, deadline 6-3-13. Needs follow up. Still making progress.

City of Seward - OPEN Code Violation Report

427 N 3rd St.	Structural deterioration, protective treatment	09/05/11	Freddie Redmond, 427 N 3rd St. Seward, NE 68434. 641-4089	Certified	request indefinte time extension, financial hardship. Progress is being made (B11-226), has replaced porch support colums, purchased construction material for remaining repairs, and has set up scaffolding to start scraping peeling paint once it warms up, started refoor. Making progress.
1313 W Hwy 34	Foundation Walls, Grading-Drainage, Storage	02/28/11	Brian Fehlhafer, 1389 Progressive Rd.	Certified	Referred to City Atty 2-28-11 for non-compliance/further action. City Admin. Baker will meet with Fehlhafer. Unknown status
411 S Columbia Ave	Protective Treatment, Gutters	10/19/11	Ken Schmeiding, 1352 N 8th St Seward, NE 68434, 643-4357	Verbal	No progress observed. Will re-contact. Ken stated no plans to do anything for this house until the other one is done.
2010					
29 Jackson St	Junk & Litter, Protective Treatment, Gutters, inoperable plumbing system	07/14/10	Wayne Pieper, 1142 E 6th St. York, NE 68467, cell # 366-8610	Verbal & Served	Referred to City Atty 7-14-10 for non-compliance/further action. FINAL NOTICE served by York Co Sheriff, Deadline to comply 12-12-11. Pieper
429 S Columbia Ave	Protective Treatment, Gutters	10/19/11	Ken Schmeiding, 1352 N 8th St Seward, NE 68434, 643-4357	Verbal	Making progress, will continue working. No further progress observed, will re-contact. Plans to paint this summer. Painting started, no progress on gutters. Owner advised making progress on painting.
2009					

City of Seward - OPEN Code Violation Report

2008					
839 N 6th St	Exterior openings, Protective treatment, decayed siding/soffitts/facsia, Mechanical venting	08/24/08, 10/24/12	John McKinney, 135 Driftwood Dr. Aurora, NE 68813, 402-540-1353	Served by Hamilton Co Sheriff	Referred to City Atty 9-2-08 for non-compliance/further action; FINAL NOTICE served by Hamilton Co Sheriff Ofc, Deadline to comply 11-14-11. Pending litigation by City Atty , unsafe garage is attached to residnece. 12-9-11 City Atty called owners dad to ask him to help make son comply. To date still no action taken by Mckinney OR City Atty.. Demo estimate report completed and referred to City Admin. Per Baker-proceeding with plans for City to Demo this Spring. Per Hughes-postpone moving forward-waiting on Brauer to recontact Mckinney's dad. Mckinney obtained DEMO permit, scheduled to Demo this week. Garage Demo complete, in communications with owner ref remaining vio's. Communications have broke down again. Issued CONDEMNATION. Pending City Admin. decision on what to do next.

**SEWARD POLICE DEPARTMENT
SEPTEMBER 2015 MONTHLY REPORT**

ARRESTS	22
CITATIONS	20
PARKING TICKETS	79
WARNINGS	138

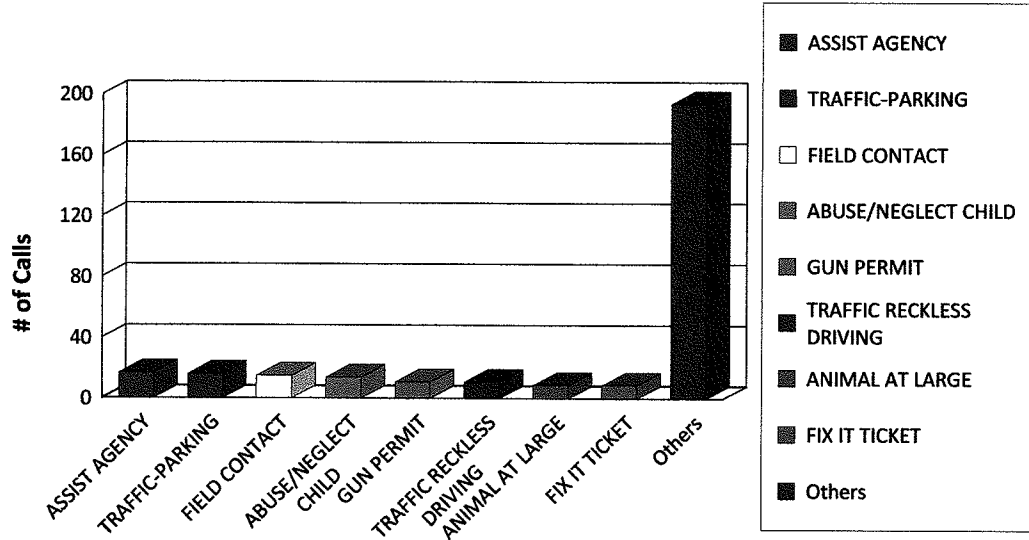
The above numbers do not include red tag warnings for parking violations, yellow tag warnings for animal violations or verbal warnings.

The Seward County Communication Center collects the numbers used to create the attached statistics summary.

Calls Statistics by Type Summary

9/1/2015 - 9/30/2015
00:00:00 - 23:59:59

Agency - SPD



	9/2015	Total
911 ABANDONED	3	3
911 MIS-DIAL	2	2
911 OPEN LINE	4	4
ABANDONED VEHICLE	1	1
ABUSE/NEGLECT ADULT	1	1
ABUSE/NEGLECT CHILD	14	14
ACCIDENT ANIMAL	1	1
ACCIDENT HIT & RUN	5	5
ACCIDENT PARKING	5	5
ACCIDENT PROPERTY	1	1
ACCIDENT W/O INJURIES	4	4
ACCIDENT WITH INJURIES	3	3
ALARM FIRE	1	1
ALARM INTRUSION	1	1
ALARM TROUBLE	1	1
ANIMAL AT LARGE	9	9
ANIMAL BARKING DOG	3	3
ANIMAL CRUELTY TO	2	2

	9/2015	Total
ANIMAL FOUND	2	2
ANIMAL INJURED/SICK	1	1
ANIMAL LOST	3	3
ANIMAL OTHER	4	4
ARREST DUS	8	8
ARREST REVOKED	2	2
ARREST WARRANT	2	2
ASSAULT DOMESTIC	1	1
ASSAULT PHYSICAL	3	3
ASSIST AGENCY	17	17
ATTEMPT TO LOCATE	1	1
AUTO THEFT	1	1
CIVIL CHILD CUSTODY	2	2
CIVIL OTHER	1	1
CORONER CALL	1	1
CRIMINAL MISC PRIVATE	1	1
CRIMINAL MISC PUBLIC	1	1
CRIMINAL MISCHIEF VANDAL	4	4
DELIVER MESSAGE	1	1
DISREGARD	2	2
DISTURBANCE	2	2
DOG BITE	1	1
DRIVE UNDER SUSPENSION	1	1
DRUG VIOLATION	4	4
DUPLICATE DISREGARD	1	1
ESCORT	1	1
EXTRA PATROL	2	2
FIELD CONTACT	15	15
FIX IT TICKET	9	9
FOUND BICYCLE	1	1
FRAUD	1	1
FRAUD INTERNET	1	1
FRAUD OTHER	1	1

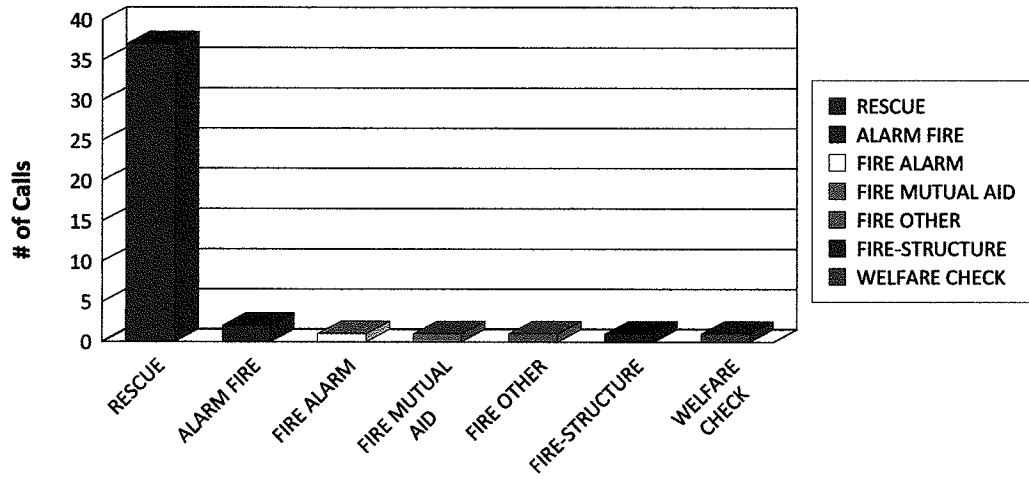
	9/2015	Total
FUNERAL ESCORT	5	5
GUN PERMIT	11	11
HARASSING PHONE CALLS	1	1
HARASSMENT	3	3
HITCHHIKER/TRANSIENT	1	1
INFORMATION	2	2
JUVENILE WELFARE	4	4
JUVENILE/UNCONTROLLABLE	2	2
LIQUOR-OTHER	4	4
MENTAL EPC	1	1
MISSING PERSON JUVENILE	3	3
MOTORIST ASSIST	9	9
OBSTRUCT OFFICER	1	1
OPEN DOOR BUSINESS	3	3
OPEN DOOR RESIDENCE	1	1
ORDINANCE VIOLATION	6	6
PAPER SERVICE	1	1
PROPERTY DAMAGE	1	1
PROPERTY FOUND	2	2
PROPERTY LOST	1	1
PUBLIC NUISANCE	2	2
PUBLIC PEACE	1	1
PUBLIC SERVICE	1	1
RESCUE	2	2
SEXUAL ASSAULT	1	1
SUSPICIOUS	9	9
THEFT FAIL TO PAY	1	1
THEFT FROM VEHICLE	2	2
THEFT RESIDENCE	3	3
THEFT-OTHER	1	1
TOBACCO VIOLATION	1	1
TRAF HAZARD DEBRIS	2	2
TRAFFIC	1	1

	9/2015	Total
TRAFFIC - DUI	1	1
TRAFFIC HAZARD	1	1
TRAFFIC RECKLESS DRIVING	11	11
TRAFFIC SPEEDING	1	1
TRAFFIC STOP	4	4
TRAFFIC VEHICLE IN DITCH	1	1
TRAFFIC-OTHER	2	2
TRAFFIC-PARKING	16	16
TRESPASSING PRIVATE PROP	2	2
UNAUTHORIZED USE	1	1
UTILITY ELECTRIC	1	1
WEAPONS OTHER	1	1
WELFARE CHECK	6	6
Total	296	296

Calls Statistics by Type Summary

9/1/2015 - 9/30/2015
00:00:00 - 23:59:59

Agency - SFD



	9/2015	Total
ALARM FIRE	2	2
FIRE ALARM	1	1
FIRE MUTUAL AID	1	1
FIRE OTHER	1	1
FIRE-STRUCTURE	1	1
RESCUE	37	37
WELFARE CHECK	1	1

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

Director's Report – October 6, 2015

Report period: 8/1/2015-10/6/2015

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 to City of Seward to present annual report and funding request for the SCEDC (8/4)
- Presentation to the Seward Rotary Club about the SCEDC (9/9)
- Presented about the SCEDC and listened to SENCAP presentation at Educational Service Unit #6 (9/21)

Financial Information

- Seward County Economic Development Corporation Primary Account Balance: \$35,960.95
- Seward County Economic Development Corporation Secondary Account Balance: \$33,409.77
- Fundraising:
 - ➔ Recent donations/grants:
 - Private Sector Annual Contributions (Pledges, Cash, and Donation of Facilities) to the SCEDC – Seward County Bridges (\$684.99), Helmink Printing (\$100), Edward Jones (\$550), Union Bank & Trust (\$275), Hanna:Keelan Associates (\$100), Seward County Public Power District (\$550), Farmers and Merchants Bank (\$275), Seward County Independent (\$100), Liberty First Credit Union (\$275), Jones Insurance Agency (\$275), First Bank of Utica (\$550), Black Hills Energy (\$2,750), Utica Commercial Club (\$550), Ayars and Ayars (\$625.02), Advanced Association Management (\$275), JK Consulting LLC (\$100), Seward Area Chamber of Commerce (\$100), and Cheever Construction (\$550)
 - Debit Card Dime-A-Time – \$0.80 and 0.30
- Events:
 - SCEDC Come and Learn Events about the Seward County Justice Center – August 3
 - SCEDC Business After Hours with Great Plains Communications and Seward Area Chamber of Commerce – September 24
- Upcoming Events:
 - National Manufacturing Day – October 2
 - Rural Opportunities Fair – October 21
 - SCEDC Board Meeting in Milford – November 12
 - Connecting Young Professionals Regional training/networking event in Seward County – November 18
 - University of Oklahoma Economic Development Institute – December 6 – 10
 - Nebraska Home and Garden Show – February 14-16

Administration

- Meetings:
 - Seward County Bridges Board (Board Meeting – 8/17 and 10/2)
 - Seward Area Development Corporation (Board Meeting – 8/27 and Visit Danbred Building – 9/3)
 - Seward County Economic Development Corporation (Board Meeting – 8/28; Annual Meeting – 10/1; Committee Meetings – 8/5, 8/10, 9/14, and 9/16)
 - Seward City Council Meeting (Bi-Monthly Meeting – 8/4, 8/18, 9/1, 9/15, and 10/6; Rail Campus Committee Meetings – Multiple)
 - Milford City Council Meeting (LB 840 Committee Presentation – 8/17)
 - Village of Utica Trustees Meeting (Presentation about SCEDC – 10/5)
 - Seward County Commissioners Meeting (Presentation about SCEDC – 8/4)

Membership Meetings

- Milford Chamber of Commerce (Monthly Luncheon – 8/13 and 9/10)
- Utica Commercial Club (Monthly Luncheon – 8/25 and 9/22)
- Seward Area Chamber of Commerce (Ambassador Call – 8/12; Multiple Meetings with New Director; Luncheon – 9/15; Visioning Meeting – 9/22 & 9/29)
- Seward Kiwanis Club (Monday Meetings)
- Seward County Interagency Council (None)
- Milford Community Development (Downtown Revitalization Meetings – Multiple)
- Utica NEDED Downtown Revitalization Application (None)
- Lincoln Area Development Partnership (Launched New Promotional Website – www.LincolnPartners.org)
- Southeast Nebraska Development District/Southeast Resource Network (None)
- UNL President's Advisory Council (None)
- Community Change Catalyst with the Sherwood Foundation (9/18)

Trainings

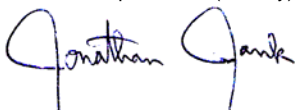
- How to Hire the Perfect Employee (UBT Catalyst Training in Lincoln) – 9/23
- LADP Website Administration Training – 9/23

Projects (works in progress)

- Completed Seward downtown consumer surveys and planning for downtown building and business owner interviews
- Working on Project Hot Mill for the Seward/Lincoln Regional Rail Campus – Multiple meetings, conference calls, and written correspondence
- Hosted multiple site visits in Seward County for company expansions and entrepreneurs
- Completed annual SCEDC audit
- Completed annual SCEDC membership campaign
- Working on submitting the Leadership Community application for City of Milford and Village of Utica
- Working on Milford Assisted Living project
- Answered multiple calls for projects looking for office space in Seward County (especially downtown Seward)
- Working with a restaurateur looking to expand a location into Seward
- Answered multiple phone calls and e-mails about suitable housing in Seward County
- Provided multiple support letters for various projects in Seward County
- Discussed establishing an RTSD with contacts from Milford, Seward, and Utica
- 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 – September 7 (Holiday)

Signature:



Date: 10/6/15



City of Seward, NE

Tuesday, October 20, 2015

Regular Session

Item G5

PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF PRELIMINARY AND FINAL PLAT OF PITSCH ADDITION - John Hughes

Consideration of an Ordinance approving the Final Plat of Pitsch Addition

Administrative Report: This is a replat of 2 existing lots located at 864 N 5th St and 916 N 5th St. This subdivision involves moving the middle property line, making 1 lot bigger and 1 lot smaller. Since the parcels have been re-platted previously, City Zoning regulations require that it has to go through the Major Subdivision process, requiring a Preliminary

and Final Plat. The Subdivision conforms to the City's Comprehensive Plan Future Land Use map with

the Residential use type. The Plat conforms to the requirements of the City of Seward's Unified Land Development Ordinance reference Major Subdivision application requirements (11.3804). The area is currently located in the Residential 3 (R-3) zoning district, and there will be no change in zoning at this time. The area is currently served with all City utilities.

Following the public hearing, review and discussion, adopting the ordinance would be in order.

Staff Contact:

NOTICE OF PUBLIC HEARING

Public notice is hereby given by Planning Commission of the City of Seward, Nebraska, that a public hearing will be held at 7:30 p.m. on Monday October 12, 2015, and the City Council of the City of Seward, Seward County, Nebraska on Tuesday October 20, 2015 at 7:00 p.m. in the Council Chambers at the Municipal Building, 142 North 7th Street, Seward, Nebraska. Said Public Hearings will be to obtain public comment regarding proposed Preliminary and Final Plat of Pitsch Addition by the Planning Commission and City Council.

The parcels, which are the subject of this notice and of the public hearing is described as follows (864 and 916 N 5th St).

Legal Description:

A REPLAT OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH ½ OF SAID LOT 6; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF SAID BLOCK 1, ON AN ASSUMED BEARING OF N 00°01'09" E FOR A DISTANCE OF 179.30' TO THE NORTHWEST CORNER OF THE SOUTH ½ OF SAID LOT 3

THENCE S 88°59'16" E FOR A DISTANCE OF 126.80' TO THE NORTHEAST CORNER OF THE SOUTH ½ OF SAID LOT 3

THENCE S 00°02'18" E, ALONG THE EAST LINE OF SAID LOTS 3,4,5,AND 6, FOR A DISTANCE OF 179.28' TO THE SOUTHEAST CORNER OF THE NORTH ½ OF SAID LOT 6

THENCE N 88°59'54" W FOR A DISTANCE OF 126.98' TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 22746.46 SQUARE FEET

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views regarding the proposed application for Minor Plat and Annexation.

Ed Gonzalez
Building/Zoning Director

Published: 9-30-15

PITSCH ADDITION
PRELIMINARY PLAT

A SUBDIVISION OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1,
GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA



SCALE: 1"=30'

LEGEND

- = SET 5/8" CAPPED REBAR
- = FOUND IRON PIPE
- M = MEASURED DISTANCE

LEGAL DESCRIPTION:

A SUBDIVISION OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH ½ OF SAID LOT 6;
THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF SAID BLOCK 1 ON AN ASSUMED BEARING OF N 00°01'09" E FOR A DISTANCE OF 179.30' TO THE NORTHWEST CORNER OF THE SOUTH ½ OF SAID LOT 3
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THENCE S 00°02'18" E, ALONG THE EAST LINE OF SAID LOTS 3,4,5, AND 6, FOR A DISTANCE OF 179.28' TO THE SOUTHEAST CORNER OF THE NORTH ½ OF SAID LOT 6
THENCE N 88°59'54" W FOR A DISTANCE OF 126.98' TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 22746 SQUARE FEET

SURVEYOR'S CERTIFICATE:

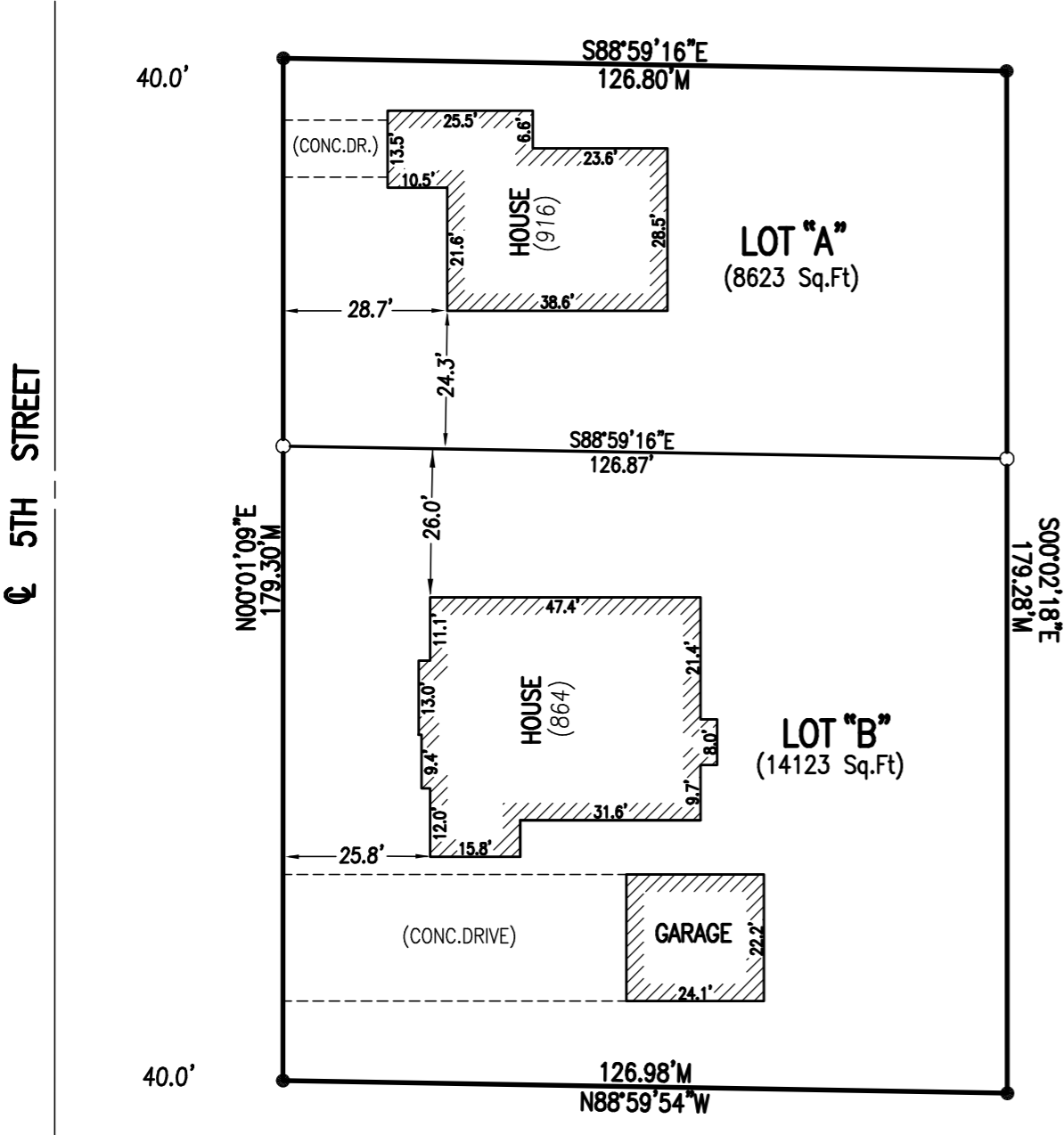
I, KERRY W. SIMONDS HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THIS PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DATA IS CORRECT.

SIGNED THIS _____ DAY OF _____, 2015

KERRY W. SIMONDS LS. #333



OWNERS OF PROPERTY: BETTY R. PITCH
SURVEYOR: ALLIED SURVEYING & MAPPING INC.
BENCH MARK: Square in Top Headwall @ SE Corner of Waverly Road & Highway #15 Elev. = 1498.41 (NAVD 1988)



PITSCH ADDITION
FINAL PLAT

A SUBDIVISION OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA



SCALE: 1"=30'

LEGEND

- = SET 5/8" CAPPED REBAR
- = FOUND IRON PIPE
- M = MEASURED DISTANCE

SURVEYOR'S CERTIFICATE:

I, KERRY W. SIMONDS HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THIS PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED OR WILL BE INSTALLED AND THEIR POSITION IS CORRECTLY SHOWN AND THAT ALL DIMENSIONAL AND GEODETIC DATA IS CORRECT.

SIGNED THIS _____ DAY OF _____, 2015

KERRY W. SIMONDS LS. #333



APPROVAL OF THE SEWARD PLANNING COMMISSION:

THIS PLAT OF "PITSCH ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION THIS _____ DAY OF _____, 2015

CHAIRPERSON

SECRETARY OF PLANNING COMMISSION

APPROVAL OF THE SEWARD CITY COUNCIL:

THIS PLAT OF "PITSCH ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD CITY COUNCIL THIS _____ DAY OF _____, 2015

MAYOR

ATTEST:

CITY CLERK

LEGAL DESCRIPTION:

A SUBDIVISION OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH 1/2 OF SAID LOT 6;
THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF SAID BLOCK 1 ON AN ASSUMED BEARING OF N 00°01'09" E FOR A DISTANCE OF 179.30' TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF SAID LOT 3
THENCE S 88°59'16" E FOR A DISTANCE OF 126.80' TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF SAID LOT 3
THENCE S 00°02'18" E, ALONG THE EAST LINE OF SAID LOTS 3,4,5, AND 6, FOR A DISTANCE OF 179.28' TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF SAID LOT 6
THENCE N 88°59'54" W FOR A DISTANCE OF 126.98'
AND CONTAINING A CALCULATED AREA OF 22746 SQUARE FEET POINT OF BEGINNING,

OWNERSHIP CERTIFICATE

I, BETTY R. PITSCH, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN DO HEREBY CERTIFY THAT I HAVE LAID OUT, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OUT, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "PITSCH ADDITION", A SUBDIVISION OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA

ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC UNLESS SPECIFICALLY NOTED HEREIN. OTHER PUBLIC LANDS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY RESERVED TO PUBLIC USE.

CLEAR TITLE TO THE LAND CONTAINED IN THIS PLAT IS GUARANTEED.

WITNESS OUR HAND THIS _____ DAY OF _____, 2015

BETTY R. PITSCH

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF SEWARD)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED BETTY R. PITCH AND SEPARATELY AND SEVERALLY ACKNOWLEDGE THIS EXECUTION OF THE FOREGOING INSTRUMENT AS HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

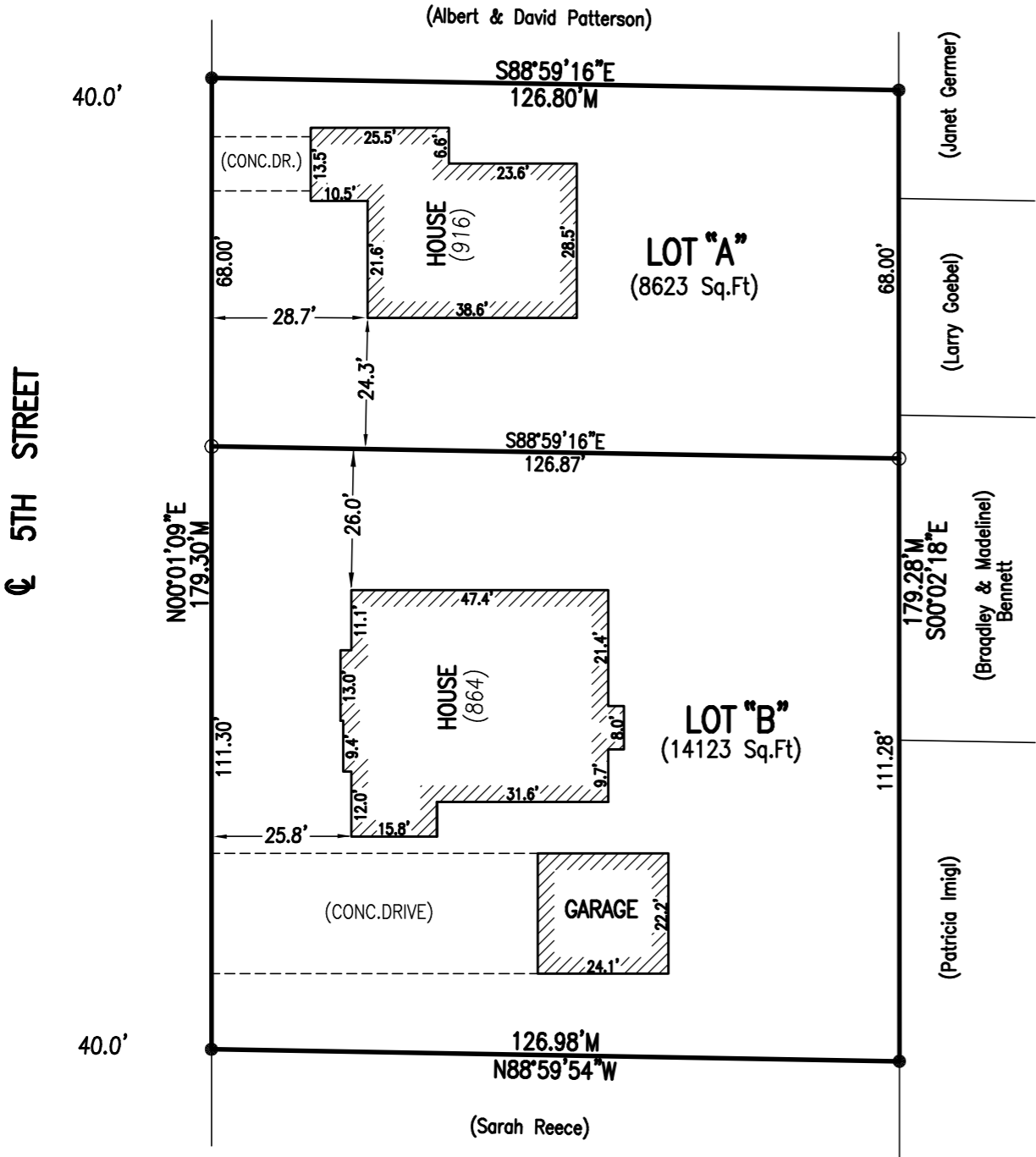
NOTARY PUBLIC

REGISTER OF DEEDS:

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 2015

IN DRAWER _____, AT _____

REGISTER OF DEEDS



ORDINANCE NO.

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "PITSCH ADDITION", CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED ON 5TH STREET BETWEEN HILLCREST DRIVE AND CEDAR STREET; 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. Plat and Dedication Approved. The Plat and Dedication of the following described real estate located in the area two miles adjacent to and beyond the corporate limits of the City of Seward, Nebraska, is hereby approved:

LEGAL DESCRIPTION:

A REPLAT OF THE S.1/2 OF LOT 3, ALL OF LOTS 4 AND 5 AND THE N.1/2 OF LOT 6, BLOCK 1, GLEISBERG'S REPLAT OF WESTPHAL'S SUBDIVISION IN THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH ½ OF SAID LOT 6; THENCE IN A NORTHERLY DIRECTION, ALONG THE WEST LINE OF SAID BLOCK 1, ON AN ASSUMED BEARING OF N 00°01'09" E FOR A DISTANCE OF 179.30' TO THE NORTHWEST CORNER OF THE SOUTH ½ OF SAID LOT 3

THENCE S 88°59'16" E FOR A DISTANCE OF 126.80' TO THE NORTHEAST CORNER OF THE SOUTH ½ OF SAID LOT 3

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THENCE N 88°59'54" W FOR A DISTANCE OF 126.98' TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 22746.46 SQUARE FEET

Section 2. Plat Designated. The plat of said real estate is hereby designated as "Pitsch Addition", Seward County, Nebraska."

Section 3. Filing and Recording of Plat. An accurate plat of said real estate as platted and dedicated as heretofore set forth, certified to by an Engineer or Surveyor, together with a certified copy of this Ordinance

shall be filed in the office of the Seward County Clerk, Seward, Nebraska.

Section 4. 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 20th day of October, 2015.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

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

City of Seward, NE

Tuesday, October 20, 2015

Regular Session

Item G6

PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF A SPECIAL USE PERMIT FROM PAMELA HAMPL, 1075 AUGUSTA DRIVE, TO OPERATE A HAIR SALON AT RESIDENCE - John Hughes

Administrative Report: Pamela and Michael Hampl have submitted an application for a Special Use Permit to operate a Hair Salon in their residence. The City's Unified Land Use Ordinance, section 11.3110 Supplemental Use Regulations: Accessory Uses, Home-Based Businesses/Home Occupations, 6(a), allows for a Hair Salon occupancy under a

Special Use Permit.

Following the public hearing, review and discussion, a motion to approve the Special Use Permit would be in order.

Staff Contact:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that public hearings will be held by the Planning Commission of the City of Seward, Seward County, Nebraska on Monday, October 12, 2015 at 7:30 p.m. and by City Council on October 20, 2015, at 7:00 p.m., in the Council Chambers at the Municipal Building at 142 North 7th Street, Seward, Nebraska. Said public hearing will be to review an application for a Special Use Permit from Pamela Hampl, to operate a Hair Salon at her residence (1075 Augusta Dr.) under a Home Occupation Permit. Legal description: Seward Country Club Heights 2nd Addition, Lot 5.

All persons interested may appear and be heard.

Dated Published: September 30, 2015

Edward Gonzalez
Building-Zoning Director

APPLICATION FOR A SPECIAL USE PERMIT

CITY OF SEWARD, SEWARD COUNTY, NEBRASKA

Instructions:

1. Fill out application form completely. Please print or type. Use additional sheets if needed.
2. Filing fee: \$200.00. Notification Fee \$ 100.00 Make check payable to City of Seward.
3. Contact City of Seward Planning & Zoning Director if you have any questions.
4. Submit a list of property owners within 300 feet, prepared by a certified abstractor.

1. Applicant's name: Pamela S Hampel Michael L Hampel
2. Applicant's address: 1075 Augusta Drive
Seward, NE ZIP: 68434
3. Telephone (business): _____ (home): ⁴⁰² 643-0523 Cell 402-643-1403
4. Present use of property: Residence
5. Desired use of property: Residence / Hair Salon / Chair
6. Present zoning: Zone R03
7. Legal description of property: Lot 5, Block 2, Country Club Heights
2nd addition, Seward, Seward County, Nebraska
8. Under what provisions of the zoning regulations are you seeking this permit?
Home Occupations 11.3110
9. For how many years are you seeking this permit (5 years, 10 years, etc.)? _____
10. Explain in detail what you propose to do: Run Pam's Hair business out
of our basement would need an entry way on the South,
sidewalk to entry, make a room downstairs for business and a bathroom
11. How are adjoining properties used? Indicate both zoning district designations and actual uses.
North: Empty lot South: Residential
East: Public Street West: Open Field
12. This authorizes the City of Seward Planning and Zoning Director to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. The Director may be accompanied by members the City of Seward Planning Commission or Seward City Council.

Michael L Hampel Pamela S Hampel

Owner's Signature

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G7

**CITIZEN CONCERNS REGARDING CELL TOWER SETUP
AND LOCATION - Norm Porter**

Administrative Report: See attached agenda request.

Staff Contact:

City of

SEWARD

P.O. Box 38 • 537 Main Street
Seward, Nebraska 68434
Phone 402-643-2928
Fax 402-643-6491

PUBLIC REQUEST FOR COUNCIL AGENDA ITEM OR ADMINISTRATIVE ACTION

DATE: Oct. 14, 2015
NAME: Norm Porter
ADDRESS: 104 N 1st Street
EMAIL ADDRESS: norm_porter@hotmail.com TELEPHONE NO. 402-641-6522

EXPLANATION OF REQUEST:

Cell Tower Radiation causing health issues. Trouble sleeping, headaches backaches, nausea, rashes on hands(skin bubbling). My girls(9&11) complain of headaches, nausea, sick feeling when in the neighborhood for several hours. They normally stay in north Seward with no cell tower around.

ACTION REQUESTED:

Seward needs to use a "correct" cell tower setup. Attached sheet for safe locations to consider. Need a "real" cell tower in a safe location. Minimum quarter mile from any residential area and 1000+ feet high. Put all cell communications on one tower, easy to do.

Will this agenda item require the expenditure of funds? Yes ☐ No ☐ Unknown ☒


(Signature of requester)

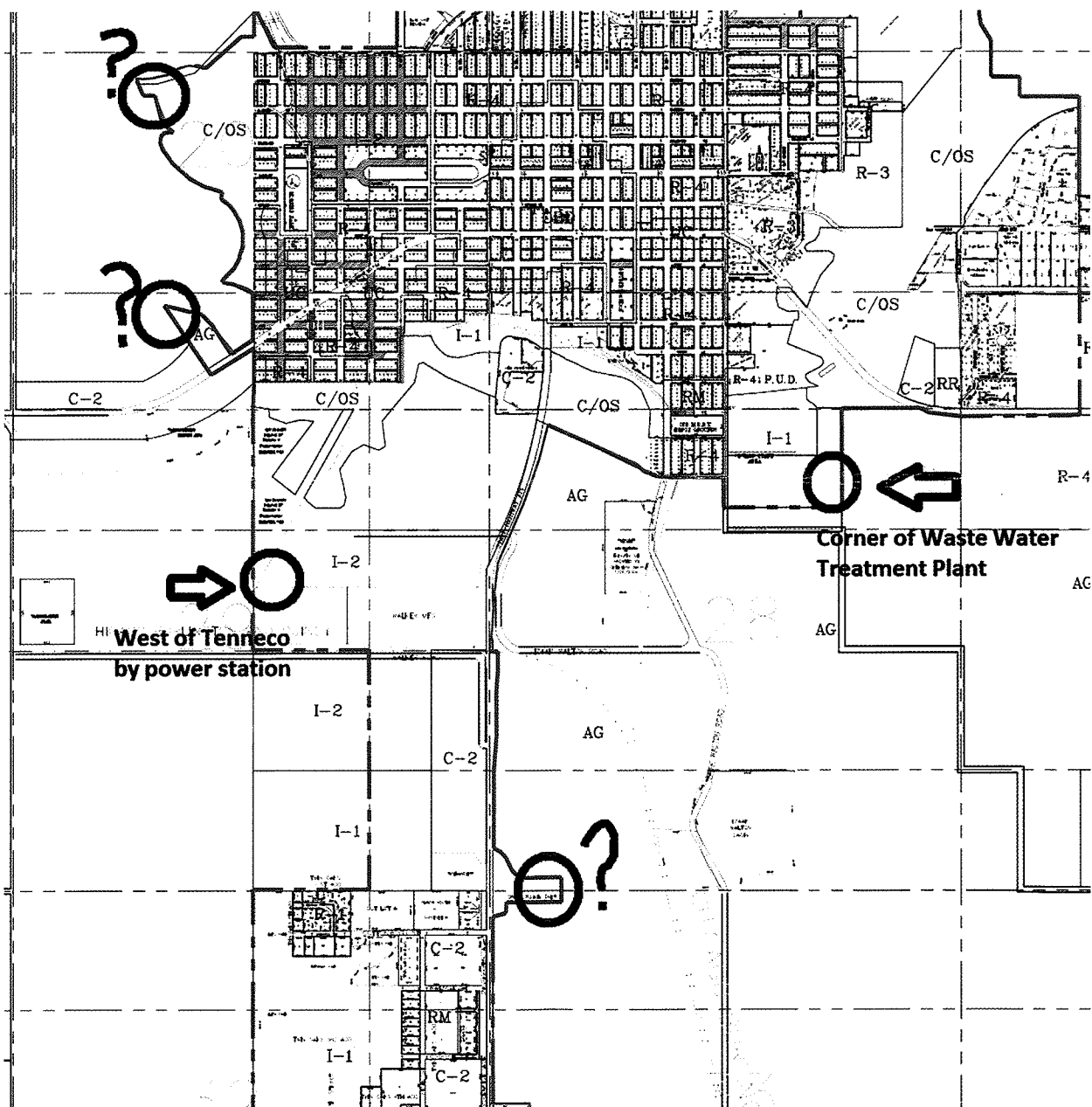
NORMAN PORTER
(Print Name)

Council meetings are held on the 1st & 3rd Tuesdays of every month. All requests for the Agenda must be submitted by noon on the Wednesday preceding the Council meeting, any item received after this time would have to be of an emergency nature. Once a request is received, Administration will review it and determine whether or not it requires Mayor/Council action, or whether it is an item that needs to be handled by staff.

Received by: Marilyn Warner Date: 10-14-15
(City employee) (in dropbox)

Seward needs a "correct" cell tower setup. Put all the transmitters on one tower. One tower can support 10 different company transmitters easily! No closer than a quarter mile to any neighborhood and at least 1000+ feet high.

Put it in a safe location to protect the people of Seward. The health and safety of Seward citizens is more important than any amount of money! Just a reminder!



City of Seward, NE

Tuesday, October 20, 2015

Regular Session

Item G8

CONSIDERATION OF STREET CLOSURE CROSSING HWY 15 FOR CHAMBER OF COMMERCE ANNUAL HOLIDAY PARADE PERMIT ON NOVEMBER 28, 2015 - Interim Executive Director Kathy Evert

Administrative Report: The Chamber of Commerce has sponsored this holiday parade for several years and plans on conducting the parade on the same route as last year; 1st Street Bradford to Seward; Seward 1st to 14th. The event is to be held on November 28, 2015 beginning at 5:30 p.m., with an alternate snow date of December 5, 2015.

After review and discussion, a motion to approve the permit would be in order.

Staff Contact:

APPLICATION FOR PARADE, MARCH OR SPECIAL EVENT PERMIT

IF THIS PARADE, MARCH OR SPECIAL EVENT WILL INVOLVE THE TEMPORARY USE OF ANY PORTION OF THE STATE HIGHWAY SYSTEM, FORMAL ACTION BY THE CITY COUNCIL IS REQUIRED AND THE CITY IS REQUIRED TO PROVIDE 30 DAYS NOTICE TO THE STATE OF NEBRASKA. THE COUNCIL MEETS THE 1ST & 3RD TUESDAYS OF EVERY MONTH AND AGENDA REQUESTS MUST BE RECEIVED BY NOON ON THE WEDNESDAY PRIOR TO THE NEXT COUNCIL MEETING AND MUST INCLUDE A COPY OF THE INSURANCE POLICY FROM THE SPONSORING ORGANIZATION.

We, the undersigned, hereby apply for a permit for a parade, March or Special Event.

SPONSORING ORGANIZATION: SEWARD AREA CHAMBER & COMMERCE

DATE: 11-28-2015 TIME: 5:30 PM

APPROXIMATE ^{SNOW DATE 12-5-15} DURATION: 30-45 MINUTES

ROUTE: 1ST ST. BRADFORD to SEWARD; SEWARD ST. 1ST TO 14TH ST.

We also agree to, and understand the terms of City Code, 5-704 & 5-705, and have filed a certificate of liability insurance with the City (copy attached), with sufficient personal sureties as a condition to the granting of such permit, conditioned to indemnify the City for any loss, damage or liability incurred or caused by the conduct of such parade or march.

The City reserves the right to cancel such parade, march or special event permit if the terms of the City Code are not met.

SUBMITTED BY: KATHY EVERT Kathy Evert
(Print Name) (Signature)

616 BRADFORD ST. SEWARD, NE 68434
(Address: City, State, Zip Code)

402-643-4189 KATHY.EVERT@SEWARDNE.COM
(Phone Number) (Print - Email Address)

APPROVAL OF APPLICATION
(FOR OFFICE USE ONLY)

Mayor
ATTEST:

Chief of Police

Administrator Assistant/
Clerk-Treasurer

Date Approved

Date submitted to State of Nebraska: _____
(attach copy of Council action)



Parade Map



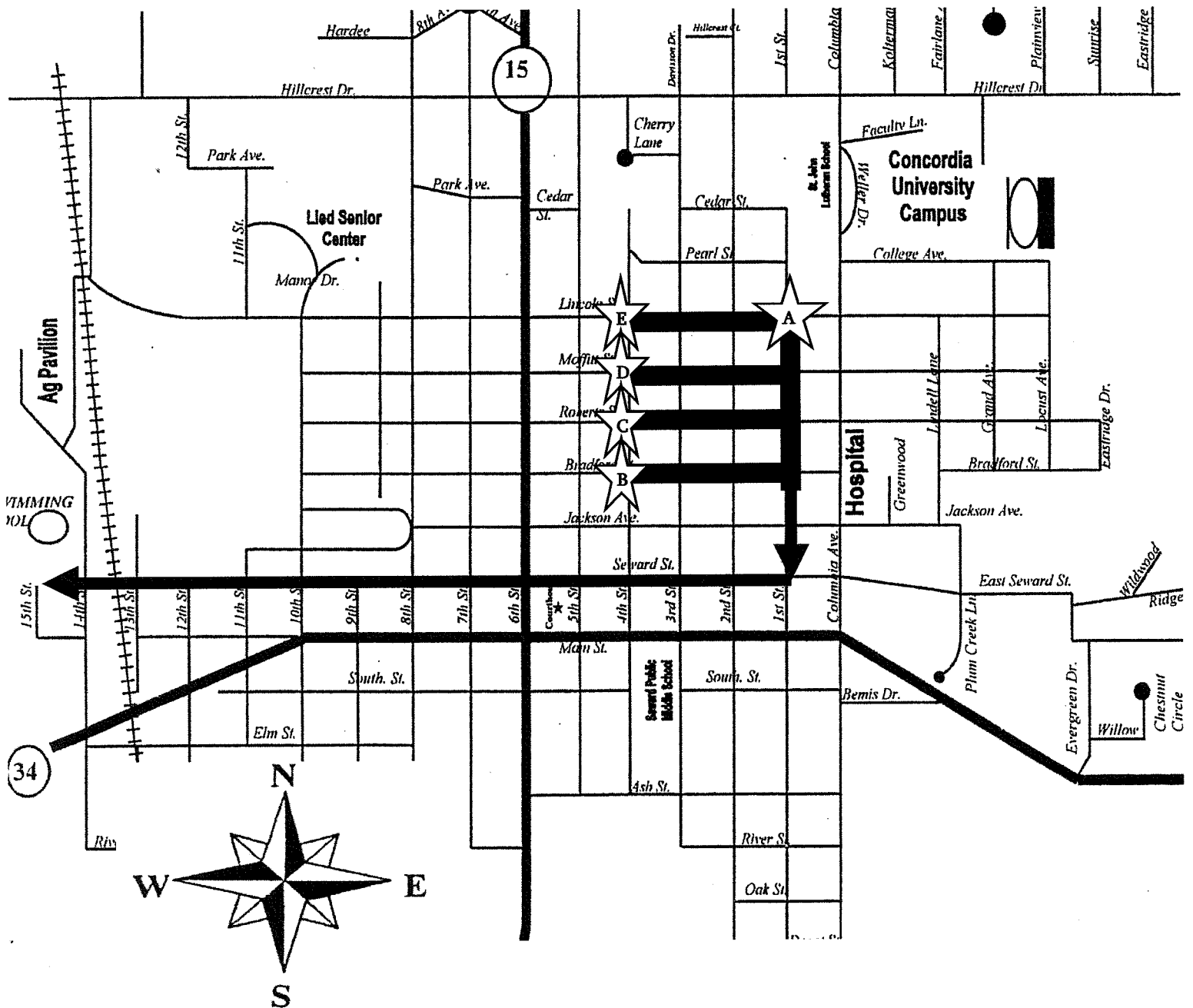
Section
Entry



Parade
Sections



Parade
Route



City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G9

**CONSIDERATION OF REJECTION OF BID FOR ROBERTS
STREET AREA DISTRIBUTION LINE UPGRADES - Olsson
Associates, Garrett Klein**

Administrative Report: Only one bid was received on the Roberts Street Area Distribution Line Upgrades at a price of \$692,875. The Engineer's estimate for the project was \$450,000. Olsson Associates is recommending this bid be rejected and rebid, if the Council so chooses. The attached letter from Garrett Klein of Olsson Associates provides his reasoning in recommending rejection of the bid.

Following review and discussion, a motion to reject the bid would be in order.

Staff Contact:



October 14, 2015

Mayor and City Council
City of Seward
c/o Bonnie Otte, City Clerk
P.O. Box 38
Seward, Nebraska 68434

Re: Bid Results and Recommendation
Roberts Street Area Distribution Line Upgrades
Seward, Nebraska – 2015-2016
OA Project No. 010-0017.118

Mayor Eickmeier and Members of the City Council:

Bids for the Roberts Street Area electrical project were opened at the Seward City Offices at 2:00 p.m. on Thursday, September 24, 2015. One (1) bid was received as shown on the attached bid tabulation and below:

<u>Bidder</u>	<u>Base Bid</u>
IES Commercial, Inc.	\$ 692,875.00

The Engineer's opinion of probable construction cost provided in a letter to the Council dated August 11, 2015 was \$425,000.00. With the \$25,000 contingency allowance, our bid expectation was \$450,000.00. We have reviewed the unit costs included with IES's bid as compared to those used in our estimate. We revised our opinion of cost as discussed herein, and we discussed the difference between the bid and the updated Engineer's estimate with IES. Based on this portion of the evaluation, we do not recommend award of the construction contract at this time.

Revised Estimate

Costs for major material items were re-verified. In general, material costs used in the original estimate were appropriate. IES and another contractor (whom did not submit a bid) indicated that working around existing energized circuits and in areas with moderate traffic would drive labor costs up for this project. From this input, we made adjustments to the labor components in unit costs used in our estimate.

Based on the above, our revised estimate for the project is **\$504,000.00** (excluding Owner-furnished materials), or 12% higher than the initial estimate.

Low Number of Bids

We contacted three non-bidding contractors to discuss their apparent lack of interest in the project. Two advised that the bid date followed closely the dates of other proposals they were preparing, and they did not have adequate time to secure material pricing and/or prepare a bid. The third contractor did not recall having received the bid notice. It is our opinion, from the discussions, that these contractors would submit bids if the project were re-advertised.

Recommendation – Re-Bid the Project

As noted previously, we do not recommend awarding the contract at this time. We recommend that the project be re-advertised at a time convenient to the City. It is our opinion that the City will receive more competitive bids, and a better response from contractors. We would anticipate approximately \$3,000.00 in additional costs related to rebidding the project, including plan updates and reproduction, publication costs, and engineering/administrative expenses. At the Council's direction, we will arrange for the project to be re-bid. If you have any questions regarding the bid received, the bidder, or our recommendation, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Garrett L. Klein".

Garrett L. Klein, P.E.

Cc Larry Ruether, City of Seward

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CONTRACTOR	IES Commercial Inc. PO Box 27 Holdrege, NE 68949				
BASE BID - LUMP SUM BID PRICE: Bid price shall include Nebraska sales tax (5.5%) and contingency allowance of \$25,000. Furnish all labor, services, supervision and tools necessary for the following: a) Rebuild approximately 5,300 feet of distribution pole line as double circuit, with 45' typical pole size and back-to-back 3-phase spacer cable circuits (one 4.16 kV and one 12.47 kV). b) Rebuild approximately 1,600 feet of distribution pole line as double circuit, with 45' typical pole size, including one new 12.47 kV spacer cable circuit and one transferred 4.16 kV circuit. c) Replace approximately ten (10) pole-type distribution transformers, replace or relocate/transfer two (2) group-operated switches, and transfer three (3) capacitor banks as part of items 1 and 2. d) Rebuild one segment of 34.5 kV pole line, including three (3) poles 65' and 70' lengths. 34.5 kV poles include distribution underbuilds. e) Removals and other miscellaneous work as shown on the Drawings.	\$692,875.00				
Substantially Complete On or Before:	May 15, 2016				
Complete and Ready for Final Payment On or Before:	May 30, 2016				
Addendum No. 1	Yes				
Bid Guarantee:	5% Bid Bond				
Remarks:					

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City of Seward, NE
Tuesday, October 20, 2015
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Item G10

**PRESENTATION BY NEBRASKA PUBLIC POWER DISTRICT
ON WHOLESALE POWER CONTRACT - Chad Podolak & Pat
Pope**

Administrative Report: NPPD will present information on the new wholesale power contract. No action requested.

Staff Contact:

City of Seward, NE
Tuesday, October 20, 2015
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Item G11

**CONSIDERATION OF A CONSULTING SERVICES
AGREEMENT WITH JK CONSULTING FOR PROVIDING A
COMPLETE POWER SUPPLY EVALUATION - Bruce Smith &
John Krajewski, P.E.**

Administrative Report: Following review and discussion, Council to make a motion to enter into an agreement for services or to provide other directive.

Staff Contact:

October 14, 2015

Bruce Smith
City Administrator
City of Seward
537 Main Street
Seward, NE 68434

RE: Power Supply Evaluation Letter Agreement

Dear Bruce:

JK Energy Consulting, LLC (JKEC) is pleased to submit this letter agreement (Agreement) to provide consulting services to complete a Power Supply Evaluation for the City of Seward (City) and its municipal electric utility (Utility). This Agreement is based on our conversation on August 12, 2015, and JKEC's understanding of the City's power supply resources and agreements.

Project Understanding

The City purchases its capacity and energy from the Nebraska Public Power District (NPPD). The NPPD purchase is for the City's long-term, total requirements under the General Firm Power Service (GFPS) Generation Station rate schedule. The NPPD agreement is scheduled to expire in 2022, after which the City will need to either renew the agreement or purchase its firm requirements from an alternate supplier.

NPPD has approached its wholesale customers about the possibility of replacing the existing agreement with a new agreement with an initial term of 20 years. The reason for the proposed new contract is NPPD's need to issue bonds to pay for capital improvements and secure the payment of "Other Post-Employment Benefits" for retiring employees. NPPD recently proposed contractual terms for the new 20-year agreement, along with a higher rate beginning in 2016 for any City that remains on the existing GFPS agreement.

The City would like to evaluate its purchased power options for the period beginning in 2022, when the existing agreement expires. The GFPS agreement provides options to reduce capacity and energy prior to the expiration of the agreement. Depending on market rates and alternate suppliers, it may be cost effective for the City to reduce purchases from NPPD prior to 2022 by providing the appropriate notice. This proposal provides a scope of service to evaluate potential power suppliers at the conclusion of the existing agreement, as well as the feasibility of reducing purchases under the existing agreement. The City could potentially reduce its purchases beginning in 2019, if notice is provided before January 1, 2016. The amount of additional reductions that may be made after an initial reduction request are the subject of litigation between NPPD and one of its customers.

Scope of Services

Task 1: Data Collection. This task involves collecting projected peak demand and energy loads, existing contract information, and hourly load profile information from the City. Information about proposals to extend the existing contract would be collected along with power supply and transmission rate projections.

Task 2: Develop Request for Proposals. This task involves developing a request for power supply proposals (RFP) that would be sent to prospective power suppliers. Discussions with potential suppliers would be held prior to sending out the RFP to determine whether the supplier is capable of providing service and the reliability of their rate projections. The RFP would include information about the Utility's load patterns, existing power supply arrangements, and transmission service arrangements. Rate projections, power supply resource profiles, fuel use characteristics, environmental risk information, and financial information would be collected from each respondent. Proposers would be given approximately 30 days to respond after the issue date of the RFP.

Because of the length of time until the contract starts, it may not be possible to get reliable fixed rate proposals from potential suppliers. It may be necessary to complete the assessment based on known rates and rate projections over the near-term and provide an estimate of potential savings from an alternate supplier on the basis of costs between now and 2022.

Task 3: Prepare Assessment of Proposals. This task involves calculating the annual power supply costs associated with each proposal. The net present value of power supply costs would be calculated for each proposal and ranked from lowest to highest. Wholesale rate projections would be based on information provided by each respondent and reviewed for reasonableness. This assessment would take into account the projected rate differential between the GFPS rate and rates under the new contract being proposed by NPPD. Non-economic factors, including rate stability, term of agreement, transmission arrangements, and reliability would be reviewed. Any technical or operational issues associated with splitting the City's power supply purchases between two suppliers would be identified as well.

Task 4: Prepare Letter Report. A letter report will be prepared, summarizing the findings of the RFP process and a recommended course of action. The letter report will be written in a manner that is suitable for review by the City Council.

Task 5: Present Findings. The letter report would be presented in summary form at a regularly scheduled meeting of the City Council. The meeting provides the City Council an opportunity to ask questions about the study process, proposals, and findings.

Task 6: Assist in Negotiations. This task involves assisting in contract negotiations with potential suppliers, if the City decides to change power suppliers or reduce purchases under the existing agreement. This assistance would be provided in cooperation with the City's legal counsel.

Fee

JKEC will provide the above listed services for Tasks 1 through 6 on a billable time and out-of-pocket travel expenses. The projected fee for the Scope of Services is approximately \$12,000-\$15,000. The fee is dependent on a number of factors, including delays in data collection and complications in reviewing power supply proposals. The cost estimate will likely be more toward the high-end of the range if the City decides to pursue a reduction in purchases under the existing agreement, or if there is a need to negotiate a new contract with an alternate supplier. JKEC will notify the City as soon as possible if it is anticipated the original estimate of \$15,000 will be exceeded and provide a revised budget.

JKEC will bill the City on an hourly basis for actual time spent providing the services listed. Mr. Krajewski's current billing rate is \$125 per hour, which includes overhead expenses including telephone calls, copying, and postage. Administrative services are billed at \$50 per hour. Automobile mileage would be billed at the then-current IRS reimbursement rate, which is \$0.575 per mile as of January 1, 2015. Other travel expenses would be billed based on the actual out-of-pocket cost, without markup.

JKEC will invoice the City monthly (via electronic mail) for work completed during the previous month and payment is due upon receipt. Invoices unpaid after 30 days will accrue interest at 12% per annum (1.0% per month). JKEC agrees that for purposes of this Agreement, the hourly rate charged will remain the same through the completion of this project.

Schedule

The timeframe to complete the study would be as follows. This schedule is based on a notice-to-proceed of October 20, 2015. The schedule for contract negotiations will be dependent on the results of the study. The presentation date may vary based on the meeting schedule for the City Council. The key factor in this schedule is the need to provide notice to NPPD if the City would like to either reduce its purchases or sign a new 20-year agreement.

November 1, 2015	City provides requested information
November 6, 2015	Issue RFP to potential suppliers
December 1, 2015	Due date for proposals
December 8, 2015	Letter report with findings
December 15, 2015	Present results to the City Council (<i>NOTE: Mr. Krajewski has a potential conflict on this date, so it may be necessary to schedule a special meeting.</i>)

City Responsibilities

1. Provide existing power supply data and hourly load data (preferably in electronic format).
2. Provide copy of existing agreements with NPPD as well as information provided in conjunction with efforts to extend the GFPS agreement.
3. Provide timely review and comment on information submitted to the City.

Meetings

The above-listed fee includes three site meetings: An initial project kickoff meeting, a meeting to discuss draft results with City staff, and a final meeting to present the letter report to the City Council. If additional visits are requested, billing would be based on JKEC's standard billing rate schedule (see Attachment 1).

Additional Services

Any services not included in the above-listed Scope of Services would only be provided upon written agreement by the City and JKEC. Such services would be billed at JKEC's standard billing rate schedule (see Attachment 1).

Other Terms and Conditions

JKEC shall exercise the same degree of care, skill, and diligence in the performance of services as is ordinarily possessed and exercised by a professional consultant under similar circumstances. No warranty, expressed or implied, is included in this Agreement or in any drawing, specifications, report or opinion produced pursuant to this Agreement.

All expressed representations, indemnifications or limitations of liability included in this Agreement will survive its completion of termination for any reason.

This Agreement may be terminated for convenience by the City upon five days written notice and by JKEC upon 30 days written notice. Termination for convenience by either party will not affect the requirement for the City to pay for services rendered prior to the termination date of the Letter Agreement. This Agreement will terminate on January 1, 2017, unless extended by mutual agreement of the parties.

JKEC appreciates the opportunity to provide this Agreement to the City of Seward. If it is acceptable, please print two copies, sign and return one copy to JKEC, and retain the other copy for your records.

Sincerely yours,



John A. Krajewski, P.E.
JK Energy Consulting, LLC

JAK/kam

Attachment

ACCEPTED BY:

City of Seward, Nebraska

Signature: _____

Name: _____

Title: _____

Date: _____

ATTACHMENT 1 – STANDARD BILLING RATE SCHEDULE

The following rate schedule will be used to determine monthly billings, unless an alternative fixed-fee or other billing arrangement is specified. It will also be used to determine charges for additional services requested by the City, but not included in the agreed-upon Scope of Services.

<u>Billable Item</u>	<u>Billing Rate</u>
John A. Krajewski, P.E.	\$125.00 per hour
Administrative staff	\$50.00 per hour
Mileage	IRS standard rate for business use 2015: \$0.575/mile
Lodging, meals, other travel	Actual cost, without markup
Copies, faxes, postage, phone, other office overheads	Included in hourly billing rate
Outside professional services	Actual cost

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Item G12

**CONSIDERATION OF AN AGREEMENT WITH EARTH
NETWORKS, INC FOR PLACEMENT OF A WEATHER
CAMERA, WEATHER STATION, AND RELATED
HARDWARE AND SOFTWARE ON THE WATER TOWER-
Tim Richtig**

Staff Contact:

HOSTING AGREEMENT
by and between
Earth Networks, Inc.
And
City of Seward

This HOSTING AGREEMENT (the “Agreement”) is made effective as of the last signed date by and between Earth Networks, Inc. a Delaware corporation with principal offices at 12410 Milestone Center Drive, Suite 300, Germantown MD 20876 (“EN”), and City of Seward, 537 Main Street, Seward, NE 68434 (“HOST”).

WHEREAS, EN manufactures and deploys WeatherBug Weather Stations, each such system being comprised of a weather sensor suite, a master control unit, a digital display, a communications device, and a sensor shelter, or optional equipment such as a camera, weather server and computer (referred herein as the “Hardware”), and computer programs for collection, display and dissemination of real-time and historical data via an Intranet or the Internet (referred herein as the “Software”);

WHEREAS, EN desires to install 1 HD Pan/Tilt/Zoom camera and Weather Station, related Hardware and Software (if applicable) at designated locations owned or controlled by HOST for continued collection and dissemination of local weather information;

WHEREAS, both parties agree that it is of mutual benefit to have the HOST participate in this program;

THEREFORE, the parties agree to the following terms and conditions:

1. **Weather Systems.** EN will place at designated HOST facilities, at no cost to the HOST, 1 HD Pan/Tilt/Zoom camera and Weather Station, including Hardware and Software, (as determined by EN), to collect and report real-time and historical weather data and/or digital camera images via the Internet as described herein.
2. **Term and Termination.** This Agreement shall have a term of one year, with automatic yearly extensions unless either party opts out of such extension with notice at least 30 days prior to the expiration of either the original or any renewal term, as applicable.
3. **Rights and Licenses.** EN retains all rights to the design of the Earth Networks Weather Stations and Cameras, Hardware, Software, and ownership of the Systems, the data generated by the Systems (including weather data measured directly by System components, calculated data from the Software, and video imagery from cameras), which rights the HOST and each participating site hereby acknowledges and agrees not to assert or claim any interest in, save and except only as otherwise expressly granted in paragraph 4.
4. **Data Rights**
 - (1) EN grants to the HOST a royalty-free license for the term of the Agreement to use data generated by Earth Networks Weather Stations solely and exclusively for educational, research and internal operational purposes within the HOST network, which the parties agree includes all subsidiary and affiliated companies of HOST.
 - (2) Except as noted in (1) above, the HOST may not, without express permission of EN, provide the data generated by HOST sites to any party, including other government agencies. HOST may, however, provide and/or allow links to data pages created pursuant to this Agreement.
 - (3) Except as otherwise stated herein, EN has the exclusive right to resell, provide, or otherwise use the data generated by the Systems.
5. **Installation and Maintenance.** The installation and maintenance of the Earth Networks system provided to HOST under this Agreement is the responsibility of EN. Installation and maintenance shall be in accordance with EN standard specifications, which includes but is not limited to the requirement for multiple small building penetrations where agreed and directed by the HOST in order to affix the system to the building structure and the running of data

cable to an internal termination point. In this regard, mast installation may require drilled holes for bracket support and cable access may require new building penetrating conduit. HOST shall allow the previously described work to be completed, shall provide the site and power supply (described in #8 below) for the Systems and Hardware. HOST shall keep the systems powered up and connected to an "always-on" Internet connection configured to EN' specifications (described in #8 below) regarding firewall and port security required to allow live data to transmit at all times. EN shall provide a toll-free technical support service line as well as online technical support to assist such maintenance

6. **Delivery and Shipment Costs.** The HOST will provide EN the delivery address for each site where a system is to be installed. EN shall pay all shipping costs including optional equipment and software.
7. **Disposal.** EN reserves the right to remove the Earth Networks system upon termination of the agreement. EN shall ensure that the removal is done with minimal damage to the HOST building and further agrees to pay for any costs necessary to ensure the building is in the same condition, excepting only normal wear and tear, as it was prior to the installation.
8. **HOST Requirements.** The HOST shall provide for each participating site the following site related requirements (minimum specifications are indicated): (1) electrical power sufficient for operation of the Systems which includes two 120V outlets within 5 feet of where the indoor equipment is to be located; (2) direct, high speed "always on" Internet connection (ISDN, T-1, T-3, or equivalent) where port 9500 UDP/TCP outbound and port 80 TCP are open. Earth Networks will provide a technical support service line as well as online technical support to assist with such efforts. HOST shall allow EN access to the Hardware, upon reasonable notice, for the purpose of supplying necessary maintenance and/or the installation of additional sensor equipment.
9. **Limitations/Disclaimer of Liability.** The HOST assumes no responsibility to protect the equipment from damage of any kind. Except for damages caused by EN's willful misconduct, recklessness, or gross negligence, the parties agree that to the extent permitted by applicable law, EN disclaims liability related to the manufacture, or delivery, of the equipment, the software and/or supplies used in connection with the equipment or the provision of services for the equipment whether such claim alleges breach of contract, or tortious conduct including but not limited to negligence or any other theory. Both parties disclaim liability for indirect, incidental, special, or consequential damages (including but not limited to, loss of use, revenue, or profit) whether such claim alleges breach of contract, tortious conduct including but not limited to negligence, or any other theory.
10. **Extraordinary Circumstances.** Except for obligations of payment, neither EN nor the HOST shall be liable for nonperformance caused by circumstances beyond their control, including but not limited to, work stoppages, floods, lightning and all other acts of God. In the event of the loss of any weather station hardware at any installed HOST site, the replacement of such hardware shall be at the sole discretion and cost of EN.
11. **Necessary Maintenance by EN.** HOST will provide upon reasonable notice by EN access to the system(s) for the purpose of supplying necessary maintenance and/or the installation of additional sensor equipment.
12. **Non-Waiver of Rights.** The failure of EN or the HOST to insist upon strict performance of the terms and conditions of this Agreement or to exercise any rights or remedies, shall not be construed as a waiver of its rights to assert any of the same rights or to rely on any such terms or conditions at any time thereafter.
13. **Governing Law.** This Agreement shall be governed by the laws of the State of Nebraska without reference to its conflict of laws rules.
14. **Breach.** Either party may terminate this Agreement on breach by the other party of any material term or condition hereof 30 days after written notice is given to the breaching party by the non-breaching party if such breach is not cured.
15. **Business Relationship.** Nothing contained herein shall create or be deemed to create any association, partnership, joint venture, the relation of principal and agent, or the relationship of employee and employer between the parties herein.

16. **Notices.** All notices given under any of the provisions of this Agreement shall be deemed to have been duly given when made in writing and either delivered via overnight express delivery requiring the signature of the accepting party's representative or three days after the date of mailing via U.S. Postal Service, certified mail, return receipt requested, to the addresses of the parties set forth in this Agreement as the principal offices or to other such addresses as such party shall specify in writing to the other party.
17. **Severability.** If any provision of this Agreement shall be held to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall remain valid and enforceable.
18. **Assignment.** Neither party may assign this Agreement or any of its rights and obligations hereunder to any person, firm, or corporation, without the prior written consent of the other, which consent shall not be unreasonably withheld, provided that either party may, on notice to the other, assign this Agreement to a subsidiary or to any party that acquires or succeeds to all or substantially all of such party's business or assets. This Agreement shall bind and inure to the benefit of each party's successors and permitted assigns.
19. **Modification.** No provision of this Agreement may be changed, waived, discharged or terminated orally, but only by an instrument of equal formality signed by duly authorized representatives of the parties hereof.
20. **Entire Agreement.** This Agreement embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof. The division of the Agreement into paragraphs is only a matter of convenience for reference and shall not define or limit any of the terms or provisions hereof. Any term used in the singular shall be deemed to include the plural when the context of its use is so required. The fact that the wording of this Agreement has been provided by one party or the other shall not be taken into consideration in the construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Agreement.

Earth Networks, Inc.

HOST

Name/Title

Name/Title

Date

Date

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G13

CITY ADMINISTRATOR'S REPORT- Bruce Smith

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

Staff Contact:

CITY ADMINISTRATORS REPORT - 10-20-15

- Continue with discussions on the Seward Country Club.
- Worked with the street department on the Seward Street project.
- Continued discussions with NPPD on new wholesale power contract. Also met with NPPD concerning a possible economic development opportunity
- Department head meetings as well as many individual meeting with employees through the week
- Meeting with Great Plains Communications in Lincoln on future Fiber Optic projects
- Met with Blue Stem about the wind project
- Met with Ryan Burger concerning the upcoming audit
- Met with Kolterman Insurance about the City's Health Insurance
- Researched buying golf maintenance equipment through the State Bid. Should be able to save thousands of dollars
- Contacted Dr. Barnes about Star Street. John Hughes is working on an easement to present to the Council and school district.
- Received plan from NDOR on Highway 15 work from the interstate to highway 34.
- Met with Schemmer Associates on the trail project and Waverly Road project
- Had the City Employees picnic at the library

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

- Working on re-codifying the City Code
- Reviewing storm water issues on Star Street and St. Johns Daycare areas
- Completed East Seward Street project
- Following up on Q-3 concrete work on the Black Hills gas line project to make sure areas are put back to same condition as before project
- Continuing the installation of LED street lights
- Working on Web 4th service installations
- Installing load controls
- The Library Fall Programs continue
- Fall recreation programs - youth football, soccer, volleyball, and HS softball - are concluding
- Seward County Justice Center inspections
- Prepared for the Planning Commission meeting held on 10-19
- Reviewing and updating Unified Land Development Ordinance
- General maintenance of all facilities, doing utility locates

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Item G14

**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:

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Tuesday, October 20, 2015
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Item G15

**ANNOUNCEMENT OF UPCOMING EVENTS - Mayor
Eickmeier**

October 25 @ 10:00 a.m. - 5:00 p.m. - Seward Youth Center Fundraiser - 4th Street between Hwy 34 & South Street

October 31 @ 4:30-7:00 - United Methodist Church-Halloween Trunk N Treat-Northern Heights to Crestwood on N 5th

November 28 @ 5:30 p.m. - Annual Holiday Lighted Parade

Staff Contact:

City of Seward, NE
Tuesday, October 20, 2015
Regular Session

Item G16

MOTION TO ADJOURN

Staff Contact: