

City of Seward, NE
Tuesday, December 1, 2015
Regular Session

Item G1

**CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF
NOVEMBER 17, 2015 - Marilyn Varner**

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

Staff Contact:

November 17, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, November 17, 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, Barbara Pike, John Singleton, and Chris Schmit. Other officials present: City Administrator Bruce Smith and Attorney City Attorney Kelly Hoffschneider. Absent: Dean Fritz and Dick Hans.

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 NOVEMBER 3, 2015 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the November 3, 2015 City Council meeting be approved.

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

Nay: None

Absent: Hans, Fritz. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

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

- A. Claims & Payables Reports
- B. City Clerk-Treasurer Report
- C. City Codes Director Report
- D. Police Department Report
- E. Seward County Economic Development Corporation Director's Report
- F. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST
11-17-15
COUNCIL MEETING

November 17, 2015

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.

Accu Cut	Su	232.50
A-J Roofing & Waterproofing	Bu	380.07
Amazon.Com Credit Service	Su, Bu	1,659.48
American Fence Co Lincoln	Su	952.32
Ameritas Life Insurance Co	Ins	5,571.34
Aqua-Chem Inc	Trng	450.00
Baker & Taylor	Su	2,165.17
Baker Becky J	Mi, Ex	46.35
Baldinger Charlotte	Mi	25.88
Biblionx LLC	Ex	3,472.00
Black Hills Energy	Su	425.15
Boggs Megan	Mi	29.33
Burlington Northern Santa	Se	757.25
Capital Business-Cheyenne	Ma	91.00
Capital Business-Dallas	Ma	225.00
Cash-Wa Distributing Co	Su	136.80
Chemsearch	Su	539.44
City Seward Library Petty	Su	156.56
City Seward Merchant Serv	Fees	1,511.08
City Seward Payroll Account	Payroll	116,648.80
Consolidated Management	Meal	9.50
Creative Forecasting	Su	60.00
D & D Communications	Eq	60.00
Demco Inc	Su	302.73
Ehrlich Roy D	Mi	87.40
Electronic Contracting Co	Se	81.00
Farmers Coop Seward	Su, Gu, Re	2,658.87
Fast Mart	Su	22.07
Fastenal Company	Su	243.62
Gabriel Burger Else CPA, PE	Se	20,000.00
Gale / Cengage Learning	Su	45.48
General Fire & Safety Eq	Bu	68.00
Gerhold Concrete Co Inc	Gu	518.76
H & S Plumbing Heating & Ac	Bu	322.60
Hach Company	Su, Eq	2,426.79
Hall'S Safety Equipment Co	Tools	1,348.75
Helmlink Printing Inc	Su	77.04
Heyen'S Service & Custom	Re	437.41
Hireright LLC	Fee, Se	315.80
Hockenbergs	Re	1,368.01
Husker Electric Supply Co	Re, Su, Bu	908.59
Hydraulic Equipment Service	Re	448.09
I E S Commercial Inc	Ci	185,549.44
Interstate All Battery	Bu	62.09
Int'L Assoc Chiefs Of Police	Dues	150.00
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J K Energy Consulting LLC	Se	725.00
Jackson Services Inc	Ma	69.67
Johnson Controls Inc	Ma	314.00
Jones Automotive	Eq	2,446.62
Kriz-Davis Co	Su	17,877.56
L C L Truck Equipment Inc	Su	225.78
Last Mile Network Consultant	Se	95.30
Leigh Environmental Eq	Eq	3,130.90
Lincoln Winwater Works	Eq	73.52
Logan Contractors Supply	Re	29.70
Matheson Tri-Gas Inc	Su	97.06
Memorial Health-Meals	Meals	2,408.51
Menards	Re, Ma, Bu	588.06
Merle'S Garden Center	Gu	40.00
Metering & Technology Sol	Eq	2,812.01
Mid-American Benefits Inc	Ins	355.98
Midwest Auto Parts	Re	35.76
Midwest Automotive	Re	795.94
Midwest Laboratories Inc	Se	88.89
Municipal Supply Nebraska	Re	89.93
Nat'L Geographic Society	Su	39.00
Nebraska Health Environmental	Se	105.00
Nebraska Pub Pow-DesMoine	Ut	423,435.89
Niemann'S Port-A-Pot LLC	Gu	300.00
Nifco Mechanical Systems	Bu	150.00
O C L C Inc	Se	180.69
Olsson Associates	Se	854.69
One Call Concepts Inc	Se	100.80
One Source Background Check	Se	19.00
O'Reilly Auto Parts	Su	44.97
Orscheln Farm & Home	Su, Re	552.65
Pac 'N' Save Discount Food	Su	89.29
Pankoke Henry W	Se	275.00
People Magazine	Su	16.50
Peters Brian	Bu	47.10
Peters Kathleen	Misc	66.38
Plains Equipment Group Inc	Re	194.08
Police Chiefs Assoc Of Ne	Dues	50.00
Police Officers Assoc Ne	Dues	150.00
Quill Corp	Su	590.98
Redfield & Company Inc	Su	159.19
Richters Inc	Bu	68.95
Sam'S Club (Lib-Rec-Pool)	Bu	68.34
Sam'S Club (Sen Center)	Su	12.99
Seward County Clerk/Reg Deeds	Se	44.00
Seward County Economic Dev	Trng	40.00
Seward County Independent	Ex	696.61
Seward County Public Power	Ut	2,105.79
Seward County Sheriff	Se	18.50

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Seward County Treasurer	Se	15,188.50
Seward Electronics	Re	225.99
Seward Lumber & Home Center	Su, Bu	997.55
Seward School District	Exp	1,919.95
Seward Veterans Foreign War	Se	25.00
Siteone Landscape Supply	Su	321.60
Spickelmier & Son Inc	Se	1,100.00
St John Lutheran Church/School	Incentive	448.00
Taste Home Magazine	Su	10.00
U S Postal Service	Su	189.00
Verizon Wireless	Se	118.82
Visa - Pinnacle Bank		566.28
Cobblestone Hotel	Misc	89.00
Orscheln	Eq	11.99
Miller Time Pub	Meal	12.95
Mellow Mushroom	Meal	35.58
Marriott Cornhusker	Trng	416.76
Vlasin Law Service	Gu	80.00
Windstream Nebraska Inc	Se	2,230.68
Wissmann Enterprises Inc	Ma	37,761.90
Z K E Elm Street Storage	Storage	900.00
	CLAIMS TOTAL	<u>\$877,907.41</u>

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

3. CONSIDERATION OF AWARDING BID FOR PICKUP FOR FIRE DEPARTMENT

Councilmember Kamprath moved, seconded by Councilmember Beck, that Woodhouse Ford be awarded the bid for one 2016 Ford Super Duty F-350 SRW 4WD Crew Cab with longbox in the amount of \$32,854.22 for use in the Fire Department (replaces 1988 GMC that will be transferred to the Streets Department).

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

4. CONSIDERATION OF AWARDING BID FOR PLUM CREEK SEWER SIPHON PROTECTION PROJECT

Olsson Associates Engineer Ben Day stated a City sewer pipe crossing Plum Creek is slowly being more exposed each year due to erosion and there is concern the pipe could collapse. A permit for the project was obtained through the Army Corps of Engineers and five bidders responded to the bid. The project estimate was \$60,000, but the lowest bid was from General Excavating at a cost of \$87,907. He stated Olsson Associates contacted the bidders and discovered the reason for higher costs was the risk associated with meeting the Corps' requirements and the winter weather. He stated he did not feel a better bid would be obtained if the project were rebid and the project needs to be done now before further erosion causes a collapse.

Councilmember Singleton moved, seconded by Councilmember Wilken that General Excavating be awarded the bid for the Plum Creek Sewer Siphon Protection project in the amount of \$87,907.

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

5. CONSIDERATION OF PURCHASING ASSETS OF GOLF COURSE FROM SEWARD COUNTRY CLUB

City Attorney Kelly Hoffschneider recommended the Council go into executive session to discuss the negotiations for the purchase of the assets of the golf course from Seward Country Club. He stated he invited Attorney Bob Blevens to the meeting as representative of the Seward Country Club.

Councilmember Schmit moved, seconded by Councilmember Kamprath, that the Council enter into closed executive session for the protection of the public interest and pursuant to Neb. Rev. Stat. Section 84-1410(1) to discuss the proposed purchase of the Seward Country Club and to provide the City Attorney with negotiating guidance for a period not to exceed 30 minutes, with said closed executive session lasting no more than 30 minutes, and that the Mayor, City Administrator, and City Attorney be included in the executive closed session, reserving the right to call upon Attorney Bob Blevens.

Mayor Eickmeier restated that there is a motion and second for the City Council to enter into closed executive session for the protection of the public interest and pursuant to Neb. Rev. Stat. Section 84-1410(1) to discuss the proposed purchase of the Seward Country Club and to provide the City Attorney with negotiating guidance for a period not to exceed 30 minutes, with said closed executive session lasting no more than 30 minutes, and that the Mayor, City Administrator, and City Attorney be included in the executive closed session, reserving the right to call upon Attorney Bob Blevens.

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

The executive closed session began at 7:11 p.m. At 7:35 p.m., Councilmember Schmit moved, seconded by Councilmember Singleton, that the City Council reconvenes in open session.

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

Mayor Eickmeier stated that the purpose of the closed executive session was for the protection of the public interest and pursuant to Neb. Rev. Stat. Section 84-1410(1) to discuss the proposed purchase of the Seward Country Club and to provide the City Attorney with negotiating guidance. He stated no formal action was taken during the closed executive session.

Councilmember Kamprath entered the meeting at 7:36 p.m.

Councilmember Kamprath moved, seconded by Councilmember Schmit, that City Attorney Hoffschneider finalize the asset purchase agreement for the purchase of the Seward Country Club Golf Course based on the terms outlined in the letter from Attorney Bob Blevens of Blevens & Damman, dated November 17, 2015 and outlined during negotiations and direct the Mayor to sign all necessary paperwork regarding the purchase agreement.

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

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6. CONSIDERATION FOR APPROVAL OF CHANGE IN EMPLOYEE HEALTH PLAN PROVIDER

Mark Kolterman addressed the City Council stating the City received notice that BlueCross/BlueShield was increasing their rates by approximately 23% (average for both plans), due to full implementation of the Affordable Care Act and some on-going serious health claims for the City. He stated he attempted to negotiate better rates; however, they would not budge. He said he went out for quotes and received one from United Health Care similar to the Health Reimbursement Plan currently offered to the City's employees. He said this plan is only 1% above the current plan rate and is good for twelve months. He said he will continue to explore other alternatives for the City. A meeting with employees to explain the new coverage is scheduled for November 23, with a plan start date of December 1, 2015.

Councilmember Schmit moved, seconded by Councilmember Singleton, that United HealthCare be approved as the City's Employee Health Plan Provider, effective December 1, 2015.

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

Nay: None

Absent: Hans, Fritz. Motion carried.

7. CITY ADMINISTRATOR REPORT

Councilmember Wilken moved, seconded by Councilmember Pike, that the City Administrator's Report dated November 17, 2015 be accepted.

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

Nay: None

Absent: Hans, Fritz. Motion carried.

8. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None.

9. ANNOUNCEMENT OF UPCOMING EVENTS

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

B. December 5 from 8:00 a.m. to 11:00 a.m. - Chamber of Commerce Rudolph's Red Nose Run - Middle School to Plum Creek Trail

10. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the November 17, 2015 City Council Meeting adjourns.

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

Nay: None

Absent: Hans, Fritz. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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