

City of Seward, NE
Tuesday, January 5, 2016
Regular Session

Item G1

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

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

Staff Contact:

December 15, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, December 15, 2015, with Mayor Joshua Eickmeier presiding and Assistant Administrator /Clerk-Treasurer /Budget & Human Resources Director Bonnie Otte recording the proceedings. Upon roll call, the following Councilmembers were present: Jon Wilken, Sid Kamprath, Dean Fritz, Barbara Pike, and Chris Schmit. Other officials present: City Administrator Bruce Smith and Attorney City Attorney Kelly Hoffschneider. Absent: Ellen Beck, Dick Hans and John Singleton.

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 DECEMBER 1, 2015 COUNCIL MEETING

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

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

2. CONSENT AGENDA CONSIDERATION ITEMS

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

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

CLAIMS LIST
12-15-15
COUNCIL MEETING

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

December 15, 2015

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

Advanced Floor Care Inc	Ma	500.00
All Road Barricades Inc	Su	77.40
Alliance Technologies	Se	250.36
Amazon.Com Credit Service	Su	2,237.92
Ameritas Life Insurance Co	Ins	5,609.06
Awe Digital Learning Solutions	Eq	5,333.00
Baker & Taylor	Su	1,305.96
Baldinger Charlotte	Mi	26.45
Barco Municipal Products	Su	400.96
Black Hills Energy	Ut	896.75
Bornkamp Technology Group	Bu	115.00
Burlington Northern Santa Fe	Misc	597.02
Capital Business-Cheyenne	Ma	91.00
Capital Business-Dallas	Ma	225.00
City Seward Electric Fund	Ut, Incentive	44,790.01
City Seward Library Petty	Su	105.26
City Seward Merchant Services	Exp	1,430.24
City Seward Payroll Account	Payroll	111,507.32
Continental Fire/Alarm/De	Se	190.00
Core Robert	Exp	250.00
Creative Prod Sourcing	Su	428.66
Demco Inc	Su	139.65
Dutton-Lainson Co	Su	34,600.00
Ehlers James	Su	341.15
Emergency Medical Product	Su	595.63
Farmers Coop Seward	Su, Gu, Re	3,241.02
Fast Mart	Su, Ex	54.01
Fastenal Company	Re, Su	378.48
Gabriel Burger Else CPA	Se	14,000.00
General Fire & Safety Equip	Se	107.00
Gerhold Concrete Co Inc	Su, Re	1,997.97
Graham Tire	Re	206.44
Greiner Dan	Incentive	600.00
Hamilton Equipment Company	Re	131.00
Hartmann Custom Service C	Se	485.00
Husker Electric Supply Co	Bu, Re	741.84
Hydraulic Equipment Services	Su	82.96
I E S Commercial Inc	Ci	79,482.22
Interstate All Battery Ce	Re	144.39
J K Energy Consulting LLC	Se	2,350.00
Jackson Services Inc	Ma	188.04
Jones National Bank & Trust	Misc	70.00
Kimbrough Shane	Incentive	75.00
Last Mile Network Consult	Ut	56.40

December 15, 2015

Lee'S Refrigeration	Bu	113.96
Make: Magazine	Su	59.95
Matheson Tri-Gas Inc	Su	102.00
Memorial Health-Drug	Ex, Se	743.00
Memorial Health-Meals	Su	352.63
Menards	Su	23.90
Mid-American Benefits Inc	Ins	318.17
Midwest Auto Parts	Re, Su	522.67
Midwest Automotive	Re	1,179.57
Midwest Laboratories Inc	Se	645.00
Municipal Pipe Services I	Re	500.00
N M C Exchange Inc	Re	1,066.98
Nebraska Arborists Association	Dues	65.00
Nebraska Equipment Inc	Re	81.10
Nebraska Fire Marshal	Ex	120.00
Nebraska Health Environment	Se	272.00
Nebraska Notary Association	Ex	100.00
Nebraska Pub Pow-Desmoine	Incentive, Ut	434,315.30
Nelson Contracting LLC	Re	359.00
Niemann'S Port-A-Pot LLC	Gu	105.00
Northern Safety Co Inc	Su	194.49
O C L C Inc	Se	180.69
Odeys Inc	Re, Su	1,528.71
Olsson Associates	Eq	2,000.00
One Call Concepts Inc	Se	64.30
O'Reilly Auto Parts	Se	274.60
Orscheln Farm & Home	Su, Gu	91.08
Otte Donna	Mi	37.38
Pac 'N' Save Discount Foo	Su	3.39
Pankoke Henry W	Se	220.00
Pavers Inc	Su	692.15
Plains Equipment Group In	Re, Su	585.86
Precision Tool & Machine	Su	24.00
Quill Corp	Su	266.94
Richters Inc	Bu	74.95
Rose Equipment Inc	Su	1,219.64
Rumery Lawn & Landscape	Gu	230.00
S & S Design	Eq	275.00
Sack Lumber Company	Re	82.32
Sam'S Club (Lib-Rec-Pool)	Su, Gu	55.22
Sam'S Club (Sen Center)	Su	44.68
Schoepf Josh	Ex	100.00
Schulz Ed LLC	Su	3,309.00
Seward County Independent	Ex	136.97
Seward County Public Power	Ut	2,012.90
Seward County Treasurer	Se, Prop Tax	17,474.12

December 15, 2015

Seward Family Pharmacy	Su	843.00
Seward Lumber & Home Cent	Su, Re, Gu	832.32
Seward School District	Fines, Lic	165.00
Skarshaug Testing Laboratory	Su	277.85
Time Warner Cable	Se	79.38
Union Bank & Trust Company	Interest	7,905.60
Verizon Wireless	Ut	163.90
Visa - Pinnacle Bank		148.60
Marriott Cornhusker	Trng	16.24
WalMart	Su	8.88
Nova Solutions	Eq	123.48
Wesco Distribution Inc	Ci	1,862.87
Windstream Nebraska Inc	Se	2,376.23
Wolter Gary	Ut	171.88
	Claims Total	<u>\$803,485.82</u>

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

3. CONFIRMATION OF MAYOR'S APPOINTMENTS

Councilmember Schmit moved, seconded by Councilmember Pike, that the reappointment of Jan Matzke to the Civic Center Commission for a 3-year term be approved.

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

Councilmember Pike moved, seconded by Councilmember Kamprath, that the reappointment of Charles Matzke to the Tree Board for a 3-year term be approved.

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

4. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF PRELIMINARY AND FINAL PLAT OF UNDERWOOD COMMERCIAL ADDITION (SE CORNER OF S 7TH STREET AND SOUTH STREET)

Mayor Eickmeier stated that due to a lack of quorum at the December 14 Planning Commission scheduled meeting, the Public Hearings to consider the preliminary and final plat for the Underwood Commercial Addition and the Lyle and Elaine Mueller Addition were not held and therefore, there is no action by the Planning Commission to consider either plat. However, since the public hearings have been advertised for consideration by the City Council, the City Council could choose to move forward with the public hearings, and discuss the item, but could not take any action.

Public Facilities/Capital Improvements and GIS Director John Hughes stated that since the property has previously been re-platted, City Zoning regulations require that it go through the Major Subdivision process requiring a preliminary and final plant. The plat involves three parcels, and the owner is only moving one property line.

December 15, 2015

Mayor Eickmeier opened the public hearing. Hearing no public comment, Mayor Eickmeier closed the public hearing. No action was taken.

5. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF PRELIMINARY AND FINAL PLAT OF LYLE AND ELAINE MUELLER ADDITION (SE CORNER OF EAST BRADFORD STREET & EASTRIDGE DRIVE)

Public Facilities/Capital Improvements and GIS Director John Hughes stated the existing large parcel currently has a house located on it and the Muellers are requesting to replat the property into three separate parcels; one with the house on it, an adjacent lot, and an additional outlot, to be subdivided into four lots at a later date.

Mayor Eickmeier opened the public hearing. Hearing no comment, Mayor Eickmeier closed the public hearing. No action was taken.

6. CONSIDERATION OF AWARDING BID FOR ROBERTS STREET AREA DISTRIBUTION UPGRADES

Garrett Klein, Olsson Associates Engineer, stated the Roberts Street project includes the rebuild of approximately 5,300 feet of distribution pole line, replacing ten distribution transformers and rebuild of the 34.5 kV pole line. On October 20, 2015, based on the engineer's recommendation, the City Council rejected the single bid received, which was \$692,875. The project was readvertised and three bidders provided bids, which were opened on December 3. He stated the engineer's adjusted project estimate is \$504,000; however, the lowest bid is from Schmader Electric in the amount of \$571,800. He stated the bidders were contacted and it appears the project is more time-consuming than projected. Schmader Electric is proposing a completion date of December, 2016, which is later than preferred; however, the delay does not present any issues beyond the additional months that the existing facilities remain in service. The recommendation is to award the project to the low bidder.

Councilmember Pike moved, seconded by Councilmember Fritz, that Schmader Electric be awarded the bid for the Robert's Street project in the amount of \$571,800.

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

7. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 11 OF THE SEWARD CITY CODE TO RETITLE THE ARTICLE, TO ESTABLISH A GENERAL EMPLOYEES PENSION PLAN COMMITTEE AND TO APPOINT CITY COUNCIL DESIGNATED MEMBERS

Mayor Eickmeier stated there are not enough Council Members present to suspend the readings for the proposed ordinance. The Council could choose to discuss the item and take action at a later date or table it.

Councilmember Kamprath moved, seconded by Councilmember Pike, that the Ordinance amending Chapter 1, Article 11 of the Seward City Code to retitle the article, to establish a General Employees Pension Plan Committee and to appoint City Council designated members be tabled.

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

8. CONSIDERATION OF A RESOLUTION ESTABLISHING DEVELOPER AND BUILDER OR HOMEOWNER CONSTRUCTION FEES

December 15, 2015

Public Facilities/Capital Improvements and GIS Director John Hughes stated that in May 2007, the City established "Aid to Construction Fees" for the Electric Department. Prior to this date, the City was not charging a developer fee to assist with offsetting the cost of the development. In addition, the Electric Department also uses the term "Aid to Construction" for a different purpose and it was confusing to the developers. He stated the proposed resolution: 1)Changes the name of the fee from Aid to Construction Fee to Developer and Builder or Homeowner Construction Fee; 2)Removes the \$400 Commercial Fee; and 3) Adds the note indicating \$100 per each 100 amps of service.

Councilmember Fritz introduced the following resolution:

RESOLUTION NO. 2015-25

WHEREAS, the City Council of the City of Seward, Nebraska may by resolution fix the amount of fees charged by the City of Seward Utilities, and

WHEREAS, it is deemed advisable to establish Developer and Builder or Homeowner Construction Fees for the Electric Department;

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

The amount of Developer and Builder or Homeowner Construction Fees for the Electric Department shall henceforth be and are hereby fixed as follows to be in full force and effect on and after January 1, 2016:

<u>Developer Fees:</u>	<u>Builder or Homeowner Fees:</u>
\$400 dollars per lot,	\$100 per 100 amp service
plus \$4 per foot on line	\$200 per 200 amp service
installation for lots	\$300 per 300 amp service
	\$400 per 400 amp service
	(\$100 per each additional
	100 amps service or fraction
	thereof)

All previous resolutions including Resolution 8-07 which are in conflict with this resolution are hereby revoked.

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

The Mayor declared the resolution adopted.

Dated: December 15, 2015.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte,
Assistant Administrator
City Clerk-Treasurer
Budget & HR Director

(SEAL)

December 15, 2015

9. CONSIDERATION OF NAMING THE GOLF COURSE

Mayor Eickmeier stated the City has internally been referring to the golf course as the Seward Community Golf Course, pending finalizing the purchase; however, it is time to consider officially renaming the course. He said he wants to make sure the name reflects the intent that the public knows it is a public course.

Councilmember Fritz, Pike, and Kamprath all stated they liked the name of Seward Community Golf Course.

Councilmember Fritz moved, seconded by Councilmember Wilken, that naming of the soon-to-be City-owned golf course be tabled to a meeting when the absent Councilmembers are present.

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

10. CITY ADMINISTRATOR REPORT

Councilmember Pike moved, seconded by Councilmember Kamprath, that the City Administrator's Report dated December 15, 2015 be accepted.

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

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None.

12. ANNOUNCEMENT OF UPCOMING EVENTS

None.

13. MOTION TO ADJOURN

Councilmember Schmit moved, seconded by Councilmember Pike, that the December 15, 2015 City Council Meeting adjourns.

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

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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