

**City of Seward, NE**  
**Tuesday, May 3, 2016**  
**Regular Session**

**Item G1**

**CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF  
APRIL 19, 2016 - Bonnie Otte**

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

**Staff Contact:**

April 19, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, April 19, 2016, 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, Dean Fritz, John Singleton, Chris Schmit, and Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Councilmember Barbara Pike and Councilmember Sid Kamprath.

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 APRIL 5, 2016 COUNCIL MEETING

Councilmember Singleton moved, seconded by Councilmember Schmit, that the minutes of the April 5, 2016 City Council meeting be approved.

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

Nay: None

Absent: Pike, Kamprath. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Singleton moved, seconded by Councilmember Fritz, 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  
4-19-16  
COUNCIL MEETING

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

April 19, 2016

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

Alamar Uniforms	Uniforms	87.95
Alliance Technologies	Se	369.15
Allrecipes Magazine	Su	16.95
Amazon.Com Credit Service	Su	583.88
American Girl Magazine	Su	49.95
Ameritas Life Insurance Co	Ins	13,723.80
Armor Systems Corp	Ex	7.60
Backhus Timothy	Ex	30.00
Baker & Taylor	Su	2,296.11
Baker Becky J	Su	77.00
Baldinger Charlotte	Mi	33.00
Barcel Landscape Products	Gu	179.50
Barco Municipal Products	Su	130.57
Biel Larry	Se	25.00
Bierbaum Randy / Jill	Ex	25.00
Bizco Technologies	Se	4,831.50
Bjorklund Jeff	Ex	30.00
Bjorklund Nicky	Ex	30.00
Black Hills Energy	Ut	1,366.24
Blackburn Manufacturing Co	Re	546.06
Bloebaum Nickalas	Ex	30.00
Bon Appetit Magazine	Su	38.00
Bowens Katie	Ex	30.00
Bremer Jessie	Ex	25.00
Brozovsky Brent / Megan	Incentive	45.00
Brunckhorst Kent	Ex	90.00
Bruning State Bank	Lease	3,550.00
Buell Tom	Ex	30.00
Burlington Northern Santa	Misc	353.69
Callaway Golf	Su	52.50
Capital Business-Cheyenne	Ma	91.00
Capital Business-Dallas	Ma	225.00
Cash-Wa Distributing Co	Su	645.18
Cihal Alan F	Ex	90.00
City Seward Electric Fund	Ut	33,616.31
City Seward Library Petty	Su	53.15
City Seward Merchant Serv	Se	2,196.78
City Seward Payroll Account	Payroll	277,062.74
Collings Erin	Ex	25.00
Collins Jill / Corey	Ex	30.00
Commonwealth Electric Co	Bu	183.82
Concordia University	Ex	1,240.00
Consolidated Management	Meals	167.00
Cook Charles	Ex	30.00
Cook'S Country Magazine	Su	31.95
Core Robert	Ex	90.00
Cornerstone Interiors & D	Bu	800.00
Dittmer Chlancey	Ex	90.00
Do It Yourself Magazine	Su	19.97
Duer Bryan	Ex	90.00
Duffek Daniel D	Ex	90.00
Dutton-Lainson Co	Su	53,614.16
E M C Insurance Companies	Ins	1,191.99
Ehlers Electronics	Re	402.98
Elkins Lisa	Mi	91.32
Emblem Enterprises Inc	Su	556.71
Emergency Communications	Se	1,648.90

April 19, 2016

Emergency Medical Product	Su	2,088.37
Environmental Resource As	Se	459.64
Farmers Coop Seward	Su, Gu, Re	14,787.73
Fastenal Company	Su, Bu, Re	259.71
Feld Ed M Equipment Co	Re	600.00
Ferguson Steven C	Ex	90.00
Field & Stream Magazine	Su	29.97
Fireguard Inc	Re	531.29
Firehouse Five	Se	25.00
Flesner Brian	Refnd	60.00
Food Network Magazine	Su	12.00
French Matthew	Ex	90.00
G P Tech Solutions	Su	100.26
Gale / Cengage Learning	Su	275.26
General Excavating	Ci	73,585.10
Gerhold Concrete Co Inc	Gu, Su	1,370.00
Golf Products Inc	Su	63.24
Gonzalez Edward	Ex	90.00
Graham Tire	Re	75.00
Great Plains Uniforms LLC	Un	111.50
Grill	Su	389.98
Guenther Donald	Ex	30.00
H & S Plumbing Heating	Bu	2,441.79
H D Supply Waterworks Ltd	Re	3,608.10
Hamilton Equipment Company	Re	37.10
Hanes Craig	Ex	25.00
Hartmann Custom Service C	Se	6,332.50
Hemphill Electric LLC	Gu	640.66
Highlights Magazine	Su	34.44
Hinrichs Rachelle	Trng	60.00
Hireright LLC	Se	103.62
Hochstein Jared	Ex	90.00
Hughes John	Ex	90.00
Husker Electric Supply Co	Re	2,011.43
I E S Commercial Inc	Ci	43,214.17
Jackson Services Inc	Ma	56.50
Jacobsen Rock & Gravel	Su	5,815.33
Jones Automotive	Su	49.93
Jones National Bank & Trust	Ci	27,429.60
Juranek Jeff	Ex	25.00
Kahler Daniel S	Ex	60.00
Kriz-Davis Co	Eq, Su	3,172.87
Langner Michael	Ex	25.00
Last Mile Network Consult	Se	90.00
Latsch'S	Su	24.39
Lee'S Refrigeration	Eq	4,154.00
Lincoln Winwater Works	Gu, Re, Se	2,614.35
Loos Josh	Ex	25.00
Maguire Iron Inc	Se	2,250.00
Mailand'S Clothing	Uniforms	45.00
Marr Andrew M	Ex	60.00
Matheson Tri-Gas Inc	Su	102.64
Mattson Ricketts Law Firm	Se	4,000.00
McElvray Dan	Ex	175.00
Menards	Gu, Su	192.65
Mid-American Benefits Inc	Ins	840.09
Midwest Auto Parts	Su, Re	549.60
Midwest Automotive	Re	469.50
Midwest Laboratories Inc	Se	953.28
Midwest Living Magazine	Su	19.97

April 19, 2016

Miller Karl / Rachel	Ex	25.00
Mueller Michael	Ex	25.00
Nebraska Golf & Turf	Re	151.00
Nebraska Library Assoc	Trng	30.00
Nebraska Municipal Power	Dues	2,470.10
	Incentive, Re,	
Nebraska Pub Pow-DesMoine	Ut	443,287.99
Nebraska Treasurer	Fees	42.10
Niemann'S Port-A-Pot LLC	Ma	225.00
Nottingham Dana	Ex	30.00
O C L C Inc	Se	180.69
Odeys Inc	Gu	518.25
Olsson Associates	Se	18,840.69
Omaha World Herald	Ex	121.89
One Call Concepts Inc	Se	151.41
One Source Background Check	Se	29.00
O'Reilly Automotive Inc	Re, Su	18.37
Orscheln Farm & Home	Su, Bu, Gu	521.91
Otte Donna	Mi	35.10
Pac 'N' Save Discount Foo	Su	99.54
Pankoke Henry W	Ma	275.00
Pedersen Brent	Ex	90.00
People Magazine	Su	316.41
Perry Colby	Ex	35.00
Peters Kathleen	Su	292.54
Phillips Julie	Ex	30.00
Plains Equipment Group Inc	Re	25.00
Plunkett'S Pest Control	Bu	59.32
Potter Bruce/Jess	Ex	30.00
Precision Tool & Machine	Re	10.00
Prochaska Vickie	Trng	60.00
Progressive Microtechnology	Se	495.00
Pulse Finders LLC	Trng	600.00
Quill Corp	Su	346.95
Roehr Ed Safety Products	Su, Eq	1,020.00
Rose Equipment Inc	Re	1,574.41
Ruether Larry L	Ex	90.00
Salyer Justin / Tammy	Ex	50.00
Sam'S Club (Lib-Rec-Pool)	Su, Bu	398.33
Sam'S Club (Sen Center)	Su	33.34
Sanley Patricia	Ex	90.00
Sanley Randy	Bu	17.96
Sattler Amber	Ex	25.00
Schlueter , Dave	Incentive	100.00
Schmader Electric Cont Co	Gu	390.00
Seevers Scott	Ex	25.00
Seward Area Chamber Commerce	Misc	100.00
Seward County Clerk/Reg Deed	Se	48.00
Seward County Independent	Ex	1,585.50
Seward County Public Power	Ut	1,762.82
Seward County Treasurer	Se, Eq	16,778.50
Seward Lumber & Home Cent	Su, Re, Bu	891.87
Seward School District	Misc	160.00
Siteone Landscape Supply	Su	602.26
Southeast Library System	Trng	50.00
Spickelmier & Son Inc	Re	5,292.50
Sports Express	Misc	496.00
St Louis Michelle	Ex	90.00
St P J Supply Inc	Su	22.06
Standifer Melanie	Ex	25.00

April 19, 2016

Steinmeyer Zach	Ex		25.00
Supplyworks	Su		284.97
Traditional Home Magazine	Su		24.00
U S A Bluebook - Cust 812	Re		377.03
Union Equipment Finance	Eq		30,824.44
Upstart	Su		357.45
Vanderslice Justin	Ex		30.00
Verizon Wireless	Eq		187.32
Visa - Pinnacle Bank			231.37
Accucut	Su	190.00	
WalMart	Re, Misc	41.37	
Watchguard Video	Eq		3.00
Wattier Mark	Ex		90.00
Wegman Nicole	Ex		30.00
Windstream Nebraska Inc	Se		2,416.77
Wolfe Cara	Ex		25.00
Wolter Gary	Ut		171.88
Woods & Aitken LLP	Se		224.00
World War II Magazine	Su		75.95
	CLAIMS TOTAL		<u>\$1,146,634.96</u>

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

Nay: None

Absent: Pike, Kamprath. Motion carried.

3. PUBLIC HEARING - 7:00 P.M. - TAX INCREMENT FINANCING APPLICATION -  
BUGEATERS/RICHARD GOKIE

Katie Kock of Cline Williams Wright Johnson & Oldfather, LLP presented the TIF application from Fast Mart/Bugeaters Properties (Richard Gokie) to the Council for a rebuild/expansion of their retail convenience store (present location 215 North 6<sup>th</sup> Street). Robert and Galene Martens currently own a portion of the property where the Fast-Mart is now located (Mr. Gokie has a lease/purchase option and plans to purchase this property in approximately three years, although land acquisition is excluded from eligible uses for TIF funding). Fast Mart would also upgrade the current automatic carwash. This project would create a new, larger retail area, as well as new, larger restrooms, installation of new double-wall tanks and piping for petroleum products, with the latest in containment and monitoring equipment, and install a large canopy over the tanks. The application noted estimated costs of the project at \$2,734,000.00 for land, site development, building, canopy, tanks, installation, concrete (parking/drives/sidewalks), equipment and architectural and engineering fees. Mr. Gokie plans to start the expansion as soon as possible, hoping to finish by year-end 2016; however, the applicants are requesting the ability to extend the effective date, should construction not occur until 2017.

Ms. Kock stated this project has two applicants and developers; Bugeaters, LLC and Fast Mart, Inc., with the lease arrangement with Robert and Galene Martens.

The current valuation is \$529,763.00, with an estimated increase to \$1,400,000.00, a total increase in real estate valuation of \$870,237.00.

3B. REVIEW OF COST-BENEFIT ANALYSIS

Ms. Kock reviewed the following cost benefit analysis:

Estimated Base project Area Valuation	\$	529,763
Projected Completed project Assessed Valuation	\$	1,085,341

April 19, 2016

Projected Tax Increment Base (b. minus a.)	\$	555,578
Estimate Tax Levy		1.742962
Annual Projected Tax Shift	\$	15,167

The Project should not have a material impact on the private sector businesses in and around the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers. The Project will be in competition with local gas stations, but this competition currently exists, as a gas station and convenience store is already located on the site.

Fast Mart would continue to employ the current three full-time employees and six to seven part-time employees. Fast Mart is expecting to add one full-time and two to three part-time employees in the first year. By year three, it expects to add another full-time employee, along with another part-time employee.

The total TIF amount available after deducting the 3% Administrative fee is \$148,960.

3C., 3D., 3E., 3F. REDEVELOPMENT PLAN AMENDMENT, REDEVELOPMENT AGREEMENT, RESOLUTIONS

Ms. Kock then reviewed the Amendment to the Redevelopment Plan. She noted that the project will consist of the construction of an approximately 3,870 square foot convenience store, 2,268 square foot car wash and maintenance room, and six gas pumps under an approximately 4,800 square foot canopy. Additionally, as part of the project, the existing convenience store and gas pumps will be demolished and the existing garage will be moved to the west side of the site.

The site is on North Highway 15 (North 6<sup>th</sup> Street, from Jackson Avenue to Bradford Street—between 6<sup>th</sup> & 7<sup>th</sup> Streets). The project is intended to improve traffic flow near the site. The additional paved lanes for ingress, egress and parking will benefit the site and the traffic flow and safety at that intersection. No population density concerns exist. No adverse impacts are anticipated with respect to traffic flow, street layouts and street grades. No additional zoning, building code or ordinance changes will be necessary for the Project.

The approved TIF uses are: Cost of Issuance, Demolition, Site Prep/Landscaping, Facade, Sidewalks, Public Parking, and Additional TIF Uses.

Ms. Kock then referred to the Plan Agreement, making note of the two applicants/developers (Section 2.02) and the landlord agreement. She also referenced (Section 3.03) which allows the redeveloper to request an extension for completion of the project; however, the request must be made in writing prior to commencement of any construction. The Community Redevelopment Authority may, but is not obligated to approve the requested extension of the effective date and project completion date by one year.

Richard Gokie, 3003 Bluff Rd, stated he has a lease/purchase option for the property to the west of this location for expansion of his business, of which he plans to finalize the purchase in approximately three years. He stated he is in contact with the City Building Department and is working on getting the project going, but is still waiting on his building plans. He hopes to begin moving dirt by the end of the month. He stated he will first remove the building to the west, then build the new building and remove the current building as a final step. He said if he can get the new building up before winter and can be working on the interior through the winter, he will then demolish the

April 19, 2016

old building in the spring. To allow for unknown weather, he requested the potential for the extension.

Ms. Kock referenced (Section 5.01) Façade Easement, of which the developer grants an easement for the term of the TIF project to keep the façade improvements in good condition. She stated the landlord agrees with this façade easement.

Ms. Kock referenced (Section 5.02) Landlord Consent stating that the parking stalls are on public property and therefore, recommended striking "Parking Lot License and" from this section, since the Parking Lot License is no longer part of the agreement.

There was a question as to whether changes needed to be made with the agreement after the proposed purchase (in three years) is completed, to which Ms. Kock stated no additional documents would be needed or changes made following the purchase.

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

Councilmember Singleton introduced the following resolution:

**CITY OF SEWARD, NEBRASKA  
RESOLUTION #2016-08**

(Amendment to Redevelopment Plan - Fast Mart Project)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA, APPROVING AN AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE CITY OF SEWARD, NEBRASKA, INCLUDING A SPECIFIC REDEVELOPMENT PROJECT.**

RECITALS

A. The Community Redevelopment Authority of the City of Seward ("CRA") has recommended that the Redevelopment Plan for Redevelopment Area #1, a copy of which is on file and available for public inspection with the City Clerk, (the "Redevelopment Plan") should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified and legally defined in said amendment (the "Project Site").

B. The proposed amendment to the Redevelopment Plan ("Redevelopment Plan Amendment") is on file and available for public inspection with the Seward City Clerk.

C. The Redevelopment Plan Amendment includes a redevelopment project, (the "Project") that will utilize tax increment financing pursuant to Neb. Rev. Stat. § 18-2147.

D. The CRA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Seward.

E. The Planning Commission recommended the approval of the Redevelopment Plan Amendment.

F. Notice of public hearing regarding the adoption and approval of the Redevelopment Plan Amendment by the City Council was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. § 18-2115, and Nebraska law.

G. On April 19, 2016, the City Council held a public hearing relating to



April 19, 2016

the question of whether the Redevelopment Plan should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

H. The City Council has reviewed the Redevelopment Plan Amendment, the cost benefit analysis prepared by the CRA, and the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the City Council of the City of Seward, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154 (the "Act"), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to Section 18-2109 of the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Seward, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Seward as a whole, as set forth in the City of Seward Comprehensive Plan, as amended.
4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the City of Seward.
5. The Project would not be economically feasible without the use of tax increment financing.
6. The Project would not occur on the Redevelopment Area without the use of tax increment financing.

BE IT RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Redevelopment Plan Amendment is hereby approved and adopted by the City Council as the governing body for the City of Seward.

Councilmember Beck moved, seconded by Councilmember Schmit, that the resolution be adopted.

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

Nay: None

Absent: Pike, Kamprath. Motion carried.

Mayor Eickmeier declared the resolution adopted.

Dated this 19th day of April, 2016.

CITY OF SEWARD, NEBRASKA

By: \_\_\_\_\_  
Mayor

April 19, 2016

ATTEST: \_\_\_\_\_  
City Clerk

Councilmember Singleton introduced the following resolution, amending the Redevelopment Agreement striking the words, "Parking Lot License and" from Section 5.02 of the Agreement:

**CITY OF SEWARD, NEBRASKA  
RESOLUTION NO. 2016-09**

(Approval of Redevelopment Agreement - Fast Mart Project)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT AND AUTHORIZING THE COMMUNITY REDEVELOPMENT AUTHORITY TO ENTER INTO SAID AGREEMENT.**

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended (the "Act"), the City of Seward, Nebraska ("City"), has adopted a redevelopment plan ("Redevelopment Plan") for certain portions of the City. A copy of the Redevelopment Plan is on file with the City Clerk for inspection.

B. The Redevelopment Plan, as amended, includes a specific redevelopment project identified as the Fast Mart Project that will include the use of tax increment financing (the "Project").

C. On April 6, 2016, the CRA approved the Redevelopment Agreement for the Project.

D. The City has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the General Comprehensive Development Plan of the City, and in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Seward, Nebraska, that the Redevelopment Agreement between the Community Redevelopment Authority of the City of Seward, Nebraska, Bugeaters Properties, LLC, and Fast Mart, Inc., which is attached hereto as Exhibit "A" and incorporated here by this reference, is hereby approved;

BE IT FURTHER RESOLVED, the CRA is hereby authorized to execute and deliver the Redevelopment Agreement, with such changes, modifications, additions, and deletions therein and shall they seem necessary, desirable or appropriate, for and on behalf of the CRA;

BE IT FURTHER RESOLVED, the CRA is hereby authorized to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of such TIF Indebtedness not to exceed the amount of TIF Indebtedness set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CRA of the City;

BE IT FURTHER RESOLVED, that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed.

Councilmember Wilken moved, seconded by Councilmember Fritz, that the resolution be adopted.

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

April 19, 2016

Nay: None

Absent: Pike, Kamprath. Motion carried.

Mayor Eickmeier declared the resolution adopted.

DATED THIS 19<sup>th</sup> day of April, 2016.

CITY OF SEWARD, NEBRASKA

By: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

EXHIBIT "A"

(Redevelopment Agreement)

\*\*\*Mayor Eickmeier rearranged the following agenda items as a courtesy of the presenters who had additional commitments and requested their items be moved up on the agenda prior to the meeting.\*\*\*

5. CONSIDERATION AN AGREEMENT WITH SNOWMOTION TO OPERATE A CONCESSION STAND AT THE SEWARD DOWDING MUNICIPAL SWIMMING POOL

City Administrator Smith stated Suzanne Gligorevic approached the City several months ago with interest of operating a concession stand at the Dowding Municipal Pool. He stated the Park and Recreation Board approved the concept of contracting for concessions. The City advertised for bids and the only bid received was from Snowmotion. He stated City Attorney Hoffschneider drafted the agreement that is being considered tonight.

Pat Sanley, Assistant Recreation Director, addressed the City Council stating this is a one-year agreement and she supports the contracted concession stand.

Suzanne Gligorevic, dba SnowMotion, stated she currently is licensed with the Department of Health for another concession trailer and stated the Department of Health agreed to add the concession stand to their license. She stated her two sons who are 16 years of age will be running this stand and she plans to be there 3-4 hours per day. City Attorney Hoffschneider stated that the agreement has a hold harmless section and Ms. Gligorevic is required to name the City as additional insured.

There was a question about whether not having an adult present at all times was a concern. Pat Sanley stated the City hires 16 year-olds as Assistant Pool Managers and there will always be a Pool Manager on site, should something come up.

Councilmember Beck moved, seconded by Councilmember Hans, that the agreement with Suzanne Gligorevic, dba Snowmotion, to operate a concession stand at the Seward Dowding Municipal Swimming Pool for the 2016 season be approved.

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

Nay: None

Absent: Pike, Kamprath. Motion carried.

April 19, 2016

6. CONSIDERATION OF SEWARD FOUNDATION APPLICATION

Clark Kolterman, 660 E Pinewood Ave, addressed the City Council with a Seward Foundation application in the amount of \$5,000 for the Chautauqua 2017 event. He stated the Seward Foundation will be the main sponsor of the event. The theme is "World War I: Legacies of a Forgotten War". He stated the proposal is to hold the event in the green space to the west of the Nebraska National Guard Museum, which is fitting for the theme and was the location of the original Chautauqua Park. He stated they have not selected a date; however, it will not be over the July 4 weekend. The week-long event would feature a variety of exhibits and happenings throughout the week, offering programs and activities for all ages. The featured speakers include actors portraying William Jennings Bryan, Woodrow Wilson, Edith Wharton, W E B Du Bois and Jane Addams. The Chautauqua events are free and open to the public and will require the assistance of City personnel in various capacities to assist with the celebration.

Councilmember Fritz moved, seconded by Councilmember Beck, that recommendation be made to the Seward Foundation supporting the application for the Chautauqua 2017.

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

Clark Kolterman, 660 E Pinewood Ave, addressed the City Council with a Seward Foundation application to provide \$1,000 "seed money" for the 2017 Sesquicentennial celebration. He stated the money will be used to organize the volunteer effort, to assist with postage/communication efforts, a basic website and various administrative costs. He stated the total project cost may reach \$10,000, but will be funded by local sponsors and groups. The Seward Fourth of July Celebration Committee has agreed/allowed this Committee to become an official arm/committee of their group, thus incorporating the use of their non-profit status. The City's partnership will include projects to benefit the community (possibly tree planting in the parks), using the bandshell, and employee support for all of the events planned.

Councilmember Singleton moved, seconded by Councilmember Schmit, that recommendation be made to the Seward Foundation supporting the application to for the Sesquicentennial celebration.

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

4. PRESENTATION BY JERRY PIGSLEY ON WAGE AND BENEFIT COMPARABILITY

Jerry Pigsley, Woods & Aitken, LLP, provided information on the standards for wage and benefit comparability as established in 2011 by LB397 and applied by the Commission of Industrial Relations. No action was required or taken.

7. CONSIDERATION OF NOTICE OF LETTER OF INTENT FOR SW WELL #3

Water/Wastewater Director Tim Richtig, addressed the City Council with a "Notice of Intent" letter for the SW Well Field, located in Section 11, Township 10 North, Range 2 East (G-058654). He stated the City was approached by the landowner on this well site requesting the City remove this irrigation well so he could clean up the section. Mr. Richtig stated the City owns the four corners of this portion of the section for existing or potential well sites. The City has an option for replacing the existing irrigation well with a municipal well. Olsson Associates is recommending the City maintain its rights

April 19, 2016

for water supply in this area by filing a Notice of Intent with the Nebraska Department of Natural Resources to preserve the City's interests. The filed notice protects the City for one year, and can be renewed for an additional year. Since the existing well is currently owned by the City, a replacement well can be installed. The City can keep the well site and registration active, while changing the location and classification of the well. Mr. Richtig stated the northeast and southeast corners would be potential sites for new municipal wells, but the northeast site has a transmission main closest to the water treatment facility and would be the most cost efficient as a municipal well; however, monitoring wells would need to establish flow and production capabilities.

Mr. Richtig stated the City currently has nine wells which run at 65% of capacity at the highest peak time. He stated the main reason for filing the Notice of Intent is to protect the use of the corners for potential sites.

Councilmember Hans moved, seconded by Councilmember Schmit, that the Notice of Letter of Intent for SW Well Field be approved for filing.

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

8. NOTICE OF RESIGNATION OF COUNCILMEMBER BARBARA PIKE FROM THE SEWARD CITY COUNCIL

Mayor Eickmeier stated he received written notice from Councilmember Barbara Pike that she is resigning from the City Council effective May 17, 2016. The notice of the vacancy will be published in the newspaper and posted and there is a 4-week window to find a replacement (per City Code). No action was required or taken.

10. CITY ADMINISTRATOR REPORT

Councilmember Singleton moved, seconded by Councilmember Fritz, that the City Administrator's Report dated April 19, 2016 be accepted.

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

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None.

12. ANNOUNCEMENT OF UPCOMING EVENTS

None.

13. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Wilken, that the April 19, 2016 City Council Meeting be adjourned.

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

THE CITY OF SEWARD, NEBRASKA

April 19, 2016

Joshua Eickmeier, Mayor

---

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

DRAFT