

AGENDA

SEWARD CITY COUNCIL MEETING

Tuesday, July 5, 2016 @ 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, July 5, 2016, 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. CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF JUNE 21, 2016 - Bonnie Otte**
- 2. CONSIDERATION OF CONSENT AGENDA**
 - A. Claims & Payables Reports
 - B. Infrastructure Cost Items Reimbursable Back to the City
- 3. PUBLIC HEARING - 7:00 P.M. - LIQUOR LICENSE APPLICATION OF H & H RECREATION, INC dba SPARETIME LOUNGE & GRILL/SEWARD BOWL - Thomas Rief**
 - A. Consideration of a Resolution approving liquor license for H & H Recreation, Inc., dba Sparetime Lounge & Grill/Seward Bowl
 - B. Consideration of application of Thomas M. Rief as Manager of Class CK liquor license

for H & H Recreation, Inc., dba Sparetime Lounge & Grill/Seward Bowl

4. **PRESENTATION BY ALLO COMMUNICATIONS - Brad Moline**
5. **CONSIDERATION OF A WELL PERMIT APPLICATION FOR MARK JAMES BLANCO II, 2241 NO 2ND - Bruce Smith**
6. **CONSIDERATION OF AN ORDINANCE SUSPENDING SEWARD MUNICIPAL CODE SECTION 3-141 FOR A PERIOD OF TWO YEARS AND ISSUING A STAY FOR THIS TIME FOR DIGGING, DRILLING OR CONSTRUCTION OF PRIVATE WELLS WITHIN THE CORPORATE LIMITS OF THE CITY - Bruce Smith**
7. **CITY ADMINISTRATOR'S REPORT- Bruce Smith**
 - A. Update on July 4 Celebration
8. **FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION - Mayor Eickmeier**
9. **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 1st day of July, 2016.

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

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G1

CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF JUNE 21, 2016 - Bonnie Otte

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

Staff Contact:

June 21, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, June 21, 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, Sid Kamprath, Dean Fritz, Karl Miller, Chris Schmit, John Singleton, and 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 JUNE 7, 2016 COUNCIL MEETING

Councilmember Singleton moved, seconded by Councilmember Fritz, that the minutes of the June 7, 2016 City Council meeting be approved.

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

Nay: None

Absent: None. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

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

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

CLAIMS LIST
6-21-16
COUNCIL MEETING

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

June 21, 2016

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

Alamar Uniforms	Uniforms	297.95
All Road Barricades Inc	Su	286.69
Amazon.Com Credit Service	Su	477.12
American Fence Co Lincoln	Ci	13,138.00
Ameritas Life Insurance Co	Ins	5,796.46
Aqua-Chem Inc	Su	1,446.36
Baker & Taylor	Su	2,092.01
Barco Municipal Products	Eq	991.57
Barrett Valerie	Ex	75.00
Barrett Whitney	Ex	150.00
Berens-Tate Consulting	Se	3,000.00
Bizco Technologies	Se	3,831.50
Blackburn Manufacturing	Su	652.04
Black Hills Energy	Ut	4,057.51
Blue Valley Pest Control	Bu	75.00
Bruning State Bank	Lease	3,550.00
Calder Kathy	Trng	200.00
Capital Business-Cheyenne	Ma	91.00
Carroll Dist/Const Supply	Su	319.23
Cash-Wa Distributing Co	Su	285.55
City Seward Electric Fund	Ut, Incentive	42,355.22
City Seward Library Petty	Su	76.32
City Seward Merchant Serv	Fees	1,838.76
City Seward Payroll Account	Payroll	137,923.38
Constellation NewEnergy	Ut	656.15
Control Services Inc	Re	679.48
Cooksey Brian	Refnd	30.00
Cross Creek Animal Health	Se	660.00
D L T Solutions Inc	Su	1,046.37
Dan's Custom Works	Su	37.50
Dillon Jason	Trng	100.00
Ditch Witch Grand Island	Re	224.16
Donnelley R R	Su	109.79
Dutton-Lainson Co	Su, Re	3,393.35
Environmental Resource	Se	59.89
Farmers Coop Seward	Su, Re	6,124.87
Fast Mart	Su	19.56
Fastenal Company	Su, Gu	396.98
Fritts Richard B	Re	34.78
Fyr-Tek	Re	2,810.40
Geidel Jeremy	Ex	90.00
General Excavating	Ci	4,395.35
Gerhold Concrete Co Inc	Su, Re, Ma	2,143.06
Gonzalez Antonio	Ex	35.00
Graybar	Eq	1,302.96
Hach Company	Su, Eq	3,753.53
Hawkins Inc	Su	945.74
Hemmings Classic Car	Su	47.95
Hemphill Electric LLC	Re, Bu	433.40
Herpolsheimer's Inc	Re	451.58
Hobson Automotive & Tire	Re	119.00
Holtorf Paul	Refnd	60.00
Hydraulic Equipment Service	Re	749.42
Ideus David	Ex	75.00
Interstate All Battery	Su	72.00
J W C Environmental	Re	3,632.20
Jackson Services Inc	Ma	49.50

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Jones Automotive	Re	267.21
Komenda Matt	Ex	120.00
Kottich Isaiah	Ex	185.00
Kriz-Davis Co	Uniform, Re, Su	11,725.97
Kuhlman Construction	Refnd	144.52
Last Mile Network Consult	Se	235.30
Latsch's	Su	149.58
Layne Christensen Co	Se, Ma	2,142.47
Lee'S Refrigeration	Bu, Ci	31,329.04
Lewis Sam	Ex	75.00
Library Store Inc	Su	52.26
Marlin'S Plumbing Heating	Bu	70.35
Matheson Tri-Gas Inc	Su	111.12
Mattson Ricketts Law Firm	Se	4,000.00
McLaughlin Kathy	Trng	200.00
Memorial Health-Drug	Se	93.00
Memorial Health-Meals	Su	2,672.00
Merle's Garden Center	Gu	2,158.77
Mid-American Benefits Inc	Ins	4,912.99
Midwest Auto Parts	Su, Re, Ma	185.41
Midwest Laboratories Inc	Se	1,454.08
Midwest Turf & Irrigation	Re	301.62
Mohrhoff Power Equipment	Re	114.05
Monkey Wrench Cycles	Su	291.00
Myers Ben	Ex	105.00
Nebraska Equipment Inc	Re	1,946.27
Nebraska Library Commission	Se	1,593.00
Nebraska Pub Pow-DesMoine	Ut, Incentive	404,947.86
Niemann's Port-A-Pot LLC	Ma, Misc	657.00
Nifco Mechanical Systems	Bu	250.00
O C L C Inc	Su	180.69
Odeys Inc	Gu	577.00
Olsson Associates	Se	2,148.00
One Call Concepts Inc	Se	141.09
One Source Background Check	Se	39.00
O'Reilly Automotive Inc	Gu, Re, Su	461.11
Orscheln Farm & Home	Bu, Su, Re	393.81
Pac 'N' Save Discount Food	Su, Gu	123.97
Paper Tiger Shredding	Se	30.00
Pavers Inc	Su	939.58
Pearson Dan	Misc	75.00
Pilcher Zachary	Uniforms	49.99
Pioneer Research Corp	Su	415.30
Pitney Bowes Inc	Su	105.00
Plains Equipment Group Inc	Re	41.24
Plunkett's Pest Control	Bu	59.32
Precision Tool & Machine	Re	150.00
Quill Corp	Su	30.70
Reader's Digest	Su	16.98
Reams Sprinkler Supply	Gu	66.79
Redbook Magazine	Su	24.00
Reed Electric	Bu	309.39
Reeves Monte	Refnd	70.00
Reimers Katerina	Ex	30.00
Rose Equipment Inc	Su	498.80
Rumery Lawn & Landscape	Su, Re	483.80
Sack Lumber Company	Su	405.28
Sam's Club (Lib-Rec-Pool)	Su	39.24
Sam's Club (Sen Center)	Su	48.61
Schindler Elevator Corp	Bu	3,100.00

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Seward Airport Authority	Misc		300.00
Seward County Attorney	Se		2,000.00
Seward County Chamber & Dev	Su		1,140.00
Seward County Clerk/Reg Deeds	Se		26.00
Seward County Independent	Se		725.71
Seward County Public Power	Ut		2,185.62
Seward County Treasurer	Se		15,188.50
Seward Lumber & Home Cent	Bu, Se		1,245.33
Seward School District	Fines		20.00
Seward Veterans Foreign War	Su		85.00
Simmerman Jaxson	Ex		30.00
Siteone Landscape Supply	Gu		3,223.49
Smith Cameron	Ex		75.00
Spickelmier & Son Inc	Se		2,665.00
Sports Express	Su		712.93
St P J Supply Inc	Su		87.50
Sysco Lincoln	Su		247.30
Time Warner Cable	Se		84.63
Treasures Magazine	Su		32.00
Trueblood Ryan	Ex		135.00
U S Postal Service	Su		300.00
Ultramax	Su		1,462.00
Union Bank & Trust Company	Loan Int		7,905.60
Univar USA Inc	Su		2,145.00
Verizon Wireless	Se		553.49
Visa - Pinnacle Bank			240.00
Walmart	Su	39.00	
Gotprint.com	Misc	149.29	
3D Systems	Su	29.26	
KidsYoga	Su	22.45	
Wesco Distribution Inc	Su		1,236.56
Windstream Nebraska Inc	Se		2,589.72
Wissmann Enterprises Inc	Se, Ma		11,591.20
Wolter Gary	Ut		171.88
Woods & Aitken LLP	Se		140.00
Youth Golf Foundation	Fees		1,260.00
	Claims Total		<u>\$801,093.66</u>

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

Nay: None

Absent: None. Motion carried.

3. PRESENTATION BY BLUESTEM FIBER

Greg Dynek, Bluestem Fiber, 8235 Dundee Dr., Lincoln, NE addressed the City Council stating Bluestem Fiber was organized on the premise that broadband internet connectivity delivered via fiber, at a reasonable price and available to the entire community, is no longer a luxury but a quality of life standard that communities large and small must have to attract and grow their population. He stated they are excited to bring their service to the community using overhead lines where available, but will also have the capability of running underground. He said they should have the entire community ready for access within one year of finalizing the buildout plan.

City Administrator Smith stated there is no exclusive franchise within the City for internet providers and there is no occupation fee required for internet providers. However, if they begin offering programming, then they would be required to pay the occupation fees. There is a fee for either hanging the lines from the City poles or using the City right-of-way for underground placement.

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Mayor Eickmeier stated Bluestem Fiber is not asking for anything from the City; the presentation was to inform the Council on their intention of providing this service within the community.

4. PRESENTATION BY CEMETERY BOARD AND CONSIDERATION OF AMENDING THE RULES AND REGULATION AT THE CEMETERIES

Roger Glawatz, Chairman of the Cemetery Board, presented the recommended changes to the Rules and Regulations for all of the cemeteries within the City. He stated The Cemetery Board, along with the City Park/Cemetery Department has been working on this project over the past several years with the goal of getting as much similarity between the locations as possible.

Councilmember Hans moved, seconded by Councilmember Beck, that the amended Rules and Regulations, as proposed by the Cemetery Board, be approved.

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

Nay: None

Absent: None. Motion carried.

5. DISCUSSION OF PROPOSED WIND TURBINE'S EFFECT ON SEWARD AIRPORT

Seward Airport Manager Greg Whisler addressed the City Council with concerns on the operational impact to the safety, operation, and potential negative effect on the instrument approaches, and permanent impact to the accessibility of the use of the airport, if the proposed wind turbine is built in the proposed location. He added that typically, where there is one turbine, additional ones are built. Mr. Whisler stated the proposed location for the turbine is less than five miles from the airport, which is within the Federal Aviation Administration (FAA) regulated instrument approach circle. He stated the airport was built at its current location because there were no obstacles within the approach area. He stated the preference would be for the turbine to be located an additional two miles further west, to alleviate the safety and use concerns. Mr. Whisler stated the FAA will not stop a project, even if they determine there is a hazard. They will issue the determination of a hazard.

Matt Robinette, Blue Stem Energy, addressed the Council stating he has been in contact with Mr. Whisler about the potential development of the wind turbine project and has shared all of the information requested by the airport. He stated it is not Blue Stem Energy's goal to negatively impact the airport or any City operation. The FAA is currently reviewing the project and will determine whether there is an obstruction hazard for the airport that may impact the operability or accessibility of the airport. He stated BlueStem Energy is only planning to put up one turbine, at this time.

Mayor Eickmeier stated that the City still has to give the final approval to build the wind turbine. The agreement that is in place states that the City will purchase the power from BlueStem Energy and allow them to connect to the system, but only if the project is completed. If there are reasons for not completing the project, such as a negative impact on the airport, the City has the ability to cancel the project. No action was taken.

6. UPDATE ON GOLF COURSE MEMBERSHIPS AND OPERATIONS

City Administrator Smith presented an update on the Seward Community Golf Course memberships and a revenue and expense report for the facility. He stated there are a few more memberships than in the prior year and the City has received very positive comments. No action was taken.

June 21, 2016

7. CONSIDERATION OF WATER WELL REPAIRS/REPLACEMENT AT SEWARD COMMUNITY GOLF COURSE

City Administrator Smith stated the City conducted a pump test of the well at the golf course and it appears to only be running at 40% of capacity. The City obtained a quote from Sargent Drilling to either repair or replace the pumping equipment, dependent upon what is determined to be the problem. He said this was not expected and is not included in the budget.

Dan Kahler, Golf Course Superintendent, stated the well is pumping at 360 gallons/minute and they can only run about 8 heads at a time, which increases the window of run time. He said it is really difficult to get everything watered and still get the course open for play. He stated Sargent Drilling confirmed that they maximum time the pump would be down would be 48 hours to limit the time when the course was not being watered. He stated that Sargent is confident there should not be additional maintenance on the pump once this is repaired/replaced.

City Administrator Smith stated the City obtained one other quote; however, the current well was installed by Sargent and they have all of the repair/replacement parts on hand. Comments were made by Council members that local quotes should be obtained for such services.

Councilmember Kamprath moved, seconded by Councilmember Hans, that Sargent Drilling be hired to repair/replace the water well at the Seward Community Golf Course for an amount not to exceed \$30,000.00, per the estimate dated April 15, 2016.

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

Nay: None

Absent: None. Motion carried.

8. CONSIDERATION OF A RESOLUTION FOR REFINANCING THE NOTE FOR PURCHASE OF LAND FOR DEVELOPMENT OF THE SEWARD REGIONAL RAIL SITE THROUGH A DIRECT BORROWING WITH A BANK PURSUANT TO SECTION 18-201, R.R.S. NEB

Councilmember Schmit introduced the following resolution:

RESOLUTION NO. 2016-16

WHEREAS, on April 15, 2014, the City of Seward authorized the purchase the following real property legally described as:

All that portion of the Northeast Quarter of the Southeast Quarter of Section Twenty-Nine (29), Township Eleven (11) North, Range Three (3), East of the 6th P.M., City of Seward, Seward County, Nebraska lying Westerly of a line drawn parallel with and distant 176.8 feet Westerly of, as measured by right angles to, the East line of said Northeast Quarter of the Southeast Quarter and lying Southwesterly of, as measured radially to, Burlington Northern Railroad Company's relocated main track centerline, as now located and constructed. LESS and EXCEPT the following parcel: That portion of the Northeast Quarter, Southeast Quarter of Section Twenty-Nine (29), Township Eleven (11) North, Range Three (3), East of the 6th P.M., City of Seward, Seward County, Nebraska, lying between a line drawn parallel with and distant 50.0 feet Southwesterly of, as measured radially to, Burlington Northern Railroad Company's main track centerline as now located and constructed and a line drawn parallel with, and distant 100.0 feet Southwesterly of, said centerline.

June 21, 2016

WHEREAS, the City of Seward, consistent with the above-mentioned authorization entered into a Purchase Agreement for the purchase of the above-described real property on April 18, 2014.

WHEREAS, the City of Seward secured an interest only Commercial Promissory Note for the purchase of said property through Union Bank & Trust on June 30, 2014 for a period of two years; and

WHEREAS, the financing note comes due on June 30, 2016, the City of Seward City Administrator, Bruce Smith publicly provided notice for proposals to refinance said property and received two proposals for financing of said purchase with the lowest proposal from Union Bank & Trust in the amount of the principal refinancing amount of Four Hundred and Eighty Thousand Dollars (\$480,000) with an unsecured interest only Commercial Promissory Note to be executed on June 30, 2016 with payments based on a fixed interest rate of 3.24% per annum for Twenty Four (24) months, with a balloon payment of the unpaid principal and accrued and unpaid interest at the end of the term of the Commercial Promissory Note.

WHEREAS, the Governing Body have determined it is in the best interest for the City to obtain said refinancing for the above described real property.

WHEREAS, the refinancing of existing indebtedness through traditional bond financing would be impractical;

WHEREAS, the refinancing of existing indebtedness through direct borrowing will generate taxpayer savings over traditional bond financing.

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

The above described real property acquisition be refinanced through Union Bank and Trust and that the Mayor be directed to execute a Commercial Promissory Note in the principal amount of Four Hundred and Eighty Thousand Dollars (\$480,000) and any other bank resolutions and documents associated with the financing and closing of this real estate acquisition.

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

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

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

Nay: None

Absent: None. Motion carried.

The Mayor declared the resolution adopted.

Dated: June 21, 2016

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte
Assistant Administrator/

June 21, 2016

Clerk-Treasurer/
Budget & Human Resource Director

(SEAL)

9. CITY ADMINISTRATOR REPORT

Councilmember Beck moved, seconded by Councilmember Wilken, that the City Administrator's Report dated June 21, 2016 be accepted.

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

Nay: None

Absent: None. Motion carried.

10. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

11. ANNOUNCEMENT OF UPCOMING EVENTS

July 4 Celebration - Events throughout the community

12. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Schmit, that the June 21, 2016 City Council Meeting be adjourned.

Aye: Fritz, Wilken, Beck, Hans, Schmit, Miller, Singleton, 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, July 5, 2016

Regular Session

Item G2

CONSIDERATION OF CONSENT AGENDA

Claims & Payables Reports

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
7-5-16
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.

Alamar Uniforms	Uniforms	464.11
American Red Cross	Trng	562.00
Ameritas Life Ins Co	Ins	5,756.76
Aqua-Chem Inc	Su	1,300.55
Art On Display	Se	655.00
Baldwin Alan	Trng	350.00
Barcel Landscape Products	Ma	738.50
Capital Business-Cheyenne	Ma	90.00
Caterpillar Financial	Lease	12,923.98
Chase Card Service		3,498.53
DLT Solutions	Software/Se	1,046.37
WalMart	Su, Ma, Bu, Re, Misc, Equip	867.93
Amazon.com	Trng	64.48
Lou & Mary Anne's	Meals	152.35
Sherwin Williams	Ma	174.68
Glow Store	Su	600.25
SHRM Nebraska	Conf	299.00
Zoomshift	Se	132.00
SuperSaas	Su	61.60
DNH Domain Hosting	Se	40.68
Runza	Meals	49.95
E-Replacement Parts	Re	9.24
City Seward Buildings/Gr	Operations	3,000.00
City Seward Electric Fund	Ut	54,010.68
City Seward Library Petty	Su	84.83
City Seward Payroll Acc	Payroll	146,065.73
Constellation NewEnergy	Ut	214.94
Core Robert	Misc	26.50
Delta Dental	Ins	1,333.80
Emergency Medical Product	Su	427.95
Fast Mart	Su	6.08
Fastenal Company	Su, Tools	420.82
G & P Dev Landfill	Se	157.65
Geidel Jeremy	Ex	90.00
General Code	Se	2,570.40
General Fire & Safety Eq	Bu	3,464.15
Gerhold Concrete Co Inc	Ma	7,564.86
Gonzalez Antonio	Ex	70.00
Great Plains Comm	Se	586.00
H & S Plumbing Heating &	Bu	3.90
Hamilton Equipment Co	Re	466.87
Helmlink Printing Inc	Su	522.00
Hireright LLC	Se	172.70
Holiday Inn-Kearney	Conf	166.00
Hydraulic Equipment Ser	Re	681.57
Ideus David	Ex	100.00
Internal Revenue Service	Misc	106.33
Jackson Services Inc	Ma	34.00

Janicek Gary M	Ex	90.00
Johner Randy	Ex	90.00
Komenda Matt	Ex	60.00
Kriz-Davis Co	Uniforms, Re, Si, Inventory	22,993.83
Laminated Wood Systems	Ci	5,024.72
Last Mile Network Consult	Se	145.30
Latsch's	Su	63.96
League Ne Municipalities	Conf	650.00
Lincoln Winwater Works	Gu	276.88
Matheson Tri-Gas Inc	Su	40.07
Matzke Tom	Refnd	100.00
Memorial Health-Meals	Meals	2,579.62
Menards	Bu	47.94
Merchant Job Training	Trng	550.00
Merle's Garden Center	Ma, Re	100.95
Mid-American Benefits Inc	Ins	637.10
Midwest Turf & Irrigation	Re	1,208.39
Morse Laurie	Equip	75.00
Myers Ben	Ex	90.00
Nebraska American Legion	Su	45.00
Nebraska Equipment Inc	Re	280.92
Nebraska Financial Ser	Refnd	461.33
Nebraska Health Env	Se	229.00
Nebraska Roads Dept	Su	597.00
Nebraska Sports	Su	13.49
Net-Tech Technology Inc	Re	972.64
Northern Safety Co Inc	Su	301.13
Office Depot Inc	Su	83.46
O'Kief John F	Ex	90.00
Olsson Associates	Se	16,215.25
O'Reilly Automotive Inc	Su, RE	186.65
Orscheln Farm & Home	Re, Bu, Gu, Su	367.01
Otte Bonnie J	Conf, Mi	138.49
Pavers Inc	Su	861.10
Peery Max	Ex	70.00
Plains Equipment Group In	Re, Equip	12,605.48
Policky Brandon A	Ex	90.00
Pollak Douglas W	Ex	90.00
Precision Tool & Machine	Su	129.01
Principal Financial Group	Ins	690.66
Reimers Katerina	Ex	30.00
Richtig Tim L	Ex	90.00
S & S Design	Signs	350.00
Sam's Club (Lib-Rec-Pool)	Su	319.11
Sam's Club (Sen Center)	Su, Meals	350.65
Sargent Drilling	Se	225.00
Schemmer Architects	Ci	12,184.26
Seward Fourth Of July Com	Fees	2,000.00
Simmerman Jaxson	Ex	90.00
Smith Bruce	Ex, Conf	138.28
Smith Michael	Ex	90.00
Spickelmier & Son Inc	Se	1,540.00
Sports Express	Su	230.00
St P J Supply Inc	Su	364.95
Supplyworks	Su	1,586.28
Time Warner Cable	Se	92.51
U S Cellular	Se	228.45

U S Postal Service	Permit	4,500.00
United Health Care	Ins	48,541.10
Verizon Wireless	Se	30.48
Zimco Supply Co	RE	195.00
Claims Total		<u>\$391,204.64</u>

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G3

PUBLIC HEARING - 7:00 P.M. - LIQUOR LICENSE APPLICATION OF H & H RECREATION, INC dba SPARETIME LOUNGE & GRILL/SEWARD BOWL - Thomas Rief

Consideration of a Resolution approving liquor license for H & H Recreation, Inc., dba Sparetime Lounge & Grill/Seward Bowl

Consideration of application of Thomas M. Rief as Manager of Class CK liquor license for H & H Recreation, Inc., dba Sparetime Lounge & Grill/Seward Bowl

Administrative Report: H & H Recreation is applying for a class CK liquor license (Beer, Wine, Distilled Spirits, On and Off Sale & Catering) for 123 S 4th Street. This location is currently licensed as a CK under David Hoefs, dba Spare Time Lounge/Seward Bowl and has been licensed as such dating back to 1989.

Thomas Rief is currently the Manager of the Sparetime Lounge/Seward Bowl.

Following the public hearing, a motion to approve the resolution and the manager application would be in order.

Staff Contact:

**APPLICATION FOR LIQUOR LICENSE
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

RECEIVED		
JUN 2 2016		
TOP none		
NEBRASKA LIQUOR CONTROL COMMISSION		
Hot List: YES / <u>NO</u>	New/Replacing #	<u>007719</u>
Class Type <u>CK</u>	118158	Initial <u>RS</u>

Applicant name H & H Recreation, Inc.


Trade name Sparetime Lounge & Grill/Seward Bowl

Previous trade name N/A

Contact email address gobowl_2000@yahoo.com

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

Office use only	<u>CK 17211</u>
PAYMENT TYPE	<u>\$100</u>
AMOUNT:	<u>CK 17210</u>
<u>Rct 168853</u>	<u>\$400</u>
	Received: <u>mm</u>


1600011285

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JUN 10 2016
PAGE 1

1. ☒ Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form **MUST** be included with your application.
2. ☒ Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at www.ne.gov/go/NLCCpayport.
3. ☒ Enclose the appropriate application forms;
 - Individual License (requires insert form 1)
 - Partnership License (requires insert form 2)
 - Corporate License (requires insert form 3a & 3c)
 - Limited Liability Company (LLC) (requires form 3b & 3c)
- N/A 4. ☐ If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.
5. ☒ If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
6. ☐ If buying the business of a current liquor license holder:
 - a. Provide a copy of the purchase agreement from the seller (must read applicants name)
 - b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
 - c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
7. ☐ If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (form 125).
8. ☐ Enclose a list of any inventory or property owned by other parties that are on the premises.
9. ☐ For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
Top Score Amusement, Inc., a NE Corp. owns 4 pool tables, 1 juke box, and 3 game machines; see business card of owner/pres. of the corporation
 - a. For residency enclose proof of registered voter in Nebraska
 - b. See guideline for further assistance <http://www.lcc.nebraska.gov/brochures.html>
10. ☒ Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office. This document must show barcode.
11. ☒ Submit a copy of your business plan. *See attachment*

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Theresa M. [Signature]
 Signature

June 1st, 2016

Date

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JUN 2-2016

**NEBRASKA LIQUOR
CONTROL COMMISSION**

FORM 100
REV MAY 2015
PAGE 2

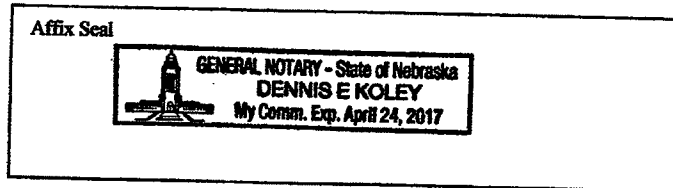
LIQUOR LICENSE # _____ CLASS TYPE _____
LICENSEE NAME H + H Recreation, Inc., a NE Corp.
TRADE NAME Spartetime Lounge & Grill / Seward Bowl
PREMISE ADDRESS 123 South 4th Street RECEIVED
CITY Seward, NE 68434 JUN 2 2016
CONTACT PERSON Thomas M. Rief NEBRASKA LIQUOR
PHONE NUMBER OF CONTACT PERSON 402-643-6125 CONTROL COMMISSION
EMAIL ADDRESS OF CONTACT PERSON gobowl-200@yahoo.com

Thomas M. Rief
Signature of Licensee

State of Nebraska
County of Seward The foregoing instrument was acknowledged before me this

1st day of June, 2016 by Thomas M. Rief
Date name of person acknowledged signing document

Dennis E. Koley
Notary Public Signature



**APPLICATION FOR LIQUOR LICENSE
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov/

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**NEBRASKA LIQUOR
CONTROL COMMISSION**

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS**

RETAIL LICENSE(S)

Application Fee \$400 (nonrefundable)

- ☐ A BEER, ON SALE ONLY
☐ B BEER, OFF SALE ONLY
☒ C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
☐ D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
☐ I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
☐ AB BEER, ON AND OFF SALE
☐ AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
☐ IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

☒ Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31

All other licenses run from May 1 – April 30

Catering license (K) expires same as underlying retail license

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- ☐ Individual License (requires insert form 1)
☐ Partnership License (requires insert form 2)
☒ Corporate License (requires insert form 3a & 3c)
☐ Limited Liability Company (LLC) (requires form 3b & 3c)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable):
Commissioner will call this person with any questions we may have on this application.

Name Dennis E. Koley, Attorney, Box 470, Fremont, NE 68026-0470

Phone number: 402-721-3900

Firm Name Dennis E. Koley, Attorney; (email address) dkoley@windstream.net

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PREMISES INFORMATION

Trade Name (doing business as) Spartime Lounge and Grill/Seward Bowl

JUN 2 2016

Street Address #1 123 South 4th Street

**NEBRASKA LIQUOR
CONTROL COMMISSION**

Street Address #2 _____

City Seward

County Seward

Zip Code 68434

Premises Telephone number (402) 643-6125

Business e-mail address gobowl_2000@yahoo.com

Is this location inside the city/village corporate limits: YES x NO _____

Mailing address (where you want to receive mail from the Commission)

Name H & H Recreation, Inc.

Street Address #1 123 South 4th Street

Street Address #2 _____

City Seward

State NE

Zip Code 68434

**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED
READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

****For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms**

Building: length 120' x width 98' in feet

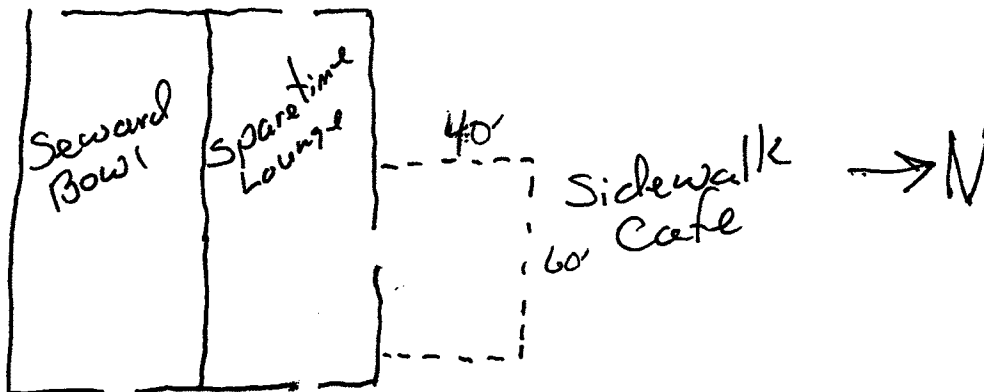
Is there a basement? Yes _____ No X

If yes, length _____ x width _____ in feet

Is there an outdoor area? Yes X No _____

If yes, length 40' x width 60' in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



FORM 100
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PAGE 4

APPLICANT INFORMATION**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

 YES **X** NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
				RECEIVED
				JUN 2-2016
				NEBRASKA LIQUOR CONTROL COMMISSION

2. Are you buying the business of a current retail liquor license?

X YES NO

If yes, give name of business and liquor license number

a) Submit a copy of the sales agreement

b) Include a list of alcohol being purchased, list the name brand, container size and how many

c) Submit a list of the furniture, fixtures and equipment

3. Was this premise licensed as liquor licensed business within the last two (2) years?

X YES NO

If yes, give name and license number

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

 YES **X** NO

If yes:

a) Attach temporary operating permit (TOP) (form 125)

b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

____ YES ☒ NO

If yes, list the lender(s) _____

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

____ YES ☒ NO

If yes, explain. (all involved persons must be disclosed on application)

No silent partners

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

____ YES ☒ NO

If yes, list such item(s) and the owner. _____

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

____ YES ☒ NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

____ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

Cattle National Bank & Trust Co. of Seward, Nebraska; Thomas M. Rief and Brenda R. Rief are authorized to write checks and/or make withdrawals.

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

Not Applicable

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12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Thomas M. Rief	June, 1980	Techniques of Alcohol Mgmt. Course
Thomas M. Rief	July, 2011	Responsible Hospitality Management

For list of NLCC certified training programs see: www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Thomas M. Rief, Manager	1980 to 2016	Seward Bowl/Spartime Lounge and Grill, 123 south 4th Street, Seward, NE
Brenda R. Rief, Assistant Manager	1980 to 2016	11 - same as above ↑

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

Lease: expiration date _____
☒ Deed
☐ Purchase Agreement

14. When do you intend to open for business? Currently open

15. What will be the main nature of business? Restaurant/Lounge/Bowling Alley

16. What are the anticipated hours of operation? 7:00 AM to 1:00 AM

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS. APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
Thomas M. Rief; Seward, NE	1980	2016	Brenda R. Rief; Seward, NE	1980	2016

If necessary attach a separate sheet.

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The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and the applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business for an applicant(s) or spouse(s) that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

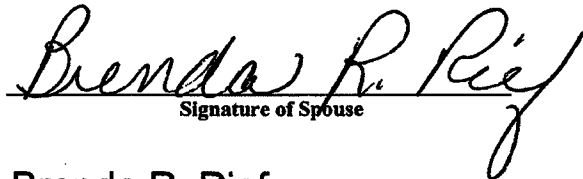
Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures <http://www.lcc.ne.gov/pdfs/New%20Application%20Guideline.pdf>



Signature of Applicant

Thomas M. Rief

Print Name



Signature of Spouse

Brenda R. Rief

Print Name

Signature of Applicant

Print Name

Signature of Spouse

Print Name

ACKNOWLEDGEMENT

State of Nebraska
County of Seward

1st day of June, 2016

date

by

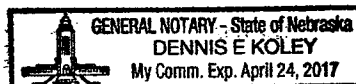
The foregoing instrument was acknowledged before me this

Thomas M. Rief and Brenda R. Rief, Husband and Wife,

name of person(s) acknowledged (individual(s) signing)



Notary Public signature

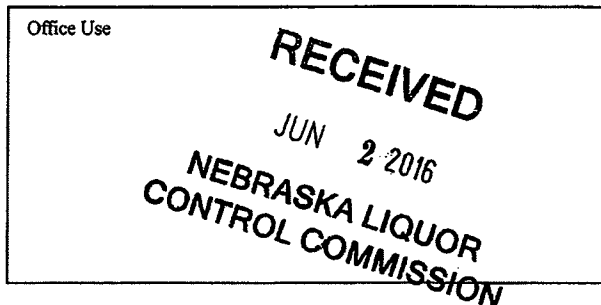


In compliance with the ADA, this application is available in other formats for persons with disabilities.
A ten day advance period is required in writing to produce the alternate format.

FORM 100
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**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



MUST BE:

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form MUST be included with your application.**
- ✓ **21 years of age or older**

Corporation/LLC Information

Name of Corporation/LLC: H&H Recreation, Inc., a Nebraska Corporation

Premise Information

Liquor License Number: _____ Class Type CK (if new application leave blank)

Premise Trade Name/DBA: Sparetime Lounge and Grill/Seward Bowl

Premise Street Address: 123 South 4th Street

City: Seward County: Seward Zip Code: 68434

Premise Phone Number: 402 643-6125

Email address: gobowl_2000@yahoo.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi


SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Rief First Name: Thomas MI: M

Home Address (include PO Box if applicable): _____

City: Seward County: Seward Zip Code: 68434

Home Phone Number: _____ Business Phone Number: 402 643-6125

Social Security Number: _____ Drivers License Number & State: _____

Date Of Birth: _____ Place Of Birth: _____

Email address: gobowl_2000@yahoo.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☒ YES

☐ NO

Spouse's information:

Spouses Last Name: Rief First Name: Brenda MI: R

Social Security Number: _____ Drivers License Number & State: _____

Date Of Birth: _____ Place Of Birth: _____

APPLICANT & SPOUSE MUST LIST RESIDENCY(S) FOR THE PAST TEN (10) YEARS
APPLICANT SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Seward, NE	1980	2016	Seward, NE	1980	2016

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NEBRASKA LIQUOR
CONTROL COMMISSION

Form 103
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MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1980	2016	H&H Recreation, Inc.	David J. Hoefs	402 643-6125

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

☐ YES ☒ NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

☒ YES ☐ NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: _____ Name on Certificate: Tom Rief

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Thomas M. Rief		see attached

*For list of NLCC Certified Training Programs see www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Thomas M. Rief, Manager	1980 to 2016	Seward Bowl/Sparetime Lounge & Grill, 123 South 4th St., Seward, NE

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JUN 2 2016

NEBRASKA LIQUOR
CONTROL COMMISSION

5. Have you enclosed Form 147 regarding fingerprints?

☒ YES

☐ NO

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Thomas M. Rief Brenda K. Rief
Signature of Manager Applicant Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska
County of Seward The foregoing instrument was acknowledged before me this
1st day of June, 2016 by Thomas M. Rief +
date name of person acknowledged
Brenda K. Rief, H + W
Dennis E. Koley
Notary Public signature

Affix Seal

GENERAL NOTARY - State of Nebraska
DENNIS E. KOLEY
My Comm. Exp. April 24, 2017

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

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JUN 2 2016
NEBRASKA LIQUOR
CONTROL COMMISSION

Form 103
REV JUNE 2015
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City of Seward, Police Department
Chief of Police
Alan D. Baldwin
148 South First Street
Seward Nebraska 68434
Phone and TDD 402-643-2579 Fax 402-643-6785

June 27, 2016

Liquor license application

H & H Recreation, Inc
Sparetime Lounge & Grill / Seward Bowl
Thomas Rief
Brenda Rief

There were no pertinent negative local contacts

Recommendation is to issue license

Chief Alan D. Baldwin
Chief Alan D. Baldwin



0 55 110 220 Feet

123 S 4th St

RESOLUTION NO. 2016-

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

WHEREAS, Notice of Application for a Class CK Liquor License for H & H Recreation, Inc, dba Sparetime Lounge & Grill/Seward Bowl, 123 South 4th Street, Seward, Nebraska was published in the Seward County Independent on June 22, 2016; cost of such publishing fee being \$12.60, and,

WHEREAS, a public hearing was held before the Mayor and Council of the City of Seward on July 5, 2016;

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Seward, Nebraska, that a Class CK Liquor License be granted to H & H Recreation, Inc, dba Sparetime Lounge & Grill/Seward Bowl, 123 South 4th Street, Seward, Nebraska.

The Mayor declared the resolution adopted.

Dated: July 5, 2016

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier
Mayor

ATTEST:

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

(SEAL)

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G4

PRESENTATION BY ALLO COMMUNICATIONS - Brad Moline

Administrative Report: Mr. Moline will give a presentation to Council about Allo Communications and their interest in providing fiber optic communication, as well as telephone and TV services to the citizens of Seward. No action is necessary at this time.

Staff Contact:

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G5

CONSIDERATION OF A WELL PERMIT APPLICATION FOR MARK JAMES BLANCO II, 2241 NO 2ND - Bruce Smith

Administrative Report: Following review and discussion, a motion for approval or denial would be in order.

Staff Contact:

**CITY OF SEWARD, NEBRASKA
APPLICATION FOR A WELL PERMIT**

Date: 6/15 2016

Permit No.: _____

Applicant: MARK JAMES BIANCO II

Legal description of property well is to be located on:

Address: 2241 N 2ND
SEWARD, NE. 68434

LOT 2^D, SEWARD HEIGHTS
FIFTH ADDITION, CITY OF SEWARD

Intended Use of Well Water: LAWN & GARDEN

Proposed Depth of Well: 80'

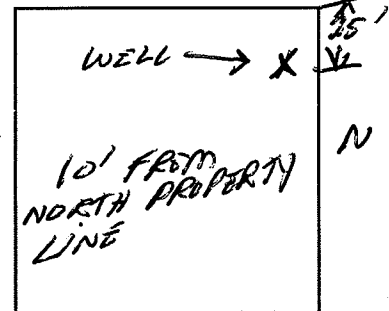
Size and Type of Casing: 4" SCH. 40 PVC

Pumping Equipment: SUBMERSIBLE

Well Driller's Name and Address: EARNEST WELL DRILLING

2796 W. MILFORD RD. MILFORD, NE. 68405

SITE PLAN W



By my signature, as affixed below, I/We hereby assure and/or understand:

- 1) Any permits required by the State of Nebraska and the Upper Big Blue Natural Resource District be submitted prior to issuance of a permit by the City.
- 2) That the well driller shall contact the Water/Wastewater Superintendent at 643-3433, twenty-four (24) hours in advanced of drilling, for final approval of location:
- 3) That the well shall be installed in accordance with the rules and regulations of the state of Nebraska and updates as they become available.
- 4)
 - a) No well shall be located within twenty-five feet (25') of any sewer line, private or public.
 - b) No well shall be located within fifty feet (50') of any septic tank.
 - c) No well shall be located within one hundred feet (100') of any disposal field.
 - d) No well shall be located within twenty-five feet (25') of any water line, private or public.
 - e) No well shall be located closer than five (5) feet to any property line.
 - f) No well shall be installed in any easement on the property.
- 5) Assurance that the property owner will install and maintain proper backflow prevention devices as prescribed in section 3-140 of the City of Seward Code, if required.
- 6) That all outside spigots connected to a private well shall have a sign attached, reading ("NOT SAFE FOR DRINKING")
- 7) No water from the private well shall be used for domestic purposes, but shall be used solely for lawn irrigation and garden irrigation or for water used in heating and cooling equipment. Disposal of water for heating or cooling shall be through reinjection back to the same level of aquifer, except that during the spring, summer and fall months such water used for heating or cooling may be used for irrigation of lawn or garden.
- 8) That water to be pumped from the private well, if approved, shall be used exclusively on the legally described property.
- 9) That a well log (drilling record) shall be completed as the well is being drilled, a copy of which will be filled with the Water/Wastewater superintendent.
- 10) That the Water/Wastewater Superintendent or his representative may inspect the well and all connections thereto anytime during construction and anytime thereafter.
- 11) No water from the private well shall be allowed to run off into a City Storm Water Sewer.
- 12) Every well driller, before doing business in the City, shall be registered with the City. Registration forms may be obtained from City Building Inspector.

6-29-2016

Date Approved

Date Approved

[Signature]
Applicant's Signature

By

[Signature]
Water/Wastewater Superintendent

By

Mayor

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G6

**CONSIDERATION OF AN ORDINANCE SUSPENDING
SEWARD MUNICIPAL CODE SECTION 3-141 FOR A PERIOD
OF TWO YEARS AND ISSUING A STAY FOR THIS TIME FOR
DIGGING, DRILLING OR CONSTRUCTION OF PRIVATE
WELLS WITHIN THE CORPORATE LIMITS OF THE CITY -
Bruce Smith**

Administrative Report: It is the recommendation of the Mayor and City staff, that a moratorium be placed on the drilling of new water wells with the City of Seward. The reasons are numerous including risk of contamination to the city water system. as well as danger to residents who unknowingly drink from hoses connected to the well.

Staff Contact:

ORDINANCE NO. 2016

AN ORDINANCE TO SUSPEND SEWARD MUNICIPAL CODE SECTION 3-141 FOR A PERIOD OF TWO YEARS, AND TO ISSUE A STAY FOR THE SAME PERIOD OF TIME FOR THE DIGGING, DRILLING OR CONSTRUCTION OF PRIVATE WELLS WITHIN THE CORPORATE LIMITS OF THE CITY; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND 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. The management, conservation, and beneficial use of ground water is essential to the continued economic prosperity of the City.

Section 2. Long-term solutions should be implemented and efforts should be made to prevent further reduction in the levels of ground water, and the City Council, as a local entity, is the preferred regulator of activities which may contribute to reduction of ground water levels.

Section 3. Seward Municipal Code Section 3-141 is hereby suspended for a period of two years from the effective date of this Ordinance.

Section 4. There is hereby a stay on the digging, drilling, or construction of new private wells within the corporate limits of the City during the period of suspension of Seward Municipal Code Section 3-141. This stay shall be imposed (a) on the digging, drilling or construction of new private wells, unless such digging, drilling or construction has commenced prior to the effective date of this ordinance; (b) on the use of an existing private water well to increase the number of households served, or for a new use; and (c) heating and cooling purposes only, such as a geothermal heat pump.

Section 5. Pamphlet Form; Publication, When Operative. This ordinance shall be published in pamphlet form and shall be in full force and effective from after its passage, approval, and publication or posting as required by law and city ordinance.

Passed and approved this 5th day of July, 2016

CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

(SEAL)

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G7

CITY ADMINISTRATOR'S REPORT- Bruce Smith

Update on July 4 Celebration

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

Staff Contact:

CITY ADMINISTRATORS REPORT - 7-5-16

- Department head meetings as well as many individual meetings with employees and members of the public throughout the weeks.
- Attended the 6/21 Council Meeting.
- Continuing discussions with Blue Stem on the wind turbine.
- Bonnie and I continue working with our bond company, getting information to them for the Bond Issues. The bonds are all sold and the rates are better than anticipated adding to the refinance savings. Paul Grieger of DA Davidson will be attending a future council meeting to discuss the results of the new bond issues and the bond refinancing.
- Met with Channel 8 about the new camera we have on the water tower.
- Met with Nebraska Department of Economic Development to discuss projects in Seward, specifically the rail campus and how to get funding to help develop the area.
- Attended the 4th of July committee meeting along with our department heads.
- Met with a company about a new VOiP telephone system for the City.
- Worked with companies on TIF and had 2 TIF closings.
- Continue working on the 2016-2017 Budget.

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

- All departments have been preparing for the 4th of July celebration.
- Concrete removal and replacement in streets that had heaved because of the heat.
- Sweeping streets.
- Painting crosswalks, striping parking lots, and painting no parking areas.
- Spraying for mosquitos.
- Repaired washout by bridge #2 on Seward Trail.
- Working with Schmader Electric on the Roberts Street Project.
- Put up streamers on Seward Street.
- Checking power around the square for vendors.
- Hung transformer on Locust Street.
- Advertising for 2 new police officers.
- Meeting with Crime Commission on juvenile arrests
- Seward County Justice Center inspections.
- CU - Ruth Dormitory remodel inspections.
- Right-of-way permit reviews.
- Working on Code Red.
- Golf Leagues continue.
- Put up tee box marker signs at golf course.
- Had a baseball and softball tournament utilizing all fields.
- Swimming pool has been very busy.
- Spraying fields and parks for weeds.
- Summer concerts at the Band Shell have started.
- Working on the new dog park.
- Summer programs and summer hours are in effect at the Library.
- Used book sale on the 4th.
- Jetting sewers.
- UV light repairs at WWTP.

- Security gate at WWTP is operational. It was paid for with grant money.
- General maintenance of all facilities, doing lots of utility locates.
- Working on NMPP Rate update information for budget.
- Working on wage and benefit survey.
- Bonnie did 2 TIF closings.
- Working on 2016/17 budgets.
- Departments are busy with locates for companies digging in our right of way.

City of Seward, NE

Tuesday, July 5, 2016

Regular Session

Item G8

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:

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

Item G9

MOTION TO ADJOURN

Staff Contact: