

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

Item G1

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

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

Staff Contact:

January 6, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, January 6, 2015, with Mayor Joshua Eickmeier presiding and Assistant Administrator/Clerk-Treasurer/Budget & Human Resources Director Bonnie Otte recording the proceedings. Upon roll call, the following Councilmembers were present: Ellen Beck, Sid Kamprath, Dean Fritz, Barbara Pike, John Singleton, Chris Schmit, Richard Hans. Other officials present were: Interim City Administrator Jack Vavra and City Attorney Kelly Hoffschneider. Absent: Councilmember Charles Lieske.

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 Resolution Number 14-99, which was adopted on the 17th day of August, 1999; said method stating that the notice of such meeting, with the agenda thereon, be posted in the following places: City Hall, County Courthouse 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 in the front window 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. INTRODUCTIONS, SPECIAL PRESENTATIONS & PROCLAMATIONS

None

2. APPROVAL OF MINUTES OF DECEMBER 16, 2014 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the December 16, 2014 City Council meeting be approved.

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

Nay: None

Absent: Lieske. Motion carried.

3. CONSENT AGENDA CONSIDERATION ITEMS

- A. Claims & Payables Reports
- B. Add Ron E. Sova to list of Volunteer Firefighters
- C. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST
1-6-15
COUNCIL MEETING

Abbreviations: Bu, Building Upkeep; Eq, Equipment; Ex, Expense; Ma, Maintenance; Mi, Mileage; Misc, Miscellaneous; Re, Repairs; Sa, Salaries, Se, Services; Su, Supplies; Ut, Utilities, CI, Capital Improvements.

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Payroll	163,714.55
Siemer Auto Center, Auto	9,300.00
Alliance Technologies, Se	7,580.00
Black Hills Energy, Ut	1,640.05
Alamar Uniforms, Se	56.98
Beckler Farm Service, Re	312.50
Nickalas Bloebaum, Ex	26.50
Matthew Bender & Co, Misc	227.50
Battery Universe, Su	499.50
Butler Machinery, Re	100.00
Boerger, Re	13,275.00
Time Warner Cable, Se	79.38
Chase Card Service	3,263.16
Budget Car Rental, Conf	-5.17
Whataburger, Conf	8.60
Champions Rest, Conf	15.00
Lincoln Airport Parking, Conf	24.00
Hills Café, Conf	21.00
Embassy Suites, Conf	574.05
Budget Rent-a-Car, Conf	103.47
Eagle Engraving, Se	48.75
Walmart, Eq, Su, Eq, Bu	424.66
Amazon, Eq	149.99
El Portal Mexican Rest, Conf	22.22
Burger King, Conf	17.66
Mendards, Su	109.15
Home Depot, Su, Eq	244.60
Lied Conference Center, Conf	425.56
OWPACSTATE, Su	112.00
Nebraska Turfgrass, Conf	327.00
National Recreation, Bu	240.63
Westlake Hardware, Su	179.99
NNLA Milford, Conf	220.00
Constellation Newenergy Gas, Ut	2,179.39
Petty Cash, Su	180.54
Continental Fire Sprinkler, Bu, Ex	354.25
Danko Emergency Equipment, Eq, Su	10,821.97
Durre Plmbg, Bu	247.25
Nebraska Environmental Quality, Ex	125.00
Electric Fund, Ut	39,400.14
Buildings & Grounds, Ex	2,000.00
Fastenal Company, Su, Re	475.56
Gabriel Burger & Else, Se	4,000.00
General Excavating, Se	4,800.00
General Fire & Safety Equip, Bu, Su	131.00
GIS Workshop, Se	7,500.00
Glass Doctor, Re	255.00
Grainger, Bu	1,219.25
Ryan Hurst, Continuing Ed	3,029.35
Halls Safety Equipment Corp, Eq	188.55
Hobson Automotive & Tire, Re	560.69
Hach Company, Se	105.58
Husker Electric Supply, Re, Eq	1,042.10
Intl City Mgmt Assoc, Dues	450.00
Interstate All Battery, Re	94.47
Lincoln Journal Star, Se	488.37
Kiefer, Eq	499.44
Jackson Services, Se	184.68

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JEO Consulting, Se	4,491.00
Lincoln Winwater Works, Su	242.00
Lincoln Patio & Awning, Re	275.00
Kriz-Davis, Re, Eq	1,171.18
Latschs, Su	6.79
Last Mile Network, Se	230.00
Lees Refrigeration, Bu	333.36
Capital Business Systems, Ma	337.26
Mattson Ricketts Law Firm, Se	4,450.00
Metering & Technology Solution, Re	380.80
Municipal Supply, Ma	40.98
Menards, Su, Bu, Eq	416.26
Midland Scientific, Su	503.01
Midwest Service & Sales, Su	1,867.00
Mid-American Benefits, Ins	1,612.34
Nebraska Water Environment, Ex	350.00
Merles Garden Center, Su	39.99
Nebraska Rural Electric Assoc, Conf	860.00
Verizon Wireless, Se	\$157.32
Nebraska Machinery Co, Re	598.77
Orscheln Farm & Home, Su, Re, Eq	1,392.88
O'Reilly Auto Parts, Re, Su	103.60
Northern Safety Co, Su	252.72
Quill Corp, Su, Ma	822.89
Sam's Club, Su	30.35
Sack Lumber, Bu	122.58
Olsson Associates, Se	5,552.49
Nebraska Public Health Env Lab, Se	248.00
Farmers Coop, Su	11,100.00
Plains Equipment Group, Su, Re	617.35
Gerhold Concrete Co, Su	173.00
Seward county Treasurer, Prop Tax	2,792.20
Helmink Printing, Su	400.27
Precision Tool & Machine, Su	90.00
US Postal Service, Su	220.00
USA Bluebook, Su	619.95
US Cellular, Se	58.22
Vermeer High Plains, Su	67.80
Tiger Direct, Eq	1,844.60
Wesco Distribution, Eq	1,189.31
Randy/Jill Bierbaum, Ex	25.00
EDM Publishers, Su	99.49
Daryl Hackbart, Ex	30.00
Gerald/Michelle Homp, Refnd	25.00
Travis Schaefer, Ex	30.00
Jamie/Shannon Opfer, Ex	25.00
John/Jana Hughes, Ex	30.00
Intl Assoc Property & Evidence, Dues	50.00
Electronic Engineering, Re	95.00
Todd Lance, Ex	25.00
Pavers Inc, Su	526.05
Austin Sleight, Ex	40.00
Cohl Gottschalk, Ex	40.00
Nathan Bierbaum, Ex	40.00
Britton Goldsmith, Ex	20.00
Regan Karel, Ex	20.00
Accountemps, Se	796.16
Seward County Bridges, Ind Lndg Project	25,000.00
Spencer/April Whitney, Ex	25.00

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Beth Nemec, Refnd	30.00
Noah Lliterus, Ex	40.00
Josh Fields, Ex	25.00
Greg/Mindy Miller, Ex	25.00
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	\$353,530.67

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

4. CONSIDERATION OF A SPECIAL DESIGNATED LIQUOR PERMIT FOR HEARTFELT INCORPORATED

Diane Krieser presented the application stating this is a fundraising event with an anticipated 250 participants. They will be using wristbands for minors and have contracted with the Seward County Sheriff's Department for additional enforcement.

Councilmember Hans moved, seconded by Councilmember Beck to approve the Special Designated Liquor Permit for Heartfelt, Incorporated for a fundraiser event on February 21, 2015 at the Seward Ag Pavilion.

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

5. CONSIDERATION OF A SPECIAL DESIGNATED LIQUOR PERMIT FOR C & H ADVENTURES, LLC

Councilmember Fritz moved, seconded by Councilmember Pike to approve the Special Designated Liquor Permit for C & H Adventures, LLC for a sampling/tasting event on February 7, 2015 at Harvest Hall.

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

6. CONSIDERATION OF A SPECIAL DESIGNATED LIQUOR PERMIT FOR ASPIRE CELLARS, LLC, dba CELLAR 426

Councilmember Schmit moved, seconded by Councilmember Singleton to approve the Special Designated Liquor Permit for Aspire Cellars, LLC, dba Cellar 426 for a sampling/tasting event on February 7, 2015 at Harvest Hall.

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

7. CONSIDERATION OF SUPPLEMENTAL AGREEMENT WITH ALFRED BENESCH & CO - NDOR COLUMBIA AVENUE PROJECT NO. STPAA-6759(2)

Public Facilities/Capital Improvements/GIS Director John Hughes stated this project began 5-6 years ago and the addition of 9 lots increased the engineering costs.

Councilmember Pike introduced the following resolution:

RESOLUTION NO. 2015-01

January 6, 2015

Whereas: City of Seward and Alfred Benesch & Company, have previously executed a Construction Engineering Service Agreement (BK1413) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: City of Seward understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

Whereas: City of Seward and Alfred Benesch & Company wish to enter into a construction engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of the City of Seward, Nebraska that:

Joshua Eickmeier, Mayor of the City of Seward, is hereby authorized to sign the attached Construction Engineering Services Supplemental Agreement No. 1 between the City of Seward, Nebraska and Alfred Benesch & Company.

NDOR Project Number: STPAA-6759(2)

NDOR Control Number: 12693

NDOR Project Description: Columbia Ave., Seward

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

Adopted this 6th day of January, 2015 at Seward, Nebraska.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

(SEAL)

8. CONSIDERATION OF AN ORDINANCE TO AMEND ZONING FROM R-1 RESIDENTIAL USE TO R-4 RESIDENTIAL USE - LOT 1 & 2, SEWARD KUDLACEK ADDITION (1766 N 8th St & 707 Pinewood Ave)

Public Facilities/Capital Improvement & GIS Director John Hughes addressed the Council stating the public hearing for the rezoning request was held on December 16, 2014. The owner is looking at removing one house to create a parking lot and turning the other residence into a dental clinic. He stated an R-4 District allows for this type of business. Mr. Hughes added that the proposed use still requires a Special Use Permit, which would come before the

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Council for consideration.

Ordinance Number 2015-01 amending the Zoning from R-1 Residential use to R-4 Residential Use - Lot 1 & 2, Seward Kudlacek Addition was adopted.

Councilmember Pike moved, seconded by Councilmember Kamprath, that the minutes of the proceedings of the Mayor and Council of the City of Seward, Seward County, Nebraska in the matter of passing and approving Ordinance No. 2015-01, "AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SEWARD, NEBRASKA; TO REZONE CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SEWARD, NEBRASKA NOW ZONED "R-1 RESIDENTIAL" TO "R-4 RESIDENTIAL"; TO DESCRIBE THE PROPERTY REZONED; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT" be preserved and kept in a separate and distinct volume known as "Ordinance Record, City of Seward, Nebraska" and that said separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein.

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

9./10. PROJECT STATUS/CITY ADMINISTRATOR'S REPORT

Interim City Administrator Jack Vavra stated he met with the bonding agent representative and will be presenting a refunding of a water systems bond that was issued in 2010, which can be called in March. Refunding at the current rates will provide for a savings of approximately \$80,000.

Public Facilities/Capital Improvement & GIS Director John Hughes presented an update on capital projects.

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Schmit requested discussion of the traffic lights at Hwy 15 and Hwy 34, in particular the removal of the left turn signal from Hwy 34 south onto Hwy 15.

Councilmember Pike requested discussion of concerns of safety for pedestrians using the crosswalk on Columbia Avenue between Seward Memorial Hospital and their parking lot.

12. ANNOUNCEMENT OF UPCOMING EVENTS

Chamber of Commerce Extravaganza - January 12, 2015
League of Nebraska Municipalities Mid-Winter Conference -
February 23 & 24, 2015

13. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the January 6, 2015 City Council Meeting be adjourned.

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

THE CITY OF SEWARD, NEBRASKA

January 6, 2015

Joshua Eickmeier, Mayor

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

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