

City of Seward, NE
Tuesday, April 21, 2015
Regular Session

Item G1

**CONSIDERATION OF APPROVAL OF DRAFT MINUTES OF
APRIL 7, 2015 - Bonnie Otte**

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

Staff Contact:

April 7, 2015

The Seward City Council met at 7:00 p.m. on Tuesday, April 7, 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: Charles Lieske, Ellen Beck, Dean Fritz, Barbara Pike, John Singleton, Chris Schmit, Dick Hans. Other officials present: Attorney Patricia Vannoy, in absence of City Attorney Kelly Hoffschneider. Absent: Councilmember Sid Kamprath, Interim City Administrator Jack Vavra.

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. APPROVAL OF MINUTES OF MARCH 17, 2015 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the March 17, 2015 City Council meeting be approved.

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

Nay: None

Absent: Kamprath. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

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

A. Claims & Payables Reports

B. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST
4-7-15
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.

Payroll

169,972.36

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U.S. Postal Service, Su	4,500.00
Phyllis Aegerter, Rail Campus Option	2,000.00
Cattle Natl Bank & Trust, Eq Loan	17,213.03
Alliance Technologies, Se	3,847.60
Black Hills Energy, Se	1,660.10
Alamar Uniforms, Un	50.00
American Fence, Su	25.25
Caterpillar Financial Services, Eq Lease	12,923.98
Time Warner Cable, Se	87.26
Chase Card Services	1,499.40
Walmart, Su	431.92
Burger King, Ex	15.11
Fairfield Inn, Conf	411.09
Red Lobster, Ex	171.48
Wendys, Ex	10.56
Super 8 Motel, Conf	273.84
Main Street BBQ & Grill, Ex	72.87
Amazon Mktplace, Eq	142.23
Paypal Supersaas, Su	61.60
McDonalds, Ex	7.78
Fast Mart, Su	40.00
Redemption Credit, Misc	-139.08
Constellation NewEnergy Gas, Ut	2,213.43
Library Petty Cash	203.15
Continental Fire/Alarm/Detect, Bu	274.97
Creative Product Sourcing, Su	452.73
Electric Pump, Ma	2,403.80
Commonwealth Electric, Ma	585.00
Danko Emergency Equipment, Su, Eq	2,201.55
Dutton-Lainson, Ci	353.64
Electric Fund, Ut	36,711.56
Seward Bldgs/Grounds, Ex	2,000.00
Emergency Medical Products, Su	287.71
Fastenal Co, Su	187.28
H & S Plumbing, Heating, Bu, Eq	785.20
Hobson Automotive & Tire, Re	200.52
Hach Company, Su	371.95
Harding & Shultz, Legal Fees	3,010.30
Hydraulic Eq, Re	1,640.05
JR Welding, Re	202.78
Teledyne Instruments, Su	59.00
JC Repair & Service, Re	39.35
Jackson Services, Se	61.56
JEO Consulting Group, Se	5,006.00
Lincoln Winwater Works, Ma	921.24
Kriz-Davis, Re	1,458.41
Nebraska Health Human Water, Conf	249.00
League NE Municipalities, Conf	673.00
John Deere Landscapes, Su	659.30
Windstream Nebraska, Se	48.70
Last Mile Network, Se	140.00
Layne Christensen, Bu, Ci	18,156.01
Matheson Tri-Gas, Su	7.00
League Ne Municipalities, Conf	3,165.00
Capital Business, Ma	316.29
MCR Medical Supply, Eq	469.30
Mattson Ricketts Law Firm, Legal Fees	5,120.34
Metering & Technology Solution, Re	2,027.69
Municipal Supply, Re, Ma	1,239.87

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Menards, Su, Bu	418.46
Mohrhoff Power Equipment, Su	132.40
Mid-American Benefits, Ins	3,339.35
Verizon Wireless, Se	118.15
Orscheln Farm & Home, Su, Re	76.36
Northern Safety Co, Eq	167.61
Odeys, Su	604.25
O'Keefe Elevator Co, Ma	1,773.53
Pitney Bowes Reserve Account, Su	3,200.00
Progressive Microtechnology, Su	495.00
Memorial Health-Meals, Su	2,167.20
Sam's Club, Su	277.68
Sam's Club, Bu, Su, Eq	1,148.19
Richters, Bu	344.98
Olsson Associates, Se	50,246.25
Nebraska Public Health, Se	633.00
Plains Equipment Group, Re, Su	1,668.16
Gerhold Concrete, Re, Su	1,021.59
Sports Express, Su	1,790.75
Nebraska Equipment, Re	8,693.08
Suhr & Lichty Ins, Bond	100.00
Skarshaug Testing Lab, Su	91.39
Ultramax, Su	302.00
Rose Equipment, Su, Re	613.75
US Cellular, Se	107.12
Weathercraft Co, Re	15,127.00
Wingate, Conf	179.90
HD Supply, Re	2,198.00
Fred Foltz, Refnd	200.00
Jeremy Geidel, Refnd	25.00
Randy/Jill Bierbaum, Refnd	25.00
Andrea Baack, Refnd	25.00
Jamie/Shannon Opfer, Refnd	25.00
Reed Electric, Bu	172.46
Josh Loos, Refnd	25.00
Hampton Inn - Kearney, Conf	238.00
Corey Gray, Refnd	25.00
BSN Sports, Su	1,666.96
Miller Seed Co, Su	177.20
Carkoski Philip Const & Trenching, Ci, Re	33,500.00
Justin Salyer, Refnd	25.00
Julie Phillips, Refnd	30.00
Cheyenne Wohlford, Refnd	25.00
Lacey Koch, Refnd	25.00
Charles Cook, Refnd	25.00
Cam/Amber Scholl, Refnd	25.00
Jill/Corey Collings, Refnd	25.00
Jeff Juranek, Refnd	25.00
Lucas Brown, Refnd	25.00
Bruce & Jess Potter, Refnd	30.00
Tiffany Fender, Refnd	25.00
Zach Steinmeyer, Refnd	25.00
Angila Ostrander, Refnd	30.00
Brian & Angie Leffers, Refnd	60.00
Adam Dowling, Refnd	25.00
Ryan Matthias, Refnd	30.00
David Purdham, Refnd	76.26
Husker Auto Group, Eq	25,879.00

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Total

467,231.69

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

Nay: None

Absent: Kamprath. Motion carried

3. PUBLIC HEARING - 7:00 p.m. - CONSIDERATION OF AMENDMENT OT ARTICLE 30, PERTAINING TO THE AVIATION OVERLAY DISTRICT OF THE SEWARD UNIFIED LAND DEVELOPMENT ORDINANCE

JEO Consultant, David Potter provided the recommended changes to Article 30 of the Unified Land Development Code. He stated that LB140, passed in 2013, requires increases to the approach zone from three miles to ten miles and all cities and counties with an airport within their jurisdiction must comply with the new regulations. He stated the Planning Commission unanimously supported the changes to Article 30 and that there will be one additional requirement of updating the City's zoning map to include the Aviation Overlay.

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

Councilmember Fritz moved, seconded by Councilmember Hans, 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. 2015-06, "AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA BY AMENDING ARTICLE 30 AV AVIATION OVERLAY DISTRICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF" 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: Hans, Schmit, Lieske, Beck, Singleton, Pike, Fritz

Nay: None

Absent: Kamprath. Motion carried.

4. CONSIDERATION OF AWARING BID FOR 2015 OR NEWER AMBULANCE FOR THE SEWARD VOLUNTEER FIRE AND RESCUE DEPARTMENT

Volunteer Firefighter Captain Alex Volnek and Lieutenant Connie Languen presented the bids for an ambulance for the Volunteer Fire Department. They stated three bids were received: Osage - \$233,018.58, North Central Emergency Vehicles (Braun) - \$248,089.95, and Firefox (Road Rescue) - \$259,731.22. They stated Osage did not meet the bid specification and Firefox was over the budgeted amount of \$250,000. They stated the Braun vehicle is a duplicate of their current rural squad, which would allow for easier transition from one squad to another and added that this would be a 2016 rather than 2015 due to the length of time it would take to build. They stated the Fire Department reviewed the bids and are recommending the Road Rescue unit.

Councilmember Fritz moved, seconded by Councilmember Hans, to award the bid for one 2016 Braun XL Ambulance to North Central Emergency Vehicles in the amount of \$248,089.95.

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

Nay: None

Absent: Kamprath. Motion carried.

Skipped Agenda Item 5 until presenter was available

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6. PRESENTATION AND DISCUSSION OF CIVIC CENTER NORTH PROJECT

Chamber Director Charles Lieske presented a request granting the Mayor authorization to sign a 2015 Civic and Community Center Financing Fund (CCCFF) Pre-Application for the Civic Center North project.

Mr. Lieske stated the project includes acquiring the Jones Bank building located directly to the north of the current Civic Center (341 N 6th Street). Mr. Lieske stated the property with combined land/building value is approximately \$320,000. According to Trustee Steve Poots, the Langworthy Trust, working within its restrictions, is able to provide funding for the purchase of the land, currently estimated at \$90,000. With a \$90,000 match from the CCCFF, Jones Bank is open to accepting the \$180,000 for the property, showing the approximate \$140,000 difference as an in-kind donation to the City. The building would have to be accepted as-is. The Langworthy Trust would then be within its authority to reimburse the City for needed repairs, which would likely include roof repair or replacement, window replacement and a possible connecting structure between the existing building and new acquisition. Mr. Lieske stated, if the pre-application were approved, then a full application would need to be submitted.

Mr. Lieske stated the plan is to have the Chamber of Commerce move its business into the north building, along with the Seward County Economic Development Corporation Office (Jonathan Jank) and also relocate all of the community welcome information to this building. This would allow for an alternative plan for remodeling the Civic Center to meet the ADA accessibility issues by using the current space of the Chamber Offices. The building would be owned by the City, but maintained through the Trust arrangement as is the Civic Center.

Mr. Lieske stated he contacted Jean Kolterman as Chairperson of the Civic Center Commission to advise of the plans and she said the Commission was on board with the plans.

Councilmember Beck moved, seconded by Councilmember Fritz, to authorize Mayor Eickmeier to submit a Civic and Community Center Financing Fund Pre-Application for the purchase of the Civic Center North Project (Jones Bank building directly to the north of the Civic Center).

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

Nay: None.

Absent: Kamprath. Motion carried.

7. CONSIDERATION OF A VOLUNTARY ANNEXATION OF WEB 4TH ADDITION

Mayor Eickmeier read Ordinance No. 2015-05 on second reading by title: AN ORDINANCE DECLARING THE ANNEXATION OF CERTAIN CONTIGUOUS AND ADJACENT TRACTS OF LAND, URBAN AND SUBURBAN IN CHARACTER, MORE SPECIFICALLY THE LAND INCLUDED IN WEB 4TH ADDITION TO THE CITY OF SEWARD, TO THE CORPORATE LIMITS OF THE CITY OF SEWARD, NEBRASKA, AND EXTENDING THE LIMITS THEREOF ACCORDINGLY; TO DESCRIBE THE REAL ESTATE TO BE ANNEXED AND ITS BOUNDARIES; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

No action was taken; the annexation requires three separate readings. The Ordinance will be considered on third and final reading on April 21, 2015.

8. CAPITAL PROJECTS REPORT

Public Facilities/Capital Improvement & GIS Director John Hughes provided

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an update and Capital Projects Report dated 4/7/15.

Councilmember Singleton moved, seconded by Councilmember Pike, that the Capital Projects Report dated April 7, 2015 be accepted.

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

Nay: None.

Absent: Kamprath. Motion carried.

9. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Singleton stated he will be requesting an item to set the deadline for the public and the City Council to add items to the agenda at Wednesday, but the Mayor/staff may adjust his/her agenda items up to 24 hours prior to the next meeting.

10. ANNOUNCEMENT OF UPCOMING EVENTS

A.National Library Week Finale - April 18; 10:00 - 2:00 - Parking Lot and street east of Seward Memorial Library.

B.Meet & Greet (Library Board, Friends of Library, Library Staff, Library Foundation)- April 14; 5:30 - 6:30 - Seward Memorial Library

C.Arbor Day Celebration - Independence Landing - April 23, 2015 @ 1:00 p.m.

D.July 4th Celebration

5. CONSIDERATION OF LOCATION OF CARNIVAL FOR CITY OF SEWARD FOURTH OF JULY EVENT

Chamber of Commerce Director Charles Lieske addressed the Council and presented information on the proposed carnival location (representative of the Committee was not able to attend the meeting). He stated Mr. Gokie has approved use of the parking lot west of the Fast Mart for a portion of the carnival. In addition, the Committee is requesting closing Bradford Street from in front of the Civic Center to 7th Street and close 7th Street south to Jackson Avenue.

Lois Kimsey, 305 N 7th Street objected to the proposed location stating it distracts from the Civic Center and the porta-potties that will be placed on the corner are distracting. She also stated that there will be 2 large motor coaches used to escort WWII Veterans to events throughout the day as well as participating in the parade and as the driver of the buses, they have to be parked on the side of her house in plain sight the night before. She stated the proposed location of the carnival will not allow her enough space to get the buses in and out of the location and to turn around. Ms. Kimsey also mentioned there will be two food vendors on the corner of 7th and Jackson and that may conflict with the carnival, assuming there may be a contract that limits food vendors within a certain distance of carnival.

Councilmember Beck offered concern with children crossing Hwy 15 to get to the carnival site on the proposed site.

Mayor Eickmeier stated any agreement with the carnival is handled by the Committee and not the City.

Councilmember Hans moved, seconded by Councilmember Fritz, that the proposed location of the carnival for the July 4th celebration be approved for closure of Bradford Street in front of the Civic Center to 7th Street; however, 7th Street will remain open.

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

Nay: None

Absent: Kamprath. Motion carried.

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12. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the April 7, 2015 City Council Meeting be adjourned.

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

Nay: None

Absent: Kamprath. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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

DRAFT