AGENDA SEWARD CITY COUNCIL MEETING Tuesday, July 7, 2015 @ 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 7, 2015, 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 - Bonnie Otte

- A. June 16, 2015 Regular Meeting Minutes
- B. June 30, 2015 Work Session Minutes

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. - CONSIDERATION OF CLASS L LIQUOR LICENSE APPLICATION OF BOTTLE ROCKET BREWING, LLC - Gerald Homp

A. Consideration of appointment of Gerald Homp as manager of liquor license for Bottle Rocket Brewing.

- 4. CEREMONY FOR RESIGNED COUNCILMEMBER CHARLES LIESKE Mayor Eickmeier
- 5. CONFIRMATION OF MAYOR'S APPOINTMENT OF JONATHON R. WILKEN TO FILL COUNCIL VACANCY IN WARD 4- Mayor Eickmeier A. Oath of Office for Newly Appointed Councilmember - Jonathan R. Wilken - Ward 4
- 6. CONSIDERATION OF SPECIAL DESIGNATED LIQUOR PERMIT FOR PRESTIGE INVESTMENTS, LLC dba THE QUONSET - Tyson Hegeholz
- 7. DECLARATION OF APPRECIATION FOR JACK VAVRA SERVING AS INTERIM CITY ADMINISTRATOR - Mayor Eickmeier
- 8. CONSIDERATION OF AN ORDINANCE APPROVING THE FINAL PLAT FOR CNG FIRST ADDITION (Second Reading) - John Hughes
- 9. CONSIDERATION OF A PLAN FOR STORM WATER RUNOFF AND SANITARY SEWER IMPROVEMENTS FOR ST. JOHN'S NEW DAYCARE CENTER TO BE LOCATED AT HILLCREST DR AND COLUMBIA AVE - John Hughes
 - A. Consideration of financial participation in the relocation of sanitary sewer line and improvements
 - B. Consideration of financial participation in the relocation storm sewer and consideration of constructing a new storm sewer line
- 10. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY TO THE STATE OF NEBRASKA IN ORDER FOR THE NEBRASKA ARMY NATIONAL GUARD TO COMPLETE THE RECONSTRUCTION OF THE STATE OF NEBRASKA ARMORY SITE INTO THE NEBRASKA NATIONAL GUARD MUSUEM - City Atty Kelly Hoffschneider
- 11. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE SALE OF LOT 3, REYNOLDS ADDITION TO CAROL KNISLEY - City Atty Hoffschneider
- 12. CONSIDERATION FOR APPROVAL OF BID SPECIFICATIONS AND AUTHORIZATION TO BID LEASE OR PURCHASE OF BUCKET TRUCK FOR ELECTRIC DEPT - Larry Ruether
- 13. CONSIDERATION OF APPROVAL OF TINA M. KRINGS AS MANAGER OF CASEY'S RETAIL CLASS B LIQUOR LICENSE Bonnie Otte
- 14. COUNCIL TO RECEIVE INFORMATION ON WATER/WASTEWATER FACILITY MAINTENANCE PROGRAM/PROCESS - Tim Richtig
- 15. CITY ADMINISTRATOR REPORT Bruce Smith & John Hughes
- 16. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION Mayor Eickmeier
- 17. ANNOUNCEMENT OF UPCOMING EVENTS Mayor Eickmeier
- **18. 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 2nd day of July, 2015.

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

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G1

CONSIDERATION OF APPROVAL OF DRAFT MINUTES -Bonnie Otte

June 16, 2015 Regular Meeting Minutes

June 30, 2015 Work Session Minutes

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

Staff Contact:

The Seward City Council met at 7:00 p.m. on Tuesday, June 16, 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, Chris Schmit, Dick Hans. Other officials present: Interim City Administrator Jack Vavra and City Attorney Kelly Hoffschneider. Absent: Councilmembers Charles Lieske and John Singleton.

Notice of the meeting was given in advance thereof by the method of communicating advance notice of the regular and special meetings of the City Council of the City of Seward, Nebraska, as stated in Ordinance No. 2015-08, which was adopted on the 5th day of May, 2015; said method stating that the notice of such meeting, with the agenda thereon, be posted in the following places: City Hall, Seward County Courthouse, Municipal Building, and Seward Public Library. The certificate of posting notice is attached to these minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the City Council and a copy of their acknowledgment of receipt of notice and the agenda are attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

THE PLEDGE OF ALLEGIANCE

Mayor Eickmeier announced that a copy of the Agenda for this meeting is posted 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 JUNE 2, 2015 COUNCIL MEETING

Councilmember Fritz moved, seconded by Councilmember Pike, that the minutes of the June 2, 2015 City Council meeting be approved.

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

2. CONSENT AGENDA CONSIDERATION ITEMS

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

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

CLAIMS LIST 6-16-15 COUNCIL MEETING

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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.

| Payroll | 134,554.99 |
|--------------------------|------------|
| Beatrice Ford, Eq | 38,825.95 |
| Advanced Floor, Bu | 250.00 |
| Alamar Uniforms, Su | 129.83 |
| Alliance Tech., Se | 6,415.75 |
| Amazon.Com, Su | 691.41 |
| Anderson, Mitch, Re | 1,835.66 |
| Aqua-Chem, Su | 1,457.84 |
| Ashby, Lisa, Se | 25.00 |
| Assoc. Bag, Su | 1,015.42 |
| | 193.00 |
| Awards Unlimited, Su | 2,325.19 |
| Baker & Taylor, Su | |
| Baldinger, Charlotte, Mi | 26.45 |
| Bluebird Nursery, Su | 651.05 |
| Bork, Ronald/Marily, Re | 13.90 |
| Capital Bus., Se | 304.00 |
| Cash-Wa, Su | 462.45 |
| Library Petty Cash, Su | 222.49 |
| Merchant Serv., Se | 1,113.16 |
| City Petty Cash, Su | 234.53 |
| Commonwealth Elec., Se | 20,293.55 |
| Constellation Gas, Ut | 416.52 |
| Control Serv., Ma | 2,078.30 |
| Cooper Power, Eq | 44,149.27 |
| D & S Forklifts, Re | 659.84 |
| Danko Emer., Re | 53.64 |
| Electronic Eng., Re | 508.10 |
| Emer. Med., Su | 689.13 |
| Farmers Coop, Su/Re | 4,860.51 |
| Fast Mart, Su | 10.52 |
| Fastenal, Su/Re | 503.16 |
| Firhouse Five, Se | 25.00 |
| GE Capital, Eq | 10,711.61 |
| General Fire, Bu | 1,540.06 |
| Gerdes, Jared, Su | 91.78 |
| Global Eq., Su | 438.95 |
| Good Life Mag., Se | 24.00 |
| HD Supp., Re | 1,509.84 |
| Hamilton Eq., Su | 611.12 |
| Heartspun Flowers, Su | 50.00 |
| Helmink Printing, Su | 522.00 |
| Hemphill Elec., Re | 125.00 |
| Husker Elec., Su | 724.53 |
| Hydraulic Eq., Re | 4,149.16 |
| Interstate Batt., su | 64.80 |
| | |
| Jackson Serv., Se | 107.42 |
| jacobsen Rock, Su | 6,779.64 |
| Jurchen, John Se | 25.00 |
| Kriz-Davis, Su | 3,116.27 |
| Last Mile Network, Se | 140.00 |
| Lee's Ref., Re | 220.26 |
| Lincoln Winwater, Re | 154.83 |
| Marlin's Plbg., Re | 32.10 |
| | |

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Matheson Tri-Gas, Se Mattson Ricketts Law, Se McCoy, Nan, Releaf Memorial Health, Se Men's Health Mag., Se Menards, Su Merle's Garden, Su/Gu Meyer Auto, Re Mid-Amer. Benefits, Se Midland Scientific, Se Midwest Auto Parts, Re/Su Midwest Automotive, Re Midwest Labs, Se Midwest Serv., Su Mike's Market, Su Moody, John, Se Morse, Laurie, Class Municipal Supp. NE, Su NE Equip., Re NE Health, Se NE Labor, SE NE Mun. Power Pool, Se NE Pub. Power, Se/Su NE Sports, Su Net-Tech, Su Nieman's Port-A-Pot, Se Nitzsche, Natalie, Refund Northern Safety, Su OCLC, Se O'Reilly Auto, Re Odeys, Su One Call Concepts, Se Orscheln, Su/Re Otte, Donna, Mi Pac 'N' Save, Su Pankoke, Henry, Se Penas, Logan, Se Plains Eq., Re Plunkett's Pest, Se Precision Tool, Re Quill, Su Quinn, Jeff, Se Reader's Digest, Se Rumery Lawn, Re Sack Lumber, Su Sam's Club, Su Mrs. Science, Se Sew. Airport Auth., Agreement Sew. Co. Clerk, Se Sew. Co. Independent, Se Sew. Co. PPD, Se Sew. Co. Treasurer, Se Seward Lumber, Su/Re Sew. Schools, Fines Sleuth Software, Se St PJ Supp., Su Supplyworks, Su

112.51 4,522.59 75.00 1,185.00 24.97 69.90 1,709.69 80.36 2,404.50 2,173.97 718.05 1,699.70 705.09 1,737.85 18.66 110.00 60.00 220.28 46.15 315.00 280.00 325.00 413,924.11 215.93 5,952.02 300.00 50.00 250.89 174.61 166.37 420.00 124.50 912.45 37.38 113.45 220.00 45.00 52.98 157.32 34.00 155.11 275.00 17.98 119.32 5.99 1,028.86 170.00 300.00 60.00 946.03 1,216.70 14,959.33 596.05 60.00 4,216.80 131.25 317.39

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| Law Enf. Coord., Ex US Postal, Se Verizon, Se | 120.00 144.00 142.51 |
|-----------------------------------------------------|----------------------------|
| Visa | 484.05 |
| Wal-Mart, Su | 119.27 |
| Amazon.com, Se | 99.00 |
| Gotprint.com, Se | 265.78 |
| White, Sarah, Se | 200.00 |
| Windstream NE, Se | 2,702.19 |
| TOTAL | 766,247.82 |

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

3. CONFIRMATION OF MAYOR'S APPOINTMENTS

Councilmember Schmit moved, seconded by Councilmember Beck, that Mayor Eickmeier's reappointment of Justin Hartman to the Citizen Advisory Review Committee (Economic Development Plan) for a 3-year term be approved and resignation of Byron Winter be accepted.

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

Councilmember Fritz moved, seconded by Councilmember Pike, that Mayor Eickmeier's reappointment of Roger Glawatz and Greg Zabka to the Cemetery Board for a 3-year term be approved.

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

4. PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF TAX INCREMENT FINANCING (TIF) APPLICATION OF TWO CREEKS HOLDINGS, LLC

TIF Attorney Andrew Willis presented the TIF application from Two Creeks Holdings, LLC to the Committee for an expansion of a current 1,800 square facility to a newly built 4,675 square foot building to be leased to St. PJ Supply, Inc for the purpose of expanding the current business which sells Autobody related products. The building is to be constructed across the street from the current business location on a vacant lot on Hwy 34. The application noted estimated costs of the project of \$360,000 for construction and installation of the Project and related improvements. The greatest cost is site acquisition and land stabilization with a retaining wall. The project also includes a steel building, energy efficient floor heat, landscaping along the Hwy 34 corridor, and public parking. The current valuation is \$13,871, with an estimated completed Project valuation of \$336,600. The new property valuation increase of \$322,729 generates an estimated new tax of \$5,602. The original application requested \$56,000 in Tax Increment Financing. Mr. Michael Lewis was present for questions.

TIF Attorney Andrew Willis reviewed the following cost benefit analysis:

| Estimated Base Project Area Valuation | \$ 13,871 |
|------------------------------------------------|-------------|
| Projected Completed Project Assessed Valuation | \$ 336,600 |
| Projected Tax Increment Base (b. minus a.) | \$ 322,729 |
| Estimated Tax Levy | 1.735900 |
| Annual Projected Tax Shift | \$ 5,602.00 |

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He continued that the redeveloper has a commitment to lease the building to St. PJ Supply, Inc, with the tenant's operations currently located at 1222 Elm Street. The tenant needs to expand beyond its current 1,806 square foot facility. The Project will allow the tenant to move to the Project site in the redevelopment area. It is not anticipated the Project will have a material adverse impact on the employers and employees of firms locating or expanding within the area of the redevelopment project.

The Project should not have a material impact on the private sector businesses in and around the area outside the boundaries of the redevelopment project. The project is not anticipated to impose a burden or have a negative impact on other local area employers and employees of firms locating or expanding within the boundaries of the area.

The Project is anticipated to create 2-3 jobs within the next one to three years. The business has been steadily growing and has created seven new jobs since 2008. There currently are 13 employees working for the business.

The Project includes public parking improvements.

The total TIF available, less the 3% administrative fee is \$55,019. The interest rate is estimated at 5.5% for a fifteen-year loan.

Mr. Willis then reviewed the Amendment to the Redevelopment Plan. He noted the project consists of constructing a commercial building consisting of retail, warehouse, and office space with approximately 4,675 square feet. The Project will also include an approximately 7,000 square foot parking lot. The Project will meet the applicable land-coverage ratios and zoning requirements. The Project site is located on Hwy 34. No adverse impacts are anticipated with respect to traffic flow, street layouts, and street grades. No additional zoning, building code, or ordinance changes will be necessary for the Project. There are no population density concerns.

The CRA shall capture the Tax Increment generated by the project site for a total period of not to exceed fifteen years with an effective date of January 1, 2016. The Project is expected to be constructed prior to December 31, 2015.

Mr. Willis stated the Community Redevelopment Authority (CRA) and the Planning Commission approved the application on May 27, 2015 and June 8, 2015, respectively.

Councilmember Schmit stated that when considering a public parking lot as part of a TIF project, there needs to be a true use and benefit of the parking area by the public. He said this TIF request is easily covered by the remainder of the project, even without the public parking portion.

Mr. Willis stated the CRA has a goal of improving public parking and agreed that the project loan is well under the available TIF if the entire project were considered.

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

Councilmember Schmit introduced the following resolution:

CITY OF SEWARD, NEBRASKA RESOLUTION #2015-15 (Amendment to Redevelopment Plan - Two Creeks Holdings Project)

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

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SPECIFIC REDEVELOPMENT PROJECT.

RECITALS

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

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

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

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

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

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

G. On June 16, 2015, the City Council held a public hearing relating to the question of whether the Redevelopment Plan should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

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

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

- 1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to Section 18-2109 of the Act.
- 2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Seward, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
- 3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Seward as a whole, as set forth in the City of Seward Comprehensive Plan, as amended.
- 4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the City of Seward.

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- 5. The Project would not be economically feasible without the use of tax increment financing.
- 6. The Project would not occur on the Redevelopment Area without the use of tax increment financing.

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

Dated this 16th day of June, 2015.

Councilmember Hans moved, seconded by Councilmember Pike, that the resolution be adopted.

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

Mayor Eickmeier declared the resolution adopted.

CITY OF SEWARD, NEBRASKA

By: Mayor

ATTEST:

City Clerk

Councilmember Pike introduced the following resolution:

CITY OF SEWARD, NEBRASKA RESOLUTION NO. 2015-16

(Approval of Redevelopment Agreement- Two Creeks Holdings Project)

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

RECITALS

A. Pursuant to the Nebraska Community Development Law, <u>Neb. Rev. Stat.</u> §§ 18-2101 through 18-2154, as amended (the "Act"), the City of Seward, Nebraska ("City"), has adopted a redevelopment plan ("Redevelopment Plan") for the area of the City identified as Redevelopment Area #1. A copy of the Redevelopment Plan is on file with the City Clerk for inspection.

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

C. On May 27, 2015, the CRA approved the Redevelopment Agreement for the Project.

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

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

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

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

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

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

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

Dated this 16th day of June, 2015.

City Clerk

Mayor Eickmeier declared the resolution adopted

CITY OF SEWARD, NEBRASKA

Mayor

By:

ATTEST:

EXHIBIT "A"

(Redevelopment Agreement)

5. PUBLIC HEARING - 7:00 P.M. - PRELIMINARY AND FINAL PLAT - CNG FIRST ADDITION

Tim Gergen, P.E. with Clark Enersen Partners presented the Preliminary and Final Plat for the CNG 1st Addition. This is an 18-lot addition located at the old middle school property (3rd to 4th St; Main to Ash). This subdivision will involve a mix of commercial and residential lots. The Subdivision conforms to the City's Comprehensive Plan Future Land Use map with the mixed use types. The Plat conforms to the requirements of the City of Seward's Unified Land Development Ordinance reference Major Subdivision application requirements (11.3804). The area is currently located in the Central Business District (CBD) zoning district, and there will be no change in zoning at this time. He stated the sanitary sewer was constructed, but the rain has caused some delays in construction.

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Mayor Eickmeier opened the public hearing.

James Hartman, 428 S 3rd St, stated he lives across the street from this construction site and he would like to see the property cleaned up; there are huge piles of dirt, weeds, and junk. Hearing no other comments, Mayor Eickmeier closed the public hearing.

Councilmember Beck introduced an Ordinance entitled, "AN ORDINANCE TO APPROVE THE PLAT ENTITLED "CNG 1ST ADDITION A RE-PLAT OF LOT 4, CNG ADDITION TO THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED EAST OF 4^{TH} STREET, SOUTH OF CNG ADDITION, NORTH OF ASH STREET, WEST OF 3^{RD} STREET; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT".

Councilmember Schmit moved that the statutory rule requiring the reading of ordinances by title on three different days be dispensed with, which motion was seconded by Councilmember Pike.

Councilmember Kamprath inquired, that due to this being the final plat, whether a hydrology study had been completed and presented for this project.

Public Facilities/Capital Improvement & GIS Director John Hughes stated a study had not been completed; however, the prior property use with the school building and parking lot would have created more water runoff than the current development plan. He stated they did complete some calculations and were comfortable with the drainage in the plan design. Councilmember Kamprath stated he was hesitant to approve a final plat with all of the improvements and the potential effect on properties to the south without the study.

Councilmember Beck agreed and said she would like to see a more formal protocol/policy for conducting such hydrology studies on developments so property owners are not faced with drainage problems similar to what is happening on Star Street.

Aye: Hans, Pike, Beck, Schmit, Kamprath Nay: Fritz Absent: Lieske, Singleton. Motion failed (requires concurrence of three-fourths all the Councilmembers elected to the City Council).

The Ordinance will be heard on second reading at the July 7, 2015 City Council meeting, which allows staff time to obtain a hydrology study.

6. CONSIDERATION OF A PLAN FOR STORM WATER RUNOFF AND SANITARY SEWER IMPROVEMENTS FOR ST. JOHN'S NEW DAYCARE CENTER TO BE LOCATED AT HILLCREST DR. AND COLUMBIA AVE.

- A. Consideration of financial participation in the relocation of sanitary sewer line and improvements.
- B. Consideration of financial participation in the relocation of storm sewer and consideration of constructing a new storm sewer line.

Public Facilities/Capital Improvement & GIS Director John Hughes stated his recommendation is to replace the 8" clay sanitary sewer line that currently runs under a residential lot owned by Curt Coddington. He also recommended that the 8" north/south clay sanitary sewer line, which was installed over 50 years prior, should be televised for root damage or other failure. He said if there is damage, it may be a good time to replace the line. He said repairs and replacement may be easier coinciding with the St. John's construction project than waiting, should the line fail and need to be repaired/replaced

at a later date. Mr. Hughes stated that Water/Wastewater Director Richtig's memo indicated he did not see the value of removing the 8" line running under Mr. Coddington's property, since it was a private line and did not recommend participating in replacement of the south section of the sanitary sewer line, since it does not replace any existing sewer line that would otherwise be in need of repair. Mr. Richtig's memo indicated it would be difficult to determine whether replacing the north sanitary sewer line was beneficial to the City without examining the line. Mr. Hughes stated that none of this work is in the City's current Capital Improvement Plan and the budget generally does not have room to take on this size of project.

Mayor Eickmeier shared concern about moving the private sanitary line, as this would open the door for others asking for the same benefit. He stated the proposed retention pond could be considered in the next budget year.

Councilmember Schmit moved, seconded by Councilmember Beck to table consideration of financial participation in the relocation of the sanitary sewer line and improvements and consideration of financial participation in the relocation of the storm sewer and construction of a new storm sewer line with regard to the St. John's daycare development project until the sanitary sewer lines are televised to determine damage or failure.

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

7. CONSIDERATION OF DEVELOPER'S AGREEMENT WITH BLUESTEM ENERGY SOLUTIONS ON RENEWABLE ENERGY OPTIONS

Adam Herink of Bluestem Energy Solutions presented a developer's agreement to investigate and facilitate the potential development of a renewable energy generation facility. Mr. Herink stated there is no financial or project commitment, but it solidifies the City's interest in considering such a project. He stated the process of reviewing the City's electrical load pattern, investigating the most beneficial option, determining the site location(s), obtaining community input, considering environmental assessments, zoning, bidding the project, opportunity for tax credits, and determining the costs would likely take up to a year to complete; however, the agreement covers a period of up to two years.

City Attorney Hoffschneider stated he reviewed the agreement and does not have any concerns. The agreement does have an early termination clause that states if the City terminates the agreement prior to the expiration of the Development Period, the City would be responsible for paying a cost-share of expenses up to \$10,000. However, if the City just let the term expire, there would be no cost share.

Councilmember Schmit moved, seconded by Councilmember Kamprath, that the agreement with Bluestem Energy Solutions for renewable energy options be approved.

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

8. CONSIDERATION OF AMENDED LEASE AGREEMENT WITH ALLTEL COMMUNICATIONS OF NEBRASKA, INC d/b/a VERIZON WIRELESS FOR PLACEMENT OF EQUIPMENT ON THE CITY'S WATER TOWER

Public Facilities/Capital Improvement & GIS Director John Hughes
10

presented an amended lease agreement with Alltel Communication for placement of radio communications equipment, antennas and appurtenances on the City's water tower. He stated the City Council approved an agreement on February 17, 2015; however, after further review, it was determined in the best interest of the City to request some changes to the agreement. Mr. Hughes stated the plan includes construction of an equipment building on the land space to the south of fenced area. The lease calls for annual payments of \$28,800 for an initial term of five years.

Councilmember Kamprath moved, seconded by Councilmember Fritz, that the lease agreement with Alltel Communications of Nebraska, Inc, d/b/a Verizon Wireless for placement of radio communications equipment, antennas and appurtenances on the City's water tower be approved.

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

9. CONSIDERATION OF A LEASE AGREEMENT WITH HAMILTON EQUIPMENT FOR EXCAVATOR

Councilmember Hans introduced the following resolution:

RESOLUTION NO. 2015-17

WHEREAS, CITY OF SEWARD ("Lessee") is a validly existing political subdivision of the State of NE (the "State"), existing as such under and by virtue of the Constitution, statutes and laws of the State;

WHEREAS, the Mayor of the Lessee (the "Governing Body") has the power under the laws of the State to lease or purchase personal property for use by the Lessee; and the Governing Body has determined, and hereby determines, that it is in the best interests of the Lessee to enter into a Municipal Lease Agreement with HAMILTON EQUIPMENT COMPANY ("Lessor") which lease will be assigned to General Electric Credit Corporation of Tennessee ("Assignee") pursuant to an assignment by Lessor to Assignee (such Municipal Lease Agreement and Assignment are herein together referred to as the "Lease") for the purpose of financing the acquisition of the equipment (the "Equipment") described in Exhibit A to the Lease, and that the use of such Equipment is essential to the Lessee's proper, efficient and economic operation;

WHEREAS, the governing body has taken the necessary and appropriate steps under the applicable law, including, without limitation, and any public bidding requirements, to arrange for the acquisition and financing of the Equipment under the Lease;

WHEREAS, the Lease terminates, and the Lessee's obligations thereunder are extinguished, if the Governing Body fails to appropriate money for the ensuring fiscal year for the payment of the amounts due in such fiscal year;

WHEREAS, there has been presented to the Governing Body the form of the Lease, including Exhibit A thereto, which the Lessee proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing of the Equipment; and it appears that the Lease and its Exhibit A are in appropriate form and are appropriate instruments for the purposes intended.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

Section 1. That all actions of the Lessee in effectuating the Lease are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Lease.

Section 2. That sums be and hereby are allocated from the budget of the Governing Body for the fiscal year ending on September 30, 2015, sufficient to meet all obligations of the Lessee under the Lease, including without limitation annual Rent in the amount of \$10,711.61 (plus applicable taxes).

Section 3. The Governing Body hereby approves the acquisition by the Lessee of the Equipment described in Exhibit A to the Lease, such acquisition to be financed by Lessor/Assignee pursuant to and in accordance with the terms of the Lease, which will be a valid, legal and binding obligation of the Lessee enforceable in accordance with its terms. The form and content of the Lease are in all respects authorized approved and confirmed and the Mayor of the Lessee, or his designee is authorized, empowered and directed to execute and deliver the Lease and the other Documents (as defined in the Lease) for and on behalf of the Lessee in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to him seem necessary, desirable or appropriate.

 $$\operatorname{BE}$ IT FURTHER RESOLVED THAT this Resolution take effect from and after its passage.

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

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

The Mayor declared this resolution adopted.

Approved this 16th day of June, 2015.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

(SEAL)

10. CONSIDERATION OF DIGESTER STORAGE TANK EMERGENCY REPAIRS

Mayor Eickmeier read a memo prepared by Water/Wastewater Director Tim Richtig explaining the request for emergency repairs of the digester storage tank at the wastewater treatment facility. The memo stated that the interior top seal failed due to corrosion from H2S gas and methane gas. Damage to the exterior block from H2S and methane gas leaking into the building attached has caused a hazardous and explosive building interior condition. The tank is out of service and ready for repairs. Since this project was not included in the current capital projects plan, Mr. Richtig is proposing funds from the sludge pump capital improvement plan project be used for the repairs. Two bids were obtained to complete the repairs.

Councilmembers expressed concern that the damage would have been something that should have been noticed through a maintenance program and

possibly budgeted for and not presented as an emergency. They also inquired whether it was an emergency since the tank was taken out of service and the facility continued to operate.

Public Facilities/Capital Improvement & GIS Director John Hughes stated he was not familiar with the project, but stated that Tim has been doing a great job at the facility and does not believe he would be requesting emergency repairs if they were not needed and that if the damage could have been detected sooner, it would have been. He said he thought the damage was detected after the tank was drained for maintenance.

Councilmember Schmit requested Water/Wastewater Director Richtig provide an overview of the process for reviewing and determining maintenance needs/repairs.

Councilmember Beck moved, seconded by Councilmember Schmit, to award the bid for emergency repairs of the digester storage tank to Mongan Painting Company, Inc in the amount of \$38,551.00.

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

11. CONSIDERATION OF REQUEST TO UPGRADE CROSSWALK SIGNAGE AND RELOCATION OF CROSSWALK ON N. COLUMBIA AVE.

Street/Transportation and Recycling Superintendent Mel Aldrich stated City staff met with the Seward Health Care staff and devised a plan to address the safety concerns for hospital employees and visitors crossing from the parking lot to the medical facilities. He stated the City will provide high-grade reflective pedestrian crossing signage ahead of the newly designated crosswalk area, which will be located in the middle of the block. The crosswalk will have reflective striping. The City Electric Department will install an additional LED street light in this area. The hospital will take care of the fencing around the west parking lot with an opening that will funnel the users to the new crosswalk area and will construct ADA ramping for the new crosswalk on N. Columbia Ave.

There was a brief discussion of the cost of the improvements and how the improvements made by the City would be funded. There was recollection from a prior meeting held on 4-21-15 that the hospital offered to assist with some of the improvement costs.

Councilmember Kamprath moved, seconded by Councilmember Pike, to approve the plan for the City providing extra lighting, reflective signage, and relocation of the crosswalk on N. Columbia Ave. to the middle of the block between Jackson Ave and Bradford St., conditional upon investigating the cost of installing pedestrian activated illuminated lighting around the pedestrian sign at the crosswalk prior implementing the proposed plan.

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

12. CAPITAL PROJECTS REPORT

Public Facilities/Capital Improvement & GIS Director John Hughes provided an update and Capital Projects Report dated 6/16/15. He also presented a violation notice issued by the Army Corps of Engineers and the accepted remediation plan.

Councilmember Schmit moved, seconded by Councilmember Kamprath, that the Capital Projects Report dated June 16, 2015 be accepted.

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

13. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

14. ANNOUNCEMENT OF UPCOMING EVENTS

A. July 4th Celebration

15. CONSIDERATION OF CITY ADMINISTRATOR

A. Appointment

B. Contract (Employment Agreement)

Mayor Eickmeier introduced Bruce Smith as his appointee to the position of City Administrator effective July 1, 2015.

Councilmember Beck moved, seconded by Councilmember Hans, that the Mayor's appointment of Bruce Smith for the position of City Administrator be approved.

Councilmember Kamprath stated he just found out about the appointment on June 12 and although he has heard good things about Mr. Smith from others, he has not personally met him and feels he does not know enough about him to vote in favor of the appointment and stated he would abstain from voting.

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

Councilmember Hans moved, seconded by Councilmember Pike, that the Employment Agreement to retain Bruce Smith as City Administrator be approved.

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

16. MOTION TO ADJOURN

Councilmember Fritz moved, seconded by Councilmember Pike, that the June 16, 2015 City Council Meeting be adjourned.

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

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Bonnie Otte

Assistant Administrator Clerk-Treasurer Budget & Human Resources Director

The Seward City Council met at 7:00 p.m. on Tuesday, June 30, 2015 to conduct a Work Session, 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: Sid Kamprath, Dean Fritz, Barbara Pike, John Singleton, Chris Schmit, Dick Hans. Other officials present: Appointed City Administrator Bruce Smith. Absent: Councilmembers Charles Lieske and Ellen Beck.

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 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. PRESENTATION BY AYARS & AYARS, INC AND DISCUSSION OF SEWARD/LINCOLN REGIONAL RAIL CAMPUS DEVELOPMENT - POSSIBLE PROJECT HOT MILL

Mike Ayars, Cory Barber, Gary Tucker and Darl Naumann of Ayars & Ayars, Inc. presented additional follow-up information to the June 2, 2015 City Council meeting when Project Hot Mill was first introduced as a possible project for the Seward/Lincoln Regional Rail Campus development.

Information was provided regarding specific questions about utility requirements and costs, proposed financing, rail loop placement, labor pool, and potential acres needed for the project.

Nebraska Public Power Economist, Dr. Kenneth Lemke, presented an Economic Impact Assessment for a Proposed Manufacturing Facility.

Nebraska Department of Economic Development Walker Zulkoski presented information on what the State may have available for incentives for the project, but stated no formal commitments had been made on the project.

Also available during the discussion were: Black Hills Energy Program Manager, Cheryl Brandenburgh; Seward County Commissioners, Roger Glawatz and Mike Luebbe; D.A. Davidson & Co. Managing Director, Paul Grieger; Seward County Economic Development Corporation Executive Director, Jonathan Jank; Cline Williams Wright Johnson & Oldfather TIF Attorney, Andrew Willis; Gilmore & Bell Tax Attorney, Mike Rogers; City Electric & Power Resource Director Larry Ruether; Water & Wastewater Director Tim Richtig, Transportation & Recycling

Superintendent, Mel Aldrich; Public Facilities, and Capital Improvement & GIS Director, John Hughes.

Council requested additional information on the environmental impact of such a project, impact on City's resources, impact on landfill, storm water runoff and hydrology report, rail location, estimated liability for the City if Nebraska Advantage Act is utilized, City's financial participation and cost to citizens. No action was taken.

2. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Schmit, that the June 30, 2015 City Council Work Session be adjourned.

Aye: Hans, Schmit, Pike, Singleton, Fritz, Kamprath Nay: None Absent: Lieske, Beck. 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 7, 2015 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:

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G3

PUBLIC HEARING - 7:00 P.M. - CONSIDERATION OF CLASS L LIQUOR LICENSE APPLICATION OF BOTTLE ROCKET BREWING, LLC - Gerald Homp

Consideration of appointment of Gerald Homp as manager of liquor license for Bottle Rocket Brewing.

Administrative Report: The property of 230 S 5th St. is not located within 300' of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or college or university campus.

Staff Contact:

NOTICE OF APPLICATION FOR A RETAIL CLASS L LIQUOR LICENSE

Notice is hereby given that Bottle Rocket Brewing, LLC dba Bottle Rocket Brewing, L-112988, has made application for a Retail Class L Liquor License at 230 S 5th Street, Seward, Nebraska, in accordance with Section 53-134(7), Revised Statutes of the Nebraska Liquor Control Act. Written protest to the issuance of said license may be filed by any resident of the City of Seward, Nebraska, on or before 7:00 p.m. on Tuesday, July 7, 2015, at which time a public hearing will be held by the City Council at 142 North 7th Street, Seward, NE, upon said application and will receive evidence, either orally, or by affidavit, from any person bearing upon the propriety of the business of such license.

> Bonnie Otte Assistant Administrator/ Clerk-Treasurer/ Budget & Human Resource Director City of Seward, Nebraska

Please publish one time June 24, 2015 One Proof of Publication

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| APPLICATION FOR LIQUOR LICENSE | RECE | |
| CRAFT BREWERY (BREWPUB) CHECKLIST | | |
| | MAY 1 | j 2015 |
| NEBRASKA LIQUOR CONTROL COMMISSION 301 CENTENNIAL MALL SOUTH PO BOX 95046 TC. COPY to JEVYY | VEHOLIC NEBRASK | ALIOHOR |
| LINCOLN, NE 68509-5046 | NEBRASK | OMMISSION |
| рноле: (402) 471-2571 FAX: (402) 471-2814 Water and the set of th | 974 CUNIROLS | |
| Website: www.lcc.ne.gov | | |
| Applicant Name Gerald Homp | | DA In |
| E-Mail Address: gerald@bottlerocketbrewin | ng.com | |
| Web Site Address: www.bottlerocketbrewing | .com | 112988 |
| 1) Application fee \$400 plus licensee fee \$250 Total \$650 (check payable to Nebraska Liquor Control 2) Copy of Federal Basic Permit issued by Alcoho 3) Alcoholic Liquor Tax Bond, \$1,000 minimum (May use form 115) 5 | a may result in the denial, suspension, puor license, the Nebraska Liquor Co l or commit money that you do so a o ensure that all sections are complete e city/village or county clerk, where y nitting application to the state. NTACHMENTS Printform 147 Submitter rol Commission of and Tobacco Tax and Trade Bure including the Power of Attorney do -28-15 emtined in -8-15 Ag Report -9-15 Enf, FM \$ | , cancellation or revocation introl Commission cautions at your own risk. Prior to a and that any omissions or you are making application, d eau (TTB) ocumentation <i>if database</i> |
| 6) Name of Brew Master Ryan Koch | 9 homo Tá |)gmail.com |
| 6) Name of Brew Master | | |
| a. Phone number of Brew Master 402-6 | 13-2441 | |
| 7) Fingerprint cards for each person (two cards Nebraska State Patrol for processing in the amore cards as per brochure. To prevent the delay is Nebraska State Patrol office or law enforcement M 135 M 135 M 135 M 1050 M 1050<th>per person) must be enclosed with ount of \$38.00 per person. All are n issuing your license, we strong</th><th>as must be completed on y suggest you go to any</th> | per person) must be enclosed with ount of \$38.00 per person. All are n issuing your license, we strong | as must be completed on y suggest you go to any |
| | | |

8) 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)

9) 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 making application. Lease term must run through the license year being applied for.

10) Corporation or Limited Liability Company must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office. This document must show barcode.

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 align information is truthful and I accept all responsibility for any false documents.

Authorized Signature

MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION

Gerald Homp

Print Name

402-304-5673

Contact Phone Number

FORM 127 REV 11/2010 PAGE 2

APPLICATION FOR LIQUOR LICENSE CRAFT BREWERY (BREWPUB)

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.ne.gov/

RECEIVED

MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES CHECK DESIRED CLASS(S)

| Class L Craft Brewery (Brew Pub) | Application fee \$400 plus licensee fee \$250 |
|--------------------------------------------------------------|--------------------------------------------------------------------|
| Not weed GK I for Class K Catering license (requires cate | Total \$650 (checks payable to Nebraska Liquor Control Commission) |
| | mg application form food \$100.00 |

Copy of Federal Basic Permit

Alcoholic Liquor Tax Bond minimum of \$1,000 (form 115 may be used)

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

Term of license runs from May 1 – April 30 Catering license (K) expires same as craft brewery (brewpub) license

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

| . • | | |
|----------|---|--|
| | | |
| . | x | |

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)

Commission will call this person with any questions we may have on this application

_{Name}n/a

Firm Name_

FORM 127 REV 11/2010 PAGE 3

Phone number:

| PREMISE INFORMATI | | | |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Frade Name (doing business | as) Bottle Roc | cket Brewing LC | |
| treet Address #1 | astridge Dr | | |
| treet Address #2 | | | |
| Street Address #2 | | Seward X | 68131 |
| | | County Seward | De NO Code <u>68434</u> <u>Zip Code</u> <u>68434</u> <u>Ghrm</u> f C |
| remise Telephone number_ | 102-304-56/ | |) ghomite gmail |
| s this location inside the city | /village corporate li | imits: | |
| Mailing address (where you v | want to receive mail | l from the Commission) | |
| Tame Bottle Rocket | Brewing LL | С | |
| treet Address #1 1210 E | | | |
| treet Address #2 230 S | 5th St | | |
| Seward | | State NE | Zip Code 68434 |
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FORM 127 REV 11/2010 PAGE 4

APPLICANT INFORMATION

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has <u>anyone</u> who is a party to this application, or their spouse, <u>EVER</u> 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. \times YES \square 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 |
|-------|-------------------------------------------|----------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|
| | Gerald | I Homp | | lincoln,ne | speeding ticket | |
| I | Michelle Homp Jason Berry Ryan Koch | | | lincoln,ne | speeding ticket | ************************************** |
| | | | | nebraska | speeding ticket | |
| | | | | nebraska | speeding ticket | |
| | Amand | la Koch | | nebraska | speeding ticket | |
| | | | | | | RECEIVED |
| 2. Ar | e you buy | ing the business | of a current retail | liquor license? | | MAY 1 5 2015 |
| V | Π | YES | NO NO | | | - |
| • | · • • | | | | • • | EBRASKA LIQUOR NTROL COMMISSION |
| | | | siness and liquor l sales agreement | icense number | | |
| | | | | d list the name has | nd, container size and how | * |
| | c) Subr | nit a list of the fi | initure, fixtures a | rd, fist the name bra | nd, container size and now | v many |
| 3. W | as this pro | emise licensed a | s a liquor licensed | business within the | last two (2) years? | |
| \ | | YES | × NO | | | |
| | lf yes, g | give name and li | cense number | ····· | | |
| 4. Ar | e you filin | ig a temporary o | perating permit to | operate during the | application process? | |
| | | YES | × NO | | | |
| • | | | | | | |
| | If yes: | • , | | | | |
| | a) Atta | ch temporary op | erating permit (for | rm 125) Ion that muunities ha | olds a valid liquor license. | |
| • | <i>b)</i> 1.0. | r. whi omy be a | iccepted at a tocau | ion that currently ho | olds a valid inquor license. | |
| | | | | | | |
| 5. Ar | e you borr | rowing any mon | ey from any source | e, include family or | friends, to establish and/o | r operate the business? |
| N | | YES | × NO | · · · · | | |
| | If yes, l | ist the lender | - | 17 TO 10 | . · · | |
| | | | | | | |
| | | | | | | FORM |

REV 11/2010 PAGE 5

| N | × | YES | | NO | ntitled to a share of the pr | ``` |
|---------------------------|--------------------------------|------------------------------|----------------------------------------|---------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 100 | | | | persons must be | disclosed on application) | or justed on form |
| | ilent pa | erry, Rya | I NUCII | | : | |
| | - | | | | | |
| 7. W | ill any o | f the furniture | , fixtures a | d equipment to | be used in this business b | e owned by others? |
| V | | YES | × | NO | | |
| | If yes | , list such iter | n(s) and the | owner | | |
| | | | | | n, school, hospital, home t et of a college or universi | for the aged or indigent persons or for ty campus? |
| $\mathbf{N}_{\mathbf{r}}$ | | YES | × | NO | | |
| | If yes 53-17 | , provide nam 7) | e and addre | ess of such institu | ation and where it is locat | ted in relation to the premises (Neb. Rev. Stat |
| | | | | Willie | | RECEIVED |
| 9. Is | anyone l | listed on this | application | a law enforceme | nt officer? | |
| | | YES | × | NO | | MAY 1 5 2015 |
| V | If yes, | | | | ncy involved and the pers | NEBRASKA LIQUOR son's exact connection that the second sec |
| 4 | a) Lis tle Na List all p | t the individu ational Ba | al(s) who w INK Sew ent liquor l | ill be authorized ard NE - G | Serald Homp, Jas | e utilized by the business rithdrawals on accounts at this institution. on Berry, Ryan Koch tate by any person named in this applicatio o list reason for termination of any license(|
| Ŋ ŀr | reviously | v held. | | | | |

FORM 127 REV 11/2010 PAGE 6

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:

- a) Individual, applicant only (no spouse)
- b) Partnership, all partners (no spouses)
- c) Corporation, manager only (no spouse)

d) Limited Liability Company, manager only (no spouse)

| . 0 | Applicant Name | Date Trained (mm/yyyy) | Name of program where trained (name, city) |
|-----|----------------|---------------------------|------------------------------------------------|
| -M | Gerald Homp | 04-2015 | Online - Responsible Beverage Service Training |
| Um. | Jason Berry | 05-2015 | Online - Responsible Beverage Service Training |
| | Ryan Koch | 04-2015 | Online - Responsible Beverage Service Training |

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.

| \mathbf{X} | Lease: expiration date January 15th, 2055 | RECEIVED |
|--------------|--------------------------------------------------------------|---------------------------------------|
| \mathbf{X} | Deed Purchase Agreement | MAY 1 5 2015 |
| 14 | When do you intend to open for business? October 2015 | NEBRASKA LIQUOR CONTROL COMMISSION |
| 15. | What will be the main nature of business? Microbrewery | |
| | What are the anticipated hours of operation? Wed & Thurs 3-8 | pm, Friday 3-9pm, Sat. 1-9pm |

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

| APPLICANT: CITY & STATE | | EAR TO | SPOUSE: CITY & STATE | Y FROM | EAR TO | |
|-------------------------|----------------------------------|-----------|---------------------------|-----------|-----------|--|
| Gerald Homp - Seward NE | 1997 | Present | Michelle Homp - Seward NE | 1997 | Present | |
| Jason Berry - Seward NE | 1998 | Present | Julie Berry - Seward NE | 1998 | Present | |
| Ryan Koch - Bozeman MT | 2000 | 2006 | Amanda Koch - Lincoln NE | 2003 | 2012 | |
| Ryan Koch - Seward NE | Ryan Koch - Seward NE 2006 Prese | | Amanda Koch - Seward NE | 2012 | 2 Present | |

If necessary attach a separate sheet.

FORM 127 REV 11/2010 PAGE 7

///

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 said 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 or for any partner or stockholder 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). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock) and spouses. Full (birth) names only, no initials.

Signature of Applicant

Signature of Applicant

Signature of Applicant

Signature of Applicant

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Signature of Spouse MAY 1 5 2015

NEBRASKA LIQUOR Signature ONTROL COMMISSION

Signature of Spouse

Signature of Applicant

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska County of The foregoing instrument was acknowledged before me this 015 Affix Sea GENERAL NOTARY - State of Nebrasia Notary Public signature SHARON J. MUELLER ly Comm. Exp. February 1, 2018

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 127** REV 11/2010 PAGE 8

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Signature of Applicant

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MAY 1 5 2015

Signature of Spouse NEBRASKA LIQUOR CONTROL COMMISSION

Signature of Spouse

Signature of Spouse ACKNOWLEDGEMENT State of Nebraska County of The foregoing instrument was acknowledged before me this 2015 name of person acknowledged Affix Seal **GENERAL NOTARY - State of Nebraska** Notary Public signature SHARON J. MUELLER liv Comm. Exp. February 1, 2018

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 127** REV 11/2010 PAGE 8

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STJOHNSCHOOL

PAGE 02

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and 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 are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to 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.

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Siena Applicant Signature of Applicant Signature of Spouse ACKNOWLEDGEMENT State of Nebraska County of Sewayd The foregoing instrument was acknowledged before me this ne 8th 2015 Affix Seal ENERAL MOTARY - State of Nebu Notary Public signature JOETTE L HARTSHORN . January 18, 2018 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 127**

Nebraska Secretary of State

- John A. Gale

Business Services

Home » Corporation and Business Entity Searches

Wed May 27 16:44:58 2015

For Letters of Good Standing (\$6.50), Certificates of Good Standing (\$10.00), and/or images (\$0.45 per page) of documents filed with the Secretary of State please click the corresponding service below:

Pay Services:

Online Images of Filed Documents | Good Standing Documents

Entity Name

BOTTLE ROCKET BREWING, LLC

Principal Office Address

1210 EASTRIDGE SEWARD, NE 68434

Designated Office Address

1210 EASTRIDGE DR. SEWARD, NE 68434

Nature of Business

Not Available

Entity Type Domestic LLC Qualifying State: NE Date Filed Mar 05 2014

GERALD HOMP

1210 EASTRIDGE DR. SEWARD, NE 68434

> Account Status Active

Pay Services:

Click on the pay service items you wish to view. Your Nebraska Online account will be charged the indicated amount for each item you view.

- Images of Filed Documents

If an item is a link, the document may be retrieved online, otherwise you must contact the Secretary of State's office to obtain a copy of the document.

| Code | Trans | Date | Price |
|------|-----------------------------|-------------|-----------------------------------------|
| CRTO | Certificate of Organization | Mar 05 2014 | \$0.45 = 1 page(s) @ \$0.45 per page |
| BR | Biennial Report | Feb 26 2015 | \$0.45 = 1 page(s) @ \$0.45 per page |

- Letter of Good Standing

ttps://www.nebraska.gov/sos/ccorp/corpsearch.cgi?acct-number=10189122 5/2

5/27/201:

Seward



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Back to Search Results

SOS Account Number

10189122

Registered Agent and Office Address





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STATE OF NEBRASKA

MAY 1 5 2015

LIMITED LIABILITY COMPANY

NEBRASKA LIQUOR CERTIFICATE OF ORGANIZATIONONTROL COMMISSION

Bottle Rocket Brewing, LLC

FIRST: The name of the limited liability company is Bottle Rocket Brewing, LLC

SECOND: The street and mailing address of its designated office in the State of Nebraska is 1210 Eastridge Dr., Seward, NE 68434.

THIRD: The street and mailing office of its agent for service of process in the State of Nebraska is 1210 Eastridge Dr., Seward, NE 68434. The name of its agent for service of process is Gerald Homp.

FOURTH: The personal liability of the members and managers of the company for monetary damages for breach of fiduciary duty shall be eliminated to the fullest extent permissible under Nebraska law. The company is authorized to indemnify its members and managers to the fullest extent permissible under Nebraska law.

IN WITNESS WHEREOF the undersigned have executed this Certificate of Organization on the date below.

March 5th 2014 Dated:

Gerald Homp, Organizer


NE Sec of State John A. Gale CORP - TN 9000093152 - Page 1 of 1 BOTTLE ROCKET BREWING Filed: 03/12/2014 11:52:31 AM

APPLICATION FOR REGISTRATION OF TRADE NAME John A. Gale, Secretary of State Room 1301 State Capitol, P.O. Box 94608, Lincoln, NE 68509 (402) 471-4079 <u>http://www.sos.ne.gov</u>

Submit in Duplicate

| PUBLICATION REQUIREMENT: Neb. 1 trade name shall be published by the applicant | Rev. Stat. §87-219 "Every t once in a newspaper of ge | duplicate of ancala | the registration of a line | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|----------------------------------------|-------------------------------------------------|---------|
| PUBLICATION REQUIREMENT: Neb. 1 trade name shall be published by the applican city or village where the business is to be lo some newspaper of general circulation in the of the Secretary of State within forty-five day | cated, or, if there is no ne county. Proof of such publ | wspaper in the | e city or village, in be filed in the office | |
| III 131 (5)2000, BE 196739000 FOR SAMPLEMENT STATES (1998) 255 (1988) 1998-19 | WIND 1994 SPACESTV ID 1991 | tion in the off e within the | fice of the Secretary forty-five days, the | |
| registration shall be canceled by the Secret | ary of State." | | | |
| | | | | |
| Trade Name Bottle Rocket Brewing | | | | |
| Name of Applicant Bottle Rocket Brev | ving LLC | | | |
| Address 1210 Eastridge Dr | Seward | NE | 68434 | |
| street address | city | state | zip | |
| Applicant is Individual Corporation | inited Liability Company | Partnership | | |
| Limited Liability Partnership | | | | |
| If other than an Individual, state under wh | ose laws entity was form | ed NE | | |
| Date of first use of name in Nebraska Mar | ch 11th, 2014 | ······································ | RECEIV | ED |
| General nature of business Craft Brewin | g | | | |
| | | | MAY 1 5 201 | 5 |
| | p . | <u>91</u> | NEBRASKA LI | QUOR |
| | Gerd | Non | CONTROL COM | MISSION |
| | Signature of Applicant or | Legal Represes | utative | |
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| Please Note: | : . | | | |
| Registration of a trade name with the State of | | | | |
| been registered nationally with the U.S. Patent to: http://www.uspto.gov/main/trademarks.htp | | check nation | al availability go | |
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Business Plan_ getting ready to launch!

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MAY 1 5 2015 NEBRASKA LIQUOR CONTROL COMMISSION



1.0 Executive Summary

Bottle Rocket Brewing Company LLC (BRB) will develop and operate a Craft microbrewery in Seward, NE, which will focus on building a strong community where patrons can enjoy high quality beer in a unique and historical setting. The environment will be relaxing and perfect for socializing with acquaintances, coworkers, friends and family.

It will be a destination for people from within and from outside the Seward community that offers a variety of services and experiences. Built around an historic grain mill within a block of the city square, the facility will highlight the rich history of the community of Seward with an atmosphere that celebrates the significance of agriculture on its development and illuminates why Nebraskans can be proud of the town designated as the state's 4th of July City.

BRB is scheduled to begin operations in 2015.

1.1 Mission

Our primary mission is to brew superior craft beer for patrons in the Seward and surrounding communities. Our first floor tap room, tasting room and rooftop patio will cater to novice drinkers as well as those drinkers with more sophisticated palates; our second floor event areas will provide accommodations for different venues and gatherings.

Additional facets of the business are to participate in other lawful business practices common to the brewing industry. Such business interactions include but are not limited to, the sale of brewery merchandise and brewery tours.

A secondary mission is to influence economic development in the Seward area by packaging and distributing our uniquely branded beers locally, throughout Nebraska and then nationally.

1.2 Objectives

Our success will be built upon our ability to cater to our customers' desire to enjoy a unique setting designed to promote the appreciation of craft beers, while at the same time creating memories and strengthening connections to a city, state and nation rich in the history of its founding. We will have high quality beers to quench the thirst of craft beer enthusiasts and pique the interest of novice or inexperienced beer drinkers.

In the community of Seward we have the opportunity to capitalize on an emerging market where currently there are no other local breweries and establish a profitable, well-managed company that can bring increased revenues and jobs to the local community.

1.3 Company Ownership & Key Management

BRB will start out as a Limited Liability Corporation founded by Gerald Homp who has worked for over 20 years in the service, marketing and relationship management fields. The Key Management team will consist of Jason Berry, Vice President, who has over 20 years' experience in business ownership, Marketing, advertising, and video production. Ryan Koch, Brewmaster, an eight-year veteran in structural engineering who is also an avid home beer brewing enthusiast. Koch has won county and state wide awards for his beers and has designed and built his own home brewing system.



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Gerald Homp, Founder & President (picture center)

Gerald previously served as Regional Sales Director at Lincoln Benefit Life in Lincoln, NE for the past 21 years. Upon the sale of LBL in 2013, Gerald's primary focus has been the development and creation of BRB. Responsibilities include overseeing the company strategic partners, marketing, distributors and the overall direction of the company.

Gerald is an active volunteer in the Seward community and in his church. Gerald and his wife Michelle have three children and reside in Seward.

Jason Berry, Vice President (picture left)

Jason is the current owner and founder of Wildberry Production Group and Rawvine Domain and Hosting companies. Jason was approached by Gerald to assist in the development and creation of BRB because of his experience in business ownership. Responsibilities include overseeing advertising, marketing, events, and assisting in the overall direction of the company.

Jason is an active volunteer in the Seward community and in his church and also serves as the pole vault coach for Seward high school and Concordia University. Jason and his wife Julie have three children and reside in Seward.

Ryan Koch, Brew Master (picture right)

Ryan currently works as a Structural Engineer at Hughes Brothers. Ryan has been brewing beer for the past decade and was approached by Gerald and Jason after having received several high recommendations about him and his beer brewing abilities. Responsibilities include the overseeing of production, quality assurance and the consumable materials needed for production and assisting in the overall direction of the company.

Ryan and his wife Amanda currently live in Seward.

3

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U.S. Beer Sales 2013









2.0 Industry Description

For many centuries beer has been a mainstay in numerous cultures across the world. From its start with the Sumerians in 6,000 BC, beer has been a beverage that extends across all social barriers, enhances celebrations, consummates accomplishments, and helps create an atmosphere for family and social bonding. A quote from the Beer Institute (an organization representing more than 2800 breweries) quite nicely summarizes what beer means to Americans:

"From the eastern seaboard to the Pacific coast, it's a traditional part of a family reunion, a day at the beach, or an afternoon at the ballpark. And the traditional reward for mowing the lawn, clipping the hedge, or cleaning the garage."

Craft beer is a growing market in the United States that has seen 10% growth in 2010 and 2011 and 18% in 2013, even as the total U.S. beer market is down 1.9% in 2013. The total U.S. beer market retail dollar value is \$100 billion. Craft retail dollar value grew to \$14.3 billion in 2013, a 20% increase from 2012. Small brewing companies employed over 110,000 people in 2013, an increase of 1.7% over the year 2012. While Nebraska is ranked #9 nationally in beer consumption it is home to only 21 breweries (10 Microbreweries and 11 Brewpubs). Clearly, there is a substantial market for craft breweries in Nebraska, particularly one that is housed in a small town.

For the craft brewing industry, market analysis supports the understanding and facts that consumers are consistently and increasingly moving away from buying mass-produced beer and are purchasing more and more beer from craft beer makers and microbreweries. "The craft beer industry is growing 13 percent to 14 percent each year, with a commensurate drop in production by the 'big guys' like Anheuser-Busch and Coors, from 177.6 million barrels in 2008 down to 162.7 million in 2013," Beer Marketers VP Eric Sheppard (May 2014).

States see the craft beer industry as an avenue to build economic prosperity and tourism.

The following comprise characteristics of the craft beer industry as describe by the Brewers Association (brewerssassociation.org):

· Craft brewers are small brewers.

- The hallmark of craft beer and craft brewers is innovation. Craft brewers
- interpret historic styles with unique twists and develop new styles that have no precedent.

• Craft beer is generally made with traditional ingredients like malted barley; interesting and sometimes non-traditional ingredients are often added for distinctiveness.

- · Craft brewers tend to be very involved in their communities through
- philanthropy, product donations, volunteerism and sponsorship of events.
- Craft brewers have distinctive, individualistic approaches to connecting with their customers.
- Craft brewers maintain integrity by what they brew and their general independence, free from a brewer.
- The majority of Americans live within 10 miles of a craft brewer.

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2.1 U.S Support of Craft Beer

A blog post from the New York Beer School by Carolyn Smagalski, author & beer connoisseur summarizes the vitality and influence of the craft beer industry in the United States:

In 2012, a member of the President's cabinet, U.S. Secretary of Agriculture Tom Vilsack, toured the Great American Beer Festival in Denver, Colorado. Mingling among the executive chefs, brewmasters and growers in the Farm-to-Table Pavilion, Secretary Vilsack sent a clear signal that American craft beer has entered the race as a significant segment of the American economy. Craft beer has proven itself as a robust and vital part of the business community, a growth engine in which sales, pricing and profits remain strong.

In early 2013, there were 45 active craft brewers' guilds across the country. The Small Brewers' Caucus in the United States House of Representatives, chaired by Representatives Peter DeFazio (D-OR) and Jim Gerlach (R-PA), boasted 115 members, while the Senate Bipartisan Small Brewers' Caucus, established by Senators Max Baucus (D-MT) and Mike Crapo (R-ID), engaged 17 members. These organizations signal the emergence of craft brewing as a stimulus to economic growth.

2.2 Craft Beer Consumers

"Mintel's 2013 research shows that the sweet spot for craft beer consumers is the 25-to-34-year-old demographic. In the United States, 36% of U.S. consumers are said to have drunk craft beer, while the figure rises to 50% for Millennials. In fact, 43% of Millennials and Generation Xers say craft beer tastes better than domestic beer, while 32% of Baby Boomers say so." ~ Author: Xun Yao Chen - Why craft beer attracts Millennials and consumers with momentum

"Consumers of today are in love with variety, led by the Gen Y-millennial generation. These leaders of style are in-touch with cuisine from every part of the world. As a bright spot in the American economy, craft beer has become a part of that overall experience." ~ Author: Carolyn Smagalski - Accomplished editor, author & beer connoisseur



The diagram provides a representation of the types of individuals who enjoy craft beers.

*Demeter Group, State of the Craft Beer Industry, 2013 demetergroup.net Business Plan... getting ready to launch!



Key Marketing Observations of Seward, NE

Current Seward Beverage & Food Service Establishments

- 1 Coffee Shop
- 2 Bar/Restaurants

2 Restaurants no Beer

2 Clubs

3 Bars

7 Fast Food

Location

County Seat

3 Colleges within 30 Minutes

State Capital within 30 Minutes Easy Access

I-80, Highway 34 & 15



Nebraska Average \$50,723

2.3 Seward Demographics

Situational Analysis

According to a 2012 poll conducted by Gallup, "Beer is the beverage of choice among both 18 to 34 year olds and those aged 35 to 54, while adults aged 55 and older lean more toward wine. Additionally, drinkers in the Midwest show the greatest preference for beer, while those in the East are the most likely to drink wine."

The micro brewing industry is a facet of the beer industry that has grown over the past few years and continues to show strong growth. In Nebraska the growing demand for micro brewed beer is not being satisfied by the current 21 microbreweries in the state. The lack of local micro-breweries provides an opportunity to fill this demand by offering a local microbrew. In addition to filling this demand, BRB will be stimulating Seward's economy and will add to the local business community as a whole.

BRB Target Markets

Primary - Males ages 21-41

We will introduce a variety of delicious beers that appeal to the tastes of beer drinkers ranging from novice to expert. This demographic group includes a full range of drinking experience from the beginner Pilsner or Light beer drinker to the mild lagers and ales. We will encourage the expanding of tastes and explore new types of beers.

Secondary A - Females ages 21-41

We will introduce a series of drinks called "Radler" that features a blend of one of our primary beers along with any variation of a carbonated beverage (such as a lemon-lime soda), fruit juice or cider. For example, one such Radler might feature a combination of our Bottle Rocket Pilsner and a pop like Mountain Dew. Another variation will be our Brown Ale mixed with a pop like Sprite. These drinks feature less alcohol per ounce than a normal beer.

Secondary B - Males ages 42-62

We will introduce a delicious variety of seasonal beers that will appeal to the experienced beer drinker. These beers are not necessarily popular with younger drinkers, but satisfy those who have acquired a preference for a Stout, Porter or IPA.

Secondary C - Female ages 42-62

This group will enjoy the Radlers to compliment some of the other beers on hand. This group is known as the "sipping group" that is looking to gather in a quiet relaxing space to enjoy some delicious drinks over light conversation.

We understand that the 62+ age group is also a significant market to consider. Gallup includes this demographic within its 50+ category, and data from a 2014 poll indicate that "older affluent" (i.e. age 50+) consume alcohol more frequently than their younger counterparts, though they tend to consume less at each sitting.

In conclusion, no matter the age group, beer is the drink of choice for adults of legal age (Gallup, Beer Is Americans' Adult Beverage of Choice This Year, July 2014).

Community Programs

BRB will initiate awareness and education programs within the City of Seward and County.



2.4 Brewing Competition

Currently there are 21 active breweries in the state and one more is currently opening in Lincoln within the next year. Many are micro pubs who brew specifically to compliment a restaurant. Under half of these focus primarily on distribution and have created tap rooms as a secondary method of earning income. Our focus on making the tap room a major feature of the brewery will make BRB unique when compared with many other breweries in the state.

BRB looks to move into the top 10 breweries within the state during our first year of production with a goal to move to within the top 5 during the first 5 years of business operation.

| Current B | Current Breweries in Nebraska and Estimated Market Shares | | | |
|-----------|-----------------------------------------------------------|----------|-----------|--|
| Rank | | et Share | | |
| 1. | Lucky Bucket Brewing CO LaVista | 23.5% | 5,350 | |
| 2. | Empyrean Brewing Co Waverly | 21.5% | 4,870 | |
| 3. | Zipline Brewing Co Lincoln* | 13.0% | 2,990 | |
| 4. | Blue Blood Brewing - Lincoln* | 7.0% | 1,630 | |
| 5. | Nebraska Brewing Co Papillion | 5.5% | 1,260 | |
| 6. | Upstream Brewing Co Omaha | 4.5% | 1,020 | |
| 7. | Empyrean/Lazlo's/Fireworks - Lincoln* | 3.5% | 850 | |
| Year One | Goal: Bottle Rocket Brewing Co Seward | 3.5% | 800 | |
| 8. | Granite City - Lincoln* | 3.5% | 770 | |
| 9. | Infusion Brewing Co Omaha | 3.5% | 750 | |
| 10. | Upstream Brewing Co. West - Omaha | 3.0% | 730 | |
| 11. | Spilker Ales - Cortland | 2.5% | 550 | |
| 12. | Thunderhead Brewing - Axtell | 2.5% | 540 | |
| 13. | Granite City - Omaha | 1.5% | 310 | |
| 14. | Pra Inc - Misty's Steakhouse | 1.0% | 280 | |
| 15. | Gottberg Auto Company - Columbus | 1.0% | 200 | |
| 16. | Schillingbridge Microbrewery - Pawnee City | | 170 | |
| 17. | Scratch Town - Ord | 0.5% | 140 | |
| 18. | Everest Brew House - Omaha | 0.5% | 100 | |
| 19. | Benson Brewery - Omaha | 0.5% | 60 | |
| 20. | Loop Brewing Co McCook | 0.0% | 60 | |
| 21. | Beaver View Co Albian | 0.0% | 10 | |
| 22. | Ploughshares - Lincoln | 0.0% | Open 2014 | |

Business Plan_ getting ready to launch!



3.0 Products and Services

BRB will develop a competitive edge in the Nebraska microbrewery market by brewing quality beers at all times. We realize the importance of ensuring that our beer is stored and served using the best possible means in order to please our customers. In addition to quality control measures we will keep our customers intrigued by providing seasonal beers and new releases based on classic styles, but with our own unique interpretations.



Our initial craft beer portfolio will include five mainstay beers, seasonal beers, Radlers and a root beer. The five mainstay beers names are, **Pilsner: Bottle Rocket Pilsner Ale: 1868 Brown Ale Belgium White: Red Wheat and Boom IPA: Wicked Spark IPA Stout: Stout Constitution** The approach of simultaneously launching five

mainstay beers helps ensure we are reaching customers with different style preferences.

3.1 Brewing Beer

The brewing process can last between 8-10 hours per brew day. Once the beer has completed the fermentation cycle, it will be kegged directly from the fermenters. Kegs stored in cold storage will be placed on 4'x4' pallets and double stacked with a hydraulic fork lift.

We plan to start brewing on average 2-3 times per week with a first year goal of 800 barrels of beer brewed. With the 10 barrel system, we have the capacity to produce more than this, but in order to ensure outstanding quality; we will start with a lower production rate and work our way up towards full capacity. Ultimately production rates will be determined by demand, popularity of the beers and the production schedule since each type of beer takes different ingredients and times to brew and ferment.

We understand that the beer we produce will be the life-blood of the company, thus producing outstanding flavor and quality in our beer is paramount. To ensure our beer is of the highest quality, Ryan Koch, BRB brew-master, will

strengthen his knowledge of the art of brewing beer by attending a program for brew-masters, such as one offered by the Siebal Brewing Academy in Chicago.

To continue to improve our products, we will submit our brews into various contests in order to receive valuable feedback from professional beer tasters. This will also help to bring recognition to our products and make BRB a company of which the community can be proud.

3.2 Beer Distribution

We will begin by establishing our tap room, event rooms and service to the local community in order to first build a reputation for quality craft beers and to fine tune our production processes prior to pursuing a distribution contract. Having established a brand and taste will give BRB better leverage in negotiations with distributors, enabling us to capitalize on a strong relationship with our distributors. We will look to solidify a firm relationship within the first 6-9 months of operation.

Initial distribution efforts will focus on Seward and its surrounding counties. Once our products expand beyond these markets, we will distribute our beers throughout Nebraska and the nation.

3.3 Hosting Events

The community of Seward has a limited number of locations in which to host social gatherings and events. As a result our building includes plans for two event rooms which can hold up to 250 people. We plan to book special events, small concerts, comedians, hypnotists, car or bike rallies and shows, weddings, reunions, business events, etc., and plan to host some type of event every weekend. Although we intend to make light snacks available to all patrons at any time during business hours, we will work with caterers to bring food into the establishment for events. We will also organize community nights out, informal gatherings for people looking for a location to enjoy camaraderie and conversation, at which we will feature food vendors offering an array of menus.

3.4 Merchandise

Jason Berry will take the lead on designing and presenting a wide range of BRB merchandise such as t-shirts, koozies, mugs, hats, polo shirts, etc., which will be for sale in our tap room and online on our bottlerocketbrewing.com website.

3.5 Waste and Byproduct Opportunities

Our brewing process byproducts are not wastes to dispose of, but resources with a beneficial reuse. We will use spent grains as a soil amendment and feed for local livestock. Any waste that can be recycled will be properly recycled. Such products include paper and plastics.

4.0 Employees

We know that our employees shape us as a company; we will only be as strong as our weakest link. We plan to hire in the first year five part time wait and bartending staff and two production space workers. We know that this number will increase as production, popularity and demand grow. Our ultimate goal is to be able support a staff of 10 to 20 full and part time employees to service a very busy tap room, assist with events and meet production demands. We will look to hire a mix of seasoned and youthful individuals and provide training so that we can run the brewery the way we believe a business should be run, with a focus on integrity and service.

4.1 Engagement

We wish to create a fun and collaborative culture using our own employees' best ideas for improvements and growth and extend decision making power to all levels. We believe in rewarding our employees financially for such contributions.

4.2 Giving Back

The individual members of the leadership team are already actively involved with various aspects of the Seward community. As a team we will continue to support the community and work to increase public awareness of the arts, culture, charities and environment. This can be accomplished by monetary donations to organizations related to or involved in these activities. We will look for ways to involve the local community in helping to choose which charities to support. Our first priority is to support local charities, followed by regional, national and then global causes.



5.0 Location Information

The corporate office and main brewing facility will be located at 230 S. 5th St, Seward, NE. Until we are fully moved into the building, the corporate address for Bottle Rocket Brewing LLC will be 1210 Eastridge Dr. Seward, NE 68434.

The building is located in historic downtown Seward, less than one block from the City square. Built as a granary in 1946, it is in excellent, structural condition and is an ideal location for a facility seeking to highlight the history of Seward. Since the building currently does not have the production or event space to meet our needs, BRB is working with Cheever construction to develop a floor plan that will surround the Mill inside a larger structure. In this way we can maintain the integrity of the original building, adding to the uniqueness of the facility. Some initial space concepts can be seen in section 5.6 Physical Brewery Layout.

Here is one of the first conceptual design ideas for the new building sketched by Jason Berry. The current building will be wrapped by a new building.



5.1 Production Room

The production space will feature a 10 barrel brewer, two 10 barrel brite tanks and four fermentation tanks. Also in the space will be a 288 sq ft cold storage unit, a keg washer and an area for bottling. The brewing equipment is being manufactured and installed by Alpha Brewing Operations out of Lincoln, NE. The system will be fully programmable and controlled with iPads. The system can be monitored from any location within the brewery. The system can also control timing of ingredients, temperature and fermentation to create a consistent taste that is vital to a craft brewery. The space will also include a mill room for handling the grains; it is rather ironic that the Mill will once again house grains!

5.2 Tap Room & Tourism

As a tourist and go-to destination for great beer, cultural awareness, patriotism and City of Seward historical intrigue, the BRB tap room will be the core of our identity as the predominate brewery in the state of Nebraska. We want to be a place that the Seward community and then the Nebraska community can be proud to call their own. It will be a destination within and from outside the Seward community, whether for wedding receptions, business meetings, rallies or fund raising events, it will serve as a unique and memorable gathering spot.

The Tap Room will feature a bar setting and merchandise area and a view right into the heart of the production space. The lounge will feature an estimated 1,300 square foot space with both high and low table seating and a comfortable lounge seating area; a perfect space for tasting great beer while socializing with friends. Another unique feature of the tap room will be the three industrial glass garage doors that sit in the front of the building. The door will have iron rails in front of them and can be opened on beautiful Nebraska days and evenings.

On weekends (dates to be determined) BRB will feature catering by local, Lincoln and surrounding community restaurants, food trucks and community fund raising meals. Beers will be spotlighted for each type of dining experience for the ultimate beer tasting experience.

5.3 Roof Top Patio

The Roof Top Patio will feature open patio space with seating, shaded areas and a very relaxed setting from which to view beautiful downtown Seward. This space can be rented out for tail gate parties, weddings, reunions, etc.

5.4 Event Space

The second floor will feature an event space. This space can be rented out for weddings, company events, seminars, and any other type of event for which significant space is needed. We will encourage community use of the rooms for various events. BRB will also initiate a wide variety of events in the space.

5.5 Location Access

There is plenty of easy parking access to the building, with a parking lot directly to the south, along 5th Street and South Street. In addition there is parking on both sides of 4th Street. Since the location of the building is one block south of Highway 34 and one block east of Highway 15, this makes it convenient for tourists, but also off the main roads for easy parking and convenience for the local residents.

Business Plan_ getting ready to launch!



5.6 Energy Efficiency & Renewable

We plan to be sensible regarding energy consumption by reducing energy usage and using renewable energy throughout our brewery wherever possible. Though it is vital for the brewing and cleaning process, we recognize that water is an invaluable resource. Thus we are committed to protecting this resource in our brewery operations and aspire to minimize waste and promote water conservation.

Below is a mockup of the new building layout. The brown colored area is the current building.



Second Floor

6.0 Operation Plan

All three primary managing members will meet weekly to remain in constant communication regarding all areas of marketing, advertising, event coordination and production of the company. Semi-monthly, there will be a meeting with a third party accountant that will contract for financial assistance and updates. The managing team may designate up to three capital investment individuals to sit in on the meetings to serve as advisors and two additional non-invested members of the board to serve as advisors. All final decisions will rest entirely on the three managing members.

6.1 Suppliers

The cost of raw materials dramatically decreases as quantities purchased increases. There are several suppliers that service the brewing industry. To get the best industry pricing, a pallet's worth of products must be ordered. Prices for products will be compared between suppliers. Although price is a driving force for profitability, quality of products will be the final determining factor in every purchase.

All products used in any beverage recipe must be available from a minimum number of suppliers. This will maintain a steady supply chain. All products must meet industry quality standards.

6.3 Quality Control

BRB will implement these quality control processes to ensure our customers always have consistent, quality beers at all times.

1. Define the problem.

Measure key aspects of the process and collect relevant data.

3. Analyze the data to investigate and verify cause-and-effect relationships, determine what the relationships are, and attempt to ensure that all factors have been considered. Then seek out root cause of the defect under investigation.

4. Improve and optimize the current process based on data analysis techniques.

5. Control the process to ensure that any deviations from the target are corrected before they result in defects.

6. We believe that business efficiencies also promote quality. The following practices will help to make our business cost effective and efficient.

- a. Minimize out of stock materials
- b. Improve product freshness and warehouse efficiencies
- c. Maximize warehouse space utilization
- d. Provide cash flow efficiencies
- e. Capitalize on peak sales weeks

The brewing quality control process starts with inspecting all incoming raw ingredients. This includes the malt, hops, yeast, water and any other ingredients used in the beer recipes. The chemistry of Seward water can vary throughout the year. To maintain consistency in our beer, we have opted to filter the water using the recommended filters by Alpha Brewing Systems. The filter deemed necessary will be determined after water analysis testing. The water will be tested periodically to ensure quality. Our building plan includes a laboratory space for beer sampling and testing purposes in order to ensure our products meet customer expectations and quality standards.

Next, proper storage of these raw ingredients is very important. The humidity levels, temperature, and exposure to sunlight are all factors to be considered

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for proper storage of the raw ingredients. By maintaining low humidity storage rooms free of insects and rodents, the life and freshness of these items will be extended. The yeast must be stored in refrigerators. Care must be taken to properly clean and sanitize all equipment and storage vessels to ensure yeast is not cross contaminated and to ensure that off-flavor bacteria and wild yeast do not infect the beer. All raw ingredients must be properly dated and labeled. The FIFO (First In – First Out) process will be employed to ensure the freshness of all ingredients.

Finally, all batches of beer will be sampled and graded for quality and consistency. If a batch of beer does not meet our quality standards, it will be analyzed for possible improvements. If steps cannot be made to allow the beer to meet our standards, it will be destroyed.

6.4 Inventory

Brewing software will be used to track raw material inventory. The software will deduct what ingredients are used and in what quantities. These numbers will be deducted from the amount maintained in inventory and a report will be generated when raw ingredients need to be ordered.

1.5

Business Plan_getting ready to launch!

7.0 Financials

The initial startup costs for a brewery that features a state of the art craft brewing and tracking system, along with a modern destination location and a quality product are quite significant.

We understand and respect the cost and the work that goes into a business of this nature. We plan to run the finances of the company as conservatively as possible without risking the quality of our products. Furthermore, we will balance the virtues of financial stability with the broadening of our experiences and growth of the company. Our goal is to develop BRB into a strong and thriving company that will benefit all investors, the community, the employees and the management team.

Our initial operating startup costs are broken down into the following basic categories, with knowledge that the building construction and modifications can fall under the TIF (which we intend to utilize to the fullest).

| Item | Pr | ojected Cost |
|--------------------------------------|----|--------------|
| Real Estate & Building (Acquisition) | \$ | 130,000.00 |
| Real Estate Construction | \$ | 1,300,000.00 |
| Brewing Equipment | \$ | 275,000.00 |
| Furnishings | \$ | 76,000.00 |
| Vehicles | \$ | 50,000.00 |

Startup Costs and Cost of Initial Operation

| Employee Expense | | \$ | 139,185.00 |
|---------------------------|--------------|-----|------------|
| Building Maintenance | | .\$ | 10,000.00 |
| Marketing | | \$ | 4,380.00 |
| Telephone/Utilities | | \$ | 13,167.00 |
| Equipment Repair/Updating | | \$ | 6,667.00 |
| Insurance | | \$ | 24,320.00 |
| Legal/Software/Accounting | | \$ | 34,600.00 |
| Licensing & Fees | ^o | \$ | 12,000.00 |
| Credit Card Fees | G | \$ | 34,921.00 |
| Total | | | |

\$ 300,000.00

Total

\$ 2,131,000.00

In addition we are actively pursuing tax, grants and economic development advantages.

We are in discussions with various local banks about handling the initial cost loans to balance cash flow.

We have been working with CPA Ryan Burger of Seward, Nebraska and Attorneys Tim Moll of Rembolt Ludtke and Greg Damman of Blevens & Damman Law on various aspects of our business development.

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7.1 Operational Costs

The state of mind and determination to set and work within a budget is crucial to a successful business. We will strive to keep all cost down while keeping revenues up. This balance of management requires experience and diligence that we possess and will build upon. The largest variable for BRB is the fact that grain and ingredient cost can shift with the markets and will affect our bottom lines. We have and will continue to search out experts within this area and try to utilize locally grown grains to reduce cost and make it well known that our beer is a Nebraska grown product.

7.2 Revenue

We have broken down the potential revenue stream for levels of barrels produced and sold per year. During the first 6-9 months of operation we will work to establish a positive working relationship with a key distributor. At this point we have only included revenue in the first year from beer produced and sold within BRB in this projection. Once distribution is added to the potential revenue stream, the production could easily exceed the 800bbl projection in year 1. Below is estimation based on minimum yearly production, initial estimates indicates that 800bbl of beer can be sold in Seward without distribution. Once a distribution contract is negotiated, production could double to triple per year. Our 10bbl system would have a maximum production capacity of just over 7,200 bbl per year. *Beer Gross Sales were based on production costs that were calculated to a value per ounce, taking into account all hard costs during production.

| Production | 800bbl | 1600bbl | 3200bbl | 4800bbl | 6400bbl |
|-----------------------------------------|---------------|-----------------|-------------------------------|------------------------------|------------------------------|
| Beer Gross Sales | \$ 640,003.65 | \$ 640,003.65 | \$ 640,003.65 | \$ 640,003.65 | \$ 640,003.65 |
| Distribution After 800bbl | | \$ 480,002.74 | \$ 1,440,008.21 | \$ 2,400,013.68 | \$ 3,360,019.15 |
| Events | \$ 31,950.00 | \$ 31,950.00 | \$ 31,950.00 | \$ 31,950.00 | \$ 31,950.00 |
| Merchandise | \$ 20,046.10 | \$ 23,053.02 | \$ 26,510.97 | . \$ 30,487.61 | \$ 35,060.75 |
| Gross Profit Fixed Loans Cost | \$ 691,999.75 | \$ 1,175,009.40 | \$ 2,138,472.82 | \$ 3,102,454.94 | \$ 4,067,033.55 |
| Building Loan w/o Potential TIF | \$ 123,746.16 | \$ 123,746.16 | \$ 123,746.16 | £ 400 74C 4C | ¢ 400 740 40 |
| Brewing Equipment Loan | \$ 54,384.00 | \$ 54,384.00 | \$ 123,740.10 \$ 54,384.00 | \$ 123,746.16 | \$ 123,746.16 |
| Business Equipment Furnishings Loan | \$ 22,404.00 | \$ 22,404.00 | \$ 22,404.00 | \$ 54,384.00 \$ 22,404.00 | \$ 54,384.00 \$ 22,404.00 |
| Auto Loan | \$ 10,781.16 | \$ 10,781.16 | \$ 10,781.16 | \$ 10,781.16 | \$ 10,781.16 |
| | \$ 211,315.32 | \$ 211,315.32 | \$ 211,315.32 | \$ 211,315.32 | \$ 211,315.32 |
| Variable Costs | • • | | | | |
| Yearly Employee Expenses | \$ 121,030.00 | \$ 142,963.60 | \$ 172,884.40 | \$ 216,587.80 | \$ 264,435.60 |
| St, Fed, SS and UnEmp Taxes | \$ 18,154.50 | \$ 21,444.54 | \$ 25,932.66 | \$ 32,488.17 | \$ 39,665.34 |
| Maintenance Building | \$ 10,000.00 | \$ 11,500.00 | \$ 13,225.00 | \$ 15,208.75 | \$ 17,490.06 |
| Marketing Expenses | \$ 4,380.00 | \$ 5,037.00 | \$ 5,792.55 | \$ 6,661.43 | \$ 7,660.65 |
| Telephone | \$ 5,976.00 | \$ 5,976.00 | \$ 5,976.00 | \$ 5,976.00 | \$ 5,976.00 |
| Utilities | \$ 7,200.00 | \$ 7,200.00 | \$7,200.00 | \$ 7,200.00 | \$ 7,200.00 |
| Equipment Updates/Fixes | \$ 6,667.00 | \$ 7,667.05 | \$ 8,817.11 | \$ 10,139.67 | \$ 11,660.62 |
| Insurance | \$ 24,320.14 | \$ 24,320.14 | \$ 24,320.14 | \$24,320.14 | \$ 24,320.14 |
| Legal, Software & Accounting (5% of GP) | \$ 34,599.99 | \$ 58,750.47 | \$ 106,923.64 | \$ 155,122.75 | \$ 203,351.68 |
| Licensing & Fees (Liquor & Auto) | \$ 12,000.00 | \$ 12,000.00 | \$ 12,000.00 | \$ 12,000.00 | \$ 12,000.00 |
| Unexpected Costs (5% of GP) | \$ 34,946.00 | \$ 58,750.47 | \$ 106,923.64 | \$ 155,122.75 | \$ 203,351.68 |
| Credit/Debit Card Processing Fees | \$ 20,759.99 | \$ 35,250.28 | \$ 64,154.18 | \$ 93,073.65 | \$ 122,011.01 |
| | \$ 300,033.62 | \$ 390,859.55 | \$ 554,149.32 | \$ 733,901.11 | \$ 919,122.78 |
| Net Profit | \$ 180,650.81 | \$ 572,834.53 | \$ 1,373,008.18 | \$ 2,157,238.51 | \$ 2,936,595.46 |

Brewing Company MAY 1 5 2015

7.3 Investment

NEBRASKA LIQUOR

Investing in a brewery is an exciting opportunity. One oppose reason is that if they are setup and run well, craft breweries are highly profitable. But potentiaSION investors need to be aware that since we will be producing alcohol, all officers, employees and investors will be required to meet certain TTB, Federal and State regulations. Some of these regulations require that background checks be conducted and stipulate that a felon cannot own stock in a brewery. As a result, investing in a craft brewery requires a bit more paperwork than other company investments.

Breweries are expensive to launch, but have provided cash influx to the small communities in which they operate. Craft breweries can function with a high profit line because of one simple fact, "Beer has been part of civilization since day one!" This was noted in the documentary by Discovery Channel "How Beer Saved the World" which lays out how beer has been a key part of every civilization and will continue to be a part of its future. In short, beer is here to stay. Craft beer is impacting beer sales across the United State, and we are jumping on the wave.

To effectively start and hit the local, state and national markets correctly, we are looking to raise \$2,500,000 in capital investment. We are offering an initial of 8,000 shares at \$250 value per share. Due to regulations, we are offering a maximum investment to each individual of no more that 20% at \$500,000.00 and would prefer to keep minimum investment to at least \$25,000.00.

Purchase of initial shares and company operations are described in documents Operation Agreement, Private Placement Memorandum and Subscription Agreement. Those will be made available to interested investors. Upon purchase of Offered Shares, a 10% deposit is required at time of signing and purchased in full within 30 days of signing.

Federal and State Regulations dictate that all Members will be subject to a Federal background check, any individual with a felony is not eligible to own interest in a Craft Brewery. All Members will be listed on the company Application for Liquor License Form 102 as required by Nebraska Liquor Control Commission. Any Member holding over 25% of units and their spouses will be required to sign Nebraska Liquor Control Commission application forms.

7.4 Investor ROI

Investing in a brewery is an exciting venture. The potential returns can be even more exciting with national industry growth at 18% annually.

Over the first 5 years we will be focused on growth and stability. During this time, the first year, 2015, we will not be distributing dividends but instead returning all net profits back into the company. Beginning with the completion of 2016, dividend will be administered. From 2016-2019, investors will receive a proportionate dividend of 35% of net profits, with 65% returning to the company for growth and stability. In this projection, **investors could see their investment doubled in 4-6 years**. For example, an investment of \$25,000 could see a dividend of \$7,125 in year 4 based on this model, which would represent a 28.5% return on investment for that year.

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TAX Bond

Executed In Triplicate

ALCOHOLIC LIQUOR TAX BOND

Effective Date: April 1st, 2015

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.ne.gov

MAY 1 5 2015

NEBRASKA LIQUOR

KNOW ALL MEN BY THESE PRESENTS:

| That we, Bottle Rocket Brewing LLC | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------|
| & WESTERN SURETY COMPANY of the | County of | Seward & Minnehaha |
| State of Nebraska as Principal, and State of | South Dakota | and duly licensed to transact the business |
| of surety insurance in the State of Nebraska, as S | urety, are held and fir | mly bound unto the State of Nebraska and |
| the City (Village) of <u>Seward</u> | in S | eward |
| County, Nebraska, and the Nebraska Liquor Contr | col Commission and ea | ch of them jointly or severally in the nonal |
| sum of Eight Thousand and 00/100 | | $\underline{\qquad} DOLLARS (\$ \underline{\$,000.00})$ |
| for the payment of which, we bind ourselves, our | heire executore adm | $\frac{1}{1} DOBLARS ($ \frac{8,000.00}{10})$ |
| severally and firmly by these presents. | neus, executors, aum | inistrators, successors and assigns, jointly, |
| service of and mining by these presents. | | |
| The condition of this obligation is such that, | | |
| | | |
| WHEREAS, the said Bottle Rocket Brewing LLC | | has made |
| application under the Nebraska Liquor Control Co | manipaion Ast for the | |
| approximit and the repraska inquor control co | minission Act for the i | ollowing license(s) check each that apply: |
| X Class L-Craft Brewery Class V- | | |
| | Manufacturer (beer, w | rine, spirits) 🗌 Class W-Wholesale Beer |
| Class X-Wholesale Liquor Class Y- | Farm Winery | Class Z-Micro Distillery |
| · · · · | • | <u> </u> |

NOW, THEREFORE, upon application for such license and continuing after the issuance of the same to the said principal above named, if the said principal hereinabove named shall faithfully perform all the terms and conditions of said license(s), and shall promptly account for and pay to the proper authorities all lawful taxes, fees, assessments that have accrued during the term of said license or licenses, and all fines, penalties and costs which shall become due from or shall be levied, charges or adjudged against said principal on account of defaults occurring during the entire effective period of this bond, under the provisions of said Act by said Commission, or any court or other lawful authority; and shall truly and faithfully comply as such licensee with all of the provisions of said Act of the Legislature and all future Nebraska Liquor Control laws which may be enacted during the term of such license or licenses, and shall truly and faithfully comply with all lawful rules and regulations of said Commission, and said City (Village) during the term of said license or licenses, then this obligation shall be null and void.

OTHERWISE, to be and remain in full force and effect;

This Bond shall run concurrently with the term of said license or licenses granted to the principal, and shall remain in full force and effect for any renewal thereof, provided, however, that the penalty of the Bond may not be cumulative from year to year, and the total aggregate liability of the surety shall not exceed $\frac{8,000.00}{100}$, regardless of the number of claims made under this Bond and the number of years this Bond remain in effect.

The surety may cancel this Bond by providing 60 days prior written notice of such cancellation to the Nebraska Liquor Control Commission, but the surety providing such notice shall not be discharged from any liability already accrued under this Bond or which shall accrue under this Bond before expiration of said 60 day period. Upon cancellation of this Bond, the surety shall be relieved of liability accruing after the effective date of cancellation, and the rights of the principal under such license, as is supported by said Bond, shall be cancelled and terminated on the date specified, unless the principal provides a sufficient replacement Bond.

> 1 REV 12/08

Executed In Triplicate

This Bond shall be effective during all proceedings involving the application for license under the Nebraska Liquor Control Act for Alcoholic Liquor and/or Beer license and upon issuance of said license this Bond shall continue until cancelled as set forth hereinabove.

TAX Bond

This Bond has been given Bond number <u>62347401</u>

| PRINCIPAL | SURETY COMPANY |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IN TESTIMONY, WHEREOF, said PRINCIPAL has hereunto subscribed his or their names or has caused this instrument to be signed by its duly authorized officer this date:APRILA.DA.DA.D. | IN TESTIMONY, WHEREOF, said SURETY has caused this instrument to be signed by its duly authorized office and its corporate seal to be hereunto affixed this date: |
| SIGNATURE Gerald Homp PRINT NAMEHERE | April, 2015 A.D. 2015 SIGNATURE for Attorney-in-Fact FOR Surety Company Paul T. Bruflat, Vice President PRINT NAME HERE |
| WITNESS SIGNATURE Kerwin Roth PRINT NAME HERE | WESTERN SURETY COMPANY SURETY COMPANY NAME P. O. Box 5077, Sioux Falls, SP 57147-56-77 SURETY COMPANY MAILING ADDRESS (605) 336-0850 |
| | SURETY COMPANY AREA CODE AND PROMER (402) 643-4591 INSURANCE PRODUCER'S AREA CODE AND PHONE AND PER |

NOTICE

Bond will not be accepted unless properly signed by applicant, whose signature shall be witnessed. It is also necessary that all Bonds be signed by an official or agent of the Bonding Company who holds and unexpired power-of-attorney from the Bonding Company and unexpired Nebraska liquor license as insurance producer for said company. An additional requirement is attachment of the seal of the Bonding Company and, if applicant is a corporation, their seal should also be attached.

RECEIVED

MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION

2 REV 12/08

Executed In Triplicate

Tax Bond Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

| Paul T. Bruflat | of | Sioux Falls |
|-------------------------------------------------------|---------------------------------|------------------------------------------------|
| State of South Dakota | _, its regularly elected | Wice President, |
| as Attorney-in-Fact, with full power and authority h | ereby conferred upon him to sic | n, execute, acknowledge and deliver for and on |
| its behalf as Surety and as its act and deed, the fol | lowing bond: | RECEIVED |

One Craft Brewery MAY 1 5 2015 bond with bond number 62347401 **NEBRASKA LIQUOR** for Bottle Rocket Brewing LLC as Principal in the penalty amount not to exceed: \$ 8,000.00 CONTROL COMMISSION

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President ___ with the corporate seal affixed this ____ 1st . dav of April 2015

ATTEST WESTERN SURETYCOMPANY nelson Βv Nelson, Assistant Secretary Paul T Bruflat, Vice President a and the first of the second s STATE OF SOUTH DAKOTA COUNTY OF MINNEHAHA On this <u>lst</u> _ day of _ April 2015 before me, a Notary Public, personally appeared Paul T. Bruflat L. Nelson and

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as $_$ Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

| S. PETRIK S. PETRIK SEAL NOTARY PUBLIC SOUTH DAKOTA + | S | Petrik |
|-------------------------------------------------------------------|---|---------------|
| My Commission Expires August 11, 2016 | 0 | Notary Public |
| Form F1975-1-2012 | • | ř. |

2015-BRE-00185-0

OMB No. 1513-0005 (07/31/2010)

| DEPARTMENT OF TH ALCOHOL AND TOBACCO TAX BREWER'S I | AND TRADE BUREAU (T | тв) | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Brewery's | Section | | |
| 1. This is notice serial number 1 | 2. The notice date is 02/03/2015 | RECE | IVED |
| 3. Our brewery's name is BOTTLE ROCKET BREWING, LLC | | MAY 15 | 2015 |
| 4. Our trade name is (See Attached) | | · · · · · · · · · · · · · · · · · | |
| | | NEBRASKA | A LIQUOR |
| 5. Our business address is 1210 EASTRIDGE DRIVE SEWARD | · , | CONTROL CO | DMMISSION |
| (Number and Street) (City) | (County) | (State) | (Zip Code) |
| 6. Our brewery location is | | | |
| 230 S 5TH ST, SEWARD (SEWARD), NE 68434-2520 | | | |
| (Number and Street) (City) | (County) | (State) | (Zip Code) |
| 7. Our main contact person is GERALD P HOMP | • • • • | TTB can reach me at 4 | 102-304-5673 |
| (Name) | | | (Phone Number) |
| 8 Our phone number at the browny is | Description 9. OL | Ir E-mail Address is | |
| - 402-304-50/3 | G | ERALD@BOTTLEROCK | TBREWING.COM |
| 10. Our brewery is a: (check one only) X Brewery/Microbrewe | ry Brewpub () complete it | ou must tems 18 and 19) | Pilot Brewing Plant |
| 11. We are a: (check one only) | | | ····· |
| Sole Proprietorship Partnership Corp | oration X Lir | nited Liability Company | Limited Partnership |
| Our employer identification number is: (for example: 12-3456789) Title to premises and equipment (list names and addresses of ow buildings of the brewery). (See Attached) | | or if any other mortgage or o | encumbrance on the land or |
| | only if different than 12:00 | am through 11:59 pm.) | |
| 14. We are filing this notice to:X give TTB our original notice that we intend to engage in the busing the second seco | iness of producing beer | | |
| amend our previously approved original notice (Registry No. add or delete (circle one) a trade or operating name (attac trade names(s) in Item 4 or on a separate sheet of paper. | h registration, if your stat | e requires, of new trade or | |
| show a change in brewery premises (attach description of make changes in officers, directors, members, stock, or in questionnaires for new personnel and any new person own discontinuance of business as of: (date) other | nterest distribution (attacl | | u must file personnel |
| 15.A. We are or are not members of a controlled group of breast of the second second | duce more than 60,000 bi | ut less than 2,000,000 bar | |
| 16. The Internal Revenue Code (IRC) provides that if you proc reduced rate of tax on your first 60,000 barrels. What is yo | luce not more than 2,00 our estimated production | 00,000 barrels per year, y on in barrels per year? (c | you are entitled to a here the second s |
| More than 2,000,000 barrels per year. We are not entitled to | the reduced rate. | | |
| More than 60,000 barrels per year, but not more than 2,00 barrels removed for consumption or sale. | 0,000 barrels per year. W | /e are entitled to the reduce | ed tax rate on our first 60,000 |
| X Not more than 60,000 barrels per year. We are entitled to th | ne reduced tax rate on all | beer removed for consump | tion or sale. |
| TTB F 5130.10 (11/2009) | | | |
| | 1 | | |

| Brewer | s Notice | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | |
| | Brewery Registi uthority For Corporate Officials | ny No.: BR-NE-21016 |
| 17. We held our board meeting with (check one) | unionly For Corporate Officials | |
| Directors Trustees Managers | Governors Date of Meeting | |
| We authorize the following corporate officials, employees, or incumbents dealing with the Alcohol and Tobacco Tax and Trade Bureau. (You must i | of the listed offices to execute all documents and impress your corporate seal. If you do not have og | to do all acts for us in g; two witnesses must sign.) |
| By the authority of our board, I certify that this authorization | | |
| Title: Title: | | RECEIVED |
| Title: Title: | Co | porate Seal: MAY 1 5 2015 |
| 7241 | | NEBRASKA LIQUOR |
| ••••• | | CONTROL COMMISSION |
| Witness: Witness: Witness: | f you are a brewpub, you must complete this | continu) |
| 18. We are a brewpub. Our entire business location is the brew | ery premises. We understand that by initialin | a these boxes, we |
| acknowledge that: | | 3 11000 20100, 110 |
| a. We must separate the brewery operations (non-public Access to the brewery operations must be restricted to | area) from the public area of the brewery pren o authorized visitors and employees only. | nises by an adequate partition. |
| b. The serving tanks as noted on our attached diagram | are our tax-determined beer tanks. These tar | nks have a working capacity of |
| | accurately calibrated with appropriate measu | - |
| c. We must transfer beer ready for consumption or sale fr approved measuring device. We will make prompt and | rom our fermenters into an empty tax-deternin accurate records of these transactions to det | nation tank for measurement by the remine tax due. |
| 19. We plan to sell retail liquors other than beer. | achment Section | |
| 20. You must make attachments to complete an original notice Check all the blocks here for your attachments for this notice business organization. For amended Brewer's Notices, som Articles of Incorporation/Organization (Corporations/LLCs) I Trade Name Registrations (if required by state) Certificate to Transact Business in a Foreign State (if applid Power of Attorney (TTB F 5000.8, or Corporate Resolution) I Diagram (or Plat/Plan) with dimensions of the brewery I Legal description of the Brewery X Supplemental Information on Water Quality Considerations (<i>TTB F 5000.30</i>) Other All statements and documents are part of this notice. Under pena to the best of my knowledge and belief they are true, correct, and 21. Signature of Authorized Person GERALD P HOMP Printed or Typed Name and Title GERALD P HOMP, PRE Mail this completed package with all attachments to: Director National Revenue Center 550 Main St. Ste 8002 | ce. For original Brewer's Notices, you must a ne forms are mandatory, while others may be Personnel QuestIonnaires (fc members/stockholders of ow By-Laws (Corporations/LLCs cable) X Partnership Agreement X Environmental Information (T Diagram for Brewpub as request X Statement Describing the Se Statement Describing the Se Statement Describing the Se Statement Leonglete. | attach all documents for your type of e optional. or all owners/officers/directors/partners/ er 10%)) TB F 5000.29) aired ecurity at the Brewery |
| 550 Main St, Ste 8002 Cincinnati, OH 45202-5215 | | |
| | tion - For TTB Use Only | |
| This Notice is: | Effective Date: 03/16/2015 | Approval Date: |
| X Approved Not Approved Director, National Revenue Center Mark | 03/16/2015 | 03/16/2015 Registry Number: |
| 0 - | | BR-NE-21016 TTB F 5130.10 (11/2009) |
| Ċ | 2 | |

PLADERS

General Instructions

RECEIVED

MAY 1 5 2015

File this form with TTB at this address: Director National Revenue Center 550 Main St. Ste 8002 Cincinnati, OH 45202-5215

1. Where do I send my application?

NEBRASKA LIQUOR CONTROL COMMISSION

2. When may I start Brewing? You may not operate your brewery until we approve your Brewer's Notice (including all attachments) and your Brewer's Bond.

3. When must I file a Brewer's Notice? You must file this form:

To start business at your brewery premises;

ğ To amend or supplement information you previously submitted or; in connection with a new bond.

4. Do I need to file any other documents with the Brewer's Notice? You must file the attachments this form requires. Also, we may require you to furnish any additional information we find necessary to protect revenue and insure collection of taxes.

5. What happens if I do not complete this notice? We will return your notice to you for correction if it is not completed in accordance with these instructions or does not include all of the required information and documents. If you do not complete the notice you may not produce or package beer.

6. What items do I need to complete on this notice? You must complete all items on this notice that apply to your business, regardless of the purpose for which you are filing.

7. How long must I keep my copy of this notice? At your brewery you must keep available for TTB inspection during your normal business hours: O Your most recently approved Brewer's Notice and

All attachments and documents that provide current and complete information of this form.

Specific Instructions

Item 1. What serial number do I use? Serially number each notice. Begin with No. 1 for the first notice and continue in sequence for each amendment or supplemental notice you file after you start business.

Item 2. What is the notice date? The date that you submit this notice for approval.

Item 3. What is my brewery's name?

| If you are | Then your name is |
|------------------------------------------------------|----------------------------------------------------------------------------|
| An individual | Your name, followed by "sole owner" and the name you use to operate |
| A partnership | The name of each partner followed by the name you use to operate |
| A limited partnership (LP) | The name of your LP |
| A corporation or limited liability corporation (LLC) | The corporation or LLC name and, if different, the name you use to operate |

Item 4. What if I use a trade name? You must list all trade names you use to do business or to package beer. Approval of a trade name does not necessarily constitute approval as a brand name for labeling purposes. Submit your requests for brand names to the Alcohol Labeling and Formulation Division on an Application for and Certificate/Exemption of Label/Bottle Approval, TTB F 5100.31. If your State requires you to register your trade name, you must submit a copy of the State trade name registration.

Item 5. What is our business address? Your business address may be different than the actual location of the brewery. Your business address is where you receive mail deliveries and you conduct office activity. You must include the county of this address.

Item 6. What is our brewery location? Your brewery location is where you actually brew your beer.

Item 7. Who may be a contact person? Your contact person must be someone who has authority to speak or write to any of our officers regarding any aspect of your brewing operations. You must file with us a signing authority or power of attorney for this person.

Item 15. What information must I provide if I am a member of a controlled brewery group?

1. A controlled brewery group is a group of breweries that share common ownership or controlled interest. Controlled groups of breweries include groups where:

(a) One brewery owns controlling interest in the other brewery or

(b) there is a common ownership in the controlling interest in each brewery.

2. If you are a member of a controlled group of breweries and you intend to transfer beer between breweries without payment of tax, you must: (a) give the name and principal business address of each of the other breweries; and

(b) state whether condition 1.(a) or condition 1.(b) applies, If condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.

3. If you are a member of a controlled group of breweries and the total production of all the breweries in the controlled group is less than 2,000,000 barrels of beer per year, you may be eligible to pay tax at the reduced rate. You must:

(a) give the name and principal business address of each of the other breweries;

(b) provide a list to allocate the reduced tax for 60,000 barrels between the members of the controlled group; and

(c) state whether condition 1.(a) or condition 1.(b) applies. If condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.

TTB F 5130.10 (11/2009)

Brewers Notice

- Item 17. Who may sign for my corporation? You may indicate signature authority in two ways.
 - By corporate office: In item 17 you may list the corporate offices or employees whose incumbents may sign for your corporation. Check the box that indicates how your board authorized these officers to sign. Include the date of the meeting. List the offices by title. Attach your corporate seal. These authorities remain with the office when you change personnel in that office.
 - O By name: You may authorize specific individuals to sign by executing a power of attorney (use TTB F 5000.8) or a signing authority for corporate officials (use TTB F 5100.1). You may limit these authorities to specific actions. For instance, you may grant a signing authority limited to monthly reports.
- Item 18. When must I initial the brewpub information? If you are a brewpub, then you must initial each box and provide tank capacity to demonstrate that you understand special considerations for operating tavems on brewery premises. These operations are more prever EIVED known as brewpubs.

Item 20. What are the attachments for my type of business? Follow these instructions. You must attach the organizational information and AY 1 5 2015 documents we require for your type of business.

| If you are | Then you must file NERDASKA LIQUOR | |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Sole proprietor | Then you must file NEBRASKA LIQUOR O A list with the name and address of each person who holds an interest in the brewery Crown Role COMMISSION appears in the name of the interested party or in the name of another for that party. | |
| Partnership | A copy of (1) articles of partnership of association, if any; or (2) the certificate of partnership or association if required to be filed by any State, county, or municipality. A list with the name and address of each person who holds an interest in the brewery, whether the interest appears in the name of the interested party or in the name of another for that party. | |
| Corporation | A copy of the corporation charter or of the certificate of corporate existence or incorporation. A list with the name, address, and title of each officer and director. Copies of extracts or digests of minutes of meetings of the board of directors authorizing certain individuals to sign for the corporation. A statement showing the number of shares of stock (or other evidence of ownership) authorized and outstanding and the voting rights of the respective owners. A list with the names and addresses of all persons having a voting interest of 10 percent or more in the corporation whether the interest appears in the name of the interested party or in the name of another person. For each person listed, show the amount of the stockholding or other interest. | |

a. May I refer to information that I filed for another operation? If you have already filed information with us, you may incorporate that information by reference if that information is complete and accurate. You may, instead of resubmitting that information, provide a statement that:

- identifies the other premises by operating name, type (brewery, winery, etc.), and location (city and State); and
 specifies which organizational information and documents are being incorporated. You must attach all organizational information and documents you do not incorporate by reference.
- b. What must I keep available for TTB inspection? You must keep available for our inspection the originals of the corporate documents we require under item 20 of this notice and certain other corporate documents (articles of incorporation, bylaws, State certificates authorizing the brewer to operate in the State where located). Each brewer's notice filed by multi-plant brewers must state, as part of the response to item 20, the location where we may inspect these original corporate documents.

Item 21. Who is the "authorized person" who must sign this notice? These are the persons authorized to sign this notice:

| If you are a | The notice must be |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Sole proprietor | Osigned by the sole owner or Oan empowered attorney-in-fact. |
| Partnership | Osigned by all partners, or Oa partner authorized to sign on behalf of all of the partners, or Oan empowered attorney-in-fact |
| Corporation | Oexecuted in the corporate name, followed by the signature and title of a person authorized to act for the corporation |

TTB F 5130.10 (11/2009)

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. We use this information collection to determine your identity as a brewer, the location and extent of your brewery premises, and whether your brewery operations conform with Federal laws and regulations. The information we request is required for you to obtain or retain a benefit and is mandatory by law (26 U.S.C. 5401(a)).

We estimate the average burden associated with this collection of information is 3 hours per respondent or recordkeeper, depending on your individual circumstances. Address your comments concerning the accuracy of this burden estimate and suggestions to reduce this burden to: Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, Washington, DC 20220.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current, valid OMB control number.

Privacy Act Information

We provide this information to comply with Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

- 1. What is TTB's authority to ask for this information? We require this information under the authority of 26 U.S.C. 5401(a). You must disclose this information to obtain authority to conduct brewing operations.
- 2. What is the purpose for this information collection? You provide this information to give TTB notice of your intention to establish a brewery, so that we may identify you as a brewer, and to identify your brewery location and processes.
- 3. How does TTB routinely use this information? We use this information to make determinations for the purposes described in paragraph 2. Also, we may disclose the information to other Federal, State, foreign, and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. We may disclose the information to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, we may disclose the information to members of the public in order to verify information on the form where such disclosure is not prohibited by law.
- 4. What is the effect of my not supplying the information TTB requests? If you fail to supply complete information then we will delay processing and may disapprove or deny your application.

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MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION

TTB F 5130.10 (11/2009)



Brewers Notice

ATTACHMENT TO BREWER'S NOTICE

Item 4: Our Trade Name is:

Yes

Item 12: Title to premises and equipment (list names and addresses of owner of land or buildings, or if any other mortgage or encumbrance on the land or buildings of the brewery).

Does the applicant own the land or building comprising the brewery?

No X

If yes, please provide us with the name and address of any mortgagee, or other person who has a claim on the land or buildings comprising the brewery. If there is no mortgagee, or other claim on the land or buildings, please enter "Not Applicable"

| Not Applicable | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|--|--|
| If no, please provide us with the name/address of the owner of the land or buildings comprising the brewery, and of any mortgagee, or other claim on the land or buildings comprising the brewery | | | |
| Gerald Homp 1210 Eastridge seward, ne 68434 | \$ * | | |
| Farmers & Merchants Bank 347 C St | RECEIVED | | |
| Palmyra, NE 68418 | MAY 1 5 2015 | | |
| Does the applicant own the equipment that will be used in the operation? Yes X | NEBRASKA LIQUOR CONTROL COMMISSION | | |
| If no, please provide name and address of the equipment owner | | | |

Item 15B: If you produce more than 60,000 but less than 2,000,000 barrels you would qualify for the reduce rate on the first 60,000 barrels. Give the allotted barrels for each location at the reduced rate.

MEMBERS OF CONTROLLED GROUP

Item 17: We authorize the following corporate officials, employees, or incumbents of the listed offices to execute all documents and to do all acts for us in dealing with the Alcohol and Tobacco Tax and Trade Bureau. (You must impress your corporate seal. If you do not have one, two witnesses must sign.)

| Authority Granted by | Name |
|-------------------------------------------------------------------|-------------------------------------------|
| First Name | Gerald |
| Last Name | Нотр |
| Source of Authority | Signing Authority for Corporate Officials |
| Туре | Unimited |
| Effective Date | 09/15/2014 |
| Is this person authorized to prepare or review label submissions? | Yes |
| Is this person authorized to submit labels for approval? | Yes |
| Is this person authorized to submit formulas for approval? | Yes |

0

| Brew | ers Notice |
|------------------------------------------------------------------------------------------|-------------------------------------------|
| Does this person already have a COLAs Online and/or Formulas Online account with TTB? | Yes |
| Phone Number | 402-304-5673 |
| Street | 1210 Eastridge Drive |
| City | Seward |
| State | NE |
| Zip | 68434 |
| Email Address | ghomp7@gmail.com |
| Authority Granted by | Name |
| First Name | Ryan |
| Last Name | Koch |
| Source of Authority | Signing Authority for Corporate Officials |
| Туре | Unimited |
| Effective Date | 09/15/2014 RECEIVED |
| Is this person authorized to prepare or review label submissions? | Yes MAY 1 5 2015 |
| Is this person authorized to submit labels for approval? | Yes CONTROL COMMISSION |
| Is this person authorized to submit formulas for approval? | Yes |
| Does this person already have a COLAs Online and/or Formulas Online account with TTB? | Yes |
| Phone Number | 402-304-5673 |
| Street | 1210 Eastridge drive |
| City | Seward |
| State | NE |
| Zip | 68434 |
| Email Address | ghomp7@gmail.com |
| Authority Granted by | Name |
| First Name | Jason |
| | |

7

Brewers Notice

| Last Name | Berry |
|------------------------------------------------------------------------------------------|-------------------------------------------|
| Source of Authority | Signing Authority for Corporate Officials |
| Туре | Unimited |
| Effective Date | 09/15/2014 |
| Is this person authorized to prepare or review label submissions? | Yes |
| Is this person authorized to submit labels for approval? | Yes RECEIVED |
| Is this person authorized to submit formulas for approval? | Yes |
| Does this person already have a COLAs Online and/or Formulas Online account with TTB? | Yes NEBRASKA LIQUOR |
| Phone Number | 402-304-5673 CONTROL COMMISSION |
| Street | 1210 Eastridge Drive |
| City | Seward |
| State | NE |
| Zp | 68434 |
| Email Address | ghomp7@gmail.com |

ADDITIONAL BREWERY/BREWPUB PREMISES INFORMATION

Describe each tract of land comprising the brewery, and a listing of each brewery building by its designated letter or number, giving the approximate ground dimensions and the purpose for which ordinarily used

230 S 5th St Seward, NE 68434, in the county of Seward is one brick building 120ft by 42ft, on lot number 42 section 21 pid:800074327, will be used as a Microbrewery. From a point in the South Margin of 5th Street, 500 feet west of US-34W, 350 feet east of Interstate 74.

Describe the layout of the brewery premises, including the location of the equipment, tanks, bottling lines, doors, windows, loading docks, empty keg storage, and packaged goods storage areas, including dimensions. This description will assist TTB in interpreting the Diagram submitted with the application

Entering the premises through the deadbolt locked door to the south is the 4 fermenter vessels, in an area 12" X 12", to the east is the main cooler room, in an area 18" X 18", continuing on to the south is the grain hopper, mill works area in a space that is 24" X 36", to the west is a 1 bbl electric brewing system, grain goods storage shelving area that is 30" X 26". We have 2 windows which remain closed and locked at all times, no bottling lines planned at this time, no loading dock, no packaged goods storage.

The basement will contain all Brewery Operations, the ground floor will house the Tap and Tasting room. Kegs will be brought up from the basement cold storage when needed. The main entrance is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall and a emergency exit is located on the east wall be closed off to the public. We will use this space for storage of empty growlers, empty kegs, bar and tap room supplies. This space has a deadbolt locked door at the top of the stair well and will be closed to the public. There is a free escape door on the east wall between the two original grain

Brewers Notice

hoppens that cannot be removed.

If a brewpub, you must identify the portion of the brewery which will be operated as a tavem by providing the boundaries of the tavem. You must identify areas of the brewery which are accessible to the public and areas which are not. Describe security measures to be used to segregate public areas from non-public areas. Describe in detail the method to be used for measuring beer for the purpose of tax determination. Identify the tanks which will periodically contain tax-determined beer, and any other areas where tax-determined beer will be stored

Provide description of the brewery security. Brewery building must be arranged and constructed to give adequate protection to the revenue. Describe locks, access to the brewery and how un-taxpaid goods will be protected during and after business hours

To protect the revenue our brewery will reside within a 1948 Grain Mill building in downtown Seward, NE. The building has three exterior doors. Main entrance and emergency exit on the ground floor and fire escape door on second floor. All doors will have locks.

Access to the Brewery, both public and production spaces is only through the doors shown on the diagram. Tax Determined product storage will be in the basement which can only be accessed from within the building and a locked door. Production occurs in the Brewery basement which is only accessible from within the building. During working hours, access to the production or product storage areas is easily monitored at all times by staff from any point on the premises. Building access will be through lockable exterior doors.

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MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION

RECEIVED

MAY 1 5 2015

Applicant

Lease with Option to Purchase NEBRASKA LIQUOR CONTROL COMMISSION

This Lease with Option to Purchase (this "Lease") is made effective as of January 15 ("Effective Date"), by and between Gerald and Michelle Homp ("Landlord"), and Bottle Rocket Brewing LLC ("Tenant"). The parties agree as follows:

PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant Two story Commercial Historical Building (the "Premises") located at 230 S 5th St. premise seward, Nebraska 68434. expiration date

TERM. The lease term will begin on January 15, 2015 and will terminate on January 15, 2055. If the Purchaser fails to exercise the option by such time and date, the option will automatically terminate and the Seller will be entitled to retain the non refundable consideration stated below.

LEASE PAYMENTS. Tenant shall pay to Landlord monthly installments of \$1.00 per month, payable in advance on the first (1st) day of each month, for a total lease payment of \$487.00. Lease payments shall be made to Landlord at 1210 Eastridge Dr, seward, Nebraska 68434, which location may be changed, in writing by Landlord, with a minimum of seven (7) days advanced notice to Tenant.

POSSESSION. Tenant shall be entitled to possession on the first (1st) day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this Lease. unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects and peaceably yield up the Premises to Landlord in as good condition as when delivered to Tenant, ordinary wear and tear excepted.

USE OF PREMISES/ABSENCES. Tenant shall occupy and use the Premises as a Microbrewery. Tenant shall notify Landlord of any anticipated extended absence from the Premises not later than the first (1st) day of the extended absence.

PROPERTY INSURANCE. Landlord and Tenant shall each be responsible to maintain appropriate insurance for their respective interests in the Premises and property located on the Premises.

DAMAGE CAUSED BY TENANT. If any damage to the property shall be caused by their act or neglect, the Tenant shall forthwith repair such damage at their own expense, including damage to screens and windows where same is not covered by Landlord's insurance.

MAINTENANCE, Landlord shall have the responsibility to maintain the Premises in good repair at all times and perform all repairs necessary to satisfy any implied warranty of habitability. Tenant must notify Landlord within twenty-four (24) hours of any condition requiring maintenance.

UTILITIES AND SERVICES. Tenant shall be responsible for all utilities and services in connection with the Premises for the term of this Lease.

TAXES. Tenant shall pay all real estate taxes.

MAY 1.5 2015 DESTRUCTION OR CONDEMNATION OF PREMISES. If the Premises are damaged or destroyed by fire or other casualty to the extent that enjoyment of the Microbrew BASKA LIQUOR substantially impaired, Landlord, in its sole discretion may elect to repair the Detries or COMMISSION terminate the Lease upon thirty (30) days' written notice to Tenant. If the Premises are condemned or cannot be repaired, this Lease will terminate upon twenty (20) days' written notice by either party.

HABITABILITY. Tenant, or an authorized agent on Tenant's behalf, has inspected the Premises and fixtures and acknowledges that the Premises are in a reasonable and acceptable condition of habitability for their intended use, and the agreed lease payments are fair and reasonable. If the condition changes so that, in Tenant's opinion, the habitability and rental value of the Premises are adversely affected, Tenant shall promptly provide reasonable notice to Landlord.

DEFAULTS. Tenant shall be in default of this Lease if Tenant fails to fulfill any lease obligation or term by which Tenant is bound. Subject to any governing provision of law to the contrary, if Tenant fails to cure any financial obligation within 5 days (or any other obligation within 10 days) after written notice of such default is provided by Landlord to Tenant, Landlord may elect to cure such default and the cost of such action shall be added to Tenant's financial obligations under this Lease.

HOLDOVER. If Tenant maintains possession of the Premises for any period after the termination of this Lease ("Holdover Period"), Tenant shall pay to Landlord lease payment(s) during the Holdover Period at a rate equal to 150% of the most recent rate preceding the Holdover Period. Such holdover shall constitute a month-to-month extension of this Lease.

CUMULATIVE RIGHTS. The rights of the parties under this Lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

NON-SUFFICIENT FUNDS. Tenant shall be charged the maximum amount allowable under applicable law for each check that is returned to Landlord for lack of sufficient funds.

REMODELING OR STRUCTURAL IMPROVEMENTS. Tenant shall have the obligation to conduct any construction or remodeling, at Tenant's expense, that may be required to use the Premises as specified above. Tenant may also construct such fixtures on the Premises, at Tenant's expense, that appropriately facilitate its use for such purposes. Such construction shall be undertaken and such fixtures may be erected only with the prior written consent of Landlord, which shall not be unreasonably withheld. At the end of the lease term, Tenant shall be entitled to remove, or at the request of Landlord, shall remove such fixtures, and shall restore the Premises to substantially the same condition of the Premises at the commencement of this Lease.

ACCESS BY LANDLORD TO PREMISES. Subject to Tenant's consent, which shall not be unreasonably withheld, Landlord shall have the right to enter the Premises to make inspections, provide necessary services, or show the unit to prospective buyers, mortgagees, tenants or workers. However, Landlord does not assume any liability for the care or supervision of the Premises. As provided by law, in the case of an emergency, Landlord may enter the Premises without Tenant's consent.



Seward

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DANGEROUS MATERIALS. Tenant shall not keep or have on the Premises any article or thing of a dangerous, flammable, or explosive character that might substantially increase the danger of fire on the Premises, or that might be considered hazardous by a responsible insurance company, unless the prior written consent of Landlord is obtained and proof of adequate insurance protection is provided by Tenant to Landlord.

MECHANICS LIENS. Neither Tenant nor anyone claiming through the Tenant shall have the right to file mechanics liens or any other kind of lien on the Premises and the filing of this Lease constitutes notice that such liens are invalid. Further, Tenant agrees to (1) give actual advance notice to any contractors, subcontractors or suppliers of goods, labor, or services that such liens will not be valid, and (2) take whatever additional steps that are necessary in order to keep the premises free of all liens resulting from construction done by or for the Tenant.

SUBORDINATION OF LEASE. This Lease is subordinate to any mortgage that now exists, or may be given later by Landlord, with respect to the Premises.

OPTION TO PURCHASE. Tenant, upon satisfactory performance of this Lease, shall have the option to purchase the real property described herein for a purchase price of \$130,000.00, provided that the Tenant timely executes the option to purchase and is not in default of the Lease Agreement. Thereafter, each of the parties shall promptly execute any and all further instructions or other documents including a Sale Agreement which may be reasonably required for purchase of the real property. The Landlord shall credit towards the purchase price at closing the sum of \$1.00 from each monthly lease payment that the Tenant timely made.

TITLE. Landlord agrees to deliver, and Tenant agrees to accept, title to the Premises subject only to (a) assessments levied against the Premises, (b) any covenants, conditions, restrictions, easements, right, rights-of-way of record, and (c) such other exceptions as Landlord and Tenant approve in writing. Landlord shall deliver to Tenant a preliminary title report within thirty (30) days after Tenant's exercise of the option.

NOTICE REQUIRED TO EXERCISE OPTION. To exercise the Option to Purchase, the Tenant must deliver to the Landlord, a written notice of Tenants intent to purchase, not less than One (1) days prior to the expiration of the Lease Term. In addition, the written notice must specify a valid closing date. The closing date must occur before the original expiration date of the Lease Agreement.

OPTION CONSIDERATION. Nonrefundable option consideration in the amount of \$0.00 paid by the Tenant as consideration for this Option to Purchase Agreement, shall be credited to the purchase price at closing if the Tenant timely exercises the option to purchase. If the Tenant doesn't exercise the option to purchase, the Tenant shall forfeit the nonrefundable option consideration.

EXCLUSIVITY OF OPTION. This Option to Purchase Agreement is exclusive and nonassignable and exists solely for the benefit of the named parties above. Should Tenant attempt to assign, convey, delegate, or transfer this option to purchase without the Landlords express written permission, any such attempt shall be deemed null and void.



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CLOSING AND SETTLEMENT. Tenant agrees that closing costs in their entirety, including any points, fees, and other charges required by the third-party lender, shall be the sole responsibility of Tenant.

FINANCING DISCLAIMER. THE PARTIES ACKNOWLEDGE THAT IT IS IMPOSSIBLE TO PREDICT THE AVAILABILITY OF OBTAINING FINANCING TOWARDS THE PURCHASE OF THIS PROPERTY. OBTAINING FINANCING SHALL NOT BE HELD AS A CONDITION OF PERFORMANCE OF THIS OPTION TO PURCHASE AGREEMENT. THE PARTIES FURTHER AGREE THAT THIS OPTION TO PURCHASE AGREEMENT IS NOT ENTERED INTO IN RELIANCE UPON ANY REPRESENTATION OR WARRANTY MADE BY EITHER PARTY.

REMEDIES UPON DEFAULT. If Tenant defaults under this Option to Purchase Agreement or the Lease Agreement, then in addition to any other remedies available to Landlord at law or in equity, Landlord may terminate this Option to Purchase by giving written notice of the termination. If terminated, the Tenant shall lose entitlement to any refund of rent or option consideration. For this Option to Purchase Agreement to be enforceable and effective, the Tenant must comply with all terms and conditions of the Lease Agreement

ACKNOWLEDGMENTS. The parties are executing this Option to Purchase Agreement voluntarily and without any duress or undue influence. The parties have carefully read this Option to Purchase Agreement and have asked any questions needed to understand its terms, consequences, and binding effect and fully understand them and have been given an executed copy.

ASSIGNABILITY/SUBLETTING. Tenant may not assign or sublease any interest in the Premises, nor assign, mortgage or pledge this Lease, without the prior written consent of Landlord, which shall not be unreasonably withheld.

NOTICE. Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed to the party at the appropriate address set forth below. Such addresses may be changed from time to time by either party by providing notice as set forth below. Notices mailed in accordance with these provisions shall be deemed received on the third day after posting.

LANDLORD:

Gerald and Michelle Homp 1210 Eastridge Dr Seward, Nebraska 68434

TENANT:

Bottle Rocket Brewing LLC

GOVERNING LAW. This Lease shall be construed in accordance with the laws of the State of Nebraska.

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ENTIRE AGREEMENT/AMENDMENT. This Lease contains the entire agreement of the parties and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by both parties.

SEVERABILITY. If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

WAIVER. The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.

BINDING EFFECT. The provisions of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.

LANDLORD:

5/14/15 Michelle Homp 5-14-15

Gerald and Michelle Homp

TENANT:

Bottle Rocket Brewin

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MAY 1 5 2015

NEBRASKA LIQUOR CONTROL COMMISSION










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 17, 2015

Liquor license application

Gerald Homp Jason Berry Ryan Koch

Bottle Rocket Brewing 230 South 5th Seward, NE

There were no pertinent negative local contacts

Recommendation is to issue license

Chief Alan D. Baldwin

Chief Alan D. Baldwin

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G4

CEREMONY FOR RESIGNED COUNCILMEMBER CHARLES LIESKE - Mayor Eickmeier

Staff Contact:

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G5

CONFIRMATION OF MAYOR'S APPOINTMENT OF JONATHON R. WILKEN TO FILL COUNCIL VACANCY IN WARD 4- Mayor Eickmeier

Oath of Office for Newly Appointed Councilmember - Jonathan R. Wilken - Ward 4

Administrative Report: Councilmember Charles Lieske provided notice of his resignation from the City Council, as representative of Ward 4, effective July 7, 2015.

Following review and discussion, a motion to approve the Mayor's appointment would be in order.

Staff Contact:

Jonathon R. Wilken 1679 Ridge Run (PO Box 5) Seward, NE 68434

Mrs. Bonnie Otte City of Seward 537 Main Street Seward, NE 68434

June 24, 2015

Dear Bonnie,

I am writing to express my interest in the vacancy on the City Council on behalf of Ward 4. As a native to the area with many family ties in the community, I feel that I would be a good choice.

My education consists of the following; I'm a 1999 graduate of Seward High and 2001 graduate of Southeast Community College- Milford, where I received my AAS in Architectural Engineering. For the past 13 years, I have been employed at Laminated Wood Systems, Inc. as an Engineering Technician. I also have served as a mentor in the Teammates program for the past 6 years.

It would be a great honor to serve the city that has done so much for me. I feel this would be an opportune time for me to give back and ensure that Seward continues to do the same for the individuals of the city. I consider myself to be a very understanding person with good organizational and interpersonal skills. I think with those qualities, I can reach out to the people of the Ward and city and be their voice.

Thank you for your consideration,

Jon Wilken

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G6

CONSIDERATION OF SPECIAL DESIGNATED LIQUOR PERMIT FOR PRESTIGE INVESTMENTS, LLC dba THE QUONSET - Tyson Hegeholz

Administrative Report: This is the first Special Designated Liquor License request for this nonresident license holder. Per Ordinance, SDL requests from license holder's who have not previously been given approval for an SDL by the City, must come before the Council for review and consideration.

After review and discussion, a motion to approve the SDL would be in order.

Staff Contact:

| | LICATION FOR SPECIAL IGNATED LICENSE |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| NEBRA 301 CE PO BO LINCO PHONI FAX: (4 | ASKA LIQUOR CONTROL COMMISSION NTENNIAL MALL SOUTH X 95046 LN, NE 68509-5046 3: (402) 471-2571 402) 471-2814 e: www.lcc.ne.gov/ |
| RET | AIL LICENSE HOLDERS \bigotimes DO YOU NEED POSTERS? YES \bigotimes NO \bigcirc |
| NON | PROFIT APPLICANTS O Non Profit Status (check one that best applies) |
| Muni | icipal O Political O Fine Arts O Fraternal O Religious O Charitable O Public Service O |
| CON | IPLETE ALL QUESTIONS |
| 1. | Type of alcohol to be served and/or consumed: Beer Wine Distilled Spirits |
| 2. | Liquor license number and class (i.e. C-55441) (If you're a nonprofit organization leave blank) |
| 3. | Licensee name (last, first,), corporate name or limited liability company (LLC) name (As it reads on your liquor license) |
| | NAME: PRESTIGE INVESTMENTS LLC |
| | ADDRESS: 2530 N ROAD |
| | CITY Dwight NE ZIP 68635 |
| 4. | Location where event will be held; name, address, city, county, zip code |
| | BUILDING NAME Harvest Hall Secured Co. Fairgrounds |
| | ADDRESS: 1625 Fairgrounds Circle CITY Second |
| | ZIP 68434 COUNTY and COUNTY # Seward 16 |
| | a. Is this location within the city/village limits? YES |
| | b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans and/or wives? |

•

c. Is this location within 300' of any university or college campus?

YES

5. Date(s) and Time(s) of event (no more than six (6) <u>consecutive</u> days on one application)

| Hours Hours Hours Hours Hours Prom From From From From From 2.P.M To To To To To a. Alternate date: $MONL$ | | | | | | . , |
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| Mours Hours Hours <t< th=""><th>Date</th><th></th><th>Date</th><th>Date</th><th>Date</th><th>Date</th></t<> | Date | | Date | Date | Date | Date |
| 3.7.M 3.7.M a. Alternate date: | Hours | Hours | | | | |
| a. Alternate date: | om §5PM | From | From | From | From | From |
| b. Alternate location: <u>Nove</u> (Alternate date or location must be specified in local approval) Indicate type of activity to be carried on during event: Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other <u>Wedding</u> Description of area to be licensed <u>2 koves 70 × 120</u> (not square feet or acres) *Outdoor area dimensions of area to be covered INFEET <u>59 x 100</u> (not square feet or acres) *Outdoor area, how will premises be enclosed? *SKETCH OF OUTDOOR AREA (or attach copy of sketch) | 2 PM | То | То | То | То | То |
| b. Alternate location: <u>Nove</u> (Alternate date or location must be specified in local approval) Indicate type of activity to be carried on during event: Dance Reception Fund Raiser Beer Garden Sampling/Tasting Other <u>Wedding</u> Description of area to be licensed <u>2 koves 70 × 120</u> (not square feet or acres) *Outdoor area dimensions of area to be covered INFEET <u>59 x 100</u> (not square feet or acres) *Outdoor area, how will premises be enclosed? *SKETCH OF OUTDOOR AREA (or attach copy of sketch) | <u> </u> | Alternate date: | NIDIAR | nya ang ang bandar sa | <u> </u> | — |
| (Alternate date or location must be specified in local approval) Indicate type of activity to be carried on during event: $\[\] Dance \[\] Reception \] Fund Raiser \] Beer Garden \] Sampling/Tasting \[\] Other _ \underbrace{Uedd/Ag} \] Description of area to be licensed \] Description of area to be covered IN FEET _ S \] Note that the second of the second of$ | | | 4. | | ••• ••• • • • • • • • • • • • • • • • | |
| Indicate type of activity to be carried on during event: $\[\] Dance \[\] Reception \] Fund Raiser \] Beer Garden \] Sampling/Tasting \[\] Other \] Weddi/Ag \] Description of area to be licensed \] Lew 5 70 K 120 \] Inside building, dimensions of area to be covered IN FEET S9 x 100 (not square feet or acres) *Outdoor area dimensions of area to be covered IN FEET x *SKETCH OF OUTDOOR AREA (or attach copy of sketch) If outdoor area, how will premises be enclosed? [N FEET x *SKETCH OF OUTDOOR AREA (or attach copy of sketch) If outdoor area, how will premises be enclosed? [Other] other] for the square feet or acres in the set of $ | b. | | | be specified in loc | al approval) | <u></u> |
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| Description of area to be licensed $2 \text{ kcms}^{100} \text{ m}$ Inside building, dimensions of area to be covered $\underline{IN FEET}_{\text{(not square feet or acres)}} \times 2^{100}_{\text{(not square feet or acres)}} $ | \bigotimes o | ther Weddin | 9 | | _ | |
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| *Outdoor area dimensions of area to be covered IN FEET | | - | | - | | 100 |
| *SKETCH OF OUTDOOR AREA (or attach copy of sketch) If outdoor area, how will premises be enclosed? OFence; snow fence chain link cattle panel other OTent How many attendees do you expect at event? <u>300</u> If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed) TO's will be checked and whist bads provided minutes will be marked Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO | | | | • | - | acres) |
| If outdoor area, how will premises be enclosed? \bigcirc Fence; snow fence $_$ chain link $_$ cattle panel $_$ other $_$ \bigcirc Tent How many attendees do you expect at event? $\underline{300}$ If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed) $\underline{10^2s}$ $\underline{w_11}$ be checked and $\underline{w_1st}$ bands provided $\underline{m_1w_1s}$ $\underline{w_11}$ be marked 0. Will premises to be covered by license comply with all Nebraska sanitation laws? YES \boxed NO \boxed | | | | | | |
| If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed) <u>ID'S</u> <u>will be checked and wrist bads provided</u> <u>minurs</u> <u>will be marked</u> Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO | OF | Fence; snow fence | | - | other | |
| obtaining alcohol beverages. (Attach separate sheet if needed) <u>TD's</u> <u>will be checked and wrist bads provided</u> <u>minors</u> <u>will be marked</u> Will premises to be covered by license comply with all Nebraska sanitation laws? YES NO | How | many attendees do | you expect at ever | nt? <u>300</u> | | |
| | obtai エロ | ining alcohol bevera | ges. (Attach separ e <u>Checked</u> | ate sheet if needed | l) | - 1 |
| a. Are there separate toilets for both men and women? YES NO |). Will | premises to be cover | red by license con | ply with all Nebra | aska sanitation law | s? YES NO |
| | a. | Are there separate | e toilets for both n | ien and women? Y | res Xno | |
| | | | | | | |

| 11. | Retailer: Will you be purchasing your alcohol from a wholesaler? YES X NO . |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Wholesaler O Retailer O Both BYOO |
| 12. | Will there be any games of chance operating during the event? YES NO |
| | If so, describe activity |
| | NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application. |
| 13. | Any other information or requests for exemptions: |
| 14. | Name and telephone number/cell phone number of immediate supervisor . This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. PLEASE PRINT LEGIBLY |
| | Print name of Event Supervisor Lindsey Sparits |
| | Signature of Event Supervisor |
| | Phone of Event Supervisor: Before 402 - 646 - 5993 During 402 - 646 - 5993 |
| | Consent of Authorized Representative/Applicant |
| 15. | I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control |

Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

| sign here _ | Authorized Representative/Applicant | <u>Co/owner</u> Title | <u>7-2-15</u> Date |
|----------------|-------------------------------------|--------------------------|-----------------------|
| _7 | Tson J Hegeholz | | Date |
| • | Print Name | | |

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

FORM 108 REV 5/12 Page 4 of 5

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G7

DECLARATION OF APPRECIATION FOR JACK VAVRA SERVING AS INTERIM CITY ADMINISTRATOR - Mayor Eickmeier

Staff Contact:

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G8

CONSIDERATION OF AN ORDINANCE APPROVING THE FINAL PLAT FOR CNG FIRST ADDITION (Second Reading) -John Hughes

Administrative Report: This Ordinance was heard on first reading on 6-16-2015. A motion to suspend the rules and pass the ordinance on first reading failed.

Staff Contact:



CNG Runoff

In regards to the drainage runoff on the CNG properties, you will find an enclosed drawing of the site, that makes reference to the amounts of runoff in both the predevelopment stage as it was when the middle school was located there, and the bottom drawing indicates the runoff in a post development condition. Each drawing is broken into two locations, following the direction of flow to the storm sewer pick up points. You will note that there is a 36 inch diameter pipe on the west side along 4th Street, that will carry water off the site and into the storm system in that area, and a 24 inch diameter pipe on the east side of the property along 3rd Street that will pick up the water and move it to the storm system.

The design capacity of the 36 inch pipe will flow 117.62 cubic feet of water per second under a fully loaded condition, and was running at 3.11 percent capacity during a 10 year storm event under the conditions present when the school was in existence. The design capacity of the 24 inch pipe will flow 58.16 cubic feet of water per second under a fully loaded condition, and was running at 3.11 percent capacity during a 10 year storm event under the conditions present when the school was in existence.

In the drawing that depicts the site under post development stage you will note that the increase of the 36 inch pipe equates out to 10.24 which adds up to a combined cubic feet per second to 20.70. This leaves the pipe capacity under a loaded condition of a ten year storm event well under 25 percent. The 24 inch pipe will see an increase of .81 cubic feet per second with a combined rate of 7.98. Again this addition

Therefore, it would appear

that the runoff is within the parameters of being dispersed into the system without creating any adverse conditions to the neighborhood.





Return to: City of Seward 537 Main Street Seward, NE 68434

ORDINANCE NO. 2015-

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "CNG 1ST ADDITION A RE-PLAT OF LOT 4, CNG ADDITION TO THE CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH, LOCATED EAST OF 4^{TH} STREET, SOUTH OF CNG ADDITION, NORTH OF ASH STREET, WEST OF 3^{RD} STREET; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; 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. <u>Plat and Dedication Approved</u>. The Plat and dedication of the following described real estate is hereby approved:

LEGAL DESCRIPTION:

LOT 4, CNG ADDITION, SEWARD, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST, OF THE 6th P.M., SEWARD, SEWARD COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOW;

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, CNG ADDITION; THENCE WESTERLY ON SOUTH LINE OF SAID LOT 4, N 89°59'01"W 254.06', TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 4, N 00°30'47"W 470.33', TO THE SOUTHWEST CORNER OF LOT 3, CNG ADDITION; THENCE EASTERLY ON THE SOUTH LINE OF SAID LOT 3, N 89°27'49"E 127.28'; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 3, N 00°28'59"W 27.87'; THENCE EASTERLY ON SAID EAST LINE, N 89°27'49"E 5.05'; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 3, N 00°28'59"W 149.93', TO THE SOUTHWEST CORNER OF LOT 2, CNG ADDITION; THENCE EASTERLY ON THE SOUTH LINE OF SAID LOT 2, N 89°27'49"E 121.99', TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 4, S 00°37'18"E 33.09'; THENCE CONTINUING SOUTHERLY ON SAID EAST LINE, S 00°28'26"E 617.48', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 3.25 ACRES, MORE OR LESS.

Section 2. <u>Plat Designated</u>. The plat of said real estate is hereby designated as "CNG 1^{st} Addition, a Re-plat of Lot 4, CNG Addition, City of Seward, Seward County, Nebraska."

Section 3. Filing and Recording of Plat. An accurate plat of said real estate as platted and dedicated as heretofore set forth, certified to by an Engineer or Surveyor, together with a certified copy of this Ordinance shall be filed in the office of the Seward County Clerk, Seward, Nebraska. Section 4. Pamphlet form; publication; when operative. This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication as provided by law and City Ordinance.

Passed and approved this day of July, 2015.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

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

(SEAL)

City of Seward, NE Tuesday, July 7, 2015 Regular Session

Item G9

CONSIDERATION OF A PLAN FOR STORM WATER RUNOFF AND SANITARY SEWER IMPROVEMENTS FOR ST. JOHN'S NEW DAYCARE CENTER TO BE LOCATED AT HILLCREST DR AND COLUMBIA AVE - John Hughes

Consideration of financial participation in the relocation of sanitary sewer line and improvements

Consideration of financial participation in the relocation storm sewer and consideration of constructing a new storm sewer line

Administrative Report: St. John's Church is constructing a new Child Development Center on the property to the north of St. John Church/School located at the intersection of Columbia Ave. and Hillcrest Drive.

They are proposing relocating a current storm drain and a sanitary sewer line that cuts across the property and have reviewed the storm drainage system in this area and are proposing a new line be constructed.

They are requesting the City consider participating in the financial aspects of relocating and constructing the infrastructure.

St. John's Church first presented the request at the June 2, 2015 City Council meeting. Council directed staff to provide recommendations on financial participation in the project.

At the 6/16/15 meeting, Council tabled the request until additional information was obtained on the condition of the waste lines. This information will be presented at the meeting.

Following the presentation and discussion, Council to determine appropriate action.

Staff Contact:



The Ministries of St. John Lutheran

Church

919 N Columbia AVE Seward, NE 68434 402-643-2983

School

877 N Columbia AVE Seward, NE 68434 402-643-4535

Child Development Center

20 Main ST Seward, NE 68434 402-643-3122

The Lutheran Church— Missouri Synod

Proclaiming and Practicing the Love of Christ

June 26, 2015

Seward City Council

Dear Members of the Seward City Council:

Greetings to you in the name of our Savior, Jesus Christ! I am writing to you in regards to the development and construction of the new Child Development Center (CDC) that is being constructed at the corner of Hillcrest and Columbia Avenues.

Our CDC is in the "business" of providing best educational practices in a safe, faith-based and nurturing environment for effective learning of children ages 18 months through sixth grade. We have offered this service in the Seward community since the fall of 1992, when we opened the center in the basement of Schuelke Hall, a dormitory on the campus of Concordia University. Seeing the need for this type of early childhood education and childcare in our community, the congregation of St. John moved and expanded the CDC ministry into our current facility that is located at the corner of Columbia Avenue and Hwy. 34. By moving into that location, we were able to expand our service to 68 children at a time. This was a blessing for us in 1997.

Since that time, the CDC has become accredited by:

- National Association of Educating the Young Child—the only early childhood center in Seward County that has this accreditation.
- National Lutheran School Accreditation
- State of Nebraska—Nature Explore Outdoor Classroom.

At the same time, the need for such type of early childhood education and childcare that the CDC provides has been requested by more and more residents of Seward. And, as Seward has experienced growth with more families moving into our community, the need for more childcare has been recognized. This need has been recognized by Seward County Economic Development. With this increasing need for the care that the CDC provides, we have been moved to expand the ministry that we provide to the families of the community. To do this, the construction of a new facility has begun. With the opening of the new facility, we will be able to serve 140+ children at one time instead of the current 68.

Why would we do this? Why would we spend \$3,225,000 to build a new center? It certainly isn't so that we can see more profit for our "business." You see, St. John's CDC is one of three not-for-profit centers in the community. We serve alongside:

- Bright Beginnings Child Development Center operated by Seward United Methodist Church
- St. Vincent Catholic School—Their center is contained within their school.

The CDC is operated by St. John Lutheran Church as a service to the community, providing quality, Christ-centered early childhood education and childcare for those who need it and desire such a service in this type of setting. As we provide this service, clients pay fees for the service and the remaining cost for operating is provide by congregational support.

So, why are we building a new and expanded center? Because St. John congregation desires to serve those who call Seward their home. At the current time, less than 12% of the families that use our service at the CDC are from our congregation. 78% of our families are from the community. They have come to live here, to work here, to raise their families here and we are wanting to walk along side them as they raise their children. Therefore, not only are we not-for-profit, we are also in existence to serve others and not ourselves.

It is with these facts in mind, that we approach you with the request to consider the options that have been presented to the council by our Building Committee and Engineers. As we work to provide this much needed service to the community, which only makes Seward more attractive in drawing more residents and employers to our community, we would like for you to consider the following as a "win-win" situation for the city and for St. John CDC:

Since there is a storm-water drainage issue in the area that the CDC is being built, St. John congregation offers the city the 2 1/2 lots that we own on the east side of Columbia Avenue, just north of the intersection of Columbia and Hillcrest Avenues. These are being offered to the city as a site to build a storm-retention pond to help the city with the issues of storm runoff in this area. According to engineer designs, such a storm-retention pond could hold up to 16,000 cubic feet of water in a storm. This would slow down some of the runoff in this area and help the city with the issue at the bottom of the hill on Hillcrest Avenue, just west of Columbia Avenue. In exchange for these 2 1/2 lots for the storm-retention pond, St. John Lutheran Church is asking for the city to share in the cost of the relocation of the 8 inch sanitary sewer line that needed to be moved to accommodate our new center.

At first glance, this may seem like a unique, interesting or maybe even hard-to-understand offer; however, with the work that we are doing on this site, the offer of space for the city to put in a storm-retention pond to help with yet another drainage issue that the city is facing, I believe that this is an offer that is worth your consideration and acceptance. And, if you have further questions about this offer, I would direct you to speak with our general contractor, Hampton Construction, and our engineering firm, Rega Engineering Group, Inc.

Whether this offer is accepted or not, St. John will continue its service to the city of Seward and the Seward community. We will continue to serve the growing number of families with quality, accredited, not-for-profit childcare. We will continue to be there in times of crisis, providing counseling and support to those in need. We will continue to offer our facilities to the community at no cost for baseball games, basketball tournaments, public school sports and activity banquets and 4th of July events. And, we will continue to be actively involved, helping to make the city of Seward and the surrounding area a place where people would desire to live, work and raise their families.

Thank you for your consideration of our neighbor-friendly proposal,

Aunt

Pastor Scott D. Bruick Pastor Leader

POST DEVELOPMENT DRAINAGE STUDY REPORT

ST. JOHN'S CDC SEWARD, NEBRASKA July 2, 2015 REGA PROJECT 121180

PREPARED FOR:

City of Seward Seward, NE

PREPARED BY:

REGA ENGINEERING GROUP, INC. LINCOLN, NEBRASKA



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| PURPOSE: | 2 |
| PROJECT LOCATION & DESCRIPITION: | |
| STUDY PROCEDURE: | |
| Hydrology | |
| Hydraulic Analysis | |
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ATTACHMENTS

APPENDIX A: Hydrographs

WATERSHED MODEL SCHEMATIC

HYDROGRAPH SUMMARY REPORTS

APPENDIX B: Storm Sewer Plans and Details

DRAINAGE SUMMARY ST. JOHN'S CDC SEWARD, NE

PURPOSE:

The primary objective of this study was to create a formal report solidifying the calculations used for design of the detention cell and mitigation of the Child Development Center (CDC) site and church parking lot.

PROJECT LOCATION & DESCRIPITION:

St. John's Lutheran church is located at the intersection of Hillcrest Drive and N. Columbia Ave. in Seward, Nebraska. In preparation for the future child development center, a detention basin has been designed as part of the parking lot paving project west of the existing church. The location of the proposed child development center is located north of the church as shown **Figure 1: Pre-development conditions for St. John's CDC**. The current gravel parking lot is bordered by the existing church on the east, Hillcrest Drive on the north, and residential housing on the south and west. Post development parking lot plans can be found in Appendix B.



Figure 1: Pre-development conditions for St. John's CDC

STUDY PROCEDURE:

<u>Hydrology</u>

A hydrologic analysis was performed using Hydrographs by Hydraflow to determine the impacts of the proposed drainage on post-construction conditions. The SCS Method was used to model storm events and estimate hydrologic conditions for this study. This method relates runoff rates to precipitation depths, land use and topography. The peak runoff rate is determined by an empirical equation that relates the quantity of runoff from a given area to a total rainfall falling at a uniform rate on the same area.

Inputs required for the SCS method include:

- Drainage area (acres)
- Curve number
- Time of concentration
- Storm distribution

SCS curve numbers, used for predicting peak runoff, are based on the various land uses and soil types as determined by the National Cooperative Soil Survey published by the United States Department of Agriculture Natural Resources Conservation Service. In the case of multiple land uses, a weighted average is calculated. Curve numbers for this project ranged from 74 for good conditioned grass with slow to moderate infiltration rates to 98 for hard surfaces (concrete/roof). The sub basin area, land use, hydrologic soil group, curve number and time of concentration for each sub-basin were calculated

Time of concentration was calculated using the TR-55 method, which takes into account the average basin slope and hydraulic length for each subarea. The hydraulic length is the distance required from the most remote point in the drainage area to the catchment point.

A type II rainfall distribution, which has a storm duration of 24 hours, was used to model the 2-10-100 year storm events. Due to the close proximity of the project to Lincoln, the design rainfall intensity rates were estimated from Technical Paper No. 40 by the Weather Bureau, as shown in **Table 1: City of Lincoln, NE 24-hour design rainfall**.

| Frequency | 24-hr Rainfall (in.) |
|-----------|----------------------|
| 2-year | 3.00 |
| 10-year | 4.69 |
| 100-year | 6.68 |

Table 1: City of Lincoln, NE 24-hour design rainfall

Pre-development drainage areas were determined for both the proposed CDC Site and the proposed parking lot. Three pre-development drainage areas were found on the both CDC site and west of the existing church. The increase in runoff for post-development conditions was calculated and modeled based on the proposed CDC site layout plan. A detention cell was designed southwest of the proposed parking lot to capture and slowly release the difference in pre and post development flows on the CDC Site.

Hydraulic Analysis

A hydraulic analysis was performed to estimate the flow capacity of the proposed culverts within the study area and pond storage capacities for the 2, 10, and 100 year storm events. Hydragraphs by Hydraflow software was used to perform this analysis. Manning's equation was utilized which relates the flow capacity to pipe size, roughness and slope. By using this technique, one can model and evaluate a detention pond used to attenuate peak runoff rates exceeding the capacity of the outlet structure. Outputs of the model include the total storage volume and upstream high water elevation. The 2,10, and 100 year water elevations and storm water release rates from the pipes for each sub-basin are shown below in **Table 2: Storm Water Runoff Volumes** and **Table 3: High Water Elevations**.

| | Table 2: Storm Wat | er runoff Volumes | |
|------------------------------------|--------------------|--------------------|----------------|
| | Peak | Runoff Rates (Cubi | c Feet) |
| Sub-Basin | 2-Year Storm | 10-Year Storm | 100-Year Storm |
| Pre-development CDC Site | 4,129 | 9,637 | 17,116 |
| Post-development CDC | 7,796 | 14,473 | 22,653 |
| Pre-Post CDC Site | 3,667 | 4,836 | 5,537 |
| Difference | | | |
| Pre-development Parking Lot | 5,496 | 10,054 | 15,609 |
| Post-development Parking Lot | 8,008 | 12,883 | 18,632 |
| Pre-Post Parking Lot Difference | 2,512 | 2,829 | 3,023 |
| Combined Pre-Post Different | 6,179 | 7,665 | 8,560 |
| Detention Basin Volume | 9,063 | 9,063 | 9,063 |
| Extra Capacity | 2,884 | 1,398 | 503 |

Table 3: Pond Elevation Heights

| Post-development Sub-Basin Number | 2-Year Water Elevation (ft. above sea level) | 10-Year Water Elevation (ft. above sea level) | 100-Year Water Elevation (ft. above sea level) | Top of Pond (ft. above sea level) |
|--------------------------------------|-------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|-----------------------------------------|
| 1 | 1481.18 | 1481.84 | 1482.31 | 1483.00 |

FINDINGS:

The primary objective of this study was to create a detention basin to mitigate the additional runoff of the proposed child development center to at or below the pre-development levels for the 2, 10 and 100-year storm events. Results in Table 2 show the volume of the detention basin has additional capacity than the pre-post development difference. It should be noted that with the slight reduction in the building footprint that resulted in the additional capacity shown in Table 2.

APPENDIX A

HYDROGRAPHS

Watershed Model Schematic

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4



Seward

Hydrograph Return Period Recap Hydrafiow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

| Hyd. | Hydrograph | Inflow | | | | Hydrograph | | | | | |
|------|------------------|-----------|-----------|-------|---------|------------|-------|-------|-------|--------|-------------------------------------|
| lo. | type (origin) | hyd(s) | 1-yr | 2-yr | 3-yr | 5-yr | 10-yr | 25-yr | 50-yr | 100-yr | Description |
| 1 | SCS Runoff | | | 1.401 | | 2.424 | 3.326 | 4.183 | 5.001 | 5.900 | Pre-Development Area 1 |
| 2 | SCS Runoff | | | 0.061 | | 0.105 | 0.143 | 0.179 | 0.214 | 0.252 | Pre-Development Area 2 |
| 3 | SCS Runoff | | | 0.369 | | 0.631 | 0.860 | 1.077 | 1.286 | 1.515 | Pre-Development Area 3 |
| 4 | SCS Runoff | | | 3.816 | | 5.503 | 6.886 | 8.121 | 9.262 | 10.49 | Post-Development Area 1 (North Side |
| 5 | SCS Runoff | | | 3.408 | | 5.300 | 6.899 | 8.349 | 9.700 | 11.16 | Pre-Development Area 4 |
| 6 | SCS Runoff | | | 1.143 | | 1.613 | 1.996 | 2.337 | 2.652 | 2.990 | Pre-Development Area 5 |
| 7 | SCS Runoff | | | 0.955 | | 1.266 | 1.518 | 1.743 | 1.951 | 2.176 | Pre-Development Area 6 |
| 8 | SCS Runoff | | | 2.676 | | 3.816 | 4.749 | 5.580 | 6.347 | 7.171 | Parking Lot Area Pre-Development (|
| 9 | SCS Runoff | | | 3.436 | | 4.526 | 5.414 | 6.208 | 6.942 | 7.734 | Parking Lot Area Post-Development |
| 10 | Combine | 1, 2, 3, | | 1.789 | | 3.135 | 4.325 | 5.435 | 6.488 | 7.644 | Combined North Pre-Development A |
| 11 | Reservoir | 9 | | 0.523 | | 0.595 | 0.823 | 1.241 | 2.073 | 3.066 | <no description=""></no> |
| | | | | | | | | | | | |
| Dro | j. file: 12118 | 0 Pro Pos | t Storm [| | 1 04 13 | GDW | | | | |)7 / 2 / 2015 |

Hydrograph Summary Report Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

| Hyd. No. | Hydrograph type | Peak flow | Time | Time to | | | | | |
|----------------------------------------------------------------|--------------------|--------------|-------------------|---------------|--------------------------|------------------|------------------------------|-------------------------------|-------------------------------------|
| | (origin) | (cfs) | interval (min) | Peak (min) | Hyd. volume (cuft) | Inflow hyd(s) | Maximum elevation (ft) | Total strge used (cuft) | Hydrograph Description |
| 1 | SCS Runoff | 1.401 | 2 | 720 | 3,264 | | | | Pre-Development Area 1 |
| 2 | SCS Runoff | 0.061 | 2 | 718 | 124 | | | | Pre-Development Area 2 |
| 3 | SCS Runoff | 0.369 | 2 | 718 | 742 | | | | Pre-Development Area 3 |
| 4 | SCS Runoff | 3.816 | 2 | 716 | 7,796 | | | | Post-Development Area 1 (North Side |
| 5 | SCS Runoff | 3.408 | 2 | 720 | 7,809 | | | | Pre-Development Area 4 |
| 6 | SCS Runoff | 1.143 | 2 | 716 | 2,363 | | | | Pre-Development Area 5 |
| 7 | SCS Runoff | 0.955 | 2 | 716 | 2,171 | | | | Pre-Development Area 6 |
| 8 | SCS Runoff | 2.676 | 2 | 716 | 5,496 | | | | Parking Lot Area Pre-Development (|
| 9 | SCS Runoff | 3.436 | 2 | 716 | 8,008 | | | | Parking Lot Area Post-Development (|
| 10 | Combine | 1.789 | 2 | 718 | 4,129 | 1, 2, 3, | | | Combined North Pre-Development Ar |
| 11 | Reservoir | 0.523 | 2 | 726 | 8,003 | 9 | 1481.18 | 2,827 | <no description=""></no> |
| | | | | | | | | | |
| 121180 Pre-Post Storm Runoff 01_04_13.gpwReturn Period: 2 Year | | | | | | | | | 07 / 2 / 2015 |

Hydrograph Summary Report Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

| No. | Hydrograph type (origin) SCS Runoff | Peak flow (cfs) | Time interval (min) | Time to Peak | Hyd. | Inflow | Maximum | Total | Hydrograph |
|-----|----------------------------------------------|-----------------------|---------------------------|-----------------|------------------|-------------|-------------------|----------------------|-------------------------------------|
| 2 | SCS Runoff | | | (min) | volume (cuft) | hyd(s) | elevation (ft) | strge used (cuft) | Description |
| | | 3.326 | 2 | 720 | 7,617 | | | | Pre-Development Area 1 |
| 3 | SCS Runoff | 0.143 | 2 | 718 | 289 | | | | Pre-Development Area 2 |
| | SCS Runoff | 0.860 | 2 | 718 | 1,731 | | | | Pre-Development Area 3 |
| 4 | SCS Runoff | 6.886 | 2 | 716 | 14,473 | | | | Post-Development Area 1 (North Side |
| 5 | SCS Runoff | 6.899 | 2 | 718 | 15,875 | | | | Pre-Development Area 4 |
| 6 | SCS Runoff | 1.996 | 2 | 716 | 4,262 | | | | Pre-Development Area 5 |
| 7 | SCS Runoff | 1.518 | 2 | 716 | 3,543 | | | | Pre-Development Area 6 |
| 8 | SCS Runoff | 4.749 | 2 | 716 | 10,054 | | | | Parking Lot Area Pre-Development (|
| 9 | SCS Runoff | 5.414 | 2 | 716 | 12,883 | | | | Parking Lot Area Post-Development (|
| 10 | Combine | 4.325 | 2 | 718 | 9,637 | 1, 2, 3, | | | Combined North Pre-Development Ar |
| 11 | Reservoir | 0.823 | 2 | 726 | 12,879 | 9 | 1481.84 | 4,718 | <no description=""></no> |
| | | | | | | | | | |
| 121 | 180 Pre-Post | Storm R | unoff 01 | _04_13.gp | wReturn P | eriod: 10 Y | ear | Thursday, 0 | 07 / 2 / 2015 |

Hydrograph Summary Report Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

| Hydratiow Hydrographs Exten | | | | | | | | | sion for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 | | | |
|-----------------------------|--------------------------------|-----------------------|---------------------------|--------------------------|--------------------------|------------------|------------------------------|-------------------------------|----------------------------------------------------------|--|--|--|
| Hyd. No. | Hydrograph type (origin) | Peak flow (cfs) | Time interval (min) | Time to Peak (min) | Hyd. volume (cuft) | Inflow hyd(s) | Maximum elevation (ft) | Total strge used (cuft) | Hydrograph Description | | | |
| 1 | SCS Runoff | 5.900 | 2 | 718 | 13,528 | | | | Pre-Development Area 1 | | | |
| 2 | SCS Runoff | 0.252 | 2 | 716 | 512 | | | | Pre-Development Area 2 | | | |
| 3 | SCS Runoff | 1.515 | 2 | 716 | 3,075 | | | | Pre-Development Area 3 | | | |
| 4 | SCS Runoff | 10.49 | 2 | 716 | 22,653 | | | | Post-Development Area 1 (North Side | | | |
| 5 | SCS Runoff | 11.16 | 2 | 718 | 26,145 | | | | Pre-Development Area 4 | | | |
| 6 | SCS Runoff | 2.990 | 2 | 716 | 6,563 | | | | Pre-Development Area 5 | | | |
| 7 | SCS Runoff | 2.176 | 2 | 716 | 5,164 | | | | Pre-Development Area 6 | | | |
| 8 | SCS Runoff | 7.171 | 2 | 716 | 15,609 | | | | Parking Lot Area Pre-Development (| | | |
| 9 | SCS Runoff | 7.734 | 2 | 716 | 18,632 | | | | Parking Lot Area Post-Development (| | | |
| 10 | Combine | 7.644 | 2 | 718 | 17,116 | 1, 2, 3, | | | Combined North Pre-Development Ar | | | |
| 11 | Reservoir | 3.066 | 2 | 722 | 18,628 | 9 | 1482.31 | 6,356 | <no description=""></no> | | | |
| | | | | | | | | | | | | |
| 121 | 180 Pre-Post | Storm R | unoff 01 ₋ | _04_13.g | pwReturn F | Period: 100 | Year | Thursday, (| 07 / 2 / 2015 | | | |

APPENDIX B

PLANS AND DETAILS



| 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | |
|----|----|----|----|----|---------------------------|----------|-----------------|-----|--|
| | | | | | | \wedge | | | |
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| / | | | | | SCALE 1" =20 ' | | | | |
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| | | | | | | | | | |

LEGEND

| | – PROPERTY LINE (ASSUMED) |
|------------------|------------------------------|
| 1288 | - EXISTING CONTOURS |
| ——1293 —— | - PROPOSED CONTOURS |
| TC XXXX.XX | - TOP OF CURB SPOT ELEVATION |
| GUT XXXX.XX | – CURB GUTTER ELEVATION |
| <u>P XXXX.XX</u> | - PAVEMENT SPOT ELEVATION |
| <u> </u> | – SPOT GROUND ELEVATION |
| — | - DIRECTION OF FLOW |



BENCHMARK #1, MAINTENANCE BUILDING, SOUTH EAST GARAGE DOOR, F.F.E.=1485.85 BENCHMARK #2, N. RIM SANITARY SEWER MANHOLE RIM=1487.68

| DATE: | BY: |
|----------|------|
| 04/29/13 | REGA |
| | |
| | |
| | |
| - | |

23

24






Item G10

CONSIDERATION OF AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY TO THE STATE OF NEBRASKA IN ORDER FOR THE NEBRASKA ARMY NATIONAL GUARD TO COMPLETE THE RECONSTRUCTION OF THE STATE OF NEBRASKA ARMORY SITE INTO THE NEBRASKA NATIONAL GUARD MUSUEM - City Atty Kelly Hoffschneider

Administrative Report: Following review and discussion, approval the ordinance would be in order.

ORDINANCE NO. 2015-__ CITY OF SEWARD, NEBRASKA

AN ORDINANCE TO DIRECT THE CONVEYANCE OF REAL PROPERTY TO THE STATE OF NEBRASKA IN ORDER FOR THE NEBRASKA ARMY NATIONAL GUARD TO COMPLETE THE RECONSTRUCTION OF THE STATE OF NEBRASKA ARMORY SITE INTO THE NEBRASKA NATIONAL GUARD MUSUEM; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

SECTION 1. The City of Seward, Nebraska ("City") owns that certain real property commonly known as 10th Street and Jackson Avenue and legally described as:

A tract of land being that part of the park as original platted in Harris, Moffitt and Roberts Addition to the City of Seward, lying east of the easterly right-of-way line of 10th Street, located in the NE1/4 of Section 20, Township 11 North, Range 3 East of the 6th P.M., Seward County, Nebraska, more particularly described as follows:

Beginning at the Intersection of said easterly right-of-way of 10th Street and the southerly right-of-way line of Jackson Avenue North, said Point beginning 80 feet south of the southwest corner of Block 66, said Harris, Moffitt and Roberts Addition to the City of Seward; thence N87°33'43"E (assumed bearing) along said southerly right-of-way line of Jackson Avenue north, a distance of 98.00 feet; thence S02°28'29"E, a distance of 144.00 feet; thence S87°33'43"W, a distance of 35.00; thence N02°28'29"W, a distance of 35.00 feet; thence S87°33'43"W, a distance of 63.00 feet to a point on a said easterly right-of-way of 10th Street; thence N02°28'29"W along said easterly right-of-way of 10th Street; a distance of 105.00 feet to the point of beginning.

Said tract of land contains an area of 11,515 square feet or 0.264 acres more or less.

SECTION 2. The City currently owns and maintains the Property, which is adjacent to the Nebraska Army National Guard armory site, which is currently being reconstructed into the Nebraska National Guard Museum.

SECTION 3. The Nebraska National Guard has requested the City's conveyance of the Property in order for it to be able to obtain federal funding for completion of the last phase of construction of the Nebraska National Guard Museum. State ownership is required in order for the Nebraska National Guard to be able to invest facility funds for construction and maintenance of the Property.

SECTION 4. Neb. Rev. Stat. § 16-201, which governs the operation of Cities of the First Class, authorizes the City to convey the Property to the State of Nebraska without further auction, bidding or proceedings.

SECTION 5. Seward Municipal Code § 8-102 authorizes the City to convey the Property to the State of Nebraska without further proceedings.

SECTION 6. The City desires to convey the Property to the State of Nebraska so that the City and its residents may benefit from the use of the Nebraska National Guard Museum and so that the City may obtain the relieved burden of maintenance and liability of the Property.

SECTION 7. The City hereby approves the conveyance and transfer of the Property to the State of Nebraska in accordance with the authority under Nebraska law and the Seward Municipal Code.

SECTION 8. The Mayor of the City is hereby authorized to execute a Warranty Deed and to take all actions necessary to effectuate the transfer of the Property to the State of Nebraska.

SECTION 9. 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 ____ day of July, 2015

CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte Administrator Assistant/ Clerk-Treasurer

(SEAL)



Item G11

CONSIDERATION OF AN ORDINANCE AUTHORIZING THE SALE OF LOT 3, REYNOLDS ADDITION TO CAROL KNISLEY - City Atty Hoffschneider

Administrative Report: This is one of the six residential lots for sale by the cemetery. Following review and discussion, approval of the ordinance would be in order.

ORDINANCE NO. 2015-__ CITY OF SEWARD, NEBRASKA

AN ORDINANCE TO DIRECT THE CONVEYANCE OF REAL PROPERTY TO CAROL KNISLEY; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

SECTION 1. The City of Seward, Nebraska ("City") owns that certain real property legally described as:

Lot 3, Reynolds Addition, City of SEWARD, Seward County, Nebraska (the "Property").

SECTION 2. The City currently owns and maintains the Property, which is adjacent to the City Cemetery.

SECTION 3. The City desires to convey the Property to Carol Knisley.

SECTION 4. The City hereby approves the conveyance and transfer of the Property to Carol Knisley in accordance with Nebraska law and the Seward Municipal Code.

SECTION 5. The Mayor of the City is hereby authorized to execute a Purchase Agreement and warranty deed and to take all actions necessary to effectuate the transfer of the Property to Carol Knisley.

SECTION 6. 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 ____ day of July, 2015

CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte Administrator Assistant/ Clerk-Treasurer

(SEAL)

Item G12

CONSIDERATION FOR APPROVAL OF BID SPECIFICATIONS AND AUTHORIZATION TO BID LEASE OR PURCHASE OF BUCKET TRUCK FOR ELECTRIC DEPT -Larry Ruether

Administrative Report: If approved, this vehicle will not be ready for delivery and payment until in the 2015-2016 budget year. The vehicle is included in the current budget year; however, it would need to be carried over into the next budget year.

CITY OF SEWARD Electric Utility Department PO Box 38, 537 Main Street Seward, NE. 68434

Item Quantity

Description

YES – NO Comply

UNIT

Three stage telescopic, aerial device with an insulating inner boom and the ISO-Grip system or equal too, an upper control system incorporating high resistance components at the boom tip. Personnel Unit only. Aerial for installation behind the chassis cab, built in accordance to standard specifications and to include the following features:

- A. Ground to Bottom of Platform Height: 50 feet
- B. <u>Working Height</u> 55 feet (16.8 m)
- C. <u>Maximum Reach to Edge of Platform</u>: 41.3 feet at 11 foot platform height (12.6 m at 3.4 m)
- B. <u>Pedestal and Turntable</u>: Box structure design with large service openings.
- C. <u>Rotation</u>: continuous rotation provided by worm gear drive, equipped with extended shaft for manual rotation, driving a shear ball bearing rotation gear. The fully adjustable rotation drive assembly includes an external eccentric ring adjustment of the gearbox pinion gear to the main rotation bearing, permitting the <u>ability to easily adjust backlash</u>, reduce boom side play and ensure proper tooth contact over the life of the unit.
- D. <u>Lift Cylinders</u>: The rod eye is both thread and weld fastened to the rod while the blind end of the cylinder is of cast steel, one piece design, which houses internal (unexposed), cartridge-type, bi-directional counter-balance holding valves. Bronze alloy bushings with grease zerks are used at each end of the cylinder.
- E. <u>Outer Boom</u>: Fabricated, reinforced steel with a rectangular section 12" x 16".

- F. <u>Second Boom</u>: Fabricated, reinforced steel with a square section 10" x 10".
- G. <u>Inner Boom</u>: Square 8.25" x 8.25" fiberglass boom, providing dielectric rating of 46KC category C. The inner surface of the fiberglass boom has acrylic polyurethane applied to provide a dry, smooth inner surface which will cause moisture to bead. The outer surface has a smooth epoxy paint finish.
- H. <u>Platform Leveling System</u>: The platform is leveled by a hydraulic slave type system designed to maintain the dielectric integrity of the aerial device.
- I. <u>Platform</u>: Totally enclosed, fiberglass
- N. <u>ISO-Grip[™] System or equal too</u>: This is not a primary protection system.
 - 1. Control Handle: A single handle controller incorporating high electrical resistance components that is dielectrically tested to 40 kV AC with no more than 400 microamperes of leakage. The control handle is green in color to differentiate it from other non-tested controllers. The handle also includes an interlock guard that reduces the potential for inadvertent boom operation.
 - 2. Auxiliary Control Covers: Non-tested blue silicon covers for auxiliary controls.
 - 3. Control Console: Non-tested non-metallic control console plate.
 - 4. Boom Tip Covers: Non-tested non-metallic boom tip covers. The covers are not dielectrically tested, but they may provide some protection against electrical hazards.
- O. <u>Outrigger/Boom Interlock System</u>: Prevents boom from being unstowed until outriggers have been at least partially deployed. (if outriggers are selected)
- P. <u>Outrigger/Unit Selector Control</u>: Located near the outrigger controls, allows operator to divert hydraulic oil from machine circuit for outrigger operation. This reduces the potential for inadvertent outrigger movement during machine operation if outrigger controls are bumped. (if outriggers are selected)
- Q. <u>Outrigger Motion Alarm</u>: Provides audible alarm when any of the outriggers are in motion. (if outriggers are selected)
- R. <u>Hydraulic System</u>: open center, pressure compensating which provides the required flow and pressure on demand resulting in increased fuel savings, reduced heat in the hydraulic system and

less noise pollution

- S. <u>Back-up Alarm</u>, installed
- T. <u>Manuals</u>: Two (2) Operator's and two (2) Maintenance/ Parts manuals containing instructional markings indicating hazards inherent in the operation of an aerial device.
- U. ANSI Category C, 46 KV and below dielectric rating
- V. Paint: Painted white.
- 1. 1 Single, two-man end mounted platform. Platform is 24 x 48 x 42 inches high, rated at 500 pounds capacity less man and material.

NOTE: This platform needs to have the 180 platform rotation.
NOTE: Boom control to be located manf. standard location
NOTE: Single step on side of platform
NOTE: Platform to stow in the end-hung position

- 2 1 Soft platform cover for one man platform, 24 x 48 inches
- 3. 1 Platform Liner for one-man fiberglass platform, 24 x 48 inches, 50 kV rating (minimum)
- 4. 1 Reservoir, 25 gallon capacity. **Reservoir to be located at front SS** cargo area. Include a removable reservoir guard, protective cover made of square tubing, bolt down.
- 5. 1 Engine start/stop with Secondary Stowage System, 12 VDC electric powered. Includes auxiliary pump and electric motor, powered by the chassis battery. Control is captive air operated from the platform and toggle switch operated from the lower controls. This option allows the operator to completely stow the booms and platform in a situation wherein the engine, PTO or pump fails.

NOTE: Include toggle switches at rear of tail shelf, one each side, near outrigger controls.

- 6. 1 Hydraulic tool circuit located at platform. Include HTMA couplers with dust caps. System to supply 6.0 gpm and 2000 psi
- 7. 1 A-Frame Primary outrigger installed at front of body with 158" of spread at max. Penetration.

NOTE: Outrigger shoes to be approx. 18" x 18" with 45 degree rowed edges.

| 8. | 2 | Fall Protection System to include one extra large (44-52 equivalent |
|----|---|----------------------------------------------------------------------|
| | | jacket size) body harness and six (6) foot fixed length decelerating |
| | | type lanyard. Harness has tongue buckle type strap for leg, waist |
| | | and shoulder. Decelerating lanyard has 1.0 inch nylon webbing with |
| | | rip-stop deceleration device. |

- 9. 1 Rubber Wheel chocks, (pair) 10 inches long x 9 inches wide x 5-3/4 inches high installed in body, one each side
- 10. 1 Hydraulic Bucket Dump System: Controls located both the upper platform controls and at the turntable to allow the operator to dump the bucket to remove debris or water.
- 11. 1 Throttle Control Interface for electronic engines, manual 2-speed, increases engine speed when needed for proper hydraulic system operation

UNIT AND HYDRAULIC ACCESSORIES

- 12 1 Scuff pad for 24 x 48 inch platform liners to protect liner floor. NOTE: This scuff pad needs to be the Plastic Technique, INC (PTI) brand with built in corner step. No exception. #704-20806
- 13 1 Lower Boom Stow Protection: To help prevent excessive down pressure by boom structures when stowing.
- 14 1 Hydraulic oil and lubricants
- 15 1 Power take-off to be installed in conjunction with automatic transmission
- 16 1 Hydraulic pump, vane type, for open center hydraulic operations, installed
- 17 1 Power Distribution Module is a compact self-contained electronic system that provides a standardized interface with the chassis electrical system. The Power Distribution Module (PDM) is composed of a main board, approximately 12.0 x 13.0 inches (305 x 330 mm), designed to be mounted behind the driver's seat, inside the cab. Additional modules plug in to accommodate various options such as engine start/stop, variable throttle control, power take off, interface with Allison World transmission, and engine speed control module for specific engines and chassis. In addition to the above potential options, the PDM also provides up to 16 accessory circuits to be used for controlling other customer specified electrical components. The PDM includes built in test capabilities and diagnostic input, output and status LED's to quickly assess the

PDM's performance. All components are circuit board mounted to facilitate replacement and reduce repair time should it be required.

The PDM provides benefits to the customer by providing a standardized, centrally located box that greatly reduces troubleshooting time when evaluating ancillary electrical system malfunctions, thereby reducing maintenance costs.

NOTE: PDM to be installed on back wall of cab, not on floor

- 18. 1 Hydraulic tool circuit, with one set of quick disconnect HTMA couplings, dust caps, and control valve, installed at tail shelf to supply 6.0 gpm and 2000 psi installed at CS of tail shelf.
- Subbase assembly consisting of 4 x 4 inch rectangular tubing on each side for mounting of pedestal and outriggers. The subbase provides torsional stiffness and strength

BODY

20 1 Body, suitable for installing on any chassis with an approximate dimension of **128**" **CLEAN CA**, built in accordance with the following specifications, including a walk-in step: (Final CA to be determined)

A Body: Fabricated from A60 grade 100% zinc alloy coated steel with the following minimum gauge thickness:

- 16 gauge outside panels
 16 gauge top panels
 14 gauge end panels
 20 gauge end panels
 20 gauge outer door panels
 20 gauge outer door panels
 18 gauge shelving, spangled steel
 14 gauge wheel panels
 12 gauge steel floor, formed checker plate
 Structural channel cross members
 Wheel chock holders installed one each side of body panel
 Drop-in tailboard at rear of cargo area
- B Body <u>Dimensions</u>:

158 inch overall body length (engineering to determine)
93 inch outside width
46 inch body height
18 inch compartment depth
57 inch floor width

C Compartmentation – Right Side - Curbside:

<u>First Vertical</u> – (26") Seven (7) swivel and hocking material Hooks installed as high as possible. All hooks to be Configurable up-down.

<u>Second Vertical</u> – (24") Four (4) adjustable shelves with dividers on 4" centers.

<u>Third Vertical</u> – (24") One fixed shelf with dividers on 4' center installed 10" down from compartment top. One (1) "Lube Mate" (1-800-400-0124) drawer kit installed below shelf. Drawer kit to have five drawers. Top three drawers to be 3" high and bottom two drawers to be 5" high. Each drawer to $15^{\circ}D \times 23^{\circ}W$. Each drawer to have egg-crate design.

<u>Horizontal</u> – (58") Two (2) "Lube Mate" drawer kits installed side-by-side and center in compartment. Both kits to have two drawers 3" high. Bottom of drawer to be even with door seal. Each kit to be 15D x 23" W. Each drawer to be egg-crate design. One (1) adjustable shelf with dividers on 4" center installed above drawer kits.

<u>Rear Vertical</u> – (26") Seven (7) swivel and locking material Hooks installed as high as possible (2-3-2). All hooks to be Configurable up-down.

D <u>Compartmentation – Left Side – StreetSide:</u>

<u>First Vertical</u> – (26°) Four (4) adjustable shelves with dividers on 4^{\circ} centers.

<u>Second Vertical</u> – (24") Seven (7) swivel and locking and Material hooks installed as high as possible. All hooks to be Configurable up/down. 2-3-3.

<u>Third Vertical</u> – (24°) One fixed shelf with dividers on 4' center Installed 10" down from compartment top. One (1) "Lube

Mate" (1-800-400-0124) drawer kit installed below shelf. Drawer kit to have five drawers. Top three drawers to be 3" High and bottom two drawers to be 5" high. Each drawer to 15"D x 23"W. Each drawer to have egg-crate design.

<u>Horizontal</u> – (58") One adjustable shelf with dividers on 4" center

<u>Rear Vertical</u> - (26") Seven (7) swivels and locking material hooks installed as high as possible. All hooks to be configurable up/down. (2-3-2).

<u>Hot stick Shelf</u> - Installed 9" down from compartment top, rear drop-down door. Shelf from front of 3rd vertical to rear.

E. <u>Standard Features:</u>

Basic body fabricated from A40 grade 100% zinc alloy coated steel

All doors are full, double paneled, self-sealed with built-in drainage. Electro-zinc plated, steel hinge rods extend full length of door. Door hinges are zinc alloy material attached

with rivets

| | All doors contain flush type, single point type locks with recessed handles, including keyed locks and adjustable two-stage strikers. Door handles are riveted to the outer door panel. Back panel has opening for easy access. Latch cover on horizontal doors. Heavy-gauge welded steel base construction, with safety tread floor. Door header drip rail at top for maximum weather protection. Neoprene fenderettes on fender panels Automotive underseal applied to entire understructure. Prime painted. Automotive type non-porous door seals mechanically fastened | |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| _ | to door facing. | |
| 2 | Wheel chock holders installed, one (1) each side of body in fender panel | |
| 1 | "Rope" style compartment lighting installed at top and along sides of each compartment. Master switch in cab. | |
| 1 | Drop-in 2" x 6" pressure treated wooden tailboard installed at rear of body. | Witherstein and Witherstein |
| 1 | Rigid door holders on all vertical doors, no air cylinders | |
| 1 | Chains on horizontal door | |
| 1 | Stainless steel rotary paddle latches on all doors | |
| 1 | Steel window guard made of square tubing installed in front of body. Guard to be used to hold the strobe and Go-Light brackets. | |
| 1 | Steel tread plate installed on compartment top, both side. | |
| 1 | Security lock system installed to allow left and right side compartments to be padlocked at the rear of the body. Padlocks are to be furnished by the customer. | |
| | BODY ACCESSORIES | |
| 1 | Bicycle style wire reel rack, 4 tiers, to store tri-plex. Reel to be located at drawing review | <u> </u> |
| 1 | Steel Tread plate Tail shelf, approx. 40" long installed at rear of body. Curbside of tail shelf to have recessed grip strut steps 26" wide for access to cargo area. Include through compartment for shovel storage in tail shelf approx., 65"L x 8"H x wide as possible in access step area; with drop down door on each side with "T" handle | <u> </u> |

Page 7

latch.

| NOTE: | Platfo | rm to sto | ow in e | nd-hung posi | tion | and | to be flush w | /ith |
|---------|---------|-----------|---------|--------------|------|-----|---------------|------|
| edge o | of tail | shelf. | Final | dimensions | to | be | determined | by |
| enginee | ering. | | | | | | | |

| 33 | 1 | Fixed Grip strut step installed below acce outside of body. | ess steps. Step to be 2" | |
|----|---|-------------------------------------------------------------|--------------------------|--|
| | | | | |

- 34 1 Air coupler quick disconnect located at curbside front outrigger. Installed at 45 degrees with dust cap.
- 35 2 Grab handle installed at access steps, one sloping type on rear of body and one hoop style bolted on side of tail shelf.

36 1 Boom rest installed between cab and front of body.

- 37 1 Splash aprons, one Altec pair, installed
- 38 1 Rubber Wheel chocks, (pair) 10 inches long x 9 inches wide x 5-3/4 inches high
- 39 1 Reservoir guard made of square tubing to cover entire reservoir but access to filler cap. Guard to be removable.
- 40 2 Wooden Outrigger pads, 24" x 24" x 2 1/2", with rope handles.
- 41 2 Outrigger pad holders for wooden pads to be installed one each _ side.
- 42 1 Pipe style cone holder installed on StreetSide front outrigger
- 43 1 One (1) Steel Rubber Goods Tread plate Box, top opening, carpet lined on bottom and all sides; 132" long x 18"D x 10"H. Installed on CS compartment top at rear of body. Access to box from cargo area. Box to have two (2) gas struts and two (2) evenly spaced grab handles BOLTED to the top of the lid. Box to be installed on 1" spacers. Full lid on all four sides and water tight as possible. Provide two (2) rubber hold down latches. Include non-skid on top of box.
- 44 1 Triangular reflector kit, ship loose
- 45 1 Ten pound fire extinguisher with heavy duty mounting bracket, shipped loose
- 46 1 One Punched Steel storage basket installed on top of 1st vertical curbside. Basket to be approx. 10"high x 18"deep x 26 wide installed on ½ spacer for cleanout.

| 47 | 1 | Prime Design ladder Rack for use with extension customer supplied extension ladder. Rack to be horizontal stow on StreetSide compartment top; with access from rear of body. | |
|----|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 48 | 1 | T-125 style heavy duty pintle hook with spring, with chassis frame reinforcement and two (2) safety "D" rings installed 28" (+/-1) | |
| 49 | 1 | Wire spool rack. Rack to hold four (4) 15" diameter by 5" wide reels. Include pins to hold reels in place. Rack to be bolted to cargo floor. Location to be determined at drawing review | |
| | | ELECTRICAL ACCESSORIES | |
| 50 | 1 | Lights and reflectors in accordance with FMVSS #108 lighting package, installed. All lights including reverse lights to be LED. | |
| 51 | 1 | Compartment lights installed in each compartment. Wiring installed in loom with master switch in cab. | |
| 52 | 1 | Trailer Receptacle, installed at rear. Berg 7-way (RV style) | |
| 53 | 1 | Electric Trailer Brake Controller, To be installed in cab to the right side of the steering wheel. | ******* |
| 54 | 2 | Two Amber strobes installed at left and right side of boom rest/cab guard with master switch and indicator light in cab. Strobe light is to be visible from the front and rear of the vehicle. Location to be determined at drawing review. | |
| 55 | 1 | 4-Corner strobe lighting, one Amber and one Blue LED front grille surfaced mounted lights and rear grommet mounted lights in tail shelf. | |
| | | Grill Blue - 970649551installed on street side Grill Amber - 970363839installed on curbside | |
| | | Rear Blue - 970410843SS Rear Amber - 970031306CS | |
| 56 | 1 | All SIX (6) strobes to be wired to one (1) master switch with indicator light in cab. Wired battery hot. | |
| 57 | 1 | One (1) Aero-Motive spring loaded grounding reel, Model GR-900 with 40 feet of 1/0 yellow jacketed cable with "C" clamp. Reel to be installed on CS front outrigger. NOTE: Include (2) stainless steel grounding lug. One at CS rear of | <u></u> |
| | | Page 9 | |
| | | | |

tail shelf installed off chassis frame and one at CS front outrigger leg.

| 58 | 3 | Utility v | vork | lights, | LED 1 | type | . One | installe | d off | boon | n rest | to | light |
|----|---|-----------|-------|---------|-------|------|--------|----------|-------|------|--------|----|-------|
| | | cargo a | area. | Two | lamps | in f | fender | panel, | one | each | side. | Ma | aster |
| | | switch i | nside | of cab |). | | | | | | | | |

- 59 2 Go-Light Stryker-HID Model #30003 Portable Magnetic mounts light. Includes wireless hand-held controller. White in color. Include two (2) brackets to be determined at drawing review; include 12v power points near each bracket.
- 60 1 Power Distribution Module (PDM) for electronic system to be installed behind on wall of cab chassis, not on floor.
- 61 1 Outrigger Motion Alarm: Provides audible alarm when any of the outriggers are in motion.
- 62 1 Backup alarm, installed at rear. Backup alarm adjusts automatically to provide from 87 to 112 decibels alarm, depending on ambient noise conditions. Alarm is installed in 4.5 inch diameter hole with rubber grommet and is wired to chassis backup lights. Installation at rear provides a protected environment for alarm, free from damage from road spray and debris.
- 63 1 Start/Stop and Secondary Stow toggle switch located at rear of tail shelf, one each side.
- 64 1 Hour meter installed to record PTO operating hours
- 65 1 Directional Light Bar, LED type, Signal Master 42" installed on rear of tail shelf; include tread plate eyebrow over bar. Controls inside of cab.
- 66 1 Magnum Dimensions Pure Sign Inverter, 2400 watt installed in bottom of 1st vertical curbside with master switch in cab. Include two GFIC 120 receptacle; one at CS front of body as high as possible and one at SS rear of tail shelf installed on side of tail shelf.
- 67 1 Back-up Camera, 7", LED backlighting with anti-glare screen. Sunshield; auto-dimmer. Camera kit includes camera, monitor, and all cable for install. Monitor to be determined at drawing review. (p/n 9703-12497)
- 68 1 Install three (3) lighted rocker switches labeled as "spare". Each switch to be 20 amp and tied into the PDM box

- 69 1 Install Speaker Wire in conduit with 2' pig-tail at each end. One end in cab and one at CS of window guard.
- 70 1 Install Altec MP System for in-cab accessory switch panel. Includes dual lit switches for function identification and function activation.

NOTE: All switches to be installed in overhead console of chassis

INSTALLATION

| 71 | 1 | Mounting Aerial Device | |
|----|---|-------------------------------------------------------------------------------------------------------------------------|--|
| 72 | 1 | Aerial Device painted white (power-coat paint process) | |
| 73 | 1 | Mounting body and accessories | |
| 74 | 1 | Complete under-coating of body. (Black) | |
| 75 | 1 | Painting body and accessories white | |
| 76 | 1 | Black Martex non-skid paint to be applied to all flat surfaces including cargo floor, tail shelf, and compartment tops. | |
| 77 | 1 | Safety and Instructional Signs, installed | |
| 78 | 1 | Vehicle height placard is to be placed in view of driver | |
| 79 | 1 | Delivery of completed vehicle to: | |
| | | City of Seward 1345 River Street Seward, NE. 68434 ATTN: Jared Hochstein 402-643-3151 (office) | |
| 80 | 1 | DOT certification of completed vehicle | |
| | | MISCELLANEOUS | |
| | | Page 11 | |

- 81 1 One (1) year parts warranty
- 82 1 One (1) year labor warranty
- 83 1 Ninety (90) days travel warranty
- 84 1 For so long as the initial purchaser owns the product, major components warranty at an service facility
- 85 1 SVP Systems Group Center Console, Model 10-AEP Tall12 (p/n9703-98260)

CHASSIS

2016 Freightliner M2-106, Regular Cab, white 4 x 2 drive 33.000 GVWR 196" wheel base with 130 CLEAN CA. 100" AF Allison 3000 RDS Automatic Transmission Cummins engine, 285 hp, geared at 66 mph Axle, front: 13,000 pounds capacity min. with 14,000 suspension Axle, rear: 20,000 pound capacity min. with 21,000 lb. suspension 11 R22.5 H Highway tread front tires, Goodyear G662RSA or equal 11 R22.5 H Traction tread rear tires. Goodyear G182RDS or equal Horizontal muffler with CS horizontal tailpipe 50 gal fuel tank driver side with 6 gal DEF tank **Driver Controlled Locking Differential** Positive /Negative for jump start **Engine Block Heater** Air Rider Driver Seat including dual arm rest Air Ride Passenger Seat including dual arm rest Air Brakes Air Dryer Two (2) External Power Points in cab External Grab Handles on both driver and passenger side Dual West Coast Style Mirrors, with convex 160 Amp Alternator Air Conditioning **Power Windows** Power Locks Fm Radio

Item G13

CONSIDERATION OF APPROVAL OF TINA M. KRINGS AS MANAGER OF CASEY'S RETAIL CLASS B LIQUOR LICENSE - Bonnie Otte

Administrative Report: Following review and discussion, a motion to approve Tina M. Krings as Manager of Casey's Retail Class B Liquor License would be in order.



Pete Ricketts Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe Executive Director 301 Centennial Mall South, 5th Floor P.O. Box 95046 Lincoln, Nebraska 68509-5046 Phone (402) 471-2571 Fax (402) 471-2814 or (402) 471-2374 TRS USER 800 833-7352 (TTY) web address: http://www.lcc.ne.gov/

June 30, 2015

SEWARD CITY CLERK PO BOX 38 537 MAIN STREET SEWARD NE 68434

RE: Manager Application Tina M. Krings

LICENSE #B-72991

Dear Clerk:

Enclosed is a copy of a manager application for Tina M. Krings, in connection with Casey's General Store 2730, located in Seward.

Please present this application for manager to your City/Village Council or County Commissioners and send us the results of their action.

Sincerely,

Jacqueline Rodriguen

Jacqueline Rodriguez Licensing Division NEBRASKA LIQUOR CONTROL COMMISSION 402-471-2571

encl.

Janice M. Wiebusch Commissioner Robert Batt Chairman Bruce Bailey Commissioner

An Equal Opportunity Employer

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.ne.gov

| Office Use | |
|------------|---------------------|
| | RECEIVED |
| | JUN 2 6 2015 |
| | NEBRASKA LIQUOR |

CONTROL COMMISSION

- MUST BE:
 - ✓ Citizen of the United States. <u>Include copy of US birth certificate, naturalization paper or</u> 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: CASEY'S RETAIL COMPANY

Premise information

| Liquor License Number: | 7349 72991 | _Class Type_B | (if new application leave blank) |
|-------------------------|-----------------------------|---------------|----------------------------------|
| Premise Trade Name/DBA: | CASEY'S GENERAL STORE #2730 | | |

Premise Street Address: 2605 PROGRESSIVE RD

City: SEWARD

County: SEWARD

Zip Code: 68434-1716

Premise Phone Number: (402) 643-9517

Email address: mikael.ahrens@caseys.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

RICHARDT SCHAPPERT- PRESIDENT FOR CASEY'S RETAIL COMPANY

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



Form 103 REV JAN 2015 Page 2 of 6

| Last Name: KRINGS | First Name: | MI: |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------|-------------------|
| Home Address (include PO Box if applical | ble): 1212 BLUE STEM CIRCLE | |
| City: NORFOLK | County: MADISON Zip Cod | e: 68701 |
| (515) 371-6926 Home Phone Number: | | |
| Social Security Number: 504-84-2100 | Drivers License Number & Stat | |
| Date Of Birth: 12-21-67 | Place Of Birth: ANAHEIM, CA | |
| | | |
| Email address: tina.krings@caseys | .com | |
| | | |
| Are you married? If yes, complete spouse' | .com s information (Even if a spousal affidavit ha | |
| Are you married? If yes, complete spouse' □ YES ☑ NO | s information (Even if a spousal affidavit ha | |
| Are you married? If yes, complete spouse' ☐ YES | s information (Even if a spousal affidavit has RE | s been submitted) |
| Are you married? If yes, complete spouse' ☐ YES ☑ NO Spouse's information | s information (Even if a spousal affidavit has RE | s been submitted) |
| Are you married? If yes, complete spouse' YES INO Spouse's information Spouses Last Name: | s information (Even if a spousal affidavit ha RE | s been submitted) |

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

| CITY & STATE | YEAR FROM | YEAR TO | CITY & STATE | YEAR FROM | YEAR TO |
|--------------|--------------|------------|--------------|--------------|------------|
| NORFOLK, NE | 1967 | CURRENT | | | |
| | | | | | |
| | | | | | |
| | | | | | |

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MANAGER'S LAST TWO EMPLOYERS

| YEAR FROM TO | | NAME OF EMPLOYER | NAME OF SUPERVISOR | TELEPHONE NUMBER | |
|-----------------|---------|------------------------|--------------------|---------------------|--|
| 9/2001 | CURRENT | CASEY'S GENERAL STORES | JAN KONRAD | 515-965-6517 | |
| 01/1998 | 08/2001 | ARNOLD ENGINEERING | PLANT CLOSED | N/A | |

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

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

Has <u>anyone</u> who is a party to this application, or their spouse, <u>EVER</u> been convicted of or plead guilty to any <u>charge</u>. <u>Charge</u> means <u>any</u> charge <u>alleging</u> 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.

TYES 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 |
|------------------------------|------------------------------------|---------------------------------------|-----------------------------|-------------------------|
| OFFICERS ON APPLICATION FORM | | | | |
| | | | REC | EIVED |
| | | | JUN | 2 6 2015 |
| | | | NEBRAS CONTROL | KA LIQUOR COMMISSION |

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): CASEY'S GENERAL STORES- MULTIPLE NEBRASKA STORES- PLEASE SEE LIST

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?

| V YES | NO |
|--------------|-----------|
|--------------|-----------|

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

.

MAY 29, 2013 Name on Certificate: *NLCC Training Certificate Issued:

TINA KRINGS

Date Name of program (attach copy of course completion certificate) Applicant Name (mm/yyyy) **TINA KRINGS** MAY 29, 2013 RESPONSIBLE HOSPITALITY COUNCIL MANAGEMENT TRAINING 5/29/2013

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

| Applicant Name / Job Title | Date of Employment: | Name & Location of Business: |
|---------------------------------|------------------------|---------------------------------------|
| TINA M KRINGS, DISTRICT MANAGER | 9/2001-CURRENT | CASEY'S GENERAL STORES |
| TINA M. KRINGS | 01/1998-08/2001 | ARNOLD ENGINEERING |
| | | |
| | | |
| | | RECEIVED |
| | | JUN 26 2015 |
| | | NEBRASKA LIQUOR CONTROL COMMISSION |

5. Have you enclosed Form 147 regarding fingerprints?

YES

NO FINGERPRINTS ALREADY ON FILE

Form 103 REV JAN 2015 Page 5 of 6

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 RECEIVED fraudulent.

Signature of Manager Applicant

JUN 26 2015 NEBRASKA LIQUOR Signature of SpouseOL COMMISSION

ACKNOWLEDGEMENT State of IOWA POLK The foregoing instrument was acknowledged before me this County of JUNE 24, 2015 **TINA KRINGS** by name of person acknowledged Affix Seal CHRIS MCCREADY Notary Public signature Commission Number 158693 MY COMM, EXP. 11/29/2017

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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RECEIVED

JUN 26 2015

NEBRASKA LIQUOR

CONTROL COMMISSION

HEALTH DATA AND STATISTICS BRANCH

ALA UALE: LUIG

 EVENT:
 BIRTH

 RECEIPT NO:
 599951

 AMBUNT:
 BIB.00

 ACTINGE.
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UNICE 10/10/00

1311 IMPALA DR., #A NORFOLK, NE 68701

ILIA

THIS IS YOUR RECEIPT.

HIS COMPUTER GENERATED ABSTRACT OF BIRTH IS AN OFFICIAL DOCUMENT.



Page 1 of 1



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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

July 2, 2015

Liquor license application

Tina M. Krings

Casey's General Store # 2730 South Highway 15 Seward, NE

There were no pertinent negative local contacts

Recommendation is to issue liquor manager license

Chief Alan D. Baldwin

Chief Alan D. Baldwin

Item G14

COUNCIL TO RECEIVE INFORMATION ON WATER/WASTEWATER FACILITY MAINTENANCE PROGRAM/PROCESS - Tim Richtig

Administrative Report: Water/Wastewater Director Tim Richtig will provide information on his maintenance program at the Water/Wastewater facility.

Item G15

CITY ADMINISTRATOR REPORT - Bruce Smith & John Hughes

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

City Projects Report 07/072015

- 1. Administration
 - a) New Hire Bruce Smith, City Administrator July 1, 2015
 - b) New Hire Julie Moody, Account Clerk III June 22, 2015
 - c) Working with EMC Insurance on return to work program
 - d) Wage Comparability
 - e) Updating Police Officer Eligibility list
- 2. CIP
 - a) Great Plains moving out of town for the 4th of July
 - b) Traffic Light Interrupters (Shane King of Ollsons)
 - c) Rail Site information
- 3. Building & Planning Department
 - a) Blight Study information for amendment
 - b) CIP info for 2015 Budget
 - c) Information to NPPD for Rate study
- 4. Street Department
 - a) Cedar Street opens for traffic on 06/30/2015
 - b) Permitting from State for replacing drive into Dollar General & Orschliens
 - c) Trim trees along parade route
 - d) 4th of July porjects (barricades, signs, trash barrels etc.)
- 5. Electric Department
 - a) 4th of July projects (silhouette lights, vender power poles, etc.)
 - b) URD wire replacement College
 - c) Bore URD to Vet Clinic & Senior Center
 - d) Work on 3 phase lines that are due for replacement
- 6. Water Wastewater
 - a) Pumping sludge into drying sand beds
 - b) Sewer jetting
 - c) Raw lift station pumps installation
 - d) Working on annual Water Quality report
- 7. Park & Rec Department
 - a) Install playground equipment in National Guard Park
 - b) 4th of July projects (ballfields, mowing, etc.)
- 8. Police Department
 - a) Carnival meeting 06/23/2015
 - b) Civil Service meeting 0/24/2015
 - c) 4th of July projects

Item G16

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.

Item G17

ANNOUNCEMENT OF UPCOMING EVENTS - Mayor Eickmeier

Item G18

MOTION TO ADJOURN