

**City of Seward, NE**  
**Tuesday, July 21, 2015**  
**Regular Session**

**Item G1**

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

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

**Staff Contact:**

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

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

THE PLEDGE OF ALLEGIANCE

Mayor Eickmeier announced that a copy of the Agenda for this meeting is posted on the north wall of the Municipal Building and copies are available on the north wall where a copy of the Open Meetings Act is also posted for public inspection. He also noted that any citizen wishing to address the Council should come to the podium, state their name and address and limit their comments to five minutes. All remarks should be directed to the Mayor/Chairperson, who will then determine who will make any appropriate response. The City of Seward reserves the right to adjust the order of items on this agenda if necessary and may elect to take action on any of the items listed.

1. APPROVAL OF MINUTES OF JUNE 16, 2015 COUNCIL MEETING AND JUNE 30, 2015 WORK SESSION

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the June 16, 2015 City Council meeting be approved.

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

Nay: None

Absent: Lieske. Motion carried.

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the June 30, 2015 City Council Work Session be approved.

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

Nay: None

Absent: Lieske. 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. Infrastructure Cost Items Reimbursable Back to the City.

CLAIMS LIST

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7-7-15  
COUNCIL MEETING

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

Payroll	191,224.33
Seward County Treasurer, Tax, Fees	2,598.92
Eric Ahrens, Se	100.00
Alamar Uniforms, Su, Uniforms	213.95
All Road Barricades, Su	2,425.41
Alliance Technologies, Se	8,845.75
American Red Cross, Trng	245.00
Aqua-Chem, Su, Re	2,440.63
TJ Austin, Se	50.00
Beatrice Ford Lincoln, Eq	993.12
Black Hills Energy, Ut	7,661.24
Blackburn Manufacturing, Su	416.53
Capital Business Systems, Ma	335.92
Chase Card Service, Su, Trng, Meals, Conf, Re, Bu	5,388.84
Old Chicago, Meals	11.66
Thunderhead Brewing, Co, Meal	11.32
Holiday Inn, Conf	205.52
McDonalds, Meals	6.47
Walmart, Su, Bu	1,313.84
Paper Direct, Su	36.98
Laptopcharg, Su	24.98
Amazon Mktplace, Su	92.96
Tractor Supply, Re	438.68
ARC*Services/Trng, Trng	1,141.00
Scheels, Su	42.78
Swimoutlet.com, Su	139.77
UNL Marketplace, Trng	100.00
The Lifeguard Store, Su	79.48
ShrmNebraska, Conf	299.00
Paypal*Supersaas, Se	61.60
Sportsmans Guide, Su	287.98
Geodata Systems Mgt, Bu	238.40
Riverside Pickup & S Oklahoma City, Re	350.00
Commercial Vacuum.com, Bu	23.95
Sherwin Williams, Su	185.00
Oriental Trading Co, Su	297.47
City Seward Buildings/Grounds, Operations	2,000.00
City Seward Library Petty Cash, Su	171.92
M E Collins Contracting, Se	94,060.07
Consolidated Management, Meals	162.75
Constellation NewEnergy Gas, Ut	246.32
Continental Fire/Alarm/Detect, Bu	190.00
Control Services, Re	2,391.02
Cross & Sons, Gu	175.00
Cross Creek Animal Health, Se	1,260.00
Danko Emergency Equipment Co, Re, Eq	1,162.59
Dean Davis, Se	220.00
John Deere Landscapes, Su	360.95
Dillon Sid Ford, Su, Eq	36,913.00
Dutton-Lainson, Su	40,496.71
Fast Mart, Su	58.65

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Fastenal Co, Su	353.66
Nathan Foley, Se	220.00
Terry Freeburg, Se	140.00
General Fire & Safety Equip, Bu	518.95
Jared Gerdes, Mi	124.00
Gerhold Concrete, Bu, Re, Su	2,313.41
Antonio Gonzalez, Se	60.00
Edward Gonzalez, Se	60.00
Great Plains Communications, Se	581.67
H & S Plumbing Heating, Bu	217.11
Robert Harrison, Se	140.00
Hobson Automotive & Tire, Re	955.45
Husker Auto Group, Eq	30,938.00
Husker Electric Supply, Re, Bu	576.99
Hydraulic Equipment Service, Re	1,285.02
Jackson Services, Ma	107.42
Tom Jahde, Misc	20.00
Lorie Jirovsky, Uniform	44.98
Randy Komenda, Se	45.00
Joseph Krause, Se	50.00
Kriz-Davis, Su, Re	26,453.51
Connie Languein, Se	80.00
Last Mile Network Cons, Se	230.00
Latsch's, Su	190.02
Lincoln Winwater Works, Re	434.17
Cheryl Luff, Mi	56.67
Marlin's Plmbg, Htg, Re	52.00
Matheson Tri-Gas, Su	18.95
Dan McElravy, Se	75.00
Memorial Health, Meals	2,183.17
Menards, Su, Eq	578.08
Brett Meyer, Se	120.00
Mid-American Benefits, Ins	1,118.09
Midland Scientific, Su	18.35
Midwest Pump & Equipment, Re	207.00
Midwest Turf & Irrigation, Re, Eq	601.14
John Moody, Se	60.00
Nebraska American Legion, Su	50.00
Nebraska Equipment, Re	9,955.44
Nebraska Public Health Env Lab, Se	604.00
Nebraska Health/Human Serv, Misc	115.00
Nebraska Sports, Su	342.98
Northern Safety, Su	25.84
O'Reilly Auto Parts, Re, Su	47.83
Office Depot, Su	93.98
Olsson Associates, Se	7,769.30
Orscheln Farm & Home, Su, Re	287.72
Overhead Door Co, Bu	470.14
Max Perry, Se	50.00
Plains Equipment Group, Re	1,106.80
Cody Pollak, Misc	15.00
Quill Corp, Su	380.96
Radiology Associates, Ex	52.00
Reams Sprinkler Supply, Su	219.64
Richters, Bu	674.69
Rose Equipment, Re	188.38
Sam's Club, Su	199.13
Sam's Club, Su, Gu	185.07
Kimberly Schoepf, Se	70.00

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Seward Baseball Association, Misc	300.00
Seward Fourth of July Committee, Permit Fees	1,600.00
Spickelmier & Son, Se	7,898.00
Sports Express, Su	151.30
St P J Supply, Su	131.25
SupplyWorks, Su	235.95
Time Warner Cable, Se	79.38
US Cellular, Se	349.62
US Postal Service, Permit	4,500.00
Univar USA, Su	2,145.00
Van Diest Supply, Su	2,042.80
Brad Vancura, Se	145.00
Verizon Wireless, Se	91.92
Vermeer High Plains, Su	409.88
Wesco Distribution, Re, Se	2,894.35
Windstream Nebraska, Se	48.77
Brandon Wood, Se	95.00
Total	<u>520,058.55</u>

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

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

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

Councilmember Singleton moved, seconded by Councilmember Pike, that the Class L Liquor License for Bottle Rocket Brewing, LLC da Bottle Rocket Brewing be approved.

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

Councilmember Fritz moved, seconded by Councilmember Singleton, that Gerald Homp be approved as manager of the Class L Liquor License for Bottle Rocket Brewing.

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

4. CEREMONY FOR RESIGNED COUNCILMEMBER CHARLES LIESKE

Mayor Eickmeier stated Councilmember Lieske was not able to attend this meeting and thanked him for his service as a Councilmember. The City would be delivering a plaque to him in recognition for his service to the City.

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

Mayor Eickmeier introduced Jonathon R. Wilken as his appointee to the position of Councilmember for Ward 4, effective this date of July 7, 2015.

Councilmember Singleton moved, seconded by Councilmember Pike that Mayor Eickmeier's appointment of Jonathon R. Wilken to fill the Council Vacancy in Ward 4 be approved.

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

Assistant Administrator/Clerk-Treasurer/Budget & HR Director Bonnie Otte administered the Oath of Office.

Councilmember Wilken took his seat with the governing body.

6. CONSIDERATION OF A SPECIAL DESIGNATED LIQUOR PERMIT FOR PRESTIGE INVESTMENTS, LLC dba THE QUONSET

Councilmember Singleton moved, seconded by Councilmember Pike to approve the Special Designated Liquor Permit for Prestige Investments, LLC dba The Quonset for a wedding reception on July 18, 2015 at Harvest Hall.

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

7. DECLARATION OF APPRECIATION FOR JACK VAVRA SERVING AS INTERIM CITY ADMINISTRATOR

Mayor Eickmeier thanked Jack Vavra for serving as Interim City Administrator from December 2014 through June 2015 and presented him with a certification of appreciation.

8. CONSIDERATION OF ORDINANCE APPROVING THE FINAL PLAT FOR CNG FIRST ADDITION

Tim Gergen, P.E. with Clark Enersen Partners addressed the Council stating that the drainage runoff on the CNG properties was reviewed. He stated there is a 36" diameter pipe on the west side along 4<sup>th</sup> Street, that will carry water runoff from the site and a 24" diameter pipe on the east side of the property along 3<sup>rd</sup> Street that will pick up the water and move it to the storm system. He stated both pipes will handle a 10-year storm event and the runoff is within the parameters of being dispersed into the system without creating any adverse conditions to the neighborhood.

Ordinance No. 2015-10 approving the final plat for CNG First Addition was adopted.

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

City Administrator Smith stated the sanitary sewer line running along the west side of the soon to-be constructed St. John's Daycare Center was installed around 1964. St. John's is proposing that the line be replaced now while they are constructing the facility, rather than wait for a later date which would require disruption of the Daycare Center property. He stated the project is proposed all at the City's cost with an estimate of \$51,980, which is not included in the current budget. He stated, given the age of the piping and the likelihood that it will cost more to replace the line at a later date, he recommends replacing the line now. Mr. Smith stated the City may have to do an inter-fund transfer to finance the project, if done this budget year.

Public Facilities/Capital Improvement & GIS Director John Hughes stated there may be \$27,000 available, but the budgets are very tight. He stated the sewer budget does not have any available funds. Mr. Hughes added that there

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is video of the line and the sewer line is not in bad shape; however, it is root-bound. Replacing the line would alleviate the problem of having the line running under Curt Coddington house.

Councilmember Fritz moved, seconded by Councilmember Schmit to approve replacing the 8" north-south clay sanitary sewer line running along the west side of the new St. John's Development Center at a cost to the City of \$51,980.

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

Nay: None

Absent: None. Motion carried.

City Administrator Smith stated there is a lot to discuss with St. John's Church with regard to participating in the financing of any additional sewer line improvements or the proposed storm sewer relocation. He recommended the Council table the item until the City can evaluate the capacity and obtain additional information. He said it sounds like a good plan, but would like more time to review.

Councilmember Kamprath moved, seconded by Councilmember Singleton to table financial participation in any additional sewer line repair or replacement or storm sewer improvements as proposed by St. John's Church until the proposal can be further reviewed.

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

Nay: None

Absent: None. Motion carried.

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 MUSEUM

LTC Shane Martin, Construction and Facilities Management Officer with the Nebraska Army National Guard stated the Ordinance allows for the purchase of the property to the west of the Museum, with the exception of an area to be retained and maintained by the City as a small park. He stated the transfer of property will allow for additional military displays as well as a reflection area.

City Attorney Hoffschneider added that, as a prerequisite for federal funding to enhance the site, the property has to be owned by the Army National Guard. Mr. Hoffschneider stated the sale of property will be published in the local newspaper for three consecutive weeks with a 30-day remonstrance period to follow for public comment prior to the actual transfer of property.

Ordinance No. 2015-11 authorizing the sale of property to the State of Nebraska/Nebraska National Guard Museum was adopted.

11. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE SALE OF LOT 3, REYNOLDS ADDITION TO CAROL KNISLEY

City Attorney Hoffschneider stated this property is one of the residential lots for sale by the cemetery. He stated Carol Knisley is prepared to purchase the lot for \$36,000.

Mr. Hoffschneider stated the sale of property will be published in the local newspaper for three consecutive weeks with a 30-day remonstrance period to follow for public comment prior to the actual transfer of property.

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Public Facilities/Capital Improvement & GIS Director John Hughes stated he has a \$500 earnest deposit and the City will share the closing costs on the property.

Ordinance No. 2015-12 authorizing the sale of Lot 3, Reynolds Addition to Carol Knisley was adopted.

Councilmember Singleton moved, seconded by Councilmember Fritz, that the minutes of the proceedings of the Mayor and Council of the City of Seward, Seward County, Nebraska in the matter of passing and approving Ordinance No. 2015-10, "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<sup>TH</sup> STREET, SOUTH OF CNG ADDITION, NORTH OF ASH STREET, WEST OF 3<sup>RD</sup> STREET; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM, Ordinance No. 2015-11, "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 MUSEUM; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT", and Ordinance No. 2015-12, 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", be preserved and kept in a separate and distinct volume known as "Ordinance Record, City of Seward, Nebraska" and that said separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein.

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

Nay: None

Absent: None. Motion carried.

12. CONSIDERATION FOR APPROVAL OF BID SPECIFICATIONS AND AUTHORIZATION TO BID LEASE OR PURCHASE OF A BUCKET TRUCK FOR THE ELECTRIC DEPARTMENT

Assistant Administrator/Clerk-Treasurer/Budget & HR Director Bonnie Otte stated this item is listed in the capital improvement plan for the current fiscal year; however, if approved, the vehicle will not be ready for delivery until the next budget year, so the bucket truck will be presented in the 2015-2016 budget.

Councilmember Singleton moved, seconded by Councilmember Pike, that the bid specifications and notice to advertise for lease or purchase one bucket truck to be used in the Electric Department be approved.

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

Nay: None

Absent: None. Motion carried.

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

Councilmember Singleton moved, seconded by Councilmember Fritz, that Tina M. Krings be approved as Manager of Casey's Retail Class B Liquor License.

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

Nay: None

Absent: None. Motion carried.



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14. COUNCIL TO RECEIVE INFORMATION ON WATER/WASTEWATER FACILITY MAINTENANCE PROGRAM/PROCESS

Water/Wastewater Director Tim Richtig provided information on his daily/weekly/quarterly inspection process of facilities. Mr. Richtig then addressed a request for emergency repairs to the digester storage tank, which was approved by Council at the June 16, 2015 City Council meeting. Mr. Richtig stated the digester is a double-wall vessel. This past winter, staff noticed frost on the outside wall, which indicated the inside wall was leaking gas through the seal causing the condensation/frost. He stated this digester is used 24/7 and cannot be viewed from the interior without draining the tank. The tank was drained, which revealed the damaged concrete where the coating failed.

Following a brief discussion of costs for repair and maintenance of a concrete facility, Council requested an estimate of building a new steel storage tank with the possibility of building funds for the replacement at a future date. No action was taken.

15. CITY ADMINISTRATOR REPORT

Public Facilities/Capital Improvement & GIS Director John Hughes provided an update and Capital Projects Report dated 7/7/15.

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

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

Nay: None

Absent: None. Motion carried.

16. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

17. ANNOUNCEMENT OF UPCOMING EVENTS

- A. Meet & Greet meetings with Project Hot Mill principal developer scheduled for Thursday, July 9.

Councilmember Schmit moved, seconded by Councilmember Fritz to table any consideration of the following agenda item that was inadvertently placed on the agenda published on the City website and not sufficiently published:

"Consideration and approval or disapproval of proposed settlement of all pending claims by Brett Baker against the City of Seward. The proposed agreement will result in the settlement of Mr. Baker's contract claims, tort claims, civil rights claims, Department of Labor claims and any and all other claims asserted. Under the proposed settlement agreement the City will pay to Mr. Baker the sum of \$50,000, less all customary and usual withholdings, and the City's insurance carrier will pay to or on behalf of Mr. Baker the sum of \$50,000, a portion of which will be paid directly to his attorneys".

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

Nay: None

Absent: None. Motion carried.

18. MOTION TO ADJOURN

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Councilmember Singleton moved, seconded by Councilmember Pike, that the July 7, 2015 City Council Meeting adjourn.

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

Nay: None

Absent: None. Motion carried.

THE CITY OF SEWARD, NEBRASKA

\_\_\_\_\_  
Joshua Eickmeier, Mayor

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

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