

March 15, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, March 15, 2016, with Mayor Joshua Eickmeier presiding and Assistant Administrator /Clerk-Treasurer /Budget & Human Resources Director Bonnie Otte recording the proceedings. Upon roll call, the following Councilmembers were present: Jon Wilken, Ellen Beck, Dean Fritz, Barbara Pike, John Singleton, and Chris Schmit. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Councilmember Dick Hans and Councilmember Sid Kamprath.

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 MARCH 1, 2016 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the March 1, 2016 City Council meeting be approved.

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

2. CONSENT AGENDA CONSIDERATION ITEMS

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

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

CLAIMS LIST  
3-15-16  
COUNCIL MEETING

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

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

Accu Cut	Su	127.00
Alamar Uniforms	Uniforms	207.56
All Road Barricades Inc	Su	3,975.75
Alliance Technologies	Se, Eq	967.42
Amazon.Com Credit Service	Su, Bu	1,314.02
Ameritas Life Insurance Co	Ins	5,642.11
Archi + Etc LLC	Se, Eq	1,517.50
Associated Bag Co	Su	1,022.11
Baker & Taylor	Su, Se	1,843.48
Baker Becky J	Mi	28.00
Baldinger Charlotte	Mi	26.46
Baumbach Ronda	Ins	163.00
Black Hills Energy	Ut	1,995.86
Blue River Electric LLC	Se	1,105.86
Bookpage	Su	300.00
Burlington Northern Santa	Ex	579.63
Capital Business-Cheyenne	Ma	181.00
Capital Business-Dallas	Eq	225.00
Cash-Wa Distributing Co	Su	80.00
Cattle National Bank/Trust	Eq	12,657.50
Celiac Sprue Association	Ex	25.00
Center Point Large Print	Su	150.00
City Seward Electric Fund	Incentive	5,825.00
City Seward Library Petty	Su	127.11
City Seward Merchant Serv	Ex	1,637.05
City Seward Payroll Account	Payroll	115,861.61
Continental Fire/Alarm/De	Se	190.00
Cornhusker International	Re	553.04
Danko Emergency Equipment	Re	73.82
Demco Inc	Su	389.61
Duffek Daniel D	Eq	162.50
Dutton-Lainson Co	Su	17,300.00
Electronic Contracting Co	Se	240.00
Emergency Medical Product	Su	279.23
Farmers Coop Seward	Re, Su	3,530.37
Fast Mart	Su	35.44
Fastenal Company	Su, Re	617.29
Firefox Rescue Equipment	Re	114.02
Gabriel Burger Else CPA, PE	Se	5,000.00
General Fire & Safety Equip	Bu	87.50
Gerhold Concrete Co Inc	Re	865.30
Gilmore & Bell PC	Se	5,000.00
Gottschalk Cohl	Ex	120.00
Graybar	Eq	4,147.32
Hanson Alec	Ex	160.00
Highlands Golf Academy	Eq	600.00
Hronik Franklin	Re	53.57
Husker Electric Supply Co	Re, Su	2,124.05
Int'L Assoc Law Enforcement	Dues	55.00
J E O Consulting Group Inc	Se	1,900.00
J K Energy Consulting LLC	Se	700.00
J R Welding Inc	Su	405.19
Jackson Services Inc	Ma	33.00
Janousek Bryson	Ex	150.00
Johnson Joy	Su	25.00
Kolterman Jessica	Ex	25.00
Kovar Dan	Re	155.00

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Krause Joseph	Ex	170.00
Kriz-Davis Co	Su	3,768.25
Langner Electric	Su	35.00
Last Mile Network Consult	Se	90.00
Lee'S Refrigeration	Re	404.72
Lincoln Winwater Works	Re	1,637.04
Lliterus Nathan	Ex	130.00
Log Home Living Magazine	Su	19.95
Matheson Tri-Gas Inc	Su	101.00
Mead Lumber & Rental-York	Re	64.03
Memorial Health Care Systems	Ex	25.00
Memorial Health-Drug	Se	535.00
Memorial Health-Meals	Su	1,548.33
Meyer Automotive	Misc	5.00
Meyer Brett R	Ex	170.00
Mid-American Benefits Inc	Ins	426.12
Midland Scientific Inc	Eq	1,689.14
Midwest Auto Parts	Su, Re	635.69
Midwest Laboratories Inc	Se	767.19
Midwest Turf & Irrigation	Su, Re	564.76
Motor Trend Magazine	Su	30.00
Nebraska Bounce	Misc	300.00
Nebraska Environmental	Re	137.17
Nebraska Health Environment	Se	105.00
Nebraska Law Enforcement	Trng	155.00
Nebraska Municipal Power	Ex	110.00
	Incentive,	
Nebraska Pub Pow-DesMoine	Ut	472,844.31
Nebraska Roads Dept	Su	1,194.52
Niemann'S Port-A-Pot LLC	Gu	100.00
Northern Safety Co Inc	Su	67.45
O C L C Inc	Su	180.69
O The Oprah Magazine	Su	34.97
Oates David	Ex	25.00
Odeys Inc	Su	870.00
Olsson Associates	Se	510.27
Omaha World Herald	Ex	372.33
One Call Concepts Inc	Se	32.88
One Source Background Check	Se	38.00
O'Reilly Automotive Inc	Re, Su	411.65
Orscheln Farm & Home	Su, Re	941.20
Otte Donna	Mi	35.10
Pac 'N' Save Discount Food	Su	706.45
Pankoke Henry W	Se	220.00
Plains Equipment Group Inc	Re, Su	887.09
Plunkett'S Pest Control	Bu	114.64
Precision Tool & Machine	Su	91.00
Quill Corp	Su	315.13
Real Simple Magazine	Su	52.00
Reams Sprinkler Supply	Su	34.18
Richters Inc	Bu	68.95
Richtig Tim L	Incentive	255.00
Rolling Acres Complex	Misc	270.00
Rolling Stone Magazine	Su	29.95
Ruzicka Kathy	Ex	100.00
Sam'S Club (Sen Center)	Su	25.84
Seward County Clerk/Reg Deeds	Se	16.00
Seward County Independent	Ex	831.85
Seward County Public Power	Ut	2,637.87
Seward County Treasurer	Se	15,188.50

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Seward Lumber & Home Center	Re, Su		901.30
Seward School District	Fines		90.00
Siteone Landscape Supply	Gu		342.52
Sleight Austin	Ex		140.00
Sleight Bill	Ex		200.00
Slepicka Max	Ex		140.00
Sloup Brevin	Ex		160.00
Sloup Shane	Ex		50.00
Southeast Library System	Trng		20.00
Supplyworks	Su		178.95
Taser International	Eq		746.29
Taylor Made Golf Co Inc	Merchandise		752.40
Time Warner Cable	Ut		88.57
Tools Plus Industries LLC	Su		254.52
U S A Bluebook - Cust 812	Re		884.19
U S Postal Service	Su		168.00
University Nebraska-Tree	Trng		215.00
Verizon Wireless	Se		149.38
Visa - Pinnacle Bank			528.81
Menards	Su	21.36	
Advanced Workstations	Equip	60.00	
Carbonite Backup	Se	343.94	
GoDaddy.com	Ex	33.51	
Nebraska Library Assn	Trng	70.00	
Warrior Mindset.Com	Trng		250.00
Waste Connections	Se		383.50
Watchguard Video	Eq		9,740.00
Windstream Nebraska Inc	Se		2,417.95
Wolter Gary	Ex		171.88
Woodhouse Auto	Pu		35,452.00
Woods & Aitken LLP	Se		504.00
York County Emergency M	Su		25.60
Zootles Magazine	Su		29.95
	CLAIMS TOTAL		<u>\$770,787.30</u>

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

Nay: None

Absent: Hans, Kamprath. Motion carried.

### 3. CONFIRMATION OF MAYOR'S APPOINTMENTS

Councilmember Pike moved, seconded by Councilmember Fritz, that Mayor Eickmeier's reappointment of Dick Miers, Brad Bowen and Norm Schulz to the Housing Appeals Board for a 3-year term be approved.

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

Nay: None

Absent: Hans, Kamprath. Motion carried.

Councilmember Beck moved, seconded by Councilmember Fritz, that Mayor Eickmeier's reappointment of Ryne Seaman to the Community Redevelopment Authority For Tax Increment Financing (CRA) for a 5-year term be approved.

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

Nay: None

Absent: Hans, Kamprath. Motion carried.

Councilmember Schmit moved, seconded by Councilmember Singleton, that Mayor Eickmeier's appointment of Sue McHugh to the Civic Center Commission for a 3-year term (replace Janice Rolfsmeier) be approved.

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

4. CONSIDERATION OF A RESOLUTION PLACING A LIEN ON PROPERTY LOCATED AT 611 N 6<sup>TH</sup> STREET FOR UNPAID WATER AND SEWER BILLING

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2016-05

WHEREAS, the water and sewer bill for the residence located at 611 N 6<sup>th</sup> Street in the City of Seward, Nebraska owned by James A. Noe and Rebecca A. Noe, has remained unpaid for a period of three (3) months after it became due; and

WHEREAS, Section 16-682 of the Nebraska Revised Statutes authorized Cities of the First Class to place a lien upon the premises or real estate upon which water and sewer bills remain unpaid for a period of three (3) months after they become due;

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

The delinquent water and sewer bill in the amount of \$259.20 for the residence located at 611 N 6<sup>th</sup> Street, or

Lots 14-15 & 7' Vacant Alley, Block 1, Mary R. Spears Addition, City of Seward, Seward County, Nebraska,

be assessed as a lien against said premises and the City Clerk is directed to certify said special assessment to the County Clerk of Seward County.

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

The Mayor declared the resolution adopted.

Dated: March 15, 2016

THE CITY OF SEWARD, NEBRASKA

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

ATTEST:

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

(SEAL)

5. CONSIDERATION OF AN AGREEMENT WITH GABRIEL, BURGER, ELSE, P.C. EXTENDING CURRENT AUDIT SERVICES CONTRACT FOR ONE ADDITIONAL YEAR

City Administrator Schmit stated the 3-year contract for audit services agreement with Gabriel, Burger, Else, P.C. ended with the most recent audit. He

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stated, typically the City would rebid the service; however, with the intent to hire an accountant for the City and for the sake of consistency for accounting and audit purposes, he recommended the contract be renewed for one additional year at the same cost.

Councilmember Singleton moved, seconded by Councilmember Beck, that the agreement with Gabriel, Burger, Else, P.C. extending the current audit services contract for one additional year be approved.

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

6. CONSIDERATION OF AWARDING THE BID FOR WAGE AND BENEFIT COMPARABILITY STUDY SERVICES

City Administrator Smith stated the City advertised for proposals to provide the wage and benefit comparability study. Two proposals were received: one from Capital City Concepts - \$12,000, including expenses, and the other from Nebraska Pay Surveys - \$11,500, plus expenses. Mr. Smith stated the City has worked with both companies in the past, but recommended awarding the bid for services to Capital City Concepts.

Councilmember Schmit stated he was not impressed with the past services and presentation by Capital City Concepts. He stated Sheila Schukei with Nebraska Pay Surveys has taught comparability and felt her presentation was much better. He added that it may be time to have the labor attorney provide a presentation on comparability.

Councilmember Singleton agreed that having additional training would be beneficial. He said he can't remember when the City Council denied the recommended proposal increases based on comparability, but it would be good to have the additional information from the labor attorney.

Councilmember Beck moved, seconded by Councilmember Pike, that Capital City Concepts, Inc. be awarded the bid for conducting a wage and benefit comparability study for an amount of \$12,000, including expenses.

Aye: Fritz, Wilken, Beck, Pike, Singleton  
Nay: Schmit  
Absent: Hans, Kamprath. Motion carried.

7. CONSIDERATION OF APPROVING A GOLF CART LEASE AGREEMENT WITH BRUNING STATE BANK AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT AND RELATED DOCUMENTS

City Administrator Smith stated the City approved a lease arrangement with Nebraska Golf & Turf, Inc. on January 5, 2016 for 20 golf carts. After this agreement was approved, he decided to add a windshield and ball/club washer to each cart. He stated these options are of great benefit to the players and felt the additional \$5.37 per cart per month was worth the benefit. He stated the lease being presented includes the increased amount.

Councilmember Fritz moved, seconded by Councilmember Wilken, that the golf cart lease agreement with Bruning State Bank for twenty golf carts be approved and that Mayor Eickmeier be authorized to execute said agreement and related documents.

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

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8. CONSIDERATION OF A RESOLUTION AMENDING THE GOLF FEES AT THE SEWARD COMMUNITY GOLF COURSE

Councilmember Schmit introduced the following resolution:

RESOLUTION NO. 2016-06

WHEREAS, the City Council of the City of Seward, Nebraska may by resolution fix the amount of Golf Course fees, and

WHEREAS, it is deemed advisable to establish Golf Course use fees;

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

The amount of Golf Course fees shall henceforth be and are hereby fixed as follows to be in full force and effect on and after January 5, 2016:

	<u>Daily Green Fees</u>	
9 Holes		\$ 18.00
18 Holes		\$ 25.00
	<u>Annual Golf Fee</u>	
Single		\$ 600.00
Family		\$ 775.00
Age 19-25		\$ 275.00
Grade/High School		\$ 150.00
	<u>Daily Golf Cart Rental Per Player</u>	
9 Holes		\$ 6.00
18 Holes		\$ 10.00
	<u>Annual Golf Cart Lease</u>	
Single		\$ 300.00
Family		\$ 400.00
	<u>Annual Golf Cart Storage With Trail Fee</u>	
Gas Cart (Does not include gas)		\$ 375.00
Electric Cart		\$ 400.00
	<u>Daily Trail Fee Only</u>	
Cart Stored Off-Site		\$ 10.00
	<u>Annual Trail Fee Only</u>	
Cart Stored Off-Site		\$ 200.00
	<u>Miscellaneous</u>	
Annual Locker Rent		\$ 35.00
Annual Single Driving Range Pass		\$ 100.00
Annual Family Driving Range Pass		\$ 150.00

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

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

The Mayor declared the resolution adopted.

Dated: March 15, 2016

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THE CITY OF SEWARD, NEBRASKA

ATTEST:

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

\_\_\_\_\_  
Bonnie Otte  
Asst Administrator/Clerk-Treasurer  
Budget & HR Director

(SEAL)

9. STRATEGY SESSION WITH CITY ATTORNEY WITH RESPECT TO POSSIBLE ACQUISITION OF A TEMPORARY CONSTRUCTION AND GRADING EASEMENT FROM THE SEWARD PUBLIC SCHOOL DISTRICT FOR CONSTRUCTION OF A DRAINAGE SWALE ON THE SEWARD ELEMENTARY SCHOOL PROPERTY

City Attorney Hoffschneider stated this agenda item references prior discussions of the ongoing drainage dispute with the Seward Public Schools and Star Street property owners. He stated the City is proposing a temporary construction and grading easement which would allow for the City to construct a drainage swale to improve drainage off the school property and hopefully, move water away from the Star Street properties. He recommended the City Council consider going into closed session for any additional information.

Councilmember Beck moved, seconded by Councilmember Schmit, that the City Council go into Closed Session with the City Attorney, Mayor, City Administrator and John Hughes to discuss the possible acquisition of a temporary construction and grading easement from the Seward Public School District for a period not to exceed 30 minutes.

Mayor Eickmeier stated that a motion has been made and seconded to go into Closed Session with the City Attorney, Mayor, City Administrator and John Hughes to discuss the possible acquisition of a temporary construction and grading easement from the Seward Public School District for a period not to exceed 30 minutes. There was no additional discussion.

Mayor Eickmeier stated that the pending motion is to go into Closed Session with the City Attorney, Mayor, City Administrator and John Hughes to discuss the possible acquisition of a temporary construction and grading easement from the Seward Public School District for a period not to exceed 30 minutes.

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

Mayor Eickmeier restated that the motion and second to go into Closed Session with the City Attorney, Mayor, City Administrator and John Hughes to discuss the possible acquisition of a temporary construction and grading easement from the Seward Public School District for a period not to exceed 30 minutes has been adopted. The executive closed session began at 7:22 p.m.

At 7:40 p.m., Mayor Eickmeier and the following Councilmembers returned to open session: Wilken, Beck, Fritz, Pike, Singleton, Schmit. Absent: Hans, Kamprath. Mayor Eickmeier stated no action was taken while in closed session.

10. CITY ADMINISTRATOR REPORT

Councilmember Fritz moved, seconded by Councilmember Pike, that the City Administrator's Report dated March 15, 2016 be accepted.

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

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None.

12. ANNOUNCEMENT OF UPCOMING EVENTS

National Library Week Finale - April 16; 8:00 a.m. - 2:00 p.m. , located on 5th Street and parking lot east of Seward Memorial Library

13. MOTION TO ADJOURN

Councilmember Pike moved, seconded by Councilmember Schmit, that the March 15, 2016 City Council Meeting be adjourned.

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

THE CITY OF SEWARD, NEBRASKA

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

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