

May 17, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, May 17, 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, Sid Kamprath, Dean Fritz, Barbara Pike, Chris Schmit, and Dick Hans. Other officials present: City Administrator Bruce Smith and Attorney Ryan McIntosh filling in for City Attorney Kelly Hoffschneider. Absent: 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 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 MAY 3, 2016 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Fritz, that the minutes of the May 3, 2016 City Council meeting be approved.

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

Nay: None

Absent: Singleton. Motion carried.

2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Pike moved, seconded by Councilmember Wilken, 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.

CLAIMS LIST
5-17-16
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.

Alamar Uniforms	Uniforms	78.97
All Road Barricades Inc	Su	346.86
Amazon.Com Credit Service	Su	890.82
American Water Works Asso	Dues	375.00
Ameritas Life Insurance Co	Ins	5,718.33
Aqua-Chem Inc	Su	1,662.50
Archi + Etc LLC	Se	5,367.50
Baker & Taylor	Su	1,443.62
Baldinger Charlotte	Mi	24.30
Bizco Technologies	Se	3,864.02
Black Hills Energy	Ut	971.50
Bruning State Bank	Lease	3,550.00
Capital Business-Cheyenne	Ma	91.00
Capital Business-Dallas	Se	225.00
City Seward Library Petty	Su	121.98
City Seward Merchant Serv	Fees	1,699.76
City Seward Payroll Account	Payroll	121,835.38
City Seward Wastewater Trtmt	Op	15,000.00
City Seward Water Sinking	Op	20,000.00
Cornhusker International	Re	1,814.99
Cross & Sons Inc	Eq	6,990.00
Damanhoury Stacey	Misc	25.00
Demco Inc	Su	332.99
Des Moines Stamp Mfg Co	Su	44.05
Diamond Vogel Paint Center	Su	2,861.80
Dowding Pool	Misc	400.00
Ehlers Electronics	Re	85.06
Electronic Contracting Co	Se	81.00
Family Fun Magazine	Su	19.95
Farmers Coop Seward	Su, Gu, Re, Eq	4,201.61
Fast Mart	Su	25.09
Fastenal Company	Su, Re	1,518.40
General Fire & Safety Equip	Su	114.00
Gerhold Concrete Co Inc	Re, Gu	652.75
Grill	Meals	257.89
H & S Plumbing Heating	Ma	610.00
Hamilton Equipment Company	Re	41.29
Helmk Printing Inc	Su	99.00
Hemsath Amanda	Misc	24.00
Herpolsheimer'S Inc	Re	128.97
Heyen'S Service & Custom	Re	89.95
Husker Electric Supply Co	Re, Bu	6,110.43
Jack'S Uniforms & Equipment	Eq	123.94
Jackson Services Inc	Se	33.00
Jurchen John	Misc	25.00
Kerns Scott	Re	200.00
Kriz-Davis Co	Su	4,434.43
Last Mile Network Consult	Re, Se	137.50
Latsch'S	Su	84.15
Lee'S Refrigeration	Bu	168.83
Lincoln Tree Service Inc	Se	9,800.00
Logan Contractors Supply	Re	1,164.50
Lovell Tony	Se	7,600.00
M C 2 Inc	Re	292.62
Matheson Tri-Gas Inc	Su	99.70
Mattson Ricketts Law Firm	Se	4,022.00
Mclaughlin Ed / Cu Track	Misc	25.00

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Menards	Su, Bu	173.79
Merle'S Garden Center	Gu	99.92
Mid-American Benefits Inc	Ins	109.62
Midwest Auto Parts	Re, Su	687.78
Midwest Automotive	Re	1,704.40
Midwest Laboratories Inc	Sse	645.07
Midwest Turf & Irrigation	Re	401.74
N A D A Used Car Guide	Su	105.00
Nat'L Geographic Little K	Su	17.95
Nebraska Labor Dept	Se	158.00
Nebraska Labor Safety Off	Se	140.00
Nebraska Pub Pow-DesMoine	Incentives, Ut	416,402.17
Nebraska Roads Dept	Su	298.50
Niemann'S Port-A-Pot LLC	Ma	950.00
Nifco Mechanical Systems	Bu	150.00
Northern Tool & Equipment	Su	301.13
O C L C Inc	Se	180.69
Odeys Inc	Su	10,992.00
One Call Concepts Inc	Se	107.46
O'Reilly Automotive Inc	Re, Su	109.98
Orscheln Farm & Home	Re, Su, Gu	316.21
Pac 'N' Save Discount Food	Su	189.47
Pankoke Henry W	Ma	165.00
Paper Tiger Shredding	Se	30.00
Phillips Tracy Family	Misc	25.00
Plains Equipment Group Inc	Re	406.65
Plunkett's Pest Control	Bu	59.32
Pollak Cody	Misc	15.00
Powell Bradley	Se	12.00
Precision Tool & Machine	Gu	75.00
Quill Corp	Su	834.11
Reed Electric	Bu	388.66
Road & Track Magazine	Su	24.97
Rolenc Bryce	Se	12.00
Rose Equipment Inc	Re	2,181.67
S & S Design	Gu	275.00
Sam'S Club (Sen Center)	Su	196.17
Sargent Drilling	Se	1,180.00
Seward County Independent	Su, Ex	449.60
Seward County Public Power	Ut	1,490.70
Seward County Treasurer	Se	15,188.50
Seward Lumber & Home Center	Bu, Su, Gu, Re	674.16
Seward School District	Fines, Fees	1,935.00
Shape Magazine	Su	16.97
Siteone Landscape Supply	Gu	886.65
Sleuth Systems	Ma	3,154.00
Spickelmier & Son Inc	Se	9,480.00
Stewart Martha Living Mag	Su	25.00
Superior Signals Inc	Re	143.00
Ten Bensel Drew	Se	12.00
Time Warner Cable	Se	161.68
Titan Machinery	Re	607.26
Total Tool Supply Inc	RE	18.79
U S Cellular - Seward	Eq	19.99
U S Postal Service	Su	203.00
Varner Marilyn D	Su, Incentive	65.00
Verizon Wireless	Se	166.37
Visa - Pinnacle Bank		112.46
Walmart	Su, Re	71.13
Gotprint.com	Misc	41.33

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Wesco Distribution Inc	Su, Re	717.97
West Keith	Misc	325.00
Windstream Nebraska Inc	SE	2,458.89
York County Emergency Mgmt	Su	3.20
Zimco Supply Co	Gu	316.00
	CLAIMS TOTAL	<u>\$716,758.05</u>

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

Nay: None

Absent: Singleton. Motion carried.

3. PUBLIC HEARING - 7:00 P.M. - DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK (CDBG) GRANT APPLICATION - PRE-DEVELOPMENT OF A DOWNTOWN REVITALIZATION PROGRAM

Rian Harkins, Community Development Specialist with Southeast Nebraska Development District (SENDD), addressed the City Council stating the Community Development Block Grant (CDBG) application is for \$30,000 to conduct predevelopment activities for the "Downtown Revitalization (DTR)" program, Phase 1. If awarded, the funds will be used to implement a citizen participation process to identify, evaluate and prioritize downtown revitalization projects that result in a Downtown Revitalization Master Plan for the community. The activity will address the National CDBG objective of eliminating slums and blight. Of the \$30,000, \$27,900 will be available for the planning activities and the remainder will be for project administrative costs. The City will be required to provide a \$7,500 match (approved through LB840 funding). The proposed area included in the project is approximately 5 blocks by 4 blocks of the downtown core, including South Street to Roberts Street; 8th Street to 3rd Street. The \$30,000 will be used to hire a consulting firm to develop the downtown plan. Mr. Harkins added that the consulting firm would know of the budget for Phase 1 and would provide their proposal for services based on that dollar amount.

Mr. Harkins stated that if Phase 1 is awarded, the City is then eligible for Phase 2, which is up to \$350,000 in grant funds. These funds can be used to help implement the project, such as signage improvements, installation of safety features of 2nd story living units, ADA ramps, and lighting (examples). If awarded, the City would be the awardee and SENDD would administer the project. Mr. Harkins stated the City could use the funds for a specific project within the area or spread the funds out over the entire area for multiple projects. The specifics are generally determined within Phase 1 planning.

Mr. Harkins then addressed the Limited English Proficiency and Language Assistance Plan (LEP/LAP). Mr. Harkins stated it is a requirement of Department of Economic Development that each grant application include a LEP/LAP plan. He stated the plan addresses how the City provides services to the non-English speaking population within the project area.

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

Councilmember Hans moved, seconded by Councilmember Beck, that the Limited English Proficiency and Language Assistance Plan for the 2016 Community Development Block Grant DTR Program be approved with Mayor Eickmeier authorized to sign said plan.

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

Nay: None

Absent: Singleton. Motion carried.

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Councilmember Pike introduced the following resolution:

2016-11

Whereas, the City of Seward, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City of Seward, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$37,500 for Phase 1 Pre-Development of a "Downtown Revitalization" program; and,

NOW, THEREFORE, BE IT RESOLVED BY

City Council of Seward, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Seward and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Dated this 17th day of May, 2016.

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

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

Nay: None

Absent: Singleton. Motion carried.

Mayor Eickmeier declared the resolution adopted.

Joshua Eickmeier, Mayor

Bonnie Otte, City Clerk

(SEAL)

4. PUBLIC HEARING - 7:00 P.M. - TAX INCREMENT FINANCING APPLICATION - BRADFORD CENTER

4A. KACH 510, LLC - BRADFORD CENTER (CAREY & ALYSSA HENDRIX), PRESENTATION & REVIEW OF TIF APPLICATION

Andrew Willis, TIF Attorney with Cline Williams Wright, Johnson & Oldfather, LLP presented a Tax Increment Financing application from KACH 510 (Carey & Alyssa Hendrix) for a project designated as the Bradford Center Project. The project includes improvements to a 7,200 s.f. existing building located at 510 Bradford Street, which was built in 1974. The building is commercial space with plans for leasing to three tenants. He stated the county assessment on the building in 2015 was \$424,000 at 84% occupancy and dropped to the present \$293,658 with zero occupancy and exterior improvements needed, using the income approach for assessment valuation. The developer's plan is to make the needed improvements, do some landscaping, and fill the building with commercial tenants. He stated the developer is proposing an increased valuation to \$560,000, based on an income approach and considering the valuation dropped due partially to vacancy, which seems reasonable.

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Mr. Willis stated the building improvements include overhauling the exterior, façade upgrades, replacing the front doors, a landscaping feature on the east side of the building and making electrical improvements and upgrades.

The current valuation is \$293,658, with an estimated increase to \$560,000, a total increase in real estate valuation of \$266,342.

4B. REVIEW OF COST-BENEFIT ANALYSIS

Mr. Willis reviewed the following cost benefit analysis:

Estimated Base project Area Valuation	\$	293,658
Projected Completed project Assessed Valuation	\$	560,000
Projected Tax Increment Base (b. minus a.)	\$	266,342
Estimate Tax Levy		1.742962
Annual Projected Tax Shift	\$	4,642

The project anticipates expenditures of approximately \$135,000; \$45,000 to be financed through Tax Increment Financing indebtedness, all of which shall be eligible public expenditures. The eligible improvements for this Project shall enhance the aesthetics of the Redevelopment Area, revitalize the property to reverse the decrease in valuation; and will encourage new commercial tenants and additional businesses in the Redevelopment Area, all of which are important public functions to decrease the blighted and substandard conditions.

The Project should not have a material adverse impact on employers and employees of firms locating or expanding within the boundaries of the redevelopment project. The Project will ensure the site maintains economic viability.

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. While the precise scope of businesses that will ultimately occupy the site is not yet certain, the Project will provide additional space for commercial tenants in Seward.

All of the façade and landscaping enhancements are not required improvements, but are costs that exceed City Code and permitting compliance.

The total TIF available, less the three percent administrative fee, is \$45,590. The interest rate is estimated at 5.5 percent for a 15-year loan.

4C., 4D., 4E., 4F. REDEVELOPMENT PLAN AMENDMENT, REDEVELOPMENT AGREEMENT, RESOLUTIONS

Mr. Willis then reviewed the Amendment to the Redevelopment Plan. He noted that the project will consist of the improvements (mainly exterior) to an approximately 7,200 square foot commercial facility, which is currently 100% vacant. The Project includes exterior improvements, upgrades to the electrical, and enhancements to the landscaping to provide leased space for up to three commercial tenants.

All improvements are planned to be completed in 2016, with the TIF effective January, 2017. As in all of the TIF projects, the developer is responsible for repayment of the loan, should there be a shortfall in taxes.

The facility is located at 510 Bradford Street. There is no need for public acquisition of private property. The project will consist of the

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renovation and upgrades to the currently existing building on the project site. The footprint of the building will not change. There is no adverse impact anticipated with respect to traffic flow, street layouts, and street grades. The Site was previously designed for such uses and without additional information about the ultimate tenants, the infrastructure is anticipated to be sufficient for the intended uses. The project will meet or exceed the parking requirements set forth in the applicable zoning district. The site is located in a Commercial Business District zone with the permitted use in said zoning district. No additional zoning, building code, or ordinance changes will be necessary for the Project.

Mayor Eickmeier opened the public hearing.

Carey Hendrix addressed the Committee stating they have one tenant under contract waiting for the building to be completed and another verbally committed making up 80% occupancy. This would leave approximately 1,200 s.f. to be leased and there is interest in this space. He said, at full occupancy, he believes the valuation will exceed the projected target of \$560,000.

Mayor Eickmeier closed the public hearing.

Councilmember Beck introduced the following resolution:

RESOLUTION #2016-12

(Amendment to Redevelopment Plan - Bradford Center
Redevelopment 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 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 Neb. Rev. Stat. § 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, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. § 18-2115, and Nebraska law.

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G. On May 17, 2016, 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, Neb. Rev. Stat. §§ 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.
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 17th day of May, 2016.

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

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

Nay: None

Absent: Singleton. Motion carried.

Mayor Eickmeier declared the resolution adopted.

CITY OF SEWARD, NEBRASKA

By: _____
Mayor

May 17, 2016

ATTEST: _____
City Clerk

Councilmember Fritz introduced the following resolution:

RESOLUTION NO. 2016-13

(Approval of Redevelopment Agreement - Bradford Center
Redevelopment 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, Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended (the "Act"), the City of Seward, Nebraska ("City"), has adopted a redevelopment plan ("Redevelopment Plan") for certain portions of the City. 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 Bradford Center Redevelopment Project that will include the use of tax increment financing (the "Project").

C. On May 4, 2016, the CRA approved the Redevelopment Agreement for the Project.

D. The City Council 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.

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 KACH 510, 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.

DATED THIS 17th day of May, 2016.

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

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

Mayor Eickmeier declared the resolution adopted.

CITY OF SEWARD, NEBRASKA

By: _____
Mayor

ATTEST: _____
City Clerk

5. PREVIEW OF CITY'S UPDATED WEBSITE

Megan Boggs, Library Assistant II/Social Media/IT, and Mayor Eickmeier presented a proposed new city website. Mayor Eickmeier asked the Council to preview the demo site and notify him of any concerns or changes before the site goes live. No action was taken.

6. REQUEST FOR STREET CLOSURES/PARADE PERMIT FOR JULY 4TH FESTIVITIES

Councilmember Kamprath introduced the following resolution:

RESOLUTION NO. 2016-14

WHEREAS, the City of Seward's Annual FOURTH OF JULY CELEBRATION is scheduled for July 4, 2016; and

WHEREAS, the City of Seward wishes to support this annual event; and

WHEREAS, it is necessary to close the north lane of Highway 34 between 5th Street and Hwy 15 (6th Street) from 5:00 a.m. to 7:00 p.m. for the festivities to be held on the Courthouse square; and

WHEREAS, it is necessary to close the east lane of Hwy 15 (6th Street) between Highway 34 (Main Street) to Seward Street from 5:00 a.m. to 7:00 p.m. for the festivities to be held on the Courthouse square; and

WHEREAS, it is necessary to close Highway 15 at the intersection of Seward Street and Highway 15 for the Parade from 3:30 p.m. to 7:00 p.m.; and

WHEREAS, the road closure described above must be approved by the State of Nebraska Department of Roads;

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

The Assistant Administrator/Clerk-Treasurer/Budget & Human Resource Director is hereby authorized to forward this resolution to the State of Nebraska Department of Roads for the closing of Hwy 15 and Hwy 34 as defined above for the festivities to be held on the Fourth of July in Seward, Nebraska.

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

Aye: Fritz, Wilken, Beck, Hans, Pike, Kamprath, Schmit
Nay: None

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Absent: Singleton. Motion carried.

The Mayor declared the resolution adopted.

Dated: May 17, 2016

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

(SEAL)

Following passage of the resolution, Mayor Eickmeier noted that the agenda had this street closure incorrectly identified. The agenda listed the street closure to be "...the Hwy 15/34 intersection during the Parade for the Fourth of July Festivities". He stated the correct intersection to be closed is Hwy 15/Seward Street intersection.

Councilmember Beck moved, seconded by Councilmember Schmit to reconsider the resolution approving the closing of east lane of Highway 15 from main to Seward Street, the north lane of Hwy 34 from 5th to 6th Street, and the Hwy 15/Seward Street intersection during the Parade for the Fourth of July Festivities.

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

Nay: None

Absent: Singleton. Motion carried.

Councilmember Pike moved, seconded by Councilmember Wilken, that amended Resolution No 2016-14 approving street closings for the Fourth of July Festivities be approved.

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

Nay: None

Absent: Singleton. Motion carried.

(City Clerk Note - the Resolution was correct as originally approved; the agenda item title was incorrect.)

7. CONSIDERATION OF A POWER PURCHASE AGREEMENT WITH BLUESTEM ENERGY

Matt Robinette, BlueStem Energy Solutions, addressed the City Council recapping the project of constructing a 1.7 Mg wind turbine on private property that will connect to the City's electric utility. He stated, if the agreement is approved, it will take another 5-6 months of work before construction begins, with the completed project around January 2017.

Councilmember Hans moved, seconded by Councilmember Fritz, that the Power Purchase Agreement with Bluestem Energy be approved.

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

Nay: None

Absent: Singleton. Motion carried

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8. CONSIDERATION OF APPLICATION FOR NEBRASKA PUBLIC POWER DISTRICT APPROVAL TO CONNECT DISTRIBUTED OR LOCAL GENERATION

Matt Robinette, Bluestem Energy Solutions, presented the application for Nebraska Public Power District (NPPD) approval to connect to the local generation (wind turbine). He stated this process allows NPPD time to review the wind turbine project and identify any upgrades or other responsibility for BlueStem's interconnection to their system.

Councilmember Beck stated that the Council just approved the agreement with BlueStem Energy; however, the rate was not disclosed as it is proprietary information.

City Administrator Smith stated the rate is better than originally proposed, but the Council could go into executive closed session for the details, since the information is proprietary. No action was taken on the inquiry.

Councilmember Kamprath moved, seconded by Councilmember Hans, that application for Nebraska Public Power District Approval to connect distributed or local generation be approved.

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

9. PROJECT UPDATE AND DISCUSSION REGARDING THE PROPOSED BLUE RIVER PET RESCUE ANIMAL SHELTER

Mayor Eickmeier stated the Dr. Ellis was going to update the Council on the proposed Blue River Pet Rescue; however, due to an office emergency, he was not able to attend the County Commissioners meeting earlier in the day and therefore requested this item be tabled to another meeting. No discussion or action was taken on this item.

10. CONSIDERATION OF A RESOLUTION DESIGNATING DISABLED PERSONS PARKING SPACE IN THE OFF-STREET PARKING AREA AT THE CORNER OF 7TH STREET AND JACKSON AVENUE

City Administrator Smith stated a citizen requested a disabled/handicapped parking space for the municipal building.

Councilmember Pike introduced the following resolution:

RESOLUTION NO. 2016-15

WHEREAS, Section 5-429 and 5-429.01 of the City Code of the City of Seward, Nebraska provides that the City may designate parking spaces for the exclusive use of handicapped or disabled persons whose vehicles display the distinguishing license plate or permit issued to such individuals pursuant to Neb. Rev. Stat. Sections 60-3113 to 60-3,113.08, such other handicapped or disabled persons as certified by the Governing Body whose vehicles display such identification as determined by the Department of Motor Vehicles, and such other motor vehicles as certified by the Governing Body which display such identification, and

WHEREAS, it is necessary or desirable to designate parking spaces for the exclusive use of handicapped or disabled persons at the location hereinafter designated in the City of Seward, Nebraska:

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

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1. No vehicle shall be parked or permitted to stand or stop, whether attended or unattended at any time at the following locations except those designated and used exclusively for handicapped or disabled persons:
 - a. One 2-hour limit diagonal parking space with access aisle fourteen feet (14') in width located on the east side of North 7th Street in the off-street parking starting 32 feet south of the south curb line of Jackson Avenue thence south 14 feet;

2. The above designated parking space shall be indicated by a sign which is in conformance with the most current edition of the Highway Administration Manual on Uniform Traffic Control Devices for streets and highways and such other appropriate lines and markings shall be placed at said locations as are authorized by the City Code of the City of Seward, Nebraska.

3. All previous resolutions in conflict with the resolution as they relate to the above described locations are hereby revoked.

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

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

Nay: None

Absent: Singleton. Motion carried.

The Mayor declared the resolution adopted.

Dated: May 17, 2016

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

11. CITY ADMINISTRATOR REPORT

Councilmember Kamprath moved, seconded by Councilmember Pike, that the City Administrator's Report dated May 17, 2016 be accepted.

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

Nay: None

Absent: Singleton. Motion carried.

12. PRESENTATION TO RESIGNING COUNCILMEMBER BARB PIKE FOR HER YEARS OF SERVICE ON THE SEWARD CITY COUNCIL

Mayor Eickmeier presented outgoing Councilmember Barb Pike with a plaque and thanked her for her years of service.

13. CONFIRMATION OF MAYOR EICKMEIER'S APPOINTMENT OF KARL MILLER AS COUNCILMEMBER OF WARD 4 TO REPLACE RESIGNING COUNCILMEMBER BARBARA PIKE

Councilmember Wilken moved, seconded by Councilmember Pike, that Mayor Eickmeier's appointment of Karl Miller as Councilmember representing Ward 4

May 17, 2016

to fill the vacancy of resigning Councilmember Barbara Pike be approved.

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

Nay: None

Absent: Singleton. Motion carried.

Assistant Administrator/Clerk-Treasurer/Budget & Human Resources Director Bonnie Otte administered the Oath of Office for Councilmember Karl Miller.

14. CONFIRMATION OF MAYOR'S APPOINTMENTS

Councilmember Schmit moved, seconded by Councilmember Fritz, that Mayor Eickmeier's appointment of Karl Miller to serve on the Personnel, Finance & Audit Committee (replace Barb Pike) be approved.

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

Nay: None

Absent: Singleton. Motion carried.

Councilmember Fritz moved, seconded by Councilmember Kamprath, that Mayor Eickmeier's appointment of Karl Miller to serve on the Seward Foundation (replace Barb Pike) be approved.

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

Nay: None

Absent: Singleton. Motion carried.

Councilmember Beck moved, seconded by Councilmember Wilken, that Mayor Eickmeier's appointment of Karl Miller to serve on the LB840 Sales Tax Application Review Committee (replace Barb Pike) be approved.

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

Nay: None

Absent: Singleton. Motion carried.

Councilmember Wilken moved, seconded by Councilmember Fritz, that Mayor Eickmeier's appointment of Karl Miller to serve on the Rail Campus Committee (replace Barb Pike) be approved.

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

Nay: None

Absent: Singleton. Motion carried.

15. ANNOUNCEMENT OF UPCOMING EVENTS

June 3 - Mayor's Glow Ball Classic - Seward Community Golf Course - Dusk

May 18 and 19 - Wake, Rosary and Funeral Services for former Police Officer John Kildare at St. Vincent DePaul Catholic Church

16. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

17. MOTION TO ADJOURN

Councilmember Fritz moved, seconded by Councilmember Wilken, that the

May 17, 2016

May 17, 2016 City Council Meeting be adjourned.

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

Nay: None

Absent: Singleton. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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