

February 16, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, February 16, 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, and Chris Schmit. Other officials present: City Administrator Bruce Smith and Attorney City Attorney Kelly Hoffschneider. Absent: Councilmember Dick Hans, John Singleton, and 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. INTRODUCTIONS, SPECIAL PRESENTATIONS & PROCLAMATIONS

Mayor Eickmeier introduced the newly hired City employees: Chlancey Dittmer - Electric Department, Lineman First Class; Andrew Marr - Seward Community Golf Course, Golf Shop Manager; and Dan Kahler - Seward Community Golf Course, Golf Course Superintendent.

2. APPROVAL OF MINUTES OF FEBRUARY 9, 2016 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Fritz, that the minutes of the February 9, 2016 City Council meeting be approved.

Aye: Wilken, Pike, Fritz, Schmit, Beck

Nay: None

Absent: Hans, Kamprath, Singleton. Motion carried.

3. 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. Code Director's Report
- D. Seward County Economic Development Corporation Director's Report
- E. Infrastructure Cost Items Reimbursable Back to the City.

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CLAIMS LIST
2-16-16
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.

Alamar Uniforms	Uniforms	285.45
Amazon.Com Credit Service	Su	765.10
Ameritas Life Insurance C	Ins	5,622.72
Baker & Taylor	Su	2,620.40
Barco Municipal Products	Re	315.00
Bender Matthew & Co Inc	Su	235.10
Black Hills Energy	Ut	2,122.47
Burlington Northern Santa	Misc	2,387.73
Capital Business-Cheyenne	Ex	91.00
Capital Business-Dallas	Ma	225.00
Cash-Wa Distributing Co	Su	739.99
Cattle National Bank/Trus	Eq	12,957.84
Central States Hydraulic	Re	859.42
City Seward Comm Golf Cou	Misc	300.00
City Seward Library Petty	Su	144.83
City Seward Merchant Serv	Se	2,846.93
City Seward Payroll Accou	Payroll	119,918.79
Cloth Paper Scissor Maga	Su	19.95
Constellation Newengergy	Ut	1,988.49
Danko Emergency Equipment	Eq, Re	10,158.44
Diamond Vogel Paint Cente	Bu	159.16
Dittmar Craig	Misc	50.00
Dutton-Lainson Co	Ci	34,600.00
Electric Pump	Eq	310.90
Electronic Contracting Co	Se	321.00
Emergency Medical Product	Su	473.40
Farmers Coop Seward	Re, Su	2,557.52
Fast Mart	Su	142.09
Fastenal Company	Su, Re	855.92
Garrett-Johnson Allison	Misc	400.00
General Fire & Safety Equ	Bu	123.85
Gerhold Concrete Co Inc	Su	1,165.58
Graham Tire	Re	109.31
Great Plains Game & Fish	Su	40.00
H & S Plumbing Heating &	Bu, Ma	1,865.39
Hall'S Safety Equipment C	Eq	786.00
Hamilton Equipment Compan	Eq	11,500.00
Helminck Printing Inc	Su	14.00
Herpolsheimer'S Inc	Re	38.01
Heyen'S Service & Custom	Re	27.20
Hobson Automotive & Tire	Re	81.29
Husker Electric Supply Co	Re	181.90
I E S Commercial Inc	Ci	27,370.95
Jackson Services Inc	Ma	33.00
Kriz-Davis Co	Su	28.60
Last Mile Network Consult	Se	90.00
Latsch'S	Su	57.47
Lincoln Winwater Works	Su	294.92
Matheson Tri-Gas Inc	Su	105.54
Mechanical Sales Inc	Bu	185.00

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Memorial Health-Drug	Se		422.00
Memorial Health-Meals	Su		2,283.27
Menards	Gu, Bu		341.08
Mid-American Benefits Inc	Ins		530.84
Midwest Auto Parts	Su		148.99
Midwest Laboratories Inc	Se		692.83
N M C Exchange Inc	Re		584.00
Nate'S On The Nine	Awards Dinner		2,044.22
Nebraska Code Officials	Dues		100.00
Nebraska Health Environme	Se		210.00
Nebraska Pub Pow-Desmoine	Misc, Ut	532,	167.76
Nebraska Treasurer	Misc		101.85
Niemann'S Port-A-Pot Llc	Ma		100.00
Nifco Mechanical Systems	Se		150.00
O C L C Inc	Se		180.69
One Call Concepts Inc	Se		24.96
One Source Background Che	Se		38.00
O'Reilly Automotive Inc	Su, Re		736.94
Orscheln Farm & Home	Gu, Su, Re		932.40
Otte Donna	Mi		32.40
Outdoor Life Magazine	Su		29.97
Pac 'N' Save Discount Foo	Su		97.88
Pankoke Henry W	Se		220.00
Pearson Counseling & Cons	Se		350.00
Peery, Jan	Misc		25.00
Plains Equipment Group In	Su		71.98
Quill Corp	Su		503.39
Ranger Rick Jr Magazine	Su		19.95
Sam'S Club (Lib-Rec-Pool)	Su		121.47
Sam'S Club (Sen Center)	Su, Bu		434.93
Seward Appliance Repair	Bu		75.00
Seward Area Chamber Comme	Ex		705.00
Seward County Clerk/Reg D	Se		28.00
Seward County Independent	Se		592.25
Seward County Public Powe	Ut	1,956.99	
Seward County Treasurer	Se	15,188.50	
Seward Lumber & Home Cent	Su, Bu	1,359.66	
Seward School District	Misc	180.00	
Sirchie Fingerprint Labor	Su	144.57	
Skarshaug Testing Laborat	Se	76.73	
Sommerfeld Allison N	Meals	16.47	
Southeast Library System	Trng	20.00	
Storey Kenworthy / Matt P	Su	1,031.82	
Supplyworks	Su	462.27	
Teen Vogue Magazine	Su	10.00	
Time Warner Cable	Se	80.69	
Title Services Of Blue Va	Ci	349,007.58	
Trans-Alarm Inc	Se	324.00	
U S Postal Service	Su	168.00	
Verizon Wireless	Se	182.79	
Visa - Pinnacle Bank		57.74	
Mattice Lock & Safe	Bu	22.50	
Walmart	Su	28.24	
Treat Yourself	Misc	7.00	
Waste Connections	Ma	560.00	
Wesco Distribution Inc	Re	699.78	
Windstream Nebraska Inc	SE	2,412.18	
Zee Medical Service Inc	Su	433.10	
Claims Total			<u>\$1,168,042.57</u>

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Aye: Fritz, Wilken, Beck, Pike, Schmit

Nay: None

Absent: Hans, Kamprath, Singleton. Motion carried.

4. PUBLIC HEARING - 7:00 P.M. - ONE & SIX YEAR STREET IMPROVEMENT PLAN

Julie Ogden, PE, JEO Consulting Group, 142 W 11th Street, Wahoo, presented the 2016 One and Six Year Street Improvement Plan. Ms. Ogden reviewed the completed projects: Cedar Street concrete paving from 5th to 6th Streets; S. Jackson Avenue concrete paving project from 10th to 11th Streets; and Orschlens/Dollar General concrete driveway access off Highway 15.

Ms. Ogden then reviewed the one-year projects: Karol Kay Boulevard concrete paving from Bader Ave to Hillcrest Drive at a City cost of \$163,000; Waverly Road concrete paving from Highway 15 to Plum Creek Bridge at a total cost of \$1.5 mil - engineering only in current budget year; Seward Hike/Bike Trail concrete paving from S. Columbia to Karol Kay Blvd at a City cost of \$800,000 - bids let by NDOR with project to be in 2018; Twin Oaks Road asphalt overlay from Progressive to 200 feet west at a City cost of \$25,000; Park Avenue paving from 11th to 12th Streets at a City cost of \$37,000; and, East Hillcrest Drive concrete paving from Eastridge Drive to Plum Creek Bridge, including pedestrian access from Concordia University to Plum Creek Trail, at a City cost of \$225,000.

The six-year projects are: Columbia Ave - Lincoln Ave to Highway 34 for street resurfacing; Jackson Road - 5th to 7th Streets for street resurfacing; Eastridge Drive - Bradford to Roberts Streets for street paving; Seward Street - 830' east of Plum Creek Lane to Evergreen Drive for street construction.

Ms. Ogden mentioned an effort to coordinate projects with Seward County, where applicable.

There was a question about the environmental impact of the Karol Kay Blvd project. Ms. Ogden stated that the City submitted the proposed route for the project to the Feds; however, because it would have caused a portion of Plum Creek Trail to be realigned, the Feds required choosing a different route slightly further west. She said the new route is now under review and property owners in the Eastridge area would receive notice if there were to be any impact to their properties with this plan.

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

Councilmember Fritz introduced the following resolution:

RESOLUTION NO. 2016-03

WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Seward, Nebraska, and

WHEREAS, a public hearing was held on the 16th day of February, 2016, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and the City Council of the City of Seward, Nebraska, that the plans and data as furnished are hereby in all things accepted and adopted.

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

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Mayor Eickmeier declared the resolution adopted.

Dated: February 16, 2016

Joshua Eickmeier, Mayor

ATTEST: _____

Bonnie Otte
Assistant Administrator
Clerk/Treasurer
Budget & HR Director

(SEAL)

5. PRESENTATION AND CONSIDERATION OF ACCEPTANCE OF AUDITOR'S REPORT FOR YEAR ENDED SEPTEMBER 30, 2015

Ryan Burger, Whitewater Lane, Lincoln, NE representing Gabriel, Burger, Else, P.C., addressed the Council and presented the September 30, 2015 Year End audit. In summary, he stated the cash and certificates of deposit increased and the long-term debt decreased. There were some findings; however, the City is making progress in some areas. He thanked the administrative staff for their efforts and assistance with the audit. Mr. Burger then reviewed some comparative ratios for assets and debt service. He stated the City is in great shape on current assets. The government standard for debt service is 2/1 ratio and the City is around a 1/1, but added that the City has paid down some debt and there is some available cash in bond restricted funds that may be used to pay down additional debt. He said a 1/1.5 would be a great goal.

Councilmember Beck moved, seconded by Councilmember Wilken, that the Auditor's Report for Year Ended September 30, 2015 be accepted.

Aye: Fritz, Wilken, Beck, Pike, Schmit

Nay: None

Absent: Hans, Kamprath, Singleton. Motion carried.

6. CONSIDERATION OF CONSTRUCTION OF A DESIGNATED DOG PARK WITHIN THE CITY

Randy Chapp, 1223 Fairlane Ave addressed the City Council stating he is the Chairman of the Park and Recreation Board and has been working with the Dog Park Committee for 8-10 years. He stated the Park and Recreation Committee support the project and the proposal that is being presented is a good addition to the City.

Garrett Kuss, 1701 Rainbow Ave, addressed the City Council stating he is with Scout Troop 256 and is working with the Park and Recreation Board and the Dog Park Committee with the hopes of making this his Eagle Scout project. He proposed that he would gather volunteers to assist with the installation of the fencing. The City would drill the holes for the wooden posts, the volunteers would install the posts and cement them in and put up the wire fencing. He stated he put up a Facebook page proposing the project and has had 200 people "Like" his page and 25 people commented positively. There were no negative comments. The proposed project cost is \$4,948 and all of the money has been raised.

Robin Pollak, 199 E Lincoln St., addressed the City Council stating that she researched dog parks in other communities, as well as appropriate signage, wheel chair access, fencing and gates and believes the Committee has come up with the best plan for the park.

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Pat Sanley, 403 S. Columbia, addressed the City Council stating she has been part of this Committee for about 8 years and now that all of the money is raised, would like to see the dog park built. The packet included a map of three potential locations with the location of Seward Street and Plum Creek Trail with the parking lot to the south as the preferred location. She stated she contacted the City's insurance carrier (Suhr & Lichty) and there would be no additional costs to the City for liability insurance and that the general liability coverage would extend to this park. There would be signage in the park that specifically addresses no liability for the animals and owners or their actions. She added that there will be a separate area for smaller dogs. As for upkeep, the current dog parks say they may need to mow or trim a couple times per year; however, the animals keep the grass down and the owners are generally good about picking up any waste.

City Attorney Hoffschneider commented that the City does have some liability protection under the Nebraska Recreation Act, but signage is good.

Bob Core, Assistant Recreation Director, stated the City Park employees would assist to make sure the fence is installed to building requirements and there will be sufficient trash barrels and waste bags and receptacles that the Park and Recreation employees will empty a couple times per week or as needed.

Councilmember Pike moved, seconded by Councilmember Schmit, that the construction of a dog park to be located on East Seward Street east of the Plum Creek Trail adjacent to the small rocked parking lot be approved.

Aye: Pike, Schmit, Wilken, Beck, Fritz

Nay: None

Absent: Hans, Kamprath, Singleton. Motion carried.

7. CONSIDERATION OF AN ORDINANCE DIRECTING THE CONVEYANCE OF REAL PROPERTY TO THE STATE OF NEBRASKA FOR THE NATIONAL GUARD ARMORY MUSEUM

Public Facilities/Capital Improvements/GIS Director John Hughes stated the City passed an ordinance in 2015 approving the conveyance of real property to the State of Nebraska for the National Guard Armory Museum; however, in transferring the property, it was discovered that the property in what was termed the "Park Addition" had not been previously platted. The parcel also had a 10' x 35' panhandle at the south side running to the east away from the park area, in which the City determined extra maintenance. He stated the property has now been administratively platted and the property lines cleaned up with the appropriate legal description for transfer to the State of Nebraska.

Mayor Eickmeier stated that due to a lack of Councilmembers required to suspend the statutory rules of reading the ordinance on three separate days, this Ordinance could only be considered on first reading.

Councilmember Pike introduced the ordinance on first reading: 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. No action was taken.

8. CONSIDERATION OF A RESOLUTION SUPPORTING A NEW ORGANIZATION OF SEWARD COUNTY CHAMBER AND DEVELOPMENT PARTNERSHIP

Mayor Eickmeier stated that since the agenda was published, the Seward County Chamber and Development Partnership stated they did not need the City to consider a separate resolution.

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Councilmember Beck stated she attended the first organizational meeting where the bylaws were adopted and she was appointed to a two-year term on the Board. She stated the Board needs to hire a CEO. She said there are a few concerns in that the documents for the organization seem to be written as Chamber documents and the City's concerns needs to be addressed. She stated that she has hopes for this to be a successful economic development group. She stated that in hindsight, the City Council may have acted hastily on adopting the vision statement, but hopeful that this is a collaborative effort for all.

Councilmember Schmit stated that he wants to see the new organization work, but is discouraged that the things the City requested (ex-officio) is unlikely to which Councilmember Beck stated the City may have an advisory non-voting member attend the meetings. He stated he hopes the organization takes the requests of the City seriously and does want to be left with the feeling that the organization got the City's support and money, but does not want to hear any more from the City.

Mayor Eickmeier stated that the Council will have the opportunity to hear more on the organization's progress through the budget process and member agreements.

Max Wake, 136 N Columbia Ave addressed the City Council stating he is a Board Member of the new organization and appreciates Councilmember Beck's attendance at their meeting. He said he is glad to hear the comments and suggestions and feels the organization needs to be guided by the vision statement and that the organization does what best represents Seward and Seward County communities in a collaborative way.

No action was taken on the proposed resolution.

9. CITY ADMINISTRATOR REPORT

Councilmember Schmit moved, seconded by Councilmember Pike, that the City Administrator's Report dated February 16, 2016 be accepted.

Aye: Fritz, Pike, Wilken, Beck, Schmit

Nay: None

Absent: Hans, Singleton, Kamprath. Motion carried.

10. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Schmit inquired if there is a way to provide information to the Council regarding proposed agenda items before they are placed on an agenda so there is more time to prepare for a decision. He asked if this area on the agenda could serve as a notice of upcoming items.

Mayor Eickmeier stated there may be several "drafts" of items before they are placed on an agenda and it may be confusing to the Council or public if items are placed on an agenda in draft form.

Councilmember Beck stated it falls upon the Council to step back on items that may need more time for consideration or discussion prior to voting.

11. ANNOUNCEMENT OF UPCOMING EVENTS

February 22 & 23 - League of Nebraska Municipalities Midwinter Conference
March 9-11 - Nebraska Annual Planning & Zoning Conference

12. MOTION TO ADJOURN

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Councilmember Schmit moved, seconded by Councilmember Pike, that the February 16, 2016 City Council Meeting be adjourned.

Aye: Fritz, Wilken, Beck, Pike Schmit

Nay: None

Absent: Hans, Singleton, Kamprath. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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