

May 3, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, May 3, 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 Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Councilmember Chris Schmit 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 APRIL 19, 2016 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Fritz, that the minutes of the April 19, 2016 City Council meeting be approved.

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

2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Singleton moved, seconded by Councilmember Pike, 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  
5-3-16  
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.

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A-J Roofing & Waterproofing	Re		31,196.74
Alamar Uniforms	Uniforms		596.93
All Road Barricades Inc	Su		2,572.71
Ameritas Life Insurance Co	Ins		6,993.11
Anderson Brock	Se		12.00
Bizco Technologies	Se		640.31
Blackburn Manufacturing Co	Su		408.06
Bloebaum Nickalas	Se		30.00
Blue Valley Contracting	Se		608.00
Bogenrief Jeni	SE		30.00
Capital Business-Cheyenne	Ma		93.47
Carroll Dist/Const Supply	Su		410.00
Cattle Roger	Misc		292.99
Ceresco Youth Recreation	Ex		200.00
Chase Card Service			3,799.12
Amazon Mktplace	Eq	142.20	
WalMart	Su, Bu	696.50	
Highway Products	Eq	679.95	
RBT Kum & Go	Su	38.95	
Johnns Italian Steakhouse	Meals	75.15	
Holiday Inn	Trng	499.66	
McDonalds	Meals	7.61	
Arbys	Meals	16.10	
Dakota Riggers	Tools	63.47	
Working Persons Store	Su	61.19	
Office Depot	Bu	209.11	
Logmein.com	Su	149.00	
Home Depot	Tools	330.33	
Deguns.net	Tools	51.96	
UNL Agronomy & Horticulture	Trng	70.00	
Lou & Mary Annes, Bee	Meals	257.95	
Sears Roebuck	Bu	449.99	
City Seward Buildings/Grounds	Op		3,000.00
City Seward Electric Fund	Ut		31,683.08
City Seward Library Petty	Su, Ex		141.26
City Seward Payroll Account	Payroll		142,306.47
City Seward Petty Cash Fund	Su, Re, Meal, Ex		240.46
Collins Jill / Corey	Se		35.00
Commonwealth Electric Co	Ma		852.86
Constellation Newengergy	Ut		1,031.30
Cook Charles	Se		30.00
Creative Prod Sourcing	Su		95.00
Crete Diamonds	Misc		400.00
Delta Dental	Ins		1,387.10
Dowling Adam	Se		30.00
Eber Rich	Se, Re		184.93
Eberspacher Jon / Jill	Se		35.00
Fast Mart	Su		2.74
Fastenal Company	Su, Re, Meal, Ex		518.30
Foltz Fred	Se		225.00
General Excavating	Re		9,926.55
Gerhold Concrete Co Inc	Gu		122.84
Grafix Shoppe	Su		89.36
Great Plains Communication	Se		586.00
Hach Company	Se		122.69
Hobson Automotive & Tire	Re		15.00
Hydraulic Equipment Service	Re		1,964.20
Jackson Services Inc	Ma		33.00
Jacobsen Rock & Gravel	Su		3,848.64
Jones Automotive	Re		797.00

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Langner Michael	Se	30.00
Last Mile Network Consult	Se	145.30
Latsch's	Su	154.13
Lincoln Winwater Works	Ma	151.46
Loos Josh	Se	30.00
Memorial Health-Drug	Se	93.00
Memorial Health-Meals	Meals	2,454.09
Merle's Garden Center	Su	17.90
Meyer Automotive	Re	235.32
Mid-American Benefits Inc	Ins	516.75
Midwest Turf & Irrigation	Re	18.17
Miller Greg / Mindy	Se	30.00
Moore Scott	Se	30.00
Mueller Angie	Se	30.00
Nebraska Equipment Inc	Re	30.78
Nebraska Health Environment	Se	751.00
Nebraska Labor Dept	Misc	18.00
Nebraska Planning & Zoning	Dues, Trng	400.00
Nottingham Dana	Se	30.00
Odeys Inc	Re, Gu	331.51
Olson Jerod / Sara	Se	30.00
Olsson Associates	Se	6,140.57
Opfer Jamie / Shanna	Se	30.00
O'Reilly Automotive Inc	Su, Re	82.35
Orscheln Farm & Home	Su, Ma, Re, Gu	614.03
Otte Donna	Mi	18.90
Perry Colby	Se	35.00
Peterson Ross	Mi	192.80
Phillips Tabitha	Se	30.00
Plains Equipment Group Inc	Re, Su	566.83
Policky Jenny	Se	30.00
Precision Tool & Machine	Re	154.00
Principal Financial Group	Ins	679.26
Quill Corp	Su	870.45
Richters Inc	Re	4,098.00
Rising Kody / Sarah	Se	30.00
Rose Equipment Inc	Su	476.08
Royuk Kyle	Se	30.00
Rumery Lawn & Landscape	Ma	120.00
Sam'S Club (Lib-Rec-Pool)	Bu, Su	200.04
Sam'S Club (Sen Center)	Su	86.66
Sauber Mfg Co	Re	12,503.00
Seward County Clerk/Reg D	Misc	6.70
Seward Electronics	Se	175.16
Shiple Chris	Se	35.00
Siteone Landscape Supply	Su	912.06
Skarshaug Testing Laboratory	Re	250.08
Smith Bruce	Ex, Meal	111.00
Sommerfeld Allison N	Meal, Trng	397.84
Sports Express	Ex	168.60
Stalsberg Terry	Se	35.00
Steinmeyer Zach	Se	30.00
Suhr & Lichty Insurance Agency	Ins	840.00
Superior Signals Inc	Su	48.83
Theobald Doug	Se	30.00
Time Warner Cable	Se	80.69
Total Tool Supply Inc	Tools	209.80
Turfwerks	Re	191.75
U S Cellular	Se	228.45
United Health Care	Ins	50,960.80

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Vanderslice Justin	Se	30.00
Verizon Wireless	Se	97.94
Wesco Distribution Inc	Su	11,694.08
Zee Medical Service Inc	Su	279.75
	CLAIMS TOTAL	<u>\$346,916.13</u>

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

Nay: None

Absent: Schmit, Kamprath. Motion carried.

3. CONSIDERATION OF SUPPLEMENTAL AGREEMENT No. 3 WITH SCHEMMER ASSOCIATES, INC FOR SEWARD TRAIL PROJECT

Public Facilities/Capital Improvements & GIS Director John Hughes stated, per the landowner request, the supplemental agreement is to realign the proposed Seward Trail so it does not cross through the middle of this piece of farm ground which sits west of Augusta Drive. The realignment requires an additional survey, wetland delineation and redesign of approximately one mile of trail. The supplemental agreement also covers the hazardous material research that was inadvertently removed from the total direct expenses in the agreement. The total cost of the supplemental work is \$28,621.13, with the City's portion being 20%.

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2016-10

**Whereas:** City of Seward and The Schemmer Associates, Inc., have previously executed a Preliminary Engineering Services Agreement (BK1313) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

**Whereas:** City of Seward understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

**Whereas:** City of Seward and The Schemmer Associates, Inc., wish to enter into a preliminary engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

**Be It Resolved:** by the City Council of the City of Seward, Nebraska that:

Joshua Eickmeier, Mayor of the City of Seward, is hereby authorized to sign the attached Final Design Engineering Services Supplemental Agreement No. 3 between the City of Seward, and The Schemmer Associates, Inc.

NDOR Project Number: ENH-80(33)

NDOR Control Number: 13225

NDOR Project Description: Seward Trail

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

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

Nay: None

Absent: Schmit, Kamprath. Motion carried.

Adopted this 3<sup>rd</sup> day of May, 2016 at Seward, Nebraska.

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THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

Bonnie Otte  
Assistant Administrator  
Clerk-Treasurer  
Budget & HR Director

(SEAL)

4. CONSIDERATION OF A POWER PURCHASE AGREEMENT WITH BLUESTEM ENERGY

City Administrator Smith stated BlueStem Energy Solutions, dba Seward, LLC is proposing a Power Purchase Agreement (PPA), which would require the City to buy all of the energy generated by the proposed 1.7MW wind turbine. He stated the City and BlueStem also worked with Nebraska Public Power District (NPPD) to ensure the language in the PPA works in conjunction with the 20-year wholesale power purchase contract recently executed between the City and NPPD. Mr. Smith stated, with generating the 1.7MW through the wind turbine, there is still a little room to add another green energy project such as solar or other source to reach the maximum 2.0MW allowed in the NPPD contract, should the City see another green energy opportunity.

Adam Herink, BlueStem Energy Solutions, stated the costs per MW hour are less than the costs in the current NPPD contract and are fixed for 25 years. He stated there is no capital outlay for the City for the project. BlueStem has met with the County regarding zoning requirements and do not foresee any problems with the project. BlueStem has also met with several companies in the area who are interested in participating in the project. He stated that the City will only pay for the energy generated; if the turbine fails and cannot produce, there is no cost to the City.

The City Council took no action on the item to allow additional time for the City Attorney and the Council members to review the agreement.

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

City Administrator Smith stated if the City Council approves the Purchase Power Agreement (PPA) with BlueStem Energy Solutions, the City then needs to make application with Nebraska Public Power District (NPPD) to connect the wind turbine to the City's electric system.

Adam Herink, BlueStem Energy Solutions, stated that there would be administrative costs for BlueStem and NPPD associated with reviewing the application and since the PPA has not been signed, he would not want to move forward with the application. He stated that it will take NPPD approximately 60 days to review the finalized application and upon their approval, the project is ready to begin. No action was taken.

6. STRATEGY SESSION TO PROVIDE NEGOTIATION GUIDANCE TO THE CITY ATTORNEY FOR THE CITY OF SEWARD RAIL SITE DEVELOPMENT REAL ESTATE

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Councilmember Wilken moved, seconded by Councilmember Beck, that the City Council go into Closed Session with the City Attorney, Mayor, City Administrator, and Jonathan Jank, for a strategy session to provide the City Attorney with negotiation guidance for the Rail Site Development real estate for a period not to exceed 30 minutes.

Mayor Eickmeier repeated there is a motion and second to go into Closed Session with the City Attorney, Mayor, City Administrator, and Jonathan Jank, for a strategy session to provide the City Attorney with negotiation guidance for the Rail Site Development real estate for a period not to exceed 30 minutes.

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

Mayor Eickmeier announced that the motion to go into Closed Session with the City Attorney, Mayor, City Administrator, and Jonathan Jank, for a strategy session to provide the City Attorney with negotiation guidance for the Rail Site Development real estate for a period not to exceed 30 minutes has been adopted.

The Closed Session began at 7:20 p.m. At 7:37 p.m., the Closed Session ended and the following Councilmembers and Mayor Eickmeier returned to the Council Chambers to Open Session: Wilken, Beck, Fritz, Pike, Singleton, Hans. Mayor Eickmeier announced that no formal action was taken while the City Council was in Closed Session.

7. CITY ADMINISTRATOR REPORT

Councilmember Fritz moved, seconded by Councilmember Wilken, that the City Administrator's Report dated May 3, 2016 be accepted.

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

8. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None.

9. ANNOUNCEMENT OF UPCOMING EVENTS

None.

10. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Beck, that the May 3, 2016 City Council Meeting be adjourned.

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

THE CITY OF SEWARD, NEBRASKA

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

\_\_\_\_\_  
Bonnie Otte

May 3, 2016

Assistant Administrator  
Clerk-Treasurer  
Budget & Human Resources Director