

October 18, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, October 18, 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: Jonathon Wilken, Ellen Beck, Sid Kamprath, Karl Miller, John Singleton, Chris Schmit, Richard Hans. Other officials present: City Administrator Bruce Smith, Attorney Ryan McIntosh filling in for City Attorney Kelly Hoffschneider. Absent: Councilmember Dean Fritz.

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 OCTOBER 4, 2016 COUNCIL MEETING

Councilmember Singleton moved, seconded by Councilmember Wilken, that the minutes of the October 4, 2016 City Council meeting be approved.

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

2-6. CONSENT AGENDA CONSIDERATION ITEMS

The following Consent Agenda items were approved in one single motion made by Councilmember Singleton, seconded by Councilmember Schmit:

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

CLAIMS LIST
10-18-16
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.

Accela Inc	Se	3,888.00
Acushnet Company	Gu	306.70
Advantage Companies	Se	1,250.00
Alarmlink USA	Bu	150.00
Ameritas Life Insurance Co	Ins	5,947.44
Anderson Brock	Se	70.00
Austin T J	Se	70.00
Baker & Taylor	Su	922.59
Baldinger Charlotte	Mi	29.00
Bizco Technologies	Se	3,831.50
Black Hills Energy	Ut	704.01
Brunckhorst Kent	Ex	90.00
Capital Business-Cheyenne	Ma	289.95
Cash-Wa Distributing Co	Meals	139.80
Caterpillar Financial	Lease	20,258.69
Chapters Books & Gifts	Su	297.74
Cihal Alan F	Ex	90.00
City Seward Library Petty	Su	121.97
City Seward Merchant Services	Ex	3,122.81
City Seward Payroll Account	Payroll	121,041.93
Core Robert	Ex	90.00
Creative Prod Sourcing	Su	418.78
Diamond Vogel Paint Center	Bu	145.20
Dittmer Chlancey	Ex	90.00
Dredge Taryn	Se	70.00
Duer Bryan	Ex	90.00
Duffek Daniel D	Ex	90.00
E M C Insurance Companies	Ins	1,930.92
Farmers Coop Seward	Gu, Re	5,048.69
Fast Mart	Su	23.11
Fastenal Company	Su, Re, Gu	79.65
French Matthew	Ex	90.00
Fyr-Tek	Re	949.15
G I S Workshop Inc	Se, Ma	7,810.00
Gerhold Concrete Co Inc	Re	3,977.93
Good Housekeeping Magazine	Su	31.94
Grill	Meals	126.23
Hans Jared	Ex	90.00
Hansen Dan	Meals	36.92
Hapco	Re	110.49
Hasty Awards	Su	61.46
Hochstein Jared	Ex	90.00
Hockenbergs	Su	23.09
Husker Electric Supply Co	Re, Su	574.81
Int'L Institute Municipal	Dues	260.00
Jackson Services Inc	Uniform	16.96
Jones National Bank & Trust	Ci	27,429.60
Kahler Daniel S	Ex	90.00
Kriz-Davis Co	Re	2,164.49
Last Mile Network Consult	Se	90.00
Latsch's	Su	257.69
League Ne Municipalities	Trng	394.00
Lincoln Tree Service Inc	Se	9,625.00
Marr Andrew M	Ex	90.00
Matheson Tri-Gas Inc	Su	118.02
Mattson Ricketts Law Firm	Se	4,000.47
Memorial Health-Drug	Trng	280.50

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Memorial Health-Meals	Ex	410.00
Men's Health Magazine	Su	42.96
Merle's Garden Center	Su	27.00
Microtel Inn & Suites	Trng	161.82
Mid-American Benefits Inc	Ins	698.22
Midwest Auto Parts	Su, Re	115.42
Midwest Laboratories Inc	Se	915.92
Midwest Turf & Irrigation	Re	441.94
Miller Greg / Mindy	Se	250.00
Mother Earth News Magazine	Su	17.00
Municipal Supply Omaha	Re	2,271.79
Nebraska Equipment Inc	Re	103.24
Nebraska Law Enforcement	Trng	50.00
Nebraska Pub Pow-DesMoine	Ut	587,019.19
Nebraska Safety Council	Dues	350.00
Nebraska Water Environment	Trng	100.00
Niemann's Port-A-Pot LLC	Ma	650.00
O C L C Inc	Su	186.97
Olsson Associates	Se	9,655.19
One Call Concepts Inc	Se	120.09
O'Reilly Automotive Inc	Su, Re	97.53
Orscheln Farm & Home	Su	536.60
Overhead Door Co Of Columbus	Su, bu, re	393.00
Pac 'N' Save Discount Food	Su, Re	787.57
Page My Cell	Se	500.00
Paper Tiger Shredding	Se	30.00
Pedersen Brent	Ex	90.00
Peters Kathleen	Meals	139.25
Pfeil Heather	Se	250.00
Plains Equipment Group Inc	Su	158.24
Plunkett'S Pest Control	Bu	59.32
Police Officers Assoc Neb	Dues	150.00
Popular Mechanics	Su	34.00
Public Agency Training Co	Trng	295.00
Quill Corp	Su	217.91
Regulatory Compliance Services	Se	395.00
Regulatory Software Serv	Se	948.00
Ri-Tec Industrial Product	Su	155.00
Ruether Larry L	Ex	90.00
Sam's Club (Lib-Rec-Pool)	Meals	131.35
Sam's Club (Sen Center)	Su	43.95
Sanley Patricia	Ex	90.00
Schindler Elevator Corp	Ma	873.00
Schmader Electric Cont Co	Ci	213,857.01
Seward County Clerk/Reg Deeds	Ex	28.00
Seward County Independent	Su	257.78
Seward County Public Power	Ut	1,567.28
Seward County Treasurer	Se	18,280.62
Seward High Cross Country	Misc	300.00
Seward Lumber & Home Cent	Re, Gu, Bu, Su	1,633.02
Seward School District	Misc	140.00
Spickelmier & Son Inc	Se	14,025.50
Sports Express	Su	240.80
St Louis Michelle	Ex	90.00
Stylewatch Magazine	Su	16.50
Suhr & Lichty Insurance A	Ins	300,157.00
Taste Home Magazine	Su	12.98
Ten Bensel Drew	Se	585.00
U S A Today	Su	279.97
Vancura Brad	Se	210.00

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Verizon Wireless	Se	340.78
Waste Connections	SE	7,791.51
Wattier Mark	Ex	90.00
Windstream Nebraska Inc	Se	2,075.32
Wolter Gary	Ex	171.88
Woods & Aitken LLP	Se	1,581.60
Zoobooks	Su	49.95
CLAIMS TOTAL		<hr/> \$1,403,321.20

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

7-8. CONFIRMATION OF MAYOR'S APPOINTMENTS

Councilmember Hans moved, seconded by Councilmember Kamprath, that Mayor Eickmeier's appointment of Gary Fett to the Seward Housing Authority for a 5-year term be approved (replace Rick Pike).

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

Councilmember Singleton moved, seconded by Councilmember Schmit, that Mayor Eickmeier's appointment of Curt Sherman to the Citizen Advisory Review Committee (Economic Development Plan) for a 3-year term be approved (replace Greg Jerger).

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

9. CONSIDERATION OF A RESOLUTION AMENDING THE FEES CHARGED AT THE SEWARD CEMETERIES

Greg Zabka, 1768 Karol Kay Blvd, addressed the City Council as a member of the Cemetery Board with a resolution proposing an increase in fees for all City of Seward cemeteries. He stated the Cemetery Board and City staff has been working on this project for over a year and surveyed surrounding communities resulting in the proposed increases. He added that the last increase took place ten years ago. He stated the proposed increases are not based on a percentage increase but rather based on the survey. The survey was included in the information presented to the City Council for review.

Councilmember Singleton introduced the following resolution:

RESOLUTION NO. 2016-21

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

WHEREAS, it is deemed advisable to establish Cemetery use fees;

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

The amount of Cemetery fees shall henceforth be and are hereby fixed as follows to be in full force and effect on and after January 1, 2017:

Burial Space Fees

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Adult Space:	\$500
Infant Space (under 2 years old):	\$175

Grave Opening and Closing Fees

Adult Traditional (April 1-November 30)	\$550
Adult Traditional (December 1-March 31)	\$600
Adult Cremation (April 1-November 30)	\$275
Adult Cremation (December 1-March 31)	\$300

Infant Traditional/Cremation (April 1-November 30)	\$250 (under 2 years old)
Infant Traditional/Cremation (December 1-March 31)	\$275 (under 2 years old)

Monument and Marker Fees

Stone Setting	\$ 75/setting
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Miscellaneous Fees

Perpetual Care	25% of burial space
Urn Vault	\$ 50
Saturday Funeral Closing	\$300
Sunday and Holiday Funeral Closing	\$500
Sunday and Holiday Grave Opening	\$290/hr (2 hr minimum)
Overtime Incurred (After 4:30 p.m. M-F)	\$100/hr
Deed Transfer	\$100

Transferring of a space will be made at the discretion of the City after a request is reviewed and payment is received.

Holidays in which the City will provide services for an additional fee: Martin Luther King Jr. Day (third Monday in January), Labor Day (first Monday in September), and Veterans' Day (November 11).

Holidays in which no services or openings will be conducted: New Year's Day (January 1), Memorial Day (last Monday in May), Independence Day (July 4), Thanksgiving Day (fourth Thursday in November), and Christmas Day (December 25).

All fees will be reviewed in 3 years.

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

The Mayor declared the resolution adopted.

Dated: October 18, 2016

THE CITY OF SEWARD, NEBRASKA

ATTEST:

Joshua Eickmeier, Mayor

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

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

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

10. CONSIDERATION OF AMENDMENT NO. 1 TO THE AGREEMENT WITH SCHEMMER ASSOCIATES
FOR WAVERLY ROAD, HIGHWAY 15 TO KAROL KAY BLVD

Public Facilities/Capital Improvements/GIS Director John Hughes presented an amendment to the agreement with Schemmer Associates for the Waverly Road, Highway 15 to Karol Kay Blvd, indicating that at the time the original agreement for engineering services was signed, Seward County's portion of the project to Plum Creek Bridge was not included in the design. Seward County has since expressed interest in piggy-backing onto the City's project to save in total costs for mobilization and bidding out a larger project. He stated the additional cost for the engineering is \$2,800.

Councilmember Kamprath inquired about the change of placement of the proposed trail from the north side of Waverly Road to the south side and how this would impact the property owners who are building homes in this area. He stated the City purchased property for the easement on the north side and now the easement won't be used.

Mr. Hughes stated the City did purchase the property for plans to construct a water line for the elementary school. At that time, there was to be no mention that this property would be used for the trail project; however, plans for the trail did get included in the discussions. Because this is a federally funded and Nebraska Department of Roads (NDOR) project, there were certain requirements or steps that had to be followed in acquiring the property and this did not happen, so the Nebraska Department of Roads will not approve that trail placement, as originally planned. He stated that the current proposal is to move Waverly Road to the north approximately eight feet and have the trail run along the south side of the road. He added that this plan does not affect the lot size of the property owners on either side of the road, but the lot owners are required to provide for right-of-way.

Councilmember Kamprath indicated the proposed changes are considerably different from the original project plan and he would like to see specifics on the changes and information received that states the project cannot move forward as originally designed.

Moved by Councilmember Schmit, seconded by Councilmember Kamprath, that Amendment No. 1 to the Schemmer Associates for the Waverly Road, Highway 15 to Karol Kay Blvd project be tabled to another meeting in order to gather additional information.

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

11. CITY ADMINISTRATOR REPORT

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Moved by Councilmember Wilken, seconded by Councilmember Kamprath, that the City Administrator's Report dated October 18, 2016 be accepted.

Aye: Beck, Miller, Singleton, Schmit, Hans, Kamprath, Wilken

Nay: None

Absent: Fritz. Motion carried.

FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

ANNOUNCEMENT OF UPCOMING EVENTS

October 31, 2016 - (4:30 - 7:00 p.m.); United Methodist Church Halloween Trunk or Treat - 5th St closed from Northern Heights Dr. to Crestwood Dr.

November 26, 2016 (1:00 - 3:00 p.m.); Human Sled Race - 4th & South St west to 5th Street, north on 5th St ending at alley.

November 26, 2016 (5:30 p.m.) - Annual Holiday Lighted Parade - 1st and Seward Streets, west to 13th St.

MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Kamprath, that the October 18, 2016 City Council Meeting be adjourned.

Aye: Beck, Miller, Singleton, Schmit, Hans, Kamprath, Wilken

Nay: None

Absent: Fritz. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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