

November 18, 2014

The Seward City Council met at 7:00 p.m. on Tuesday, November 18, 2014, 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: Charles Lieske, Brett Smith, Sid Kamprath, Barbara Pike, John Singleton, Chris Schmit, Richard Hans. Other officials present were: City Administrator Brett Baker and City Attorney Kelly Hoffschneider. Absent: 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 Resolution Number 14-99, which was adopted on the 17th day of August, 1999; said method stating that the notice of such meeting, with the agenda thereon, be posted in the following places: City Hall, County Courthouse 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 in the front window 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 - None

2. APPROVAL OF MINUTES OF NOVEMBER 4, 2014 COUNCIL MEETING

Councilmember Pike moved, seconded by Councilmember Hans, that the minutes of the November 4, 2014 City Council meeting be approved.

Aye: Schmit, Hans, Lieske, Smith, Kamprath, Pike, Singleton

Nay: None

Absent: Fritz. Motion carried

3. CONSENT AGENDA

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

A. Claims & Payables Reports

B. Seward County Economic Development Corporation Director's Report

C. Infrastructure Cost Items Reimbursable Back to the City.

Councilmember Lieske stated he would abstain from discussion or voting on the item and declared a conflict of interest due to a claims list payment to the Chamber of Commerce of which he is the Executive Director.

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CLAIMS LIST
11-18-14
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.

Payroll	122,021.31
Donald Heath, Option Access	100.00
Rodney & Carman Koranda, Option Access	2,000.00
Dennis & Lodeen Koranda, Option Access	2,000.00
Black Hills Energy, Ut	488.65
Advanced Floor Care, Ma	250.00
Amazon.Com Credit Services, Su	380.63
Biblionx, Su	3,300.00
Awards Unlimited, Su	99.25
Autoweek Magazine, Su	59.95
Baker & Taylor, Su	3,010.70
Charlotte Baldinger, Mi	28.56
Beehive Industries, Se	33,600.00
Alan Baldwin, Mi, Conf, Misc	1,185.00
Berns Body Shop, Re	116.05
Blue River Electric, Bu	795.26
Brodart, Su	183.92
Railroad Management, Se	688.41
Capital Business Systems, Ma	79.00
Seward Area Chamber, Misc	50.00
Cash-Wa Distributing, Su	607.69
Seward County Clerk, Ex	58.50
Library Petty Cash, Su	151.03
Cornhusker International Truck, Re	311.33
Cross Creek Animal Health, Se	690.00
Creative Forecasting, Su	60.00
Dan's Digging, Se	980.00
Demco, Su	100.07
Daves Plumbing, Se	53,000.00
Electronic Contracting, Se	81.00
Merchant Services, Ex	910.77
Fastenal Company, Su, Re	382.50
Food & Wine Magazine, Su	32.05
Gabriel, Burger & Else, Se	20,000.00
One Call Concepts, Se	122.25
H & S Plumbing Heating & AC, Bu	27.50
Dan Hansen, Misc	15.00
Hobson Automotive & Tire, Re	168.95
Harding & Shultz, Se	8,485.70
Husker Electric Supply, Re	1,108.42
International Paper, Se	251.07
Jackson Services, Ma	123.84
JEO Consulting Group, Se	12,666.50
Lincoln Winwater Works, Re	558.20
Kriz-Davis, Re	1,542.94
Midwest Auto Parts, Su, Re	614.86
Windstream Nebraska, Se	2,351.06
Last Mile Network, Se	90.00
Matheson Tri-Gas, Su	146.37

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Mead Lumber & Rental, Re	112.56
Capital Business Systems, Ex	225.00
Midwest Laboratories, Se	820.55
Midwest Automotive, Re	2,200.23
Mattson Ricketts Law Firm, Se	2,330.00
Metering & Technology, Eq	3,333.30
Midland Scientific, Eq	719.63
Midwest Service & Sales, Su	240.64
Mid-American Benefits, Ins	851.27
More Magazine, Su	5.00
Nebraska City/Cnty Mgmt, Baker 2015 Dues	400.08
Verizon Wireless, Se	76.47
Nebraska Pub Power, Incent, Ut	453,607.21
Nifco Mechanical Systems, Bu	150.00
Niemanns Port-A-Pot, Bu	350.00
Nebraskaland Magazine, Su	47.08
Amsan, Su	202.52
Orscheln Farm & Home, Su	163.66
O'Reilly Auto Parts, Su, Re, Bu	540.02
Northern Safety, Su	76.76
Fast Mart, Su	53.70
OCLC, Su	174.61
Campbell Cleaning & Restoration, Bu	24.99
Precision Industries, Re	15.83
Police Chiefs Assoc of NE, Baldwin Dues	75.00
Pac & Save, Su	28.09
Quill Corp, Su, Eq	1,387.07
Memorial Health, Su	2,903.41
Visa	977.50
Ne State Patrol, Ex	18.00
Walmart, Su	73.35
Carbonite Backup, Su	269.99
McDonalds, Ex	7.46
Hardrock Main & Abbey, Conf	32.82
Marina Inn, Conf	556.00
Kahills, Conf	7.92
Oriental Trading, Su	21.06
Credits>Returns	-9.10
Regulatory Compliance Services, Su	138.65
Sams Club, Su	34.15
Sams Club, Su, Bu	265.85
Olsson Associates, Su, Ma	988.14
Seward Lumber & Home, Bu, Su, Re	543.97
Farmers Coop, Re, Su	1,921.02
Seward Volunteer Fire Dept, Transfer	7,500.00
Seward School Dist, Misc	1,645.00
Blue Valley Pest Control, Bu	65.00
Hireright Solutions, Se	231.45
Memorial Health-Drug, Flu Shots, Se	1,745.00
Gerhold Concrete, Ma	8,509.91
Seward County Independent, Ex	510.03
Seward County Public Power, Ut	1,668.26
Sports Turf Managers, Core Dues	75.00
Seward County Treasurer, Se	14,959.33
Nebraska Equipment, Re	34.34
Suhr & Lichty Ins, Ins	340.00
US Postal, Su	166.00
USA bluebook, Eq	1,262.25

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Univar USA, Su	113.76
Marilyn Varner, Se	25.00
Volzke Corporation, Su	152.00
HD Supply Waterworks, Eq	6,782.97
Wesco Distribution, Eq	544.63
Young Rider Magazine, Su	29.97
Subsurface Solutions, Re	174.51
Lee Schluckebier, Ma	30.00
Plunketts Pest Control, Bu	55.12
Freshstyle Magazine, Su	34.00
Accountemps, Se	2,378.71
Spickelmier & Son, Ci	1,280.00
Firefox Rescue Equipment, Re	1,472.40
Pete Christensen, Incentive	1,200.00
AJ Herrold, Incentive	600.00
SGR Learning Management, Trng	1,908.74
York County Emergency Management, Su	233.60
Large Art Company, Art	3,845.00
Scott Kerns, Bu	295.00
Henry Pankoke, Ma	275.00
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	\$812,200.23

Aye: Schmit, Hans, Smith, Kamprath, Pike, Singleton

Nay: None

Abstain: Lieske

Absent: Fritz. Motion carried

4. CONSIDERATION OF A SPECIAL DESIGNATED LIQUOR LICENSE FOR PRAIRIE CREEK VINEYARDS, LLC

City Administrator Baker presented the Special Designated Liquor License application for Prairie Creek Vineyards, stating this is the first application from this out-of-town vendor and requires Council consideration and action.

Councilmember Smith moved, seconded by Councilmember Kamprath that the Special Designated Liquor License for Prairie Creek Vineyards, LLC, Central City for a fund raiser event to be held at Harvest Hall on February 7, 2015 be approved.

Aye: Schmit, Lieske, Smith, Kamprath, Singleton, Pike, Hans

Nay: None.

Absent: Fritz. Motion carried.

5. CONSIDERATION OF AN ORDINANCE AUTHORIZING A FRANCHISE AGREEMENT WITH TIME WARNER

Jarad Falk, Director of Government Relations, 3112 SE Brookside Ct, Lee's Summit, MO 64063, presented the Ordinance authorizing the franchise agreement with Time Warner. He stated the agreement has a ten-year term with an additional five-year option. He stated the agreement includes video-on-demand for the City to broadcast meetings. This will require the City to submit the video to Time Warner to load to the system. There is also the opportunity for the City to add a PEG (Public Education Government) channel, which can be shared with other government entities (County, School, Board & Commissions), but there are requirements for the hours of content and limits to the number of times the program content can loop. It would require City personnel to upload and manage the input, and the City would need to invest in some additional equipment. Mr. Falk suggested the City

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start with the video-on-demand and then move to the PEG at a later time.

Ordinance No. 2014-26 granting a non-exclusive franchise to Time Warner Cable Midwest, LLC was adopted.

Councilmember Pike moved, seconded by Councilmember Singleton, that the minutes of the proceedings of the Mayor and Council of the City of Seward, Seward County, Nebraska in the matter of passing and approving Ordinance No. 2014-26, "AN ORDINANCE BETWEEN THE CITY OF SEWARD AND TIME WARNER CABLE MIDWEST LLC D/B/A TIME WARNER CABLE GRANTING A NON-EXCLUSIVE FRANCHISE TO TIME WARNER CABLE MIDWEST LLC D/B/A TIME WARNER CABLE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN SEWARD, NEBRASKA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; AND PROVIDING FOR REGULATION AND USE OF THE SYSTEM; TO REPEAL ANY ORDINANCE OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT" be preserved and kept in a separate and distinct volume known as "Ordinance Record, City of Seward, Nebraska" and that said separate and distinct volume be incorporated in and made a part of these proceedings the same as though it were spread at large herein.

Aye: Schmit, Hans, Lieske, Smith, Kamprath, Singleton, Pike

Nay: None

Absent: Fritz. Motion carried.

6. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAX INCREMENT FINANCING (TIF) BONDS, OF THE CITY OF SEWARD, NEBRASKA IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION TWO HUNDRED TEN THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$1,210,850) FOR CNG, INC

City Administrator Baker requested the item be tabled as the local financial institutions are working on directly financing the project, rather than bonding the project, which should save on the costs. He stated there is no information for action at this time.

Councilmember Singleton moved, seconded by Councilmember Schmit, that the Tax Increment Financing for CNG, Inc. be tabled to a future meeting.

Aye: Schmit, Hans, Lieske, Smith, Kamprath, Singleton, Pike

Nay: None

Absent: Fritz. Motion carried.

7. CONSIDERATION OF COMPARABILITY RFP QUOTES

City Administrator Baker stated the City sent RFP packets out to five companies requesting a quote for service in conducting a wage and benefit study. The City budgeted \$9,500 for the study. He stated one of the firms sent an email noting they would provide a quote; however, they would not be able to begin the project until March of 2015. No formal quote was received. Mr. Baker presented a summary of the quotes received; one from Capital City Concepts/Paul Essman and one from BKD/Justin Roberts. The responses were broken down into four areas, with associated fees for each area. He suggested tabling the item in order to contact the three other firms to obtain additional quotes.

Councilmember Kamprath moved, seconded by Councilmember Singleton to table action on selecting a firm to conduct any part or all of the comparability wage and benefit study, allowing additional firms to provide quotes for service.

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Discussion continued with concern that the quotes were high and that there was a deadline for respondents. There were suggestions to reject all of the bids to start over requesting proposals, to contact the three other firms that did not provide a quote, to search for others who may be interested in providing the service, and to determine which of the four areas the staff could complete and what needs to be completed by a consulting service.

Councilmember Kamprath withdrew his motion, as did Councilmember Singleton withdrew his second.

Councilmember Kamprath moved, seconded by Councilmember Singleton to reopen the bid process, with a presentation of quotes to Council on December 16, 2014.

Aye: Schmit, Hans, Smith, Lieske, Kamprath, Singleton, Pike

Nay: None

Absent: Fritz. Motion carried.

8. DISCUSSION OF PARKING CHANGE/OPTIONS AT THE WEST INTERSECTION OF HWY 15 AND HILLCREST DR.

Councilmember Schmit stated he requested the agenda discussion to address the congestion at the intersection west of Hwy 15 on Hillcrest Dr., with the thoughts that limiting the parking on both sides of Hillcrest Dr. would address some of the problems. He stated Hillcrest Dr. is a very busy street and the intersection is a hazard for people trying to enter and exit Hwy 15. He stated he heard one suggestion from a resident to limit parking from Hwy 15 west to the first driveways on both sides of Hillcrest Dr. and another suggestion to eliminate all parking in the first block of Hillcrest Dr.

Public Facilities/Capital Improvements and GIS Director John Hughes suggested eliminating parking sixty feet from the sidewalk or property line, which allows room for one car to park in front of each of the first houses west of Hwy 15. He stated the traffic will likely not lessen as this street has become a "bypass", as it was intended. If approved for limited parking, the street would be marked for no parking and signage would be installed.

Additional discussion included a request that area residents be notified prior to any change and that the Nebraska Department of Roads be contacted for their information on vehicle "stacking" in this area. Additional comments were made about the crosswalk in this area to make it safer, and whether there should be some signalization in this area.

Mr. Hughes stated he would contact the City's engineer with Olsson Associates and discuss the crosswalk and pedestrian concerns.

Councilmember Lieske moved, seconded by Councilmember Schmit, that the City Attorney draft a Resolution creating a no parking zone on Hillcrest Dr. west of Hwy 15 for approximately sixty feet back of property line on both sides of the street and to notify area property owners of the proposed no parking zone.

Aye: Schmit, Hans, Smith, Lieske, Pike, Kamprath, Singleton

Nay: None

Absent: Fritz. Motion carried.

9. CITY ADMINISTRATOR'S REPORT

City Administrator Baker presented a written report.

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Councilmember Singleton moved, seconded by Councilmember Schmit, to accept the City Administrator's report dated November 12, 2014.

Aye: Pike, Schmit, Hans, Lieske, Smith, Kamprath, Singleton

Nay: None

Absent: Fritz. Motion carried.

10. ANNOUNCEMENT OF UPCOMING EVENTS

- A. November 21 - Jan Schulz Retirement Celebration - 1:00 - 3:00 p.m.
Lower Level Library
- B. November 27 & 28 - City Offices closed for Thanksgiving Holiday
- C. November 29 - Chamber of Commerce Annual Holiday Lighted Parade
- D. December 3 - Seward/Saline County Solid Waste meeting @ 7:00 p.m.
in Milford
- E. December 6 - Chamber of Commerce Rudolph's Red Nose Run; 8:00 a.m.
- 11:00 a.m.; Karol Kay Dr. - Middle School to Plum Creek Trail

11. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Kamprath stated he would be submitting an agenda request to the Mayor, in light of Brett Baker's notice of nonrenewal of his contract, a delineation of the transition plan, abrupt or gradual, of how all the projects in place and pending will be handled until a new City Administrator is in place.

15. MOTION TO ADJOURN

Councilmember Singleton moved, seconded by Councilmember Pike, that the November 18, 2014 City Council Meeting be adjourned.

Aye: Kamprath, Singleton, Pike, Schmit, Hans, Lieske, Smith

Nay: None

Absent: Fritz. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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