

August 16, 2016

The Seward City Council met at 7:00 p.m. on Tuesday, August 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, John Singleton, Chris Schmit, and Dick Hans. Other officials present: City Administrator Bruce Smith and City Attorney Kelly Hoffschneider. Absent: Sid Kamprath, Karl Miller.

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 AUGUST 2, 2016 COUNCIL MEETING

Councilmember Fritz moved, seconded by Councilmember Singleton, that the minutes of the August 2, 2016 City Council meeting be approved.

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

2. CONSENT AGENDA CONSIDERATION ITEMS

Councilmember Singleton moved, seconded by Councilmember Schmit, 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
8-16-16
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	414.85
Altec Hiline LLC	Eq	218,189.00
Amazon.Com Credit Service	Su, Bu	299.19
Ameritas Life Insurance Co	Ins	5,687.71
Anderson Construction	Bu	2,160.00
Aqua-Chem Inc	Su	1,701.25
Archi + Etc LLC	Se	7,251.00
Awe Digital Learning Solution	Eq	27.00
Baker & Taylor	Se	1,735.79
Baldinger Charlotte	Mi	25.92
Benes Service	Re	881.03
Bizco Technologies	Su	3,831.50
Black Hills Energy	Ut	729.51
Bruning State Bank	Eq Lease	3,550.00
Burlington Northern Santa	Fees	1,197.86
Capital Business-Cheyenne	Ma	91.00
Capital City Concepts LLC	Se	12,000.00
Carroll Dist/Const Supply	Su	137.60
Cash-Wa Distributing Co	Su	633.71
City Seward Library Petty	Su	95.24
City Seward Merchant Service	Fees	2,466.12
City Seward Payroll Account	Payroll	148,548.07
Cross Creek Animal Health	Se	60.00
Culligan Of Crete	Su	87.50
Diamond Vogel Paint Center	Su	175.30
Ehlers Electronics	Re, Tools	171.94
Ehrlich Roy D	Mi	71.28
Electronic Contracting Co	Se	81.00
Farmers Coop Seward	Gu, Su	6,110.99
Fast Mart	Su	112.22
Fastenal Company	Su, Bu	905.43
Foley Nathan	Ex	110.00
Ford Motor Credit Co LLC	Auto Lease	17,852.46
Fyr-Tek	Eq	23,396.96
General Fire & Safety Equip	Bu	112.00
Gerhold Concrete Co Inc	Re, Gu, Su	6,660.20
Grainger Inc	Re	84.52
Graybar	Inventory	770.40
Hamilton Equipment Company	Re	26.40
Hawkins Inc	Su	1,482.81
Helmlink Printing Inc	Su	123.00
Herpolsheimer'S Inc	Re	450.78
Husker Electric Supply Co	Re	3,657.76
Hydraulic Equipment Service	Re	174.61
Irrigation & Turf Equipment	Re	435.94
J & J Diesel Service Inc	Re	198.84
Jackson Services Inc	Ma	33.66
Kriz-Davis Co	Su, Re	4,631.99
Last Mile Network Consult	Se	90.00
Latsch'S	Su	124.87
Lincoln Winwater Works	Re	390.94
Marpa Group Inc	Trng	140.00
Matheson Tri-Gas Inc	Su	102.64
Mattson Ricketts Law Firm	Se	4,000.00
Memorial Health-Drug	Se	67.00
Memorial Health-Meals	Meals	2,308.43
Merle'S Garden Center	Gu	250.00

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Meyer Automotive	Re	537.67
Midwest Auto Parts	Re, Su	386.31
Midwest Automotive	Re	306.07
Midwest Laboratories Inc	Se	727.19
Midwest Turf & Irrigation	Re	353.98
Motion Picture Licensing	Misc	122.40
Municipal Pipe Services I	Re	2,498.00
Nebraska Equipment Inc	Re	273.29
Nebraska Historical Society	Misc	32.00
Nebraska Labor Dept	Fees	72.00
Nebraska Library Commission	Fees	712.00
Nebraska Pub Pow-DesMoine	Ut	624,380.96
Nebraska Sports	Su	429.98
Net-Tech Technology Inc	Re	596.58
Northern Safety Co Inc	Su	509.55
O C L C Inc	Se	186.97
Olsson Associates	Se	1,560.00
Omaha World Herald	Ex	353.58
One Call Concepts Inc	Se	118.32
One Source Background Check	Se	19.00
O'Reilly Automotive Inc	Re	50.44
Orscheln Farm & Home	Su, Gu, Re, Bu	276.70
Pac 'N' Save Discount Food	Bu, Gu, Su	431.77
Pankoke Henry W	Se	275.00
Paper Tiger Shredding	Se	30.00
Parron Suzi	Ex	250.00
Pavers Inc	Ci	1,761.65
Pitney Bowes Inc	Eq	105.00
Plains Equipment Group Inc	Re	236.66
Plunkett'S Pest Control	Bu	57.32
Power Service Inc	Re	405.88
Premier Police Training	Trng	125.00
Quill Corp	Su	278.70
Racom Corporation	Re	156.50
Rumery Lawn & Landscape	Gu, Su	410.00
Sam's Club (Lib-Rec-Pool)	Su, Bu	162.23
Sam's Club (Sen Center)	Su	282.69
Schemmer Architects Engine	Se	1,800.78
Seward County Independent	Ex	476.17
Seward County Public Power	Ut	2,374.86
Seward County Treasurer	Sales Tax, Fees	30,477.73
Seward Lumber & Home Center	Bu, Su, Re, Gu, Tools	1,526.40
Seward School District	Fines	50.00
Siteone Landscape Supply	Gu	39.08
Skarshaug Testing Laboratory	Su	985.36
Snow Motion	Misc	96.00
Society Human Resource Mgmt	Dues	190.00
Stryker Sales Corp	Tools	715.54
Time Warner Cable	Se	84.63
U S Postal Service	Su	452.00
Verizon Wireless	Se	187.13
Visa - Pinnacle Bank		431.94
Walmart	Ma, Su	116.58
NSP Crime Report	Misc	18.00
Nebraska Humanities	Misc	50.00
Gotprint.com	Su	247.36
Wesco Distribution Inc	Inventory	513.60
Windstream Nebraska Inc	Se	2,331.36
Woods & Aitken LLP	Se	364.00
CLAIMS TOTAL		<u>\$1,169,673.19</u>

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

Nay: None

Absent: Kamprath, Miller. Motion carried.

3. PRESENTATION BY D.A. DAVIDSON ON PAST YEAR REFINANCING AND BOND SALE

Paul Grieger, D.A. Davidson & Company, presented an update on the 2016 Bond Issues, which included Highway Allocation of \$825,000; General Obligation Refunding \$1,085,000; Water System Revenue Refunding \$1,220,000; Sewer Refunding and Plum Creek Project \$4,155,000; and Electric \$5,365,000 Refunding of \$5,365,000. The net present value of savings to the City on the issue refunding was \$747,309 and did not extend the final maturity dates for any of the reissues. No action was required or taken.

4. PRESENTATION BY NEBRASKA MUNICIPAL POWER POOL ON UTILITY RATE SERVICE STUDY

Phil Euler, Nebraska Municipal Power Pool, provided the rate study analysis for electric, water and sanitary sewer services. Based on the analysis, there is no proposed rate increase for electricity for October 2016 or 2017, no proposed rate increase for water for 2016, but a 3.0% proposed increase in October 2017. Mr. Euler stated the analysis indicates a need to increase the sewer rates by 6.3% in October 2016 and an additional 5.8% in October 2017.

City Administrator Smith stated that there will be a 1.9 million correction to the 2015 audit in which this dollar amount will be deducted from the Water Utility and transferred to the Electric Utility, correcting a transaction which showed Electric Bond proceeds as Water Bond proceeds. Mr. Smith stated, there is a proposal to increase the franchise fees for the electric utility from 5% to 10%, which would be reflected in the next budget year. Mr. Euler stated that this could result in stretching the need for an electric rate increase out one additional year, but would not affect a 0% increase for water in October 2016.

There was a brief discussion about the language in the proposed Sewer Ordinance and also that the title of the Ordinance needed to be corrected to a 5.8% increase in October 2017 (listed as 5.3%).

Ordinance No. 2016-14 amending Section 3-227 of the City Code, initiating a 6.3% increase in sewer system service rates effective October 2016 and a 5.8% increase in sewer system service rates effective October 2017 was adopted (noting correction in title from 5.3% to 5.8% and removing the word "which" in the first line of the paragraph directly above Section 2).

Councilmember Schmit moved, seconded by Councilmember Wilken, 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. 2016-14**, "AN ORDINANCE TO AMEND SECTION 3-227 OF THE CITY CODE; TO INITIATE A 6.3% INCREASE IN REVENUES CHARGED TO CUSTOMERS FOR SERVICE FROM THE SEWER SYSTEM OF THE CITY EFFECTIVE WITH THE OCTOBER 2016 BILLING AND AGAIN INCREASE IN REVENUES OF 5.8% IN OCTOBER 2017; TO PROVIDE FOR BILLING THEREOF; TO REPEAL THE ORIGINAL SECTION 3-227; 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: Fritz, Wilken, Beck, Hans, Schmit, Singleton

Nay: None

Absent: Miller, Kamprath. Motion carried.

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**Mayor Eickmeier rearranged the order of the agenda to address an item from a prior meeting.

7. CONSIDERATION THAT ADOPTION OF ORDINANCE NO. 2016-13, DATED AUGUST 2, 2016, BE PRESERVED AND KEPT IN SEPARATE ORDINANCE RECORD

Councilmember Wilken moved, seconded by Councilmember Schmit, that the minutes of the proceedings of the Mayor and Council of the City of Seward, Seward County, Nebraska on August 2, 2016, in the matter of passing and approving **Ordinance No. 2016-13**, "AN ORDINANCE TO ESTABLISH A DOG PARK IN THE CITY OF SEWARD; ESTABLISH RULES FOR DOG PARKS; AMEND THE POLICE REGULATIONS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE" 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: Fritz, Wilken, Beck, Hans, Schmit, Singleton
Nay: None
Absent: Miller, Kamprath. Motion carried.

5. CONSIDERATION OF CLAIM OF FOX DEN RENTALS, LLC, CHARLES LIESKE, 3533 SPRUCE DRIVE, SCOTTSBLUFF, FOR PERSONAL PROPERTY DAMAGE AT 407 SOUTH STREET, SEWARD

City Administrator Smith stated the City received a claim against the City in the amount of \$1,432.90 for reimbursement of costs to a rental property located at 407 South Street, related to a sewer backup beginning on the weekend of April 4, 2015 continuing through October 3, 2015. Mr. Smith stated Mr. Lieske claims the backup was caused by a collapsed clay sewer pipe and additionally, blockage in the City main. Mr. Lieske is not claiming reimbursement for damage to the property, but for reimbursement for costs in hiring several plumbers to determine the cause of the backup.

Councilmember Singleton moved, seconded by Councilmember Schmit, that the claim of Fox Den Rentals, LLC, Charles Lieske, for personal property damage at 407 South Street be denied and forwarded to the City's insurance carrier for disposal.

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

6. CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR QUOTES FOR WATER TREATMENT PLANT REVERSE OSMOSIS MEMBRANES

City Administrator Smith stated the reverse osmosis membranes at the treatment plant have never been replaced and the typical life is 5-7 years. He stated these membranes have been in place for 12 years. The estimated cost to replace the membranes is \$135,000, of which a partial grant from the Upper Big Blue has been awarded.

Councilmember Singleton moved, seconded by Councilmember Fritz, that the City be authorized to advertise for quotes for replacement of the water treatment plant reverse osmosis membranes.

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

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8. CONSIDERATION OF AN ORDINANCE APPROVING THE COMPREHENSIVE PAY PLAN EFFECTIVE
DECEMBER 1, 2016

Mayor Eickmeier stated he is pulling consideration of this item from the agenda in order for the Personnel, Finance and Audit Committee to review and provide a recommendation.

9. CITY ADMINISTRATOR REPORT

Councilmember Fritz moved, seconded by Councilmember Singleton, that the City Administrator's Report dated August 16, 2016 be accepted.

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

Nay: None

Absent: Kamprath, Miller. Motion carried.

10. FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

Councilmember Beck inquired on the status of the Star Street project to which City Attorney Hoffschneider stated he prepared an easement and settlement agreement and forwarded to the Seward School District's attorney to review.

11. MOTION TO ADJOURN

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

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

Nay: None

Absent: Kamprath, Miller. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

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