



CITY OF SEWARD
City Council
Regular Meeting

Agenda

Tuesday, April 6, 2021 7:00 PM

**East & West Basement of the Seward
Civic Center**

NOTICE IS HEREBY GIVEN that a meeting of the City Council of the City of Seward, Nebraska will be held at 7:00 PM on Tuesday, April 6, 2021, in the Seward Civic Center East & West Basement, 616 Bradford St, Seward, NE 68434, which meeting will be open to the public. The Mayor and City Council reserve the right to adjourn into Closed Session as per Section 84-1410 of the Nebraska Revised Statutes. An Agenda for such meeting, kept continually current, is available at the Office of the City Clerk, 537 Main Street, Seward, Nebraska, during normal business hours. Individuals requiring physical or sensory accommodations, who desire to attend or participate, please contact the City Clerk's Office at 402.643.2928 no later than 3:30 PM on the Friday preceding the Council Meeting.

City financial claims and related invoices will be available for Council member review, audit and voluntary signatures at Council Chambers beginning 30 minutes prior to the scheduled meeting time.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

DISCLOSURE OF OPEN MEETINGS ACT & OTHER NOTIFICATIONS

This is an Open Meeting of the Seward Nebraska Governing Body. The City of Seward abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is displayed on the north wall of this meeting room facility as required. Disclosure of meeting recording processes is posted in the Meeting Room. A participant sign-in sheet is available for use by any Citizen addressing the Council. Presenters shall approach the podium, state their name & address for the Clerk's record and are asked to limit remarks to five minutes. All remarks shall be directed to the Mayor who shall determine by whom any appropriate response shall be made. 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.

ROLL CALL

MINUTES

1. Draft Minutes of March 16, 2021 - City Clerk

CONSENT AGENDA

1. Claims & Payables Reports
2. Infrastructure Cost Items Reimbursable Back to the City

CONFIRMATION OF MAYOR APPOINTMENTS

1. Appoint Members to Various Boards and Committees:
 - A. Jacob Miller (replaces Jack Clagg) to the Zoning Board of Adjustment for a 3-Yr

Term

B. Jon Burhoop (replaces Brady Johnson) to the Parks and Rec Board for a 3-Yr Term

2. Reappoint Members to Various Boards and Committees:

A. Greg Voss and Brad Vancura to the Zoning Board of Adjustment for a 3-Yr Term

B. Wade Miller to the Citizen Advisory Review Board for a 3-Yr Term

ADMINISTRATIVE ITEMS

1. Acknowledge Receipt of Claim from Diane Richter, 446 Church St., Seward NE for Personal Property Damage in the Amount of \$2,224.26 and Forward to City's Insurance Carrier - City Administrator Butcher

REPORTS

1. City Administrator's Report - City Administrator Butcher

FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR

ADMINSTRATIVE ACTION

ANNOUNCEMENT OF UPCOMING EVENTS

STRATEGY SESSION

1. Strategy Session with City Attorney to Provide Negotiation Guidance Concerning Real Estate Interests for Construction of a New Water Tower - City Atty Hoffschneider

MOTION TO ADJOURN

I, Julie Moody, the duly appointed qualified and acting Deputy City Clerk of the City of Seward, Nebraska, hereby certify:

That the foregoing Notice of Meeting and Agenda for such meeting has been posted in the following places: Seward City Hall, Seward County Courthouse, Seward Memorial Library and CityofSewardNE.com

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City.

Julie Moody
Deputy City Clerk

Date

March 16, 2021

The Seward City Council met at 7:00 p.m. on Tuesday, March 16, 2021, via conference call, allowed under State of Nebraska, Governor Pete Ricketts, Executive Order No. 21-02 (Coronavirus-Continued Limited Waiver of Public Meetings Requirements), dated January 11, 2021, hosted in the east/west basement of the Seward Civic Center, 616 Bradford St., Seward, NE 68434, with Mayor Joshua Eickmeier presiding and City Clerk/HR Director Bonnie Otte recording the proceedings. Upon roll call, the following Councilmembers were present: Jonathon Wilken, Ellen Beck, Sid Kamprath, Jessica Kolterman, Karl Miller, John Singleton, Chris Schmit, Alyssa Hendrix. Absent: None. Other officials present: City Administrator Greg Butcher and Attorney Tim Kubert.

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 Memorial 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 room of the Civic Center and copies are available 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 MARCH 2, 2021 COUNCIL MEETING

Councilmember Schmit moved, seconded by Councilmember Kolterman, that the minutes of the March 2, 2021 City Council meeting be approved.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix

Nay: None

Absent: None. Motion carried.

1-6. CONSENT AGENDA CONSIDERATION ITEMS

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

1. Claims & Payables Reports
2. City Treasurer Report
3. City Codes Director Report
4. Police Department Report
5. Add John Hayek to the Seward Volunteer Firefighter Roster
6. Infrastructure Cost Items Reimbursable Back to the City

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CLAIMS LIST
3-16-21
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.

Ade	Su	5.00
AKRS Equipment	Re	216.73
Amazon.Com Credit Service	Su	742.06
Badger Meter	Misc	1,500.00
Baker & Taylor	Su	2,148.56
Baldinger Charlotte	Mi	34.72
Beaver Hardware	Su	279.74
Bizco Technologies	Se, Eq, Bu	6,672.60
Black Hills Energy	Ut	1,974.69
Blades Group	Su	992.00
Border States Industries	Su, Re	3,838.51
Burlington Northern Santa	Ex	671.95
Campbell Cleaning	Se	1,000.00
Carroll Construction Supp	Su, Eq	1,495.99
City Seward Library Petty	Su	205.25
City Seward Merchant Serv	Ex	4,357.98
City Seward Payroll Account	Payroll	145,700.96
Control Services Inc	Ci	8,585.00
Cross & Sons Inc	Eq	16,950.00
Eakes Office Solutions	Su	34.95
Ecolab	Su	140.30
Ed Schulz LLC	Se	1,650.44
Elliott Equipment Co	Ma	202.55
Exchange Bank	Cart Lease	3,300.00
Farmers Coop Seward	Su, Re, Un, Bu	6,545.82
G P M - Justin Meader	Ma	333.34
H & S Plumbing Heating &	Ma, Re, Bu	1,526.41
Hach Company	Ma, Se	2,130.01
Hawkins Inc	Su	595.42
Hobson Automotive & Tire	Re	138.50
Hoffschneider Law Pc LLO	Se	150.00
Holmes Nick	Incentive	1,200.00
Husker Electric Supply Co	Re	180.56
Hydraulic Equipment Service	Tools	239.14
J E O Consulting Group In	Se	1,598.75
Jackson Services Inc	Su	54.84
Jones Bank	Eq	13,760.00
K & Z Distributing	Su	76.60
Last Mile Network Consult	Se	90.00
Lee's Refrigeration	Ma	77.50
Meier Mindy	Misc	124.09
Menards North	Bu, Gu	1,109.63
Midwest Auto Parts	Re, Ma	863.22
Midwest Automotive	Re	493.51
Midwest Laboratories Inc	Se	824.18
Midwest Service & Sales	Re	92.50
Miers Robert M	Misc	70.00
Miracle Recreation Equip	Gu	1,429.18
Nebraska Fire Marshal	Se	72.00

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Nebraska Pub Pow-Desmoine	Ut, Incentive	488,131.17
Niemann's Port-A-Pot LLC	Se	50.00
Norris Public Power Distr	Ut	1,304.95
Northern Safety Co Inc	Su	168.28
Olsson	Se, Eq, Ma	1,979.25
One Call Concepts Inc	Se	34.61
One Source Background Che	Se	38.00
O'Reilly Automotive Inc	Su	21.99
Orscheln Farm & Home	Re, Su, Bu, Gu	255.52
Pac 'N' Save Discount Foo	Su, Gu, Bu	378.78
Paper Tiger Shredding	Se	30.00
Police Officers Assoc Neb	Dues	150.00
Quality Brands Of Lincoln	Su	142.80
Quill Corp	Su	396.98
Rathjen Shad	Trng	44.60
Reed Electric	Ci	35,300.00
Resco	Ex	41,113.41
Richtig Tim L	Misc	270.00
Right On Site	Re	2,410.00
Ruether Larry L	Misc	74.67
Sam's Club (Lib-Rec-Pool)	Misc, Si	191.54
Sapp Brothers Petroleum I	Su	9,097.20
Seward County Independent	Ex	1,006.09
Seward County Treasurer	Se	19,217.17
Seward Lumber & Home Cent	Bu, Su, Re	354.40
Seward Public Schools	Fines & Fees	285.70
Seward Wind LLC	Ut	27,866.10
Truck Center Companies	Re	10,096.08
Varner Marilyn D	Misc	15.00
Verizon Wireless	Se	550.49
Visa - Pinnacle Bank		451.38
Harlequinn	Su	-1.74
Walmart	Su, Re, Ma	60.80
SamsClub.com	Su	201.12
Bluestem Network	Ut	115.00
Zoom.us	Misc	16.03
Digipalooza	Trng	39.00
GoDaddy.com	Su	21.17
Wesco Distribution Inc	Re	294.25
Windstream Nebraska Inc	Se	1,900.75
Woods & Aitken LLP	Se	2,226.50
York Equipment	Eq	275.54
	CLAIMS TOTAL	\$882,598.38

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix

Nay: None

Absent: None. Motion carried.

CONFIRMATION OF MAYOR APPOINTMENTS

Councilmember Wilken moved, seconded by Councilmember Schmit, that Mayor Eickmeier's reappointments to the following Boards and Commissions be confirmed:

Pat Coldiron to the CDBG Reuse Loan Application Committee for a 3-Yr term; Brad Perdue to the Housing Authority for a 5-Yr term; John Owens and Pat Coldiron to the LB840 Sales Tax Application Review Board for Economic Development for a 3-Yr term; Dick Miers to the Housing Appeals Board for a

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3-Yr term; Justin Hartman to the Citizen Advisory Review Board for a 3-Yr term; Justin Hartman and Kelley Limback to the Parks and Recreation Board for a 3-Yr term; Mike Langner to the Electrician's Board for a 2-Yr term; Mike Langner to the Housing Appeals Board for a 3-Yr term; and Tim Janousek to the Zoning Board of Adjustment for a 3-Yr term.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

Councilmember Wilken moved, seconded by Councilmember Kolterman, that Mayor Eickmeier's appointment of Julie Moody as temporary Deputy City Clerk until the City Clerk position is filled, be confirmed.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

PUBLIC HEARINGS

1. PUBLIC HEARING - 7:00 PM - ORDINANCE RE-ZONING PROPERTY IDENTIFIED AS CLBKDB SUBDIVISION FROM AG AGRICULTURAL DISTRICT TO RR RURAL RESIDENTIAL DISTRICT (PARCEL ID 800038266)

Building/Zoning & Code Enforcement Director Tim Dworak stated the Applicant is requesting a rezone from AG-Agricultural District to RR - Rural Residential District. A minor plat is subdividing a parcel of land to separate an existing residence from agricultural land. The parcel meets zoning requirements of rural residential. The current property is located outside the city limits of the City of Seward but is within the Extra Territorial Jurisdiction (ETJ) of the City of Seward. He stated the Planning Commission unanimously recommended approval of the rezoning request.

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

Ordinance No. 2021-8 re-zoning property identified as CLBKDB Subdivision from AG Agricultural District to RR Rural Residential District (Parcel ID 800038266) was adopted.

2. PUBLIC HEARING - 7:00 PM - ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT ORDINANCE: ARTICLE 40 CIRCULATION SYSTEM DESIGN 410-40

City Engineer Mike Oneby stated the draft ordinance updates the current circulation system ordinance providing greater detail for developers.

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

Ordinance No. 2021-9 amending the Unified Land Development Ordinance (ULDO): Article 40 Circulation System Design 410-40 was adopted.

ADMINISTRATIVE ITEMS

1A, 1B, 1C. TAX INCREMENT FINANCING APPLICATION OF IHC PROPERTIES, LLC, 1814 PINE ST., SEWARD

TIF Attorney Andrew Willis stated this project was presented to the

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(Community Redevelopment Authority) CRA on February 10, 2021 at which time the CRA chose to table the project until it could go through the public hearings before the Planning Commission and City Council. The hearings were held February 8 and February 16, 2021 respectively. The Planning Commission recommended approval of the project. On March 10, 2021, the CRA recommended approval of the plan amendment and approved the plan agreement for Tax Increment Financing.

Mr. Willis stated the project is for two-6,000 s.f. buildings to be leased. The initial questions by the CRA related to the TIF project being speculative buildings (no information on the type of prospective business) and the aesthetics and finishes of the buildings. At the March 10, 2021 meeting, the redeveloper explained there are letters of intent in hand for leasing the buildings and provided information on the exterior look of the building.

Project redevelopers Troy Bridgford, 1862 Harwood St., Lincoln and Joe Wendt, 3800 S 78th St, Lincoln, were available for questions. Mr. Bridgford stated they have obtained letters of intent from prospective tenants. They currently have a local HVAC and masonry business interested in expanding their business. He added that neither is a downtown business, which was a concern early on of drawing business from the downtown area. He added, the buildings should be completed within 90-120 days and the leases in hand prior to that time. They have worked with the City on landscaping design and the buildings will be very attractive with stone wainscoting around the perimeter, concealed fasteners, attractive exterior lighting, and glass door fronts. The number and type of tenants will determine the number of doors, entrances, and windows.

1D. RESOLUTION APPROVING THE REDEVELOPMENT PLAN AMENDMENT AND ADOPTING A COST BENEFIT ANALYSIS FOR REDEVELOPMENT PROJECT

Councilmember Kolterman introduced the following resolution:

CITY OF SEWARD, NEBRASKA
RESOLUTION NO. 2021-5

(Amendment to Redevelopment Plan-IHC Properties Redevelopment Project)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA, APPROVING AN AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE CITY OF SEWARD, NEBRASKA, INCLUDING THE IHC PROPERTIES REDEVELOPMENT PROJECT.

RECITALS

A. The Community Redevelopment Authority of the City of Seward ("CRA") has recommended that the Redevelopment Plan for the City of Seward, a copy of which is on file and available for public inspection with the City Clerk (the "Redevelopment Plan"), should be amended to include a project for the redevelopment of certain real property within the Redevelopment Area identified and legally defined in said amendment (the "Project Site").

B. The proposed amendment to the Redevelopment Plan ("Redevelopment Plan Amendment") is on file and available for public inspection with the Seward City Clerk.

C. The Redevelopment Plan Amendment includes a redevelopment project

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identified as the IHC Properties Redevelopment Project (the "Project") that will utilize Tax Increment Financing pursuant to Neb. Rev. Stat. § 18-2147.

D. The CRA submitted the question of whether the Redevelopment Plan Amendment should be recommended to the City Council to the Planning Commission of the City of Seward.

E. The Planning Commission recommended the approval of the Redevelopment Plan Amendment.

F. Notice of public hearing regarding the adoption and approval of the Redevelopment Plan Amendment by the City Council was provided in conformity with the Open Meetings Act, Neb. Rev. Stat. § 84-1407 et seq., the Community Development Law, Neb. Rev. Stat. §§ 18-2115 and 18-2115.01, and Nebraska law.

G. On February 16, 2021, the City Council held a public hearing relating to the question of whether the Redevelopment Plan Amendment should be adopted and approved by the City. All interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting the submitted question.

H. The City Council has reviewed the Redevelopment Plan Amendment, the cost benefit analysis prepared by the CRA and attached to the Redevelopment Plan Amendment, the recommendations of the Planning Commission, and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, it is found by the City Council of the City of Seward, Nebraska, in accordance with the Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154 (the "Act"), as follows:

1. The Project Site is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan Amendment will, in accordance with the present and future needs of the City of Seward, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.
3. The Redevelopment Plan Amendment is in conformance with the general plan for development of the City of Seward as a whole, as set forth in the City of Seward Comprehensive Plan, as amended.
4. The cost and benefits set forth in the Project cost benefit analysis are found to be in the long-term best interest of the City of Seward.
5. The Project would not be economically feasible without the use of Tax Increment Financing.
6. The Project would not occur on the Redevelopment Area without the use of Tax Increment Financing.

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BE IT FURTHER RESOLVED, that pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Redevelopment Plan Amendment is hereby approved and adopted by the City Council as the governing body for the City of Seward.

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

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

Dated this 16th day of March, 2021.

CITY OF SEWARD, NEBRASKA

By: _____
Mayor

ATTEST: _____
City Clerk

1E. RESOLUTION APPROVING THE REDEVELOPMENT PLAN AGREEMENT FOR A REDEVELOPMENT PROJECT INCLUDING THE ISSUANCE OF TIF INDEBTEDNESS FOR THE REDEVELOPMENT PROJECT AND OTHER SUCH ACTIONS UNDER THE COMMUNITY DEVELOPMENT

Councilmember Schmit introduced the following resolution:

CITY OF SEWARD, NEBRASKA
RESOLUTION # 2021-6

(Redevelopment Agreement - IHC Properties Redevelopment Project)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT AND AUTHORIZING THE COMMUNITY REDEVELOPMENT AUTHORITY TO ENTER INTO SAID AGREEMENT.

RECITALS

A. Pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended (the "Act"), the City of Seward, Nebraska ("City"), has adopted a redevelopment plan ("Redevelopment Plan") for certain portions of the City. A copy of the Redevelopment Plan is on file with the City Clerk for inspection.

B. The Redevelopment Plan, as amended, includes a specific redevelopment project identified as the IHC Properties Redevelopment Project that will include the use of Tax Increment Financing (the "Project").

C. On March 10, 2021, the CRA approved the Redevelopment Agreement for the Project.

D. The City Council has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the General Comprehensive Development Plan of the City, and in the best interests of the City.

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NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Seward, Nebraska, that the Redevelopment Agreement between the Community Redevelopment Authority of the City of Seward, Nebraska and IHC Properties, LLC which is on file with the City Clerk and available for public inspection, is hereby approved.

BE IT FURTHER RESOLVED, the CRA is hereby authorized to execute and deliver the Redevelopment Agreement, with such changes, modifications, additions, and deletions therein and shall they seem necessary, desirable or appropriate, for and on behalf of the CRA.

BE IT FURTHER RESOLVED, the CRA is hereby authorized to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of such TIF Indebtedness as set forth in the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the CRA of the City.

BE IT FURTHER RESOLVED that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed.

Councilmember Beck moved, seconded by Councilmember Kolterman, that the resolution be adopted.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

Dated this 16th day of March, 2021.

CITY OF SEWARD, NEBRASKA

By: _____
Mayor

ATTEST: _____
City Clerk

2. RESOLUTION APPROVING SUPPLEMENTAL ENGINEERING AGREEMENT NO. 1 FOR
NDOT PROJECT URB-6763(1), CN 13161, KAROL KAY BLVD, BADER-HILLCREST

City Administrator Butcher presented a supplemental engineering agreement with JEO Consulting Group for the Karol Kay Blvd, Bader-Hillcrest Project. He stated the agreement extends the project to a May 2021 completion date to allow for project management and oversight for the sidewalk, grading, planting, and changes to lighting.

Councilmember Schmit introduced the following resolution:

RESOLUTION NO. 2021 - 7

CONSTRUCTION ENGINEERING SERVICES AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 1-BK2005

Whereas: City of Seward and JEO Consulting Group, have previously executed a Construction Engineering Services Agreement (BK2005) for a

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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 JEO Consulting Group wish to enter into a Construction 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 Construction Engineering Services Supplemental Agreement No. 1 between the City of Seward and JEO Consulting Group

NDOT Project Number: URB-6763(1)

NDOT Control Number: 13161

NDOT Project Description: Karol Kay Blvd., Bader-Hillcrest, Seward

Councilmember Kolterman moved, seconded by Councilmember Kamprath that the resolution be adopted.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix

Nay: None

Absent: None. Motion carried.

Adopted this 16th day of March, 2021 at Seward, Nebraska.

CITY OF SEWARD

(Mayor)

ATTEST:

(City Clerk)

3. ORDINANCE AMENDING THE SEWARD MUNICIPAL CODE, CHAPTER 382 VEHICLES AND TRAFFIC, ARTICLE 11, REGULATING THE OPERATION OF GOLF CARTS ON CITY STREETS

City Administrator Butcher stated the City received several requests for permits to operate golf carts on the City streets. After review of the current ordinance, it appears there is some missing information and is proposing updating the current ordinance.

Ordinance No. 2021-10 amending the Seward Municipal Code, Chapter 382 Vehicles and Traffic, Article 11, Operation of Golf Carts on City streets was adopted.

Councilmember Miller moved, seconded by Councilmember Kamprath, 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. 2021-8, "AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF**

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THE CITY OF SEWARD, NEBRASKA; TO REZONE CERTAIN PROPERTY WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF SEWARD, NEBRASKA NOW ZONED AG AGRICULTURAL DISTRICT, TO RR RURAL RESIDENTIAL DISTRICT; SPECIFICALLY, TRACTS OF LAND SOUTH OF WAVERLY ROAD AND EAST OF 252ND RD; TO DESCRIBE THE PROPERTY REZONED; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT"; **Ordinance No. 2021-9**, "AN ORDINANCE TO REPEAL AND REPLACE THE MUNICIPAL CODE OF THE CITY OF SEWARD, CHAPTER 410 ZONING AND SUBDIVISION, ARTICLE 40 CIRCULATION SYSTEM DESIGN; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM"; and, **Ordinance No. 2021-10**, "AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF SEWARD, CHAPTER 382 VEHICLES AND TRAFFIC, ARTICLE 11; TO REGULATE THE OPERATION OF GOLF CARTS ON CITY STREETS; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM", 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 and the same as though it were spread at large herein.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

4. CLAIM FROM ROBERT DANIELS, 141 E MOFFITT ST., SEWARD, FOR PERSONAL PROPERTY DAMAGE IN THE AMOUNT OF \$345.00

City Administrator Butcher stated Robert Daniels, 141 E Moffitt St., filed a claim against the City of which the City Council acknowledged receipt of this claim on August 4, 2020 and directed administration to forward it to the City's insurance carrier (EMC). The City received notice on March 2, 2021 from EMC that the claim is being denied as the City does not have coverage for the type of submitted claim. Administration's recommendation is to deny the claim.

Councilmember Schmit moved, seconded by Councilmember Kamprath, that the claim of Robert Daniels, 141 E Moffitt St., in the amount of \$345 be denied.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

REPORTS

1. CITY ADMINISTRATOR'S REPORT

Councilmember Schmit moved, seconded by Councilmember Wilken, that City Administrator Butcher's report of March 16, 2021 be accepted.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix
Nay: None
Absent: None. Motion carried.

FUTURE REQUESTS FOR COUNCIL AGENDA ITEMS OR ADMINISTRATIVE ACTION

None

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ANNOUNCEMENT OF UPCOMING EVENTS

Mayor Eickmeier reminded Council members that the City Council meetings will resume to in-person meetings beginning April 6, 2021.

MOTION TO ADJOURN

Councilmember Kamprath moved, seconded by Councilmember Kolterman, that the March 16, 2021 City Council Meeting be adjourned.

Aye: Wilken, Beck, Kamprath, Kolterman, Miller, Singleton, Schmit, Hendrix

Nay: None

Absent: None. Motion carried.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Bonnie Otte
City Clerk/HR Director

CLAIMS LIST

4-6-21

COUNCIL MEETING

Abbreviations: Bu, Building Upkeep; Eq, Equipment; Ex, Expense; Gu, Ground Upkeep; Inv, Inventory; Ma, Maintenance; Mi, Mileage; Misc, Miscellaneous; Re, Repairs; Sa, Salaries, Se, Services; Su, Supplies; Ut, Utilities, CI, Capital Improvements, Gu, Grounds Upkeep.

Ade	Re		190.00
AKRS Equipment	Su, Re		284.33
Arps	Su		1,088.00
Beaver Hardware	Su		80.10
Bishop Michael	Ex		90.00
Bizco Technologies	Se, Su		202.50
Black Hills Energy	Ut		51.20
Blue Cross Blue Shield Ne	Ins		51,128.40
Bluestem Network LLC	Se		100.00
Bode Adam	Ex		90.00
Border States Industries	Su, Un, Inv		11,598.22
Brandl John	Ex		170.00
Bridgestone Golf	Su		426.22
Brunckhorst Kent	Ex		90.00
Callaway Golf	Merch		3,640.25
Campbell Cleaning	Se, Su		1,084.93
Capital Business-Dallas	Ma		360.00
Cash-Wa Distributing Co	Su		30.40
Central States Hydraulic	Re		550.75
Cerny Dan	Ex		30.00
Chase Card Service	Bu		5,153.42
USPS	Su	48.25	
Ovivo	Parts	185.79	
Comfort Inn	Trng	163.12	
Central Comm	Trng	170.00	
Alfa Laval	Su	134.18	
Amazon Mktp	Su	758.07	
Wal-mart	Su	757.53	
Sams Club	Su	252.35	
SCC	Su	29.60	
Dollar General	Su	29.10	
Constant Contact	Su	20.00	
Phillips 66	Se	19.60	
Planzone	Trng	40.00	
Talech	Su	67.00	
Int'l Code Council	Trng	219.00	
Pac N Save	Misc	55.10	
Café on the Square	Misc	85.26	
Microsoft	Su	123.60	
Zoom	Ex	213.89	
Officeworld	Su	355.14	
Smartsign	Gu	119.89	
Amazon.com	Su	161.56	
Weathertech Direct	Su	257.90	
Easeus.com	Tech	74.85	
Lou & Mary Anne's Bar	Meals	182.50	
Hy-Vee	Su	12.72	
Valentino's	Meals	105.56	

Runza	Meals	84.07	
Webstaurant Store	Bu	427.79	
Chelewski Kent	Ex		170.00
Cihal Alan F	Ex		90.00
City Seward Buildings/Gr	Op		3,000.00
City Seward Electric Fund	Ut		34,645.49
City Seward Library Petty	Su		116.79
City Seward Payroll Accou	Payroll		148,818.96
City Seward Perpetual Fd	Cem Fees		300.00
City Seward Petty Cash Fu	Su		242.19
Collection Associates	Ex		36.76
Core Robert	Ex		90.00
Danko Emergency Equipment	Su, Eq, Ma		881.79
Diamond Vogel Paint Center	Su, Ma		2,862.80
Dutton-Lainson Co	Su		885.96
Ehlers Electronics	Su		20.00
Elliott Equipment Co	Ma, Eq		102.70
Fastenal Company	Su		631.48
First Wireless Inc	Eq		4,350.00
Fisher Zachary G	Ex		90.00
Foltz Fred	Se		225.00
Fyr-Tek	Re		257.63
Galls LLC	Un		2,020.07
General Excavating	Re		2,923.00
General Fire & Safety Eq	Se		120.00
GH Lawn & Tree Service	Se		1,900.00
Gleason Logan	Ex		90.00
Great Plains Communication	Se		490.00
Hans Jared	Ex		90.00
Hansen Dan	Ex		90.00
Helmlink Printing/Grph Inc	Su		1,793.00
Herald Cody	Ex		90.00
Hireright LLC	Se		71.39
Hobson Automotive & Tire	Oi, Se, Re		922.27
Hochstein Jared	Ex		90.00
Hoffschneider Law Pc LLO	Se		4,522.00
Holiday Inn-Kearney	Training		104.95
Hornung's Golf Products	Su		191.16
Human Factor Research Grp	Training/Mbrsp		32.60
Husker Electric Supply Co	Su		224.16
Hydraulic Equipment Service	Re		150.98
Jaco Analytical Lab Inc	Se, Su		691.78
Jacobsen Rock & Gravel	CI		6,932.05
Janicek Gary M	Ex		90.00
Johnson Controls Inc	Re, Su		836.90
K & Z Distributing	Su		87.00
Kahler Daniel S	Ex		90.00
Kocian Tyler	Ex		90.00
Konica Minolta Business	Su, Se, Ma		1,193.73
Last Mile Network Consult	Se, Su		165.30
Lee's Refrigeration	Bu, Su		277.12
Lincoln Patio & Awning	Gu		75.00
Mailand's Clothing	Un, Se		254.00
Marlin's Plumbing Heating	Bu		12.50
Matheson Tri-Gas Inc	Su		88.14
Meier Mindy	Mi		8.96
Menards North	Su, Bu		532.40

Mid-American Benefits Inc	Ins		3,506.73
Midwest Service & Sales	Re		1,712.32
Miers Robert M	Ex		90.00
Miracle Recreation Equip	Eq, Ma		3,412.18
Mustang Graphics	Su, Misc		164.00
Nebraska D A S Acct OCIO	Se		231.00
Nebraska Equipment Inc	Re		313.59
Nebraska Health Environment	Se		700.00
Nebraska Recycling Council	Mbrsp		200.00
Nebraska Society Certified	Mbrsp		145.00
Norris Public Power Dist	Ut		935.36
Noxon Jeffrey	Misc		50.00
Oborny Tanner	Ex		90.00
O'Kief John F	Ex		90.00
Olsson	Se		76.76
O'Reilly Automotive Inc	Oi, Se, Re		234.31
Orscheln Farm & Home	Pu, Bu, Su		562.15
Pace Analytical Services	Wa Test		736.00
Pecka Brook	Ex		90.00
Pedersen Brent	Ex		90.00
Peters Brian	Ex		89.43
Policky Brandon A	Ex		90.00
Pollak Cody	Ex		90.00
Pollak Douglas W	Ex		90.00
Principal Financial Group	Ins		2,258.68
Quality Brands Of Lincoln	Su		588.75
Quill Corp	Su		241.77
R & R Products Inc	Re		215.69
Rathjen Shad	Ex		90.00
Resco	Inv		16,331.25
Richtig Tim L	Ex		90.00
Rue 6	Retire		200.00
Ruether Larry L	Ex		90.00
Sam's Club (Lib-Rec-Pool)	Su		336.72
Schaefer Concrete LLC	Re		3,960.00
Seward County Treasurer	Se		1,201.50
Short Elliott Hendrickson	Se		2,698.59
Sports Express	Un, Su		1,584.55
St Louis Michelle	Ex		90.00
State Distributing Co	Su		153.30
Suhr & Lichty Insurance A	Ins		84.00
Tifosi Optics Inc	Merch		237.11
Time Warner Cable	Se		745.98
U S Cellular	Se		260.25
Van Kirk Bros Contracting	Ci		78,254.83
Verizon Wireless	Se		351.26
Watson Wendell B	Ex		90.00
Zeigler Terry	Misc		50.00
Zimco Supply Co	Gu		756.00
	CLAIMS TOTAL		\$426,345.79



CITY OF SEWARD NEBRASKA
537 MAIN ST
PO BOX 38
SEWARD, NE 68434-0038

PH: 402-643-2928
FAX: 402-643-6491

CLAIM FORM

CONTACT INFORMATION

Name: Diane L. Richter Home Phone: _____
Address: 446 Church St., Seward Ne Business Phone: 402-643-3636
Date & Time of Incident: March 14, Approx 9:30 am. Cell Phone: 402-366-6962
Location of Incident: Alley behind Post Office Drop box in Seward Email: drichter883@hotmail.com
Type of Incident: Injured Person Property Damage Automobile Accident (Check all that apply)

INJURED PERSON

Occupation: _____ Employed by: _____
Did you see a doctor? Yes No Doctor's Name: _____
Were you hospitalized? Yes No Hospital: _____
Describe incident (nature & extent of injury): _____
Any Witnesses? _____

PROPERTY DAMAGE

List Property Damaged: Auto - Nissan Rogue
Age of damaged property: 2015 Estimated cost of repair: \$2,224.26
How was the property damaged? I was at the Drop Boy, when unsecured One-Way Sign fell on my vehicle, hit the top and slid down the side & back

AUTOMOBILE ACCIDENT

Driver, if other than owner: _____
Address: _____ Home Phone: _____
Estimated cost of repair: _____ Business Phone: _____
Vehicle: (year, make, model) _____ Police Notified? Yes No
Your description of the accident: _____

INSURANCE INFORMATION

Amount of Claim: 2224.26 (COPIES OF BILLS MUST BE ATTACHED VERIFYING AMOUNT OF CLAIM)
Your Insurance Company: Jones Group - Seward Your Insurance Agent: Jeanie Hecker
Insurance Company Phone: 402-643-6434 Insurance Agent Phone: 402-643-6434
Did you report a claim? Yes No Did you receive payment? Yes No Deductible: _____

ADDITIONAL INFORMATION

Any other pertinent information: (write on back if more space needed) _____
Explain why you feel the City of Seward is responsible: One-way Sign was not properly secured in ground - Free standing

SIGNATURE OF CLAIMANT: Diane L. Richter DATE: 3/17/21

Date: 3/16/2021 04:43 PM
 Estimate ID: 12497
 Estimate Version: 0
 Preliminary
 Profile ID: Mitchell

BERN'S BODY SHOP INC

1221 W HWY 34 FED ID 47-0795665, SEWARD, NE 68434
 (402) 643-2810
 Fax: (402) 643-2810
 Email: bernsbodysshop@yahoo.com

Damage Assessed By: ANDREW SVOBODA
 Classification: None

Deductible: UNKNOWN

Owner: DIANE RICHTER
 Address: 446 CHURCH ST, SEWARD, NE 68434
 Telephone: Home Phone: (402) 366-6962

Mitchell Service: 911676

Description: 2015 Nissan Rogue S
 Body Style: 4D Ut Drive Train: 2.5L Inj 4 Cyl AWD
 VIN: 5N1AT2MV5FC849363
 OEM/ALT: A Search Code: B254070
 Options: PASSENGER AIRBAG, POWER LOCK, POWER WINDOW, POWER STEERING, REAR WINDOW DEFOGGER
 AIR CONDITION, REAR WINDOW WIPER, CRUISE CONTROL, TILT STEERING COLUMN
 AM/FM STEREO, DRIVER AIRBAG, FRONT SIDE AIRBAG WITH HEAD PROTECTION
 ANTI-LOCK BRAKE SYS., TRACTION CONTROL, REARVIEW CAMERA
 TIRE INFLATION/PRESSURE MONITOR, ANTI-THEFT SYSTEM, AUXILIARY INPUT
 BLUETOOTH WIRELESS CONNECTIVITY, CD PLAYER, POWER ADJUSTABLE EXTERIOR MIRROR
 4WD OR AWD, TRIP COMPUTER, FIRST ROW BUCKET SEAT, CLOTH SEAT, ALL WHEEL DRIVE
 SIDE AIRBAGS, AUTOMATIC HEADLIGHTS, SECOND ROW SIDE AIRBAG WITH HEAD PROTECTION
 MP3 PLAYER, DAYTIME RUNNING LIGHTS, ELECTRONIC STABILITY CONTROL
 KEYLESS ENTRY SYSTEM, REAR BENCH SEAT, REAR SPOILER
 STEERING WHEEL AUDIO CONTROLS

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
1	101744	BDY	REMOVE/REPLACE	L Roof Rack Assembly	73823-5HJ1A	690.87	0.5 #
2	103693	BDY	REPAIR	Liftgate Shell (Com)	Existing		1.0* #
3	100307	GLS	REMOVE/REPLACE	Liftgate Glass	FB26160YPY	839.60	1.5 #
4	100235	BDY	REMOVE/INSTALL	Otr Liftgate Finish Panel			0.3 #
5	AUTO	BDY	REMOVE/INSTALL	Lwr Liftgate Trim Panel			0.3
6	100237	BDY	REMOVE/REPLACE	Liftgate Adhesive Emblem	84890-4CL0A	58.80	0.2
7	100242	BDY	REMOVE/REPLACE	Liftgate Adhesive Nameplate	90896-4BA0B	63.75	0.2
8	100239	BDY	REMOVE/REPLACE	Liftgate Adhesive Nameplate	84895-4BA0A	59.36	0.2
9	101366	BDY	REMOVE/INSTALL	R Rear Combination Lamp			0.3 #
10	101367	BDY	REMOVE/INSTALL	L Rear Combination Lamp			0.3 #
11	931128	MCH	ADD'L LABOR OP	Post Repair Scan	Existing		0.5*
12	936014		ADD'L COST	Flex Additive		15.00 *	
13	933005	BDY	ADD'L OPR	Restore Corrosion Protection			0.3*
14	933018	REF	ADD'L OPR	Mask For Overspray			0.3*
15	AUTO		ADD'L COST	Shop Materials		10.00 *	

* - Judgment Item
 # - Labor Note Applies

Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	3.6	60.00	0.00	0.00	216.00	Taxable Parts	1,712.38
Refinish	0.3	60.00	0.00	0.00	18.00	Sales Tax @ 7.000%	119.87
Glass	1.5	60.00	0.00	0.00	90.00		
Mechanical	0.5	80.00	0.00	0.00	40.00	Total Replacement Parts Amount	1,832.25
					Taxable Labor 18.00		
					Labor Tax @ 7.000% 1.26		
					Non-Taxable Labor 346.00		
Labor Summary	5.9				365.26		
III. Additional Costs					Amount	IV. Adjustments	Amount
Taxable Costs					25.00	Customer Responsibility	0.00
Sales Tax @ 7.000%					1.75		
Total Additional Costs					26.75		
						I. Total Labor:	365.26
						II. Total Replacement Parts:	1,832.25
						III. Total Additional Costs:	26.75
						Gross Total:	2,224.26
						IV. Total Adjustments:	0.00
						Net Total:	2,224.26

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.









CITY ADMINISTRATORS REPORT – 4/6/2021

- Unified Command Team Meetings with Four Corners Health (weekly).
- Community Covid Call conducted by Four Corners Health for Seward County.
- Monitoring a number of street projects, Waverly Road and Karol Kay to restart soon.
- Covid-19 response to inquiries and issues.
- Monitoring weekly Governor's press conferences for updates and change to regulations.
- Worked with DTR Project close outs with SENDD.
- Working on finalizing grants for Petsource/Rail Campus – EOP – finalizing closing of Walker Road with NDOT.
- Worked on trail grant project letter for NDOT final supplemental.
- Reviewing legislative bills introduced in the Nebraska Legislature for City interests.
- Attended weekly training sessions put on by NIFA related to housing issues.
- Met with Chair of Safety Committee to discuss active shooter training for all employees.
- Met with representatives on the Seward Wellness Project to discuss bringing items to the City Council for consideration and discussion.
- Target goal meetings with Staff and Department Heads. Began review of upcoming targets for all employees.
- Met with local citizens on pickleball development and future plans beyond Moffitt Park.
- Met with Cemetery Board Members regarding items related to the cemetery.
- Attended annual pension meetings for general employees and police.
- Did an online community infrastructure interview/survey with SENDD/UNL related to 2019 floods.
- Met with NPPD and SCCDP on a recruitment project for the Rail Campus.
- Met with Downtown Business regarding status of current parking issues.
- Met with City Hall staff to discuss items related to temporary Clerk opening and who will cover what duties and contacts.
- Reviewed City Clerk applications with Mayor and Finance Director.

The departments are working on the following projects to name a few:

Police Department

- Storm Spotter Training.
- Meet with Uribe Refuse regarding trash collection ordinances.
- Department restructure & filling vacancies. Captain & Sergeant openings are being posted.

Clerk's Office

- Police Captain & Police Sergeant Eligibility List Process Posted.
- Public Properties Maintenance Worker Position Posted.
- City Clerk/HR Applications In Review.
- Updating Office Notes for City Clerk/HR Office.

Water/Wastewater Department

- Progress report meeting on new outfall project/still on hold due to flood waters.
- Contact NDEE to go over Outfall Project time table due to flooding.
- Dirt work on Westside of Hwy 15/fill holes.
- Call in locate and get ready to dig and find water leak by Lincoln Street and Locust Ave.

Parks and Rec/Cemetery/Golf/Pool

- Softball and Baseball meeting with Concordia.
- Cemetery Board Meeting at Civic Center.
- Service Equipment for Golf, Cemetery and Public Properties.

- Clean up and maintenance of the press boxes and scoreboards.

Electric Department

- Install new service at 839 Seward St.
- Work on mapping.
- Order material for Ash St. Sub.

Street Department

- Clean out stumps.
- Street sweeping.
- Start on Eastridge Drive for concrete work between East Bradford and East Roberts Streets.

Library

- Work on National Library Week activities.
- Prepare Story Walk inserts.
- Library Clerk job opening – review applications.

Building Inspection/Planning Department

- Dairy Queen will be demolished. Streets may need some barricades.
- Certified letter will go out to 29 Jackson Street to start the condemnation procedure.
- Meeting with Chief Peters on RV's at 410 E Seward St and what needs to be done.
- Inspections and plan reviews.

Engineering

- Preliminary project planning and utility relocation for East Hillcrest Drive.
- NDOT Hwy 15 connected access documentation, storm sewer cost estimate, and signature, and Design standards for Seward Rail Campus.
- Develop RFQ, Facilities Plan Update for WWTP Upgrade.
- Progress meeting, delay in riprap for WWTP Outfall.

Finance Dept.

- March Financial Statements for City & Airport.
- Follow up on Audit/Emma filing.
- 4-1-21 bond payments due.
- Continuing to work through issues associated with new Payroll, Time and Attendance System.