



CITY COUNCIL AGENDA

Tuesday, April 16, 2013 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room
- Roll call
- Pledge of Allegiance

CONSENT AGENDA

All consent agenda items are approved in one motion unless removed by a Council Member. Removed items will be placed under the Regular Agenda for consideration and action by the Council.

1. Approve Minutes of the April 2, 2013 Council Meeting
2. Approve Claims: Odeys Inc. - \$1,554.00 – R&M Grounds-Park (infield top dressing); Odeys Inc. - \$602.09 – R&M Grounds-Park (fence topper)
3. Approve Invoice No. 188429 from Olsson Associates in the amount of \$25,048.44 for professional services rendered through March 9, 2013, for work completed on the Buffalo Park Splash Pad
4. Consider waiving the Community Building rental fee for the Sarpy County Economic Development Corporation for their 2nd Quarter Membership Meeting scheduled for Wednesday, July 31
5. Appoint Elizabeth Chartier to the Springfield Planning Commission
6. Approve Treasurer's Report

REGULAR AGENDA

1. Amy Bellows, American Diabetes Association – Request South Railroad Avenue street closure for the Tour de Cure event scheduled for Saturday, June 1, 2013
2. **Tabled April 2, 2013.** Craig Larson with Olsson Associates – Review and award construction bid for the Buffalo Park Splash Pad Project

3.
 - A. **Tabled April 2, 2013.** Steven L. Zink, property owner, and Sac Federal Credit Union, Trustee and Beneficiary, of 485 South 2nd Street, are scheduled to appear and show cause as to why such condition of said property shall not be found to be a public nuisance
 - B. **Tabled April 2, 2013.** Thomas Powles, Sr. and Joyce A. Powles, property owners, of 460 Cedar Street, are scheduled to appear and show cause as to why such condition of said property shall not be found to be a public nuisance
 - C. **Tabled April 2, 2013.** Kirk A. Kobiela, property owner, and Eric H. Lindquist, NE State Bar Assoc., Trustee, and Crestar Mortgage Corporation, Beneficiary, assigned to Federal National Mortgage Association, of 265 Main Street, are scheduled to appear and show cause as to why such condition of said property shall not be found to be a public nuisance
 - D. **Tabled April 2, 2013.** Jerry G. Meisinger and Marlin D. Meisinger, property owners, of 15501 South Highway 50, are scheduled to appear and show cause as to why such condition of said property shall not be found to be a public nuisance
4. Conduct a **Public Hearing** for a conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska
5. Consider approval of **Resolution 2013-12** approving a conditional use permit to Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska
6. Consider approval of **Resolution 2013-13** amending the Conditional Use Permit Agreement with Insurance Auto Auctions, Inc. and Cornhusker Development, LLC due to the construction of two open air buildings to cover a portion of the parking area
7. Consider approval of bids from S&W Fence, American Fence, and Monarch Fence to install fencing along the City Park ball field backstop
8. Consider approval of bids from Carlson Tile, Millard Sprinkler, and Hoich Irrigation to install a sprinkler system in the outfield at City Park
9. Consider approval of bids from Roloff Construction Company and T-Rex Services for drainage improvements to Lots 5 and 6, Springfield Industrial Park (new city maintenance property)
10. Discuss May 2013 employee health insurance renewal
11. Discuss Valerie Lutz's annual review and consider a proposed merit increase
12. **Tabled April 2, 2013.** Discuss Rick Lee's six month review as interim working maintenance manager

DEPARTMENT REPORTS

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Randy Fleming
3. Sewer Department – Dan Craney

4. Street Department – Chad Nolte
5. Mayor’s Report – Mike Dill
6. City Staff Reports

The Mayor and City Council reserve the right to adjourn into executive session per Section 84-1410 of the Nebraska Revised Statutes.

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on April 16, 2013. Present were Mayor Mike Dill; Council Members: Bob Roseland, Randy Fleming, Dan Craney, Chad Nolte. Absent: None. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is 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 public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

The Mayor noted that the Municipal Clerk was not able to attend the meeting due to a family emergency and that all assistant city clerks were unavailable. The Mayor appointed Dawn Minor as assistant municipal clerk for the purpose of recording minutes for the City Council meeting. The appointment was unanimously approved by the City Council Members.

Consent Agenda

Motion by Nolte, seconded by Fleming, to approve the Consent Agenda. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$975,081.31 in cash assets; Prestige Treasury - \$203,792.67; Prestige Bond - \$397,032.43; Keno Community Betterment - \$136,609.60; Keno Progressive Jackpot - \$50,145.41; Water Deposit Savings - \$4,178.17; Refundable Deposit Savings - \$1,219.86; Water Tower Savings - \$110,858.43; Sewer Restricted - \$74,966.18; Water Capital Facilities Fees - \$32,205.35; Sewer Capital Facilities Fees - \$75,145.80; City Sales Tax - \$250,110.45; Money Mark Library Bricks - \$3,556.28; Government Securities - \$103,794.85; Library Savings - \$73,145.72; Time Certificates as follows: Bond - \$76,319.31; Tower - \$57,114.44; Water - \$124,679.15; Park - \$11,889.31; Library Bricks - \$21,160.47; Cash Receipts - \$125,814.81; Cash Disbursements - \$61,272.73.

Regular Agenda

Agenda Item 1. Amy Bellows from the American Diabetes Association appeared and requested that South Railroad Avenue be closed on Saturday, June 1, 2013, for the Tour de Cure fund raising event. Motion by Nolte, seconded by Fleming, to close South Railroad Avenue on Saturday, June 1, 2013, for

the Tour de Cure fund raising event. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 2. Craig Larson and Mike Hendrix from Olsson Associates presented a letter dated April 11, 2013, addressed to contractors with attachments pertaining to the Buffalo Park Splash Pad Project. Larson explained the negotiations with the three contractors and the new bids. The Council asked Larson questions pertaining to the project. Council and Larson discussed the cost of the project and clarification of costs and equipment. Bodie Dostal with Dostal Construction Company appeared and explained the cost of some of the items in his bid. Motion by Fleming, seconded by Nolte, to reject all construction bids for the Buffalo Park Splash Pad Project. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3A. No appearance by Steven L. Zink, property owner, or anyone else on behalf of 485 South 2nd Street. Motion by Nolte, seconded by Fleming, to find the condition of the property at 485 South 2nd Street to be a public nuisance as defined by Springfield Municipal Code and to order and direct the property owner, occupant, lessee or mortgagee to remedy said public nuisance at once, notice of which to be by certified mail. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3B. Thomas Powles, Sr., and Joyce A. Powles, property owners, appeared on behalf of 460 Cedar Street. They told the Council that they are working on cleaning up the property. Motion by Nolte, seconded by Fleming, to table agenda item 3B until the May 21, 2013, Council meeting to allow the property owners of 460 Cedar Street additional time to clean up their property. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3C. No appearance by Kirk A. Kobiela, property owner, or anyone else on behalf of 265 Main Street. Motion by Nolte, seconded by Roseland, to find the condition of the property at 265 Main Street to be a public nuisance as defined by Springfield Municipal Code and to order and direct the property owner, occupant, lessee or mortgagee to remedy said public nuisance at once, notice of which to be by certified mail. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3D. No appearance by Jerry Meisinger, property owner, or anyone else on behalf of 15501 South Highway 50. Motion by Nolte, seconded by Craney, to find the condition of the property at 15501 South Highway 50 to be a public nuisance as defined by Springfield Municipal Code and to order and direct the property owner, occupant, lessee or mortgagee to remedy said public nuisance at once, notice of which to be by certified mail. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 4. A Public Hearing was opened for the conditional use permit application filed by Sandie Shotkoski, applicant and property owner, for a single-family dwelling to be located at 345 Spruce Street, Springfield. Sandie Shotkoski appeared before the Council. An exhibit was presented to the City Council. Shotkoski testified on behalf of the application for the conditional use permit. No one else spoke in favor of or in opposition to the application. Motion by Nolte, seconded by Craney, to close the public hearing. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 5. Motion by Craney, seconded by Nolte, to deny the conditional use permit application submitted by Sandie Shotkoski for a single-family dwelling to be located at 345 Spruce Street, which property is zoned R-30 General Family Residential and legally described as Lot 18, Springfield Industrial Park, Sarpy County, Nebraska. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 6. Council Member Craney introduced Resolution 2013-13 and moved its adoption. Council Member Fleming seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Fleming, Craney, Nolte. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2013-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDED CONDITIONAL USE PERMIT TO INSURANCE AUTO AUCTIONS, INC., APPLICANT, AND CORNHUSKER DEVELOPMENT, LLC, PROPERTY OWNER, TO LOCATE AND CONSTRUCT TWO OPEN AIR BUILDINGS FOR VEHICLE PROTECTION FROM THE WEATHER AT THE AUCTION HOUSE THAT WAREHOUSES SALE ITEMS AND SELLS ITEMS WITHIN THE AUCTION FACILITY AND/OR OUTSIDE OF THE AUCTION FACILITY, BUT ON THE PREMISES, LOCATED ON PROPERTY ZONED LIGHT INDUSTRIAL AND LEGALLY DESCRIBED AS LOT 1, SPRINGFIELD BUSINESS PARK, SARPY COUNTY, NEBRASKA.

WHEREAS, Insurance Auto Auctions, Inc. and Cornhusker Development, LLC, have applied for a conditional use permit for the purpose of locating, constructing, and operating an auction house that warehouses sale items and sells items within the auction facility and/or outside of the auction facility, but on the premises, located on property zoned Light Industrial and legally described as Lot 1, Springfield Business Park, Sarpy County, Nebraska; and

WHEREAS, the city planner, city engineer, city attorney, city clerk and other agencies have reviewed such application; and

WHEREAS, the Springfield Planning Commission held a public hearing on February 14, 2012, regarding the application and made a recommendation of approval to the City Council of the conditional use permit on April 10, 2012; and

WHEREAS, the Springfield City Council of the City of Springfield held a public hearing on May 15, 2012, regarding the application and was agreeable to the approval and issuance of a conditional use permit for such purposes by Resolution 2012-19 on May 15, 2012, which conditional use permit was modified by Resolution 2012-25 on August 7, 2012, and Resolution No. 2012-37 on October 2, 2012, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A"; and

WHEREAS, on April 16, 2013, the City Council of the City of Springfield received a requested modification to the approved permit requesting permission to construct two open air buildings on the property for vehicle protection from the weather as identified on the revised site plan (Exhibit "A-1"); and

WHEREAS, the City Council of the City of Springfield is in agreement with the new site plan and has determined that such modification has not changed the use or decreased/increased any parking or storage areas nor has it increased the capacity or demand of the infrastructure beings there is no proposed water or sewer service to the buildings; therefore, the requested modification does not substantially change the original conditional use permit and does not warrant additional public hearings or review by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves and authorizes the execution of an amended Conditional Use Permit to Insurance Auto Auctions, Inc., applicant, and Cornhusker Development, LLC, property owner, to locate, construct and operate an auction house that warehouses sale items and

sells items within the auction facility and/or outside of the auction facility, but on the premises, located on property zoned Light Industrial and legally described as Lot 1, Springfield Business Park, Sarpy County, Nebraska, subject to the certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A". A copy of the revised site plan is attached to the conditional use permit agreement as Exhibit "A-1".

PASSED AND APPROVED THIS 16TH DAY OF APRIL, 2013.

Ayes 4

Nays 0

Abstain 0

Absent 0

Approved:

Michael Dill, Mayor

SEAL

Attest:

Kathleen R. Gottsch, City Clerk

Agenda Item 7. Motion by Nolte, seconded by Fleming, to award the bid for fencing along the City Park ball field backstop to American Fence, the apparent low bidder. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 8. Motion by Nolte, seconded by Craney, to award the bid for a sprinkler system in the outfield at City Park to Carlson Tile, the apparent low bidder. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 9. Motion by Craney, seconded by Nolte, to award the bid for drainage improvements to Lots 5 and 6, Springfield Industrial Park, to T-Rex Services. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 10. Motion by Nolte, seconded by Roseland, to follow staff recommendation and select option one for the Assurant Health annual medical insurance renewal. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Items 11 and 12. Motion by Nolte, seconded by Roseland, to move agenda items 11 and 12, regarding Valerie Lutz's annual review and Rick Lee's six month review as interim working maintenance manager, into executive session. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Executive Session

Motion by Nolte, seconded by Roseland, to enter into executive session at 8:45 p.m. for the purpose of personnel matters. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None.

Motion by Craney, seconded by Roseland, to leave executive session at 9:30 p.m. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None.

Motion by Fleming to give Valerie Lutz, City Hall Office Assistant, a \$.50/hour annual merit increase. Motion died due to the lack of a second.

Motion by Nolte, seconded by Craney, to give Valerie Lutz, City Hall Office Assistant, a \$1.00/hour annual merit increase. AYES: Roseland, Craney, Nolte. NAYS: Fleming.

Motion by Nolte, seconded by Craney, to table agenda item 12, regarding Rick Lee's six month review as interim working maintenance manager, until the May 7, 2013, Council meeting and to request that Rick Lee appear before the City Council on that date. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None.

Department Reports

Agenda Item 1. Roseland reported that well number 1 had been relined and was back in operation.

Agenda Item 2. Fleming reported that at the May library board meeting there will be a presentation to the Library Board on the LED sign.

Agenda Item 3. Craney reported that Larry Nolte, wastewater operator, will be gone for approximately two weeks in the near future.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. Mayor Dill reported that he met with Sarpy County Commissioners regarding Pflug Road and a foot bridge across the creek at Main Street. The Mayor reported that will meet with the Governor on April 24, 2013.

Agenda Item 6. No additional staff reports were provided.

Adjournment

Motion by Craney, seconded by Fleming, to adjourn. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Meeting adjourned at 9:42 p.m. Motion carried.

I, the undersigned, Assistant City Clerk for the City of Springfield, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on April 16, 2013; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all

news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Dawn Minor, Assistant City Clerk