



CITY COUNCIL AGENDA

Tuesday, April 2, 2019 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 March 19, 2019 Council Meeting
2. Approve Claims and Payroll
3. Consider approval of Change Order No. 1 for a total project cost deduction of \$638.00 for services rendered by ProTech Electric in conjunction with the Buffalo Park Ball Field Lighting Project (Add \$1,530.00 to bore 2-2" from existing concession stand building to camera pull box; Add \$832.00 for material and labor to drill into existing building; Deduct \$3,000.00 for testing allowance not used)

REGULAR AGENDA

1. Sarpy County Sheriff's Department monthly service report
2. Proclaim Sunday, April 29, 2019, as Earth Day in the City of Springfield
3. Consider approval of a Special Designated Liquor License to Fire Barn, LLC for Junkstock at the Sarpy County Fairgrounds on April 26, 2019, from 8:00 a.m. until 10:00 p.m.; April 27, 2019 from 8:00 a.m. until 8:00 p.m.; and April 28, 2019, from 8:00 a.m. until 8:00 p.m.
4. **Tabled March 19, 2019.** Consider approval of **Ordinance No. 1001** establishing the amount of certain fees and taxes charged by the City of Springfield for various services; including changes to building permit fees, water and sewer connection fees and planning fees; repealing ordinances in conflict; and providing for an effective date

5. Conduct a **Public Hearing** to consider zoning text amendments filed by the City of Springfield, applicant, for amendments to:
 - A. Section 2.03 “Definitions” of the Springfield Zoning Ordinance adding a definition for data center
 - B. Section 5.18 “BP Business Park District” of the Springfield Zoning Ordinance amending maximum height requirements
 - C. Section 5.21 “HCO Highway Corridor Overlay District” of the Springfield Zoning Ordinance amending geographic area requirements
 - D. Section 5.21 “HCO Highway Corridor Overlay District” of the Springfield Zoning Ordinance amending building design standards
 - E. Section 9.04.02 “Fences and Retaining Walls, General Provisions-Non Residential” of the Springfield Zoning Ordinance amending non-residential fence requirements
6. Consider approval of **Ordinance No. 1002** AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
7. Consider approval of **Ordinance No. 1003** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.18 “BP BUSINESS PARK DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
8. Consider approval of **Ordinance No. 1004** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
9. Consider approval of **Ordinance No. 1005** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
10. Consider approval of **Ordinance No. 1006** AN ORDINANCE TO AMEND ARTICLE 9 “LANDSCAPING REQUIREMENTS”, SECTION 9.04 “FENCES AND RETAINING WALLS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
11. Consider approval of **Ordinance No. 1007** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING AND CODIFYING OFFICIAL DESIGN STANDARDS AND SPECIFICATIONS FOR THE INSTALLATION OF WIRELESS FACILITIES INCLUDING BUT NOT LIMITED TO NETWORK NODES AND NODE SUPPORT POLES AS SECTION 8-319 OF THE SPRINGFIELD MUNICIPAL CODE; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
12. Consider approval of **Ordinance No. 1008** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING DESIGN STANDARDS FOR THE INSTALLATION OF WIRELESS FACILITIES IN PUBLIC RIGHT-OF-

WAYS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

DEPARTMENT REPORTS

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
3. Street Department – Chad Nolte
4. Water & Parks Department – Dan Craney
5. Mayor’s Report – Bob Roseland
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 Tuesday, April 2, 2019. Present were Council Members: Roy Swenson, Michael Herzog, Chad Nolte, Dan Craney. Absent: Mayor Bob Roseland. City Council President Swenson presided as Mayor. 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.

Consent Agenda

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

Check #	Account ID	Account Description	Debit Amount	Name
General				
41572	6084-10-10	Aflac	140.68	Aflac
41573	8130-10-10	R&M Building	1,235.00	All About Blinds
41575	6084-10-10	Aflac	13.20	Ameritas Life Insurance
41547	6080-10-10	Health Insurance	1,699.61	BlueCross BlueShield
41539	6080-10-10	Health Insurance	127.62	Delta Dental
41586	7205-10-10	Subscriptions	143.98	First National Bank
41588	7185-10-10	Lodging	31.73	Gottsch, Kathleen
41588	7240-10-10	Mileage	377.00	Gottsch, Kathleen
41589	7030-10-10	Prof Svcs-Planning	630.00	JEO Consulting Group
41590	8140-10-10	R&M Equip	64.83	Konica Minolta Business Solutions

41591	8140-10-10	R&M Equip	180.98	Konica Minolta Premier Finance
41594	8030-10-10	Supplies	9.75	Menards
41593	8030-10-10	Supplies	20.98	Menards
41593	8130-10-10	R&M Building	45.50	Menards
41598	7320-10-10	Natural Gas	72.71	MUD
41603	7330-10-10	Telephone	120.48	NT&T
41604	8010-10-10	Office Supplies	6.29	Office Depot
41604	8030-10-10	Supplies	13.57	Office Depot
41604	9010-10-10	Office Equip	29.99	Office Depot
41626	8130-10-10	R&M Building	1,082.28	OM Group/Zerorez
41606	7250-10-10	Publication Costs	171.79	Omaha World Herald
41608	7310-10-10	Electricity	279.79	OPPD
41545	6080-10-10	Health Insurance	88.50	Principal
41613	7046-10-10	Prof Svcs-Building Inspector	2,198.14	Sarpy County Building Inspector
41614	7060-10-10	Animal Control	394.07	Sarpy County Fiscal Administrator
41615	7050-10-10	Law Contract	8,787.00	Sarpy County Treasurer
41616	8160-10-10	R&M Grounds	357.00	Schmader Electric
41618	9310-10-10	Nuisance Abatement	93.75	Seidler & Seidler
41618	7020-10-10	Prof Svcs-Legal	1,312.50	Seidler & Seidler
41625	7280-10-10	Laundry	101.76	Walkers Uniform Rental
Total			19,830.48	
Sales Tax				
41578	9170-15-10	Buffalo Park	1,030.00	BCDM Architects
Total			1,030.00	
Library				
41574	8060-20-10	Books	320.49	Amazon/SYNCB
41575	6084-20-10	Aflac	26.40	Ameritas Life Insurance
41577	8060-20-10	Books	180.92	Baker & Taylor
41547	6080-20-10	Health Insurance	1,077.18	BlueCross BlueShield
41583	7330-20-10	Telephone	55.00	Charter Communications
41539	6080-20-10	Health Insurance	64.28	Delta Dental
41585	8060-20-10	Books	85.24	Educational Development Corporation
41595	8060-20-10	Books	117.59	MicroMarketing
41596	8060-20-10	Books	110.75	MidAmerica Books
41598	7320-20-10	Natural Gas	145.93	MUD
41603	7330-20-10	Telephone	46.81	NT&T
41608	7310-20-10	Electricity	193.39	OPPD
41611	7340-20-10	Waste Disposal	18.00	Premier Waste Solutions
41545	6080-20-10	Health Insurance	105.99	Principal
41617	7480-20-10	Janitorial	200.00	Schmieder, Marcie
Total			2,747.97	
Library Restricted				
41574	8070-21-10	Library Supplies	35.82	Amazon/SYNCB
41579	8070-21-10	Library Supplies	119.01	Brodart
41582	8060-21-10	Books	89.28	Center Point Large Print
41587	8060-21-10	Books	97.73	Gale
41602	8070-21-10	Library Supplies	6.23	Nobbies
41612	8070-21-10	Library Supplies	153.64	Quill Corporation
Total			501.71	
Park				
41572	6084-30-10	Aflac	52.52	Aflac
41547	6080-30-10	Health Insurance	1,034.34	BlueCross BlueShield
41580	8120-30-10	Fuel	64.57	BRP Investments
41539	6080-30-10	Health Insurance	95.48	Delta Dental

41600	9040-30-10	Tools & Misc Equip	20.39	Mill Creek Auto Parts
41600	8140-30-10	R&M Equip	246.44	Mill Creek Auto Parts
41608	7310-30-10	Electricity	440.33	OPPD
41611	7340-30-10	Waste Disposal	68.00	Premier Waste Solutions
41545	6080-30-10	Health Insurance	74.77	Principal
41619	8030-30-10	Supplies	5.97	Springfield Ace Hardware
41619	8130-30-10	R&M Building	9.99	Springfield Ace Hardware
41625	7290-30-10	Uniform Allowance	21.64	Walkers Uniform Rental
Total			2,134.44	
Community Building				
41598	7320-40-10	Natural Gas	299.57	MUD
41608	7310-40-10	Electricity	125.88	OPPD
41611	7340-40-10	Waste Disposal	40.00	Premier Waste Solutions
41625	7280-40-10	Laundry	139.00	Walkers Uniform Rental
Total			604.45	
Water				
41572	6084-50-20	Aflac	56.16	Aflac
41575	6084-50-20	Aflac	10.75	Ameritas Life Insurance
41547	6080-50-20	Health Insurance	1,440.15	BlueCross BlueShield
41580	8120-50-20	Fuel	157.12	BRP Investments
41539	6080-50-20	Health Insurance	81.65	Delta Dental
41597	7420-50-20	Testing	55.36	Midwest Laboratories
41599	8030-50-20	Supplies	1,070.18	Municipal Supply
41601	7420-50-20	Testing	175.00	NE Public Health Environmental Lab
41603	7330-50-20	Telephone	163.78	NT&T
41605	9201-50-20	Wellhead Protection Plan	3,612.06	Olsson Associates
41607	7430-50-20	Digger's Hotline	34.61	One Call Concepts
41608	7310-50-20	Electricity	1,138.31	OPPD
41545	6080-50-20	Health Insurance	88.90	Principal
41618	7020-50-20	Prof Svcs- Legal	93.75	Seidler & Seidler
41628	7230-50-20	Postage/Shipping	124.60	US Postal Service
41624	7330-50-20	Telephone	15.77	Verizon Wireless
41625	7290-50-20	Uniform Allowance	21.64	Walkers Uniform Rental
Total			8,339.79	
Sewer				
41572	6084-60-30	Aflac	55.38	Aflac
41575	6084-60-30	Aflac	10.75	Ameritas Life Insurance
41547	6080-60-30	Health Insurance	905.01	BlueCross BlueShield
41580	8120-60-30	Fuel	97.60	BRP Investments
41539	6080-60-30	Health Insurance	64.28	Delta Dental
41597	7420-60-30	Testing	171.50	Midwest Laboratories
41605	7010-60-30	Prof Svcs-Engineer	1,737.47	Olsson Associates
41608	7310-60-30	Electricity	2,647.32	OPPD
41545	6080-60-30	Health Insurance	64.10	Principal
41619	9040-60-30	Tools & Misc Equip	58.96	Springfield Ace Hardware
41628	7230-60-30	Postage/Shipping	124.60	US Postal Service
41624	7330-60-30	Telephone	15.77	Verizon Wireless
41625	7290-60-30	Uniforms Allowance	30.66	Walkers Uniform Rental
Total			5,983.40	
Street				
41572	6084-70-40	Aflac	26.26	Aflac
41576	8140-70-40	R&M Equip	595.00	Aspen Equipment
41547	6080-70-40	Health Insurance	1,581.18	BlueCross BlueShield
41580	8120-70-40	Fuel	599.63	BRP Investments

41581	8120-70-40	Fuel	335.89	Casey's General Store
41584	7455-70-40	Internet	64.98	Charter Communications
41539	6080-70-40	Health Insurance	48.21	Delta Dental
41592	8030-70-40	Supplies	1,041.82	Logan Contractors Supply
41593	8010-70-40	Office Supplies	10.55	Menards
41594	8140-70-40	R&M Equip	49.46	Menards
41594	9040-70-40	Tools & Misc Equip	86.27	Menards
41593	8215-70-40	R&M Streets & Alleys	312.12	Menards
41600	9040-70-40	Tools & Misc Equip	9.88	Mill Creek Auto Parts
41600	8150-70-40	R&M Vehicle	24.48	Mill Creek Auto Parts
41598	7320-70-40	Natural Gas	620.78	MUD
41603	7330-70-40	Telephone	52.65	NT&T
41605	7010-70-40	Prof Svcs-Engineer	77.00	Olsson Associates
41609	7310-70-40	Electricity	77.58	OPPD
41627	7310-70-40	Electricity	200.29	OPPD
41608	7310-70-40	Electricity	4,164.53	OPPD
41610	8140-70-40	R&M Equip	170.80	Powerplan
41611	7340-70-40	Waste Disposal	40.00	Premier Waste Solutions
41545	6080-70-40	Health Insurance	81.57	Principal
41619	8140-70-40	R&M Equip	54.52	Springfield Ace Hardware
41619	9040-70-40	Tools & Misc Equip	108.58	Springfield Ace Hardware
41619	8030-70-40	Supplies	121.51	Springfield Ace Hardware
41622	9015-70-40	Equipment Rental	406.00	Titan Machinery
41621	9015-70-40	Equipment Rental	2,625.00	Titan Machinery
41620	8140-70-40	R&M Equip	149.52	Tractor Supply Co.
41623	8150-70-40	R&M Vehicle	24.23	Ty's Outdoor Power & Service
41624	7330-70-40	Telephone	15.76	Verizon Wireless
41625	7290-70-40	Uniform Allowance	29.08	Walkers Uniform Rental
Total			13,805.13	
		Payroll	47,752.46	
		VOYA Retirement ER	3,180.44	
		Medical Reimbursement	2,260.07	
		Water Deposit Refunds	451.36	

Regular Agenda

Agenda Item 1. Lt. Matt Core with the Sarpy County Sheriff's Department provided the monthly service report. Flooding efforts are being wrapped up in the Springfield area. Council inquired if concerns for additional traffic control in Springfield during Junkstock April 26-28, 2019 had been addressed. Nolte suggested the Sheriff's Department contact Junkstock organizers directly and inform Sarpy County Fair Board of additional traffic control plans.

Agenda Item 2. Motion by Herzog, seconded by Nolte, to proclaim Sunday, April 28, 2019, as Earth Day in the City of Springfield. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried. Nancy Scott and Libby Ray, representatives on behalf of Green Bellevue, invited the Council to be involved with the activities of the day and thanked the Council for approval of the Proclamation.

Agenda Item 3. Motion by Herzog, seconded by Craney, to approve a Special Designated Liquor License to Fire Barn, LLC for Junkstock at the Sarpy County Fairgrounds on April 26, 2019 from 8:00 a.m. until 10:00 p.m.; April 27, 2019 from 8:00 a.m. until 8:00 p.m.; and April 28, 2019 from 8:00 a.m. until 8:00 p.m. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 4. Council Member Nolte introduced Ordinance No. 1001 entitled:

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Presiding Mayor then stated the question "Shall Ordinance No. 1001 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1001

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA

Section 1.

MASTER FEE SCHEDULE

ANIMAL CONTROL

All fees listed in this section are collected by the contracted Animal Control Authority, currently the Nebraska Humane Society. The Animal Control Authority sets and collects fees for the following: Impoundment (including a per day boarding fee), Veterinary Expenses, Euthanasia Expenses and Removal Costs.

- 1. Dog & Cat Licenses
 - a. Spayed or Neutered: \$5.00 annually
 - b. Intact: \$15.00 annually
 - c. License Handling/Issuance Fee: \$5.00 per license

*No dog and cat license fees will be charged for senior citizens (65 or older) who own a spayed or neutered dog or cat.

- 2. Pot-Belly Pig License: \$35.00 annually
- License Handling/Issuance Fee: \$5.00 per license

- 3. Fine for not being licensed by March 15: Double licensing fee
- 4. Impound fees (excluding the per day boarding fee):
 - a. Altered Dog, Cat or Pot-Belly Pig:
 - \$35.00 first redemption
 - \$70.00 second redemption within 24 months of the first redemption
 - \$140.00 third redemption within 24 months of the first redemption
 - +\$50.00 for subsequent redemptions
 - b. Unaltered Dog or Cat:
 - \$100.00 first redemption
 - \$300.00 second redemption within 24 months of the first redemption
 - \$600.00 third redemption or any subsequent redemption within 24 months of the first redemption
 - c. Reimbursement for animals sterilized and micro-chipped within 90 days of the date of redemption:
 - \$65.00 first redemption
 - \$230.00 second redemption
 - \$460.00 third redemption
- 5. Boarding Fee: \$16.00 daily
- 6. Rabies Quarantine Fee \$16.00 daily

BUILDING SERVICES

The City of Springfield contracts with the Sarpy County Building Inspector for inspection services. Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the city shall charge and collect a fee. Building Permit Fees are based on Project Valuation calculated using the per square foot construction costs in the Sarpy County Building Valuation Data Table attached. Please also refer to the Sarpy County Permit Fee Schedule and Electric, Mechanical, and Plumbing Fixture Fee Tables attached.

Residential Dwelling:

Finished Area Above Grade	\$104.00 per sq. ft.
Finished Area Below Grade	\$25.00 <u>\$30.00</u> per sq. ft.; <u>\$35.00 w/walkout</u>
Unfinished Above/Below	\$15.00 <u>\$20.00</u> per sq. ft.; <u>\$25.00 w/walkout</u>
Attached Garage	\$15.00 <u>\$25.00</u> per sq. ft.
Deck/Patio	Included with new construction <u>\$15.00 per sq. ft.</u> ; <u>\$25.00 per sq. ft. w/roof</u> + elec/mech/plumb fixture fees

Residential Addition Same as new construction

Residential Basement (Below Grade) Finish ~~\$25.00~~ \$35.00 per sq. ft.
+ elec/mech/plumb fixture fees

Residential Garage Addition (Attached or Detached) \$25.00 per sq. ft.

Residential Plumbing Permit ~~\$24.00~~ \$30.00 base fee + fixture fee

Residential Mechanical Permit	\$ 24.00 <u>30.00</u> base fee + fixture fee
Residential Electric Permit	\$50.00
Deck	<u>Greater of Estimated Project Valuation Cost or \$15.00 per sq. ft.; or \$25.00 per sq. ft. w/roof</u>
Sheds	\$5.00 per sq. ft.
Fences	\$5.00 per lineal foot
Swimming Pools:	
Above Ground	\$ 24.00 <u>30.00</u>
Below Ground	Estimated Project Valuation + fixture fee
Spas	\$ 24.00 <u>30.00</u> + fixture fee
Lawn Sprinkler System:	
In addition to new construction permit	\$30.00
As a separate permit	\$42.00
Commercial Building:	
Permit Fee is based on Project Valuation calculated on a per square foot construction cost based on Occupant Use and Construction Type in the 2012 Building Valuation Data Table. Refer to the Sarpy County Building Valuation Data Table and Fee Schedule attached.	
Commercial Addition	Same as new construction
Commercial Remodel	<u>Estimated Project Valuation 2012 ICC BVD Schedule</u>
Commercial Electrical	Obtain Permit through State of Nebraska
<u>Residential Plan Review and Processing Fee</u>	<u>Based on Permit Valuation</u>
	<u>\$0-\$624.99 = 8% of permit value</u>
	<u>\$625.00-\$2,499.99 = \$50.00</u>
	<u>\$2,500.00 and above = \$100.00</u>
<u>Commercial Plan Review Fee</u>	<u>Greater of \$100 or 25% of Permit Fee whichever is greater</u>
<u>Revised Plan Review (copy of stamped plan)</u>	
<u>Residential</u>	<u>\$50.00</u>
<u>Commercial</u>	<u>\$100.00</u>
Change of Occupancy	\$100.00 + applicable building permit fees
Grading Permit:	
Less than 10 acres	\$500.00
10 acres or more	\$1,000.00

Building Relocation / Moving Permit	\$100.00 + applicable building permit fees
Demolition Permit:	
Accessory structure less than 1,200 sq. ft.	\$50.00
Single-Family Dwelling	\$100.00
Commercial Structure	\$250.00
Park Capital Facilities Fee	\$200.00
*applied to all new construction residential and commercial permits	
Septic Permit	\$100.00
Well Permit:	
New Well	\$100.00
Repair	\$50.00
Decommission	\$50.00
Curb Cut (New Opening; does not include curb grind):	
Fee	\$50.00 (covers inspection services)
Deposit	\$125.00 (refundable upon final inspection)
Street Opening	\$10.00 per sq. ft., \$600.00 minimum
Sign Permit	\$.30 per sq. ft., \$40.00 minimum
Penalty Fee for No Permit	Triple permit fee
Expired Building Permit Renewal	One-half of new building permit fee
Refund Policy	80% of permit fee
Re-Inspection Fee (assessed upon third and any subsequent re-inspect)	\$60.00
Inspection Fee outside of normal business hours (two hour minimum)	\$60.00
Inspections for which no fee is specifically indicated (minimum charge – 1 hour)	\$50.00 per hour

CITY FACILITIES RENTAL

1. Community Building
 - a. Hourly
 - \$10.00 residents and business owners within corporate limits
 - \$25.00 non-residents
 - 4 hour maximum rental period
 - b. Daily (entire building)
 - \$75.00 residents and business owners within corporate limits
 - \$300.00 non-residents
 - c. Deposit
 - \$125.00 (refundable)

- 2. Library Meeting Room
 - a. Daily \$25.00
 - b. Deposit \$100.00 (refundable)

ELECTION SERVICES

- 1. Election Filing Fees (See Ordinance) 1% of annual salary

LIBRARY SERVICES

- 1. Damaged & Lost
 - a. Books Replacement Cost
 - b. Magazines Replacement Cost
 - c. Audio Tapes Replacement Cost
 - d. Videos Replacement Cost
- 2. Fines
 - a. Books and Magazines \$.10 per day
 - b. Audio Books \$.10 per day
 - c. Videos/DVDs \$1.00 per day

- 3. Inter-Library Loan \$2.00

- 4. Non-resident Library Card \$35.00 annually

MISCELLANEOUS

- 1. Copy of City Map \$3.00
- 2. Fee for Returned Checks (NSF) \$30.00
- 3. Handicap Parking Permit (State Statute) No charge
- 4. Property Cleanup Service Fees (including but not limited to mowing/lawn service, snow removal and tree trimming) \$300.00 per hour per city employee (not prorated)
Lien for Property Cleanup Services Amount owed for services rendered plus applicable lien recording and releasing fees
- 5. Request for Records (State Statute) \$5.00 per half hour over 4 hours, plus copy costs

OCCUPATION FEES / FRANCHISE FEES / IN LIEU OF TAXES

(State Statute requires these fees be set by Ordinance)

- 1. Advertising Bench
 - a. Application \$10.00
 - b. Renewal application \$10.00
- 2. Billiards, Pool Tables \$10.00 annually

3.	Electric Companies	\$0 annually
4.	Fire Insurance Companies (State Statute)	\$5.00 annually
5.	Fireworks Stands	
	a. June 25 – July 4 Selling Period	\$2,500.00
	b. December 29 – 31 Selling Period	\$500.00
	c. Deposit	\$500.00 (refundable)
6.	Franchise Fees/In Lieu of Taxes	
	a. Electricity	5% of gross revenues
	b. Gas (State Statute §14-2139)	2% of gross revenues
	c. Cable Television (State Statute sets ceiling)	3% of gross revenues
7.	Liquor Establishments	
	a. Class A – Beer On Sale Only	\$150.00
	b. Class B – Beer Off Sale Only	\$150.00
	c. Class C – All Alcoholic Liquor On & Off Sale	\$500.00
	d. Class D – All Alcoholic Liquor Off Sale Only	\$300.00
	e. Class I – All Alcoholic Liquor On Sale Only	\$375.00
	f. Class L – Craft Brewery (Brew Pub)	\$375.00
	g. Class W – Wholesale Beer	\$750.00
	h. Class X – Wholesale Liquor	\$1,125.00
	i. Class Y – Farm Winery	\$375.00
	j. Class K – Catering	\$150.00
8.	Mechanical Amusement Devices	\$10.00 annually
9.	Sexually Oriented Business	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00
10.	Special Liquor Licenses	\$50.00 per day plus State Fee \$500.00 deposit (refundable)
11.	Tattoo Parlor	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00
12.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
13.	Tobacco License (State Statute)	\$10.00 annually
14.	Mobile Home Park	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$10.00 per pad
15.	Vendor/Hawker/Peddler	

- a. Annually \$150.00 per person
- b. Per day \$50.00 per person

PLANNING SERVICES

- 1. Administrative Plat (lot split/consolidation) \$200.00
 - 2. Annexation Requests \$100.00 plus professional services costs (legal, engineering, planning, and administration)
 - 3. Board of Adjustment / Variance Request \$250.00
 - 4. Connection-Capital Facilities Fees*
 - a. Sewer Connection-Capital Facilities Fees
 - Residential - Single Family ~~\$1,400.00~~ \$3,500.00 per unit
 - Residential - Duplex ~~\$1,400.00~~ \$3,500.00 per unit
 - ~~Residential - Mobile Home~~ \$3,500.00 per unit
 - Residential - Multi Family ~~\$800.00~~ \$2,980.00 per unit
 - ~~Park or Common Area~~ \$300.00 per acre
 - Commercial/Industrial ~~\$6,000.00~~ \$17,500.00 per acre
 - ~~Agriculture Land~~ \$200.00 per acre
 - b. Water Connection-Capital Facilities Fees
 - Residential - Single Family ~~\$500.00~~ \$750.00 per unit
 - Residential - Duplex ~~\$500.00~~ \$750.00 per unit
 - Residential - Multi Family ~~\$300.00~~ \$500.00 per unit
 - ~~Residential - Park or Common Area~~ \$100.00 \$250.00 per acre
 - Commercial/Industrial ~~\$1,000.00~~ \$1,500.00 per acre
 - ~~Agriculture Land~~ \$100.00 per acre
- *Refer to Springfield Municipal Codes §3-105.03 and §3-209.03 for applicability and payment due date.
- 5. Comprehensive Plan Amendment \$500.00
 - 6. Conditional Use Permit (1 acre or less) \$300.00
 - 7. Conditional Use Permit (over 1 acre) \$500.00
 - 8. Conditional Use Permit Amendment / Renewals \$150.00
 - 9. Conditional Use Permit Annual Fee \$30.00
 - 10. County Filing Fees (if filed by City) \$50.00 plus actual costs
 - 11. Design Review Fee (applicable to zoning districts with overlay design standards) \$250.00 or 20% of building permit fee, whichever is greater
 - 12. Final Plat \$500.00 plus \$10.00 for each lot
 - 13. Flood Plain Development Permit \$500.00

- 14. Park and Open Space Fee .04 acres per unit at Final Plat
Cash in Lieu of Land Fee \$30,000.00 per acre*

*[This fee applies to residential development only.](#) Calculated on the basis of each dwelling unit constituting .04 acres. In satisfaction of a subdivider’s required dedication of land for parks, playgrounds, trails or recreational uses per City Subdivision Regulations and/or the subdivider’s required in lieu of fee, the City may, in its discretion, accept in whole or in part, the cost of park/recreational improvements installed and paid for by the subdivider, such as pedestrian/bike trail improvements, trees, and other park/recreational improvements as set forth in a City approved park/recreational improvement plan incorporated into a subdivision agreement. Such dedications, in lieu of fee payment, or accepted park/recreational improvements are to be made or paid by the subdivider and shall not be made, paid or reimbursed by a sanitary improvement district.

- 15. Preliminary Plat \$750.00 plus \$10.00 per lot
a. Revised Preliminary \$250.00
- 16. Replat \$750.00 plus \$10.00 per lot
- 17. Site Plan Review \$150.00 less than 1 acre
(amount added to building permit, as necessary) \$300.00 1-5 acres
\$500.00 over 5 acres
- 18. Tax Increment Finance Project Fee 1 ½ % of project cost to be
Tax Increment Financed
- 19. Vacation of Plat \$150.00
- 20. Vacation of Public Right-of-Way \$150.00
- 21. Watershed Fees

	FY 2017	FY 2018	FY 2019
Fee Category	July 1, 2016 – June 30, 2017	July 1, 2017 – June 30, 2018	July 1, 2018 – June 30, 2019
Single Family Residential per dwelling unit (also includes low-density multi-family up to 4-plexes)	\$864	\$886	\$908
High-Density Multi-Family Residential per gross acre (beyond 4-plexes)	\$3,803	\$3,898	\$3,996
Commercial/Industrial/Institutional per gross acre	\$4,609	\$4,724	\$4,842

- 22. Zoning Map Amendment \$400.00 (\$200.00 refundable if
denied by Council)
- 23. Zoning / Subdivision Regulations Text Amendment \$500.00

POLICE SERVICES

- 1. Parking Violations
a. 1st offense \$10.00

- b. Subsequent offenses \$20.00

SEWER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

- 1. Sewer Connection/Tap Fee
 - Residential
 - a. ¾" \$300.00
 - b. 1" \$400.00
 - c. 1 ½" \$425.00
 - d. 2" \$450.00
 - e. Larger Connections Set by Council

 - Commercial/Industrial
 - a. ¾" \$450.00
 - b. 1" \$600.00
 - c. 1 ½" \$650.00
 - d. 2" \$675.00
 - e. Larger Connections Set by Council
 - Out of City 150% of fee

- 2. Sewer Use Rates (Set by Ordinance) \$29.57 per month, \$1.18 per 1,000 gallons of usage, calculated annually based upon water consumption for the months of December, January and February (*January, February and March billing*)

- 3. Utility Deposit (includes water and sewer) \$150.00

WATER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

- 1. Water Connection/Tap Fee
 - Residential
 - a. ¾" \$300.00
 - b. 1" \$400.00
 - c. 1 ½" \$425.00
 - d. 2" \$450.00
 - e. larger connections Set by Council

 - Commercial/Industrial
 - a. ¾" \$450.00
 - b. 1" \$600.00
 - c. 1 ½" \$650.00
 - d. 2" \$675.00
 - e. larger connections Set by Council

 - Out of City 150% of fee

2.	Water Meter Fee	
a.	3/4"	\$275.00
b.	1"	\$325.00
c.	1 1/2"	City's actual cost
d.	Non-listed Meters	City's actual cost
3.	Water Re-connection	
a.	Water emergency – 1 st violation	\$50.00
b.	Water emergency – 2 nd violation	\$200.00
c.	Water emergency – 3 rd violation	\$300.00
d.	By request of owner – during business hours	\$30.00
	after business hours	\$60.00
e.	For non-payment or other violation—during business hours	\$40.00
	after business hours	\$80.00
4.	Water Use Rates	\$29.57 per month for 2,000 gallons, \$2.95 per 1,000 gallons of usage thereafter
5.	Non-service area customer	\$25 for each 500 gallon (does not include SIDs governed by Developer Agreement)
6.	Non-working/Non-readable Meter	\$50.00 per month <u>+ minimum water/sewer bill</u>

Section 2. Fees not listed in the previous section are still valid and applicable as noted in their documents of origin.

Section 3. This ordinance does not prohibit the development and implementation of additional fees.

Section 4. For fees which are required to be adopted by State Statute, this ordinance serves as an affirmation and shall not override the governing statute.

Section 5. Any City official is hereby authorized and directed to refuse service to anyone who refuses to pay the fee established for that service.

Section 6. No fee shall be waived or refunded without approval of the Springfield City Council.

Section 7. The City of Springfield shall have the right to charge, in addition to the above fees, any overtime costs incurred in connection with the service.

Section 8. This ordinance shall be in full force and effect from and after its passage, approval and publication or posting as required by law.

Section 9. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 2nd day of April, 2019.

Roy Swenson, Presiding Mayor
(SEAL)
Attest: Kathleen R. Gottsch, City Clerk

Agenda Item 5. A Public Hearing of the Springfield City Council was opened at 7:14 p.m. to consider zoning text amendments filed by the City of Springfield, applicant, for amendments to the following sections:

- Section 2.03 “Definitions” of the Springfield Zoning Ordinance adding a definition for data center
- Section 5.18 “BP Business Park District” of the Springfield Zoning Ordinance amending maximum height requirements
- Section 5.21 “HCO Highway Corridor Overlay District” of the Springfield Zoning Ordinance amending geographic area requirements
- Section 5.21 “HCO Highway Corridor Overlay District” of the Springfield Zoning Ordinance amending building design standards
- Section 9.04.02 “Fences and Retaining Walls, General Provisions-Non Residential” of the Springfield Zoning Ordinance amending non-residential fence requirements

No one from the public spoke in favor of or in opposition to the text amendments. Motion by Nolte, seconded by Herzog, to close the public hearing. AYES: Herzog, Nolte, Craney. NAYS: None. Motion carried. Public hearing closed at 7:15 p.m.

Agenda item 6. Council Member Nolte introduced Ordinance No. 1002 entitled:

AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question “Shall Ordinance No. 1002 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1002

AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE PRESIDING MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On March 12, 2019, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 2.03 of the zoning ordinance adding a definition of Data Center and reported a recommendation of approval to the City Council. On April 2, 2019, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 2.03 is hereby amended to read as follows:

Section 2.03.04 Definitions; D

DATA CENTER shall mean a communication facility with real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitations, power and cooling equipment, used primarily to provide, as a service to persons other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment colocation services, or, used primarily to provide, to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services, along with ancillary warehouse, administrative offices, security, and storage buildings.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF APRIL, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda item 7. Council Member Nolte introduced Ordinance No. 1003 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.18 "BP BUSINESS PARK DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question "Shall Ordinance No. 1003 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared

the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1003

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.18 “BP BUSINESS PARK DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE PRESIDING MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On March 12, 2019, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.18 of the zoning ordinance amending the maximum height requirement and reported a recommendation of approval to the City Council. On April 2, 2019, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.18 is hereby amended to read as follows:

Section 5.18 BP Business Park District

- A. *Intent:* The purpose of this district is to allow commercial and business park uses and uses providing all public facilities and supporting facilities to locate in areas along major corridors where infrastructure allows for such development and where such uses will complement the adjacent uses. This district is also intended to allow for a combination of office, commercial, business park developments, and other uses within the area designated below through the use of aesthetic, architectural, and other standards in a manner that encourages development that is considered appropriate for the main entryways into and through the City of Springfield. Such Business Park Zoning District shall require a rezoning inclusion of the HCO Highway Corridor Overlay District in which such aesthetic, architectural and other standards are prescribed. Such uses may require additional zoning to PUD District.

- B. *Permitted Uses:*
The following principal uses are permitted in the BP District.
 1. Business services including: attorneys, banks, insurance, real estate offices, postal stations, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services.
 2. Child care center.
 3. Museum, art gallery.
 4. Publicly owned and operated facilities.
 5. Public overhead and underground local distribution utilities.
 6. Secondary education facilities.
 7. Data Centers.

C. *Permitted Conditional Uses:*

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the BP District as recommended by the Planning Commission and City Council and approved by the City Council.

1. Public utility substations, distribution centers, regulator stations, pumping, treatment facilities, storage, equipment buildings, garages, towers, or similar uses.
2. Hospitals, sanitariums, rest homes, nursing homes, convalescent homes, or other similar institutions, philanthropic institutions.
3. Brew Pubs
4. Coffee Kiosks
5. Micro-breweries when in conjunction with a restaurant.
6. Automated Teller Machines when not within the interior of a primary use
7. Hotels and Motels
8. Convenience store with limited fuel sales.
9. Outdoor Storage Containers, limited to two containers per business and subject to Section 8.18

D. *Accessory Uses*

The following accessory uses are permitted in the BP District:

1. Buildings and uses customarily incidental to the principal uses
2. Parking lots, of-street, public, and private

E. *Temporary Uses*

Such uses require a permit from the city and shall be valid for only a specific amount of time as indicated on said permit.

1. Temporary structures as needed for sidewalk and other outdoor sales events.
2. Buildings and uses incidental to construction work which shall be removed upon completion or abandonment of the construction work.
3. Temporary structure for festivals or commercial events.
4. Temporary food service or merchandise sale from vehicles or trailers on private or public parking lots subject to provisions of Municipal Code.

F. *Height and Area Requirements*

The height and minimum lot requirements shall be:

	<u>Lot Area</u>	<u>Front Yard</u>	<u>Side Yard¹</u>	<u>Side Street Yard</u>	<u>Rear Yard</u>	<u>Maximum Height</u>
Permitted Uses	10,000 sq. ft.	25'	<u>*0'-25'</u> ¹	25'	15'	45'- <u>125'</u> ²

¹25 feet side yard when abutting a lot with residential use.

² Maximum height may be increased above the 45' limit to a maximum height of 125'; provided that for each foot of incremental height above 45' the required horizontal setback shall be increased by an increment of one foot for the portion of the building or structure above 45'. For example, if the proposed building height is 100', the incremental horizontal setback would be an additional 55'. The foregoing incremental horizontal setback is only applicable to the portion of a building or structure which exceeds 45' in height and would not preclude a building or structure which is 45' or less in height from being situated within such incremental horizontal setback.

G. *Performance Standards (as per Section 8.11 of these Regulations)*

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF APRIL, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda item 8. Council Member Nolte introduced Ordinance No. 1004 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question “Shall Ordinance No. 1004 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1004

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On March 12, 2019, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.21 of the zoning ordinance amending building design standards and reported a recommendation of approval to the City Council. On April 2, 2019, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.21 is hereby amended to read as follows:

Section 5.21 HCO Highway Corridor Overlay District

H. Criteria for Appearance

(3) Building Design

(b) Standards

(iii) Building Form

The design of all buildings shall avoid incorporating monotonous, unbroken flat walls through the use of textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, reveals, changes in parapet heights, and similar architectural devices.

Buildings having single walls exceeding 50 feet in length shall incorporate two or more of the following at ~~50-foot~~50-foot intervals:

- a. Changes in color, graphical patterning, changes in texture, or changes in material(s);
- b. Projections, recesses, and reveals with a minimum change in plane of 24 inches;
- c. Windows and fenestration;
- d. Arcades and pergolas;
- e. Towers;
- f. Gable projections;
- g. Horizontal breaks;
- h. ~~A~~Vertical breaks; or
- h*j*. Other similar techniques.

Buildings or facades greater than 500 linear feet, facing the public roadway on parcels greater than 10 acres, shall incorporate two or more of the following at a ratio of 1:1-foot intervals of façade to setback from the property line, not to exceed 400 feet:

- a. Changes in color, graphical patterning, changes in texture, or changes in material(s);
- b. Projections, recesses, and reveals with a minimum change in plane of 24 inches;
- c. Windows and fenestration;
- d. Arcades and pergolas;
- e. Towers;
- f. Gable projections;
- g. Horizontal breaks;
- h. Vertical breaks; or
- i. Other similar techniques.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF APRIL, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda item 9. Council Member Nolte introduced Ordinance No. 1005 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question “Shall Ordinance No. 1005 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1005

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On March 12, 2019, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.21 of the zoning ordinance amending the geographic area of the Highway Corridor Overlay District and reported a recommendation of approval to the City Council. On April 2, 2019, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.21 is hereby amended to read as follows:

Section 5.21 HCO Highway Corridor Overlay District

C. Geographic Area:

The HCO Highway Corridor Overlay District ~~apply generally applies~~ to an area ~~generally~~ ¼ mile east and west of Highway 50 through the zoning jurisdiction of Springfield, herein referred to as the corridor overlay area. For the graphically defined overlay area that these regulations currently apply to, see the Official Zoning Map of Springfield for the definitive district boundary. In the event the standards and regulations of this overlay district are in conflict with those of the underlying zoning district or another overlay district, such as the Highway Corridor Overlay District, the standards and regulations of this

overlay district shall apply. If a ~~site or parcel of~~ property is partially covered by said overlay district, then the entire portion of the ~~site or property parcel~~ is to be covered by these regulations, subject to the following exception.

Area Exception: When greater than 50% of the parcel is not within the HCO, then the following tiered standards shall apply:

1. The portion within the HCO graphically defined corridor shall comply with all regulations;
2. For any portion of said parcel greater than ¼ but within ½ mile from the Highway 50 ROW the following standards shall be relaxed:
 - a. Parking in this tier shall not be considered frontage along Highway 50; and
 - b. The 20% minimum landscaping reserve shall not apply to parcel area in this tier. Parking lot landscaping standards shall still be in effect; and
 - c. For Industrial, Transportation, Data Centers and Warehousing Development, alternative Building Design Standards may be approved by the City Council with a Conditional Use Permit.
3. For any portion of said parcel greater than ½ mile from the Highway 50 ROW such portion of said parcel shall be exempt from the HCO regulations.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF APRIL, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda item 10. Council Member Herzog introduced Ordinance No. 1006 entitled:

AN ORDINANCE TO AMEND ARTICLE 9 “LANDSCAPING REQUIREMENTS”, SECTION 9.04 “FENCES AND RETAINING WALLS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question “Shall Ordinance No. 1006 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Herzog, Nolte, Craney. The following voted NAY: None. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1006

AN ORDINANCE TO AMEND ARTICLE 9 "LANDSCAPING REQUIREMENTS", SECTION 9.04 "FENCES AND RETAINING WALLS" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On March 12, 2019, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 9.04 of the zoning ordinance amending general fence provisions in non-residential zoning districts and reported a recommendation of approval to the City Council. On April 2, 2019, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 9.04 is hereby amended to read as follows:

Section 9.04 Fences and Retaining Walls

9.04.02 General Provisions–Non-Residential. In the non-residential zoning districts, it shall be unlawful for fences, walls, or similar structures to be constructed or maintained, except as provided in this Section, and after a permit is issued by the city.

1. *Front Yard:* No fence, wall, or similar structure shall be built in a front yard, except in the Downtown Commercial or General Business Zoning Districts having a zero (0) foot building setback or in the General Business, Light Industrial, Highway Business or Business Park Zoning Districts for security purposes around community, utility, data center, communication or critical infrastructure facilities.
2. *Side Yard and Rear Yard:* The maximum height of a fence for any permitted use in any non-residential zoning district shall be eight (8) feet, except the maximum height of a fence for security purposes around community, utility, data center, communication or critical infrastructure facilities may be ten (10) feet if approved by the City Council. (See also Street Side Requirements)
3. *Street Side Requirements:* A fence, wall, or similar structure may be built along a street side provided that the structure shall be constructed on or within a five (5) foot setback from the property line. Should the zoning district require a zero (0) foot building setback, the fence may be built on or within the property line. The maximum height of a structure shall be eight (8) feet, except the maximum height of a fence for security purposes around community, utility, data center, communication or critical infrastructure facilities may be ten (10) feet if approved by the City Council.
4. *Civic Uses in Residential Districts:* The maximum height of fences installed as part of Primary and Secondary Educational Facilities or Park and Recreation Use Types within Residential Zoning District shall be eight (8) feet. (See also Street Side Requirements)

5. *Waiving of Height Requirement:* The Board of Adjustment may approve greater fence heights on a case-by-case basis if it concludes that such permission furthers the health, safety, and welfare of the residents of the City of Springfield.
6. *Street Corner Visual Triangle:* No fence shall be built within the triangle of land formed by lines beginning at the point of intersection of the two (2) street-side lot lines of the corner lot, then proceeding along such lines for a distance of twenty (20) feet, the third side of which triangle of land is formed by drawing a line between the two (2) points which are on the front lot lines, and are 20 feet distant from the point of intersection of the two (2) front lot lines, trees shall be trimmed up eight (8) feet above the ground; but in no case shall such foliage or shrubbery be planted or maintained in such triangular area which will materially obstruct the view of drivers of vehicles approaching the intersection.
7. *Property Lines:* Fences may be constructed at the property line unless otherwise stated.
8. *Support Structures:* The support structure (e.g., posts) for any fence shall face the interior of the lot upon which the fence is constructed.
9. *Barbed Fencing:* Barbed wire fences may be used in the construction of perimeter security fencing in an industrial district, for communication facilities, or for municipal facilities provided that the bottom strand of the wire shall be at least six (6) feet above ground level. The use of barbed wire in security fencing when adjacent to residential zoned property shall be by conditional use. Farm fencing constructed for agricultural purposes on parcels of land five acres or more in the AR District is exempt.
10. *Prohibited Fences:* Electric fences are prohibited in non-residential districts, except in the AR District for agricultural uses.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 2ND DAY OF APRIL, 2019.

Roy Swenson, Presiding Mayor

(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda item 11. City attorney, Bill Seidler, reviewed the ordinance and introduced Verizon attorneys, Jeff Arbor and Sarah Meuli. Arbor and Meuli explained the advantage to adding wireless facilities that would bolster data needs and give more blanket coverage. Arbor further noted that they are currently working with the City Administrator, Kathleen Gottsch, and other Sarpy County cities to create an acceptable ordinance. Seidler recommended Council approve Ordinance Nos. 1007 and 1008. He stated that city staff is willing to work with Verizon to make any necessary changes to the guidelines in the future.

Council Member Nolte introduced Ordinance No. 1007 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING AND CODIFYING OFFICIAL DESIGN STANDARDS AND SPECIFICATIONS FOR THE INSTALLATION OF WIRELESS FACILITIES INCLUDING BUT NOT LIMITED TO NETWORK NODES AND NODE SUPPORT POLES AS SECTION 8-319 OF THE SPRINGFIELD MUNICIPAL

CODE; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Nolte, Craney. The following voted NAY: None. The following ABSTAINED: Herzog. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question "Shall Ordinance No. 1007 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Nolte, Craney. The following voted NAY: None. The following ABSTAINED: Herzog. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1007

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING AND CODIFYING OFFICIAL DESIGN STANDARDS AND SPECIFICATIONS FOR THE INSTALLATION OF WIRELESS FACILITIES INCLUDING BUT NOT LIMITED TO NETWORK NODES AND NODE SUPPORT POLES AS SECTION 8-319 OF THE SPRINGFIELD MUNICIPAL CODE; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA.

Section 1. That the Official Design Standards for the Installation of Wireless Facilities in Public Right-of-Ways is hereby adopted, enacted and codified as Section 8-319 of the Springfield Municipal Code.

Section 8-319. OFFICIAL DESIGN STANDARDS FOR THE INSTALLATION OF WIRELESS FACILITIES IN PUBLIC RIGHT-OF-WAYS.

The Mayor and City Council of the City by ordinance or resolution shall establish, and from time to time shall add to, subtract from, or modify as determined necessary or appropriate, design standards and specifications for the collocation or installation of wireless facilities, including but not limited to network nodes and node support poles, and related use of or work in public right-of-ways, and when such design standards and specifications have been adopted, or from time to time shall be added to, subtracted from, or modified, and filed with the City Clerk, they shall be the official design standards and specifications of the City and shall be incorporated into and known as the Design Standards for the Installation of Wireless Facilities in Public Right-of-Ways. Such design standards and specifications shall be effective with respect to all collocations, installations, applications, and proposals for collocation or installation of wireless facilities, including but not limited to network nodes and node support poles, and related use of or work in public right-of-ways, on or after the effective date hereof, unless a different date is specified from time to time by the Mayor and City Council. All wireless facilities, including but not limited to network nodes and node support poles, and related use of or work in public right-of-ways, in the City, shall conform with the Design Standards for the Installation of Wireless Facilities in Public Right-of-Ways.

Section 2. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be

unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of Springfield hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 3. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 2nd day of April, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Agenda Item 12. Council Member Nolte introduced Ordinance No. 1008 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING DESIGN STANDARDS FOR THE INSTALLATION OF WIRELESS FACILITIES IN PUBLIC RIGHT-OF-WAYS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Nolte, Craney. The following voted NAY: None. The following ABSTAINED: Herzog. The following were ABSENT: Roseland. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Presiding Mayor then stated the question "Shall Ordinance No. 1008 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Nolte, Craney. The following voted NAY: None. The following ABSTAINED: Herzog. The following were ABSENT: Roseland. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Presiding Mayor declared the ordinance adopted and the Presiding Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1008

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING DESIGN STANDARDS FOR THE INSTALLATION OF WIRELESS FACILITIES IN PUBLIC RIGHT-OF-WAYS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA.

Section 1. A certain document, as on file in the Office of the City Clerk of the City of Springfield and being marked and designated as the Design Standards for the Installation of Wireless Facilities in Public Right-of-Ways, is hereby adopted as the official Design Standards for the Installation of Wireless Facilities in Public Right-of-

Ways of the City of Springfield so as to regulate and provide certain design standards and specifications for the collocation or installation of wireless facilities, including but not limited to network nodes and node support poles, and related use of or work in public right-of-ways, within the corporate boundaries of the City of Springfield; and each and all of the regulations, provisions, conditions and terms of such Design Standards for the Installation of Wireless Facilities in Public Right-of-Ways and specified appendices, are hereby referred to, adopted, incorporated, and made a part hereof as if fully set out herein. Such design standards and specifications shall be effective with respect to all collocations and installations, and all applications or proposals for collocation or installation, of wireless facilities including but not limited to network nodes or node support poles, and related use of or work in public right-of-ways, on or after the effective date hereof, unless a different date is specified from time to time by the Mayor and City Council.

Section 2. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of Springfield hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and take effect after passage, approval and publication hereof as provided by law.

Passed and approved this 2nd day of April, 2019.

Roy Swenson, Presiding Mayor
(SEAL)

Attest: Kathleen R. Gottsch, City Clerk

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. Herzog informed the Council that National Library Week is April 8-13. The library book sale is scheduled for Saturday, April 13.

Agenda Item 3. No Department Report from Nolte. Rod Kehlenbeck, 585 Vine Street, expressed concerns regarding parking for his anniversary party scheduled for Saturday, April 27 at the Legion Hall due to Junkstock. Nolte recommended Kehlenbeck attend the next Council meeting to discuss this matter.

Agenda Item 4. Craney met with Sterling Lambries, Parks Department, regarding the Frisbee golf course at Buffalo Park. Two new basket holes will be added to change up the course layout and concrete tee boxes will be constructed. Nolte commented the new lights at Buffalo Park are not intrusive to his property.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. Andie Ledenbach, Assistant City Clerk, presented the Council with a proposal to replace the existing garland and lights on downtown Main Street with new garland and lights from Brite Ideas Decorating for \$672.00. Council directed staff to proceed with lighting replacement, since it is under the \$1,000.00 threshold.

Adjournment

Motion by Craney, seconded by Nolte, to adjourn. AYES: Swenson, Herzog, Craney. NAYS: None. Meeting adjourned at 8:09 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 2, 2019; 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.

Andie Ledenbach
Assistant City Clerk