



**CITY COUNCIL AGENDA**  
Tuesday, April 7, 2015 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> 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

**PRESENTATION**

- Senator Bill Kintner – Presentation of Legislative Resolution 61 to Kathleen Gottsch, City Administrator

**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 17, 2015 Council Meeting
2. Approve Claims and Payroll
3. Approve Invoice No. 226234 from Olsson Associates in the amount of \$3,800.00 for professional services rendered from February 1, 2015, through March 7, 2015, for work completed on the Wastewater Treatment & Collection System Facility Plan
4. Approve Invoice No. 226219 from Olsson Associates in the amount of \$1,393.56 for professional services rendered from February 1, 2015, through March 7, 2015, for work completed on Main Street Phase 3
5. Approve Invoice No. 226222 from Olsson Associates in the amount of \$169.04 for professional services rendered from February 1, 2015, through March 7, 2015, for work completed on City Shop Design

**REGULAR AGENDA**

1. Lt. Steve Grabowski with the Sarpy County Sheriff's Department will provide a monthly service report

2. Proclaim Sunday, April 26, 2015, as Earth Day in the City of Springfield
3. Consider approval of **Resolution 2015-5** entering into an Agreement with Olsson Associates for preliminary design engineering services for South 1<sup>st</sup> Street Sanitary Sewer Repairs
4. Consider approval of **Resolution 2015-6** calling Refunding Bonds, dated May 14, 2009, for payment on May 15, 2015
5. Consider approval of **Ordinance No. 880** AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2015 OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED TWENTY THOUSAND DOLLARS (\$420,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY AND PAYING THE COST OF CONSTRUCTING IMPROVEMENTS WITHIN STREET IMPROVEMENT PROJECT NO. 2014-1 OF THE CITY; ACCEPTING THE WORK IN THE ABOVE PROJECT; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM
6. Consider approval of **Resolution 2015-7** prohibiting parking on the west side of South 1<sup>st</sup> Street from Main Street south 100 feet
7. **Tabled March 17, 2015.** Consider bids for roof repairs at City Hall
8. **Tabled March 17, 2015.** Consider approval of **Ordinance No. 876** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REPEALING SPRINGFIELD MUNICIPAL CODE CHAPTER 2, ARTICLE 3 TREE BOARD, SECTIONS 2-301, 2-302, 2-303, 2-304, 2-305, 2-306, AND 2-307; AMENDING SPRINGFIELD MUNICIPAL CODE TO REPEAL CONFLICTING ORDINANCES, RESOLUTIONS AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE
9. **Tabled March 17, 2015.** Consider approval of **Ordinance No. 877** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REPEALING SPRINGFIELD MUNICIPAL CODE CHAPTER 8, ARTICLE 5 TREES, SECTIONS 8-501, 8-502, 8-503, 8-505, 8-506, 8-511, AND 8-513; AMENDING SPRINGFIELD MUNICIPAL CODE TO REPEAL CONFLICTING ORDINANCES, RESOLUTIONS AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE
10. **Tabled March 17, 2015.** Consider approval of **Ordinance No. 878** AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 8, ARTICLE 5 TREES, SECTIONS 8-504, 8-507 AND 8-509; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ORDINANCES IN CONFLICT
11. **Tabled March 17, 2015.** Consider approval of **Ordinance No. 879** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 6, ARTICLE 3 TREES, SECTION 6-325; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ORDINANCES IN CONFLICT
12. Springfield Boy Scout Troop – Questions to Council regarding Municipal Government

## DEPARTMENT REPORTS

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Darren Carlson
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

Senator Bill Kintner presented Kathleen Gottsch, City Administrator with a signed, framed copy of Legislative Resolution 61.

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 7, 2015. Present were Mayor Mike Dill; Council Members: Bob Roseland, Darren Carlson, 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.

### Consent Agenda

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

### Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
<b>General</b>				
36266	6084-10-10	Aflac	49.80	Aflac
36246	6080-10-10	Health Insurance	546.05	Assurant Health
36270	7260-10-10	Printing	191.23	Bear Graphics
36247	6080-10-10	Health Insurance	83.25	Delta Dental
36277	7045-10-10	Prof Svcs-Tech Support	119.98	First National Bank
36277	9010-10-10	Office Equip	1,291.97	First National Bank
36280	7185-10-10	Lodging	12.25	Gottsch, Kathleen
36280	7240-10-10	Mileage	388.30	Gottsch, Kathleen

36283	7030-10-10	Prof Svcs-Planning	525.00	JEO Consulting Group
36285	8140-10-10	R&M Equip	331.28	Konica Minolta Business Solutions
36286	8140-10-10	R&M Equip	190.00	Konica Minolta Premier Finance
36288	7045-10-10	Prof Svcs-Tech Support	175.00	Massman, Nelson, Reinig
36294	7320-10-10	Natural Gas	74.54	MUD
36320	7330-10-10	Telephone	104.44	NT&T
36299	7250-10-10	Publication Costs	83.23	Omaha World Herald
36302	7310-10-10	Electricity	274.19	OPPD
36301	7310-10-10	Electricity	487.21	OPPD
36306	7046-10-10	Prof Svcs-Building Inspector	51.00	Sarpy County Building Inspector
36307	7060-10-10	Animal Control	375.49	Sarpy County Fiscal Administrator
36308	7070-10-10	E911	3,255.00	Sarpy County Treasurer
36309	7050-10-10	Law Contract	7,937.00	Sarpy County Treasurer
36311	7020-10-10	Prof Svcs-Legal	1,250.00	Seidler & Seidler
36315	8130-10-10	R&M Building	28.48	United Electric Supply
36318	7280-10-10	Laundry	90.08	Walkers Uniform Rental
<b>Total</b>			<b>17,914.77</b>	
<b>Library</b>				
36246	6080-20-10	Health Insurance	613.69	Assurant Health
36269	8060-20-10	Books	108.38	Baker & Taylor
36275	7455-20-10	IP Address	65.00	Charter Communications
36247	6080-20-10	Health Insurance	28.05	Delta Dental
36279	8060-20-10	Books	136.35	Gardner Media
36284	8060-20-10	Books	63.96	Kid's Reference Company
36294	7320-20-10	Natural Gas	137.54	MUD
36320	7330-20-10	Telephone	36.24	NT&T
36302	7310-20-10	Electricity	233.30	OPPD
36304	8060-20-10	Books	114.68	Pumpkin Books
36310	7480-20-10	Janitorial	150.00	Schmieder, Marcie
36319	8060-20-10	Books	23.95	Warner, Lloyd
<b>Total</b>			<b>1,711.14</b>	
<b>Library Restricted</b>				
36267	8130-21-10	R&M Building	76.69	Amazon
36267	8070-21-10	Library Supplies	327.74	Amazon
36272	8070-21-10	Library Supplies	198.84	Brodart Co.
36274	8060-21-10	Books	84.48	Center Point Large Print
36278	8060-21-10	Books	146.42	Gale
36305	8070-21-10	Library Supplies	64.70	Quill Corporation
<b>Total</b>			<b>898.87</b>	
<b>Park</b>				
36246	6080-30-10	Health Insurance	305.16	Assurant Health
36268	8120-30-10	Fuel	55.40	B&D Pit Stop
36247	6080-30-10	Health Insurance	41.62	Delta Dental
36302	7310-30-10	Electricity	198.47	OPPD
36303	7340-30-10	Waste Disposal	57.75	Premier Waste Solutions
36314	8140-30-10	R&M Equip	27.55	Ty's Outdoor Power & Service
<b>Total</b>			<b>685.95</b>	
<b>Community Building</b>				
36281	8030-40-10	Supplies	13.04	Grainger
36282	8030-40-10	Supplies	7.14	Home Depot
36282	8130-40-10	R&M Building	35.73	Home Depot
36282	9040-40-10	Tools & Misc Equip	83.91	Home Depot
36290	9040-40-10	Tools & Misc Equip	6.42	Menards

36290	8030-40-10	Supplies	6.98	Menards
36291	9040-40-10	Tools & Misc Equip	12.12	Menards
36291	8130-40-10	R&M Building	43.94	Menards
36290	8130-40-10	R&M Building	190.08	Menards
36294	7320-40-10	Natural Gas	261.22	MUD
36302	7310-40-10	Electricity	108.24	OPPD
36303	7340-40-10	Waste Disposal	31.50	Premier Waste Solutions
36318	7280-40-10	Laundry	122.32	Walkers Uniform Rental
<b>Total</b>			<b>922.64</b>	
<b>Water</b>				
36266	6084-50-20	Aflac	56.16	Aflac
36246	6080-50-20	Health Insurance	1,000.05	Assurant Health
36268	8120-50-20	Fuel	130.92	B&D Pit Stop
36247	6080-50-20	Health Insurance	71.22	Delta Dental
36277	7230-50-20	Postage/Shipping	300.83	First National Bank
36287	8140-50-20	R&M Equip	648.88	Layne Christensen Company
36291	8160-50-20	R&M Grounds	9.52	Menards
36292	7420-50-20	Testing	41.64	Midwest Laboratories
36295	7420-50-20	Testing	1,147.00	NE Public Health Environmental Lab
36296	8120-50-20	Fuel	53.38	Neitzel's Corner
36320	7330-50-20	Telephone	153.39	NT&T
36300	7430-50-20	Digger's Hotline	24.10	One Call Concepts
36302	7310-50-20	Electricity	1,284.82	OPPD
36316	8140-50-20	R&M Equip	79.37	Utility Equipment Company
36317	7330-50-20	Telephone	15.06	Verizon Wireless
36318	7290-50-20	Uniform Allowance	45.00	Walkers Uniform Rental
<b>Total</b>			<b>5,061.34</b>	
<b>Sewer</b>				
36266	6084-60-30	Aflac	302.26	Aflac
36246	6080-60-30	Health Insurance	338.76	Assurant Health
36273	8030-60-30	Supplies	4.49	Casey's General Store
36273	8120-60-30	Fuel	69.67	Casey's General Store
36247	6080-60-30	Health Insurance	71.23	Delta Dental
36277	7230-60-30	Postage/Shipping	300.82	First National Bank
36291	8030-60-30	Supplies	53.74	Menards
36292	7420-60-30	Testing	160.88	Midwest Laboratories
36320	7330-60-30	Telephone	73.08	NT&T
36298	7010-60-30	Prof Svcs-Engineer	1,455.79	Olsson Associates
36323	7010-60-30	Prof Svcs-Engineer	3,800.00	Olsson Associates
36302	7310-60-30	Electricity	2,381.35	OPPD
36314	8140-60-30	R&M Equip	22.90	Ty's Outdoor Power & Service
36317	7330-60-30	Telephone	15.06	Verizon Wireless
36318	7290-60-30	Uniforms Allowance	42.04	Walkers Uniform Rental
<b>Total</b>			<b>9,092.07</b>	
<b>Street</b>				
36246	6080-70-40	Health Insurance	785.66	Assurant Health
36268	8120-70-40	Fuel-Street	280.77	B&D Pit Stop
36273	8120-70-40	Fuel	45.23	Casey's General Store
36276	9084-70-40	Sidewalk Repair	439.50	Consolidated Concrete
36247	6080-70-40	Health Insurance	69.68	Delta Dental
36281	9040-70-40	Tools & Misc Equip	64.80	Grainger
36282	9040-70-40	Tools & Misc Equip	14.73	Home Depot
36289	8030-70-40	Supplies	29.23	Matheson Tri-Gas
36291	9040-70-40	Tools & Misc Equip	2.89	Menards

36290	8150-70-40	R&M Vehicle	8.94	Menards
36290	9084-70-40	Sidewalk Repair	31.95	Menards
36290	9040-70-40	Tools & Misc Equip	38.33	Menards
36290	8030-70-40	Supplies	38.82	Menards
36293	8140-70-40	R&M Equip	22.46	Mill Creek Auto Parts
36294	7320-70-40	Natural Gas	8.40	MUD
36294	7320-70-40	Natural Gas	227.88	MUD
36297	9040-70-40	Tools & Misc Equip	550.00	NMC Exchange
36320	7330-70-40	Telephone	48.72	NT&T
36321	9060-70-40	Building	169.04	Olsson Associates
36322	9077-70-40	Main Street Revitalization	1,393.56	Olsson Associates
36298	7010-70-40	Prof Svcs-Engineer	2,319.47	Olsson Associates
36271	9015-70-40	Equipment Rental	253.00	Omaha Tractor
36271	9015-70-40	Equipment Rental	2,700.00	Omaha Tractor
36299	9077-70-40	Main Street Revitalization	76.84	Omaha World Herald
36302	7310-70-40	Electricity	3,459.04	OPPD
36303	7340-70-40	Waste Disposal	31.50	Premier Waste Solutions
36312	8215-70-40	R&M Streets & Alleys	998.40	Silex Group
36313	9040-70-40	Tools & Misc Equip	50.95	Tractor Supply
36314	8140-70-40	R&M Equip	44.00	Ty's Outdoor Power & Service
36317	7330-70-40	Telephone	15.06	Verizon Wireless
36318	7290-70-40	Uniform Allowance	78.64	Walkers Uniform Rental
<b>Total</b>			<b>14,297.49</b>	
<b>Payroll</b>			<b>33,042.96</b>	

### Regular Agenda

Agenda Item 1. Lt. Steve Grabowski with the Sarpy County Sheriff's Department provided the monthly service report.

Agenda Item 2. Proclaimed Sunday, April 26, 2015, as Earth Day in the City of Springfield. Madeleine Lee with Green Bellevue thanked the City Council for their support. She also provided information regarding the Sarpy County Earth Day celebration at the Bellevue Public Schools Lied Activity Center on April 26 from 12:00 p.m. to 4:00 p.m.

Agenda Item 3. Denny Graham with Olsson Associates reviewed the proposal for preliminary design engineering services for South 1<sup>st</sup> Street sewer repairs. Council Member Nolte introduced Resolution 2015-5 and moved its adoption. Council Member Roseland seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Carlson, 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 2015-5**

BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska as follows:

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson Associates, wish to enter into an Agreement for Professional Services for services rendered on the South 1<sup>st</sup> Street Sewer Study and Sanitary Sewer Repairs; and

WHEREAS, professional services provided by Olsson Associates shall consist of project initiation, sewer study, design services and bid phase services; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Agreement for Professional Services attached hereto as Exhibit "A".

Introduced and Passed this 7<sup>th</sup> day of April, 2015.

Ayes   4  

Nays   0  

Abstain   0  

Absent   0  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

Agenda Item 4. Council Member Nolte introduced Resolution 2015-6 and moved its adoption. Council Member Carlson seconded the foregoing motion and on roll call on the passage and adoption of said Resolution, the followed voted YEA: Roseland, Carlson, 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  
2015-6**

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on May 15, 2015, after which date interest on the bonds will cease:

Refunding Bonds, dated May 14, 2009, in the principal amount of \$325,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$40,000	May 15, 2016	851077 EM5
40,000	May 15, 2017	851077 EN3
45,000	May 15, 2018	851077 EP8
45,000	May 15, 2019	851077 EQ6
50,000	May 15, 2020	851077 ER4

50,000  
55,000

May 15, 2021  
May 15, 2022

851077 ES2  
851077 ET0

Section 2. These bonds are to be paid at the office of the City Treasurer in Springfield, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 7th day of April, 2015.

Ayes   4  

Nays   0  

Abstain   0  

Absent   0  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

Agenda Item 5. Council Member Carlson introduced Ordinance No. 880 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2015 OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED TWENTY THOUSAND DOLLARS (\$420,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY AND PAYING THE COST OF CONSTRUCTING IMPROVEMENTS WITHIN STREET IMPROVEMENT PROJECT NO. 2014-1 OF THE CITY; ACCEPTING THE WORK IN THE ABOVE PROJECT; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Roseland seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. 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 Carlson moved for final passage of the ordinance, which motion was seconded by Council Member Roseland. The Mayor then stated the question was "Shall Ordinance No. 880 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance

having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the 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. 880**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2015 OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED TWENTY THOUSAND DOLLARS (\$420,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY AND PAYING THE COST OF CONSTRUCTING IMPROVEMENTS WITHIN STREET IMPROVEMENT PROJECT NO. 2014-1 OF THE CITY; ACCEPTING THE WORK IN THE ABOVE PROJECT; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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

Section 1. The Mayor and Council find and determine:

(a) that the City of Springfield, in the State of Nebraska (the "City"), has heretofore issue interest-bearing bonds, which remain unpaid and constitute a legal liability against the City as follows:

Refunding Bonds, dated May 14, 2009, in the outstanding principal amount of \$325,000 (the "Outstanding Bonds");

that by taking up and paying off such Outstanding Bonds by an issue of General Obligation Refunding Bonds of the City, a substantial savings in the amount of yearly running interest will be made to the City; that by issuing its refunding bonds in the amount of \$325,000 together with a deposit of other available funds of the City, the Outstanding Bonds can be taken up and paid off on May 15, 2015, and have been called for redemption on said date, pursuant to Section 10-142, R.R.S. Nebraska, 2012, and that all conditions, acts and things required by law to exist or to be done precedent to the issuance of General Obligation Refunding Bonds, in the principal amount of \$325,000 do exist and have been done as required by law;

(b) that pursuant to a resolution heretofore duly had under Sections 18-2001 to 18-2003 inclusive, R.R.S. Nebraska, 2012, paving improvements designated Street Improvement Project No. 2014-1 were constructed which have been completed and have been, and hereby are, accepted by the City' that the total cost of the construction of improvements is certified by the engineer to be in excess of \$143,000; that after taking into consideration the application of paid in special assessments, there remains due and unpaid an amount in excess of \$95,000; and that the City has taken all preliminary steps required for the issuance of Paving Bonds in the principal amount of \$95,000; and

(c) that pursuant to authority granted by Sections 18-1801 and 18-1802, Reissue Revised Statutes of Nebraska, 2012, the City may combine proposed bond issues into a single bond issue to be designated "Various Purpose Bonds", and that all conditions, acts and things required by law to exist or to be done precedent to the issuance of General Obligation Various Purpose Bonds, Series 2015, of the City

of Springfield, Nebraska, in the principal amount of \$420,000 have been done in due form and time as required by law.

Section 2. For purposes as set out in Section 1 hereof, there shall be and there are hereby ordered issued General Obligation Various Purpose Bonds, Series 2015 in the principal amount of \$420,000 to bear date of original issue of May 15, 2015, and to be in fully registered form. Said bonds shall bear interest at the rates per annum and mature on May 15 of each year in the principal amounts as follows:

<u>Principal Amount</u>	<u>Maturing on May 15 of Year</u>	<u>Interest Rate Per Annum</u>
\$50,000	2016	
50,000	2017	
50,000	2018	
50,000	2019	
50,000	2020	
50,000	2021	
55,000	2022	
30,000	2023	
35,000	2024	

The bonds shall be issued in the denomination of \$5,000 or any integral multiple thereof and shall be numbered from 1 upwards in the order of their issuance. No bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the bonds issued shall be as directed by the initial purchasers thereof. Interest on the bonds shall be payable semiannually on May 15 and November 15 of each year, starting November 15, 2015. The interest due on each interest payment date shall be payable to the registered owners of record as of the close of business on the last day of the calendar month immediately preceding the calendar month in which the interest payment date occurs (the "Record Date"), subject to the provisions of Section 3 hereof. Payment of interest due on the bonds prior to maturity or redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check in the amount due for such interest on each interest payment date to the registered owner of each bond, as of the applicable Record Date, to such owner's registered address as shown on the books of registration, as required to be maintained in Section 3 hereof. Payment of principal due at maturity or at any date fixed for redemption, together with any accrued interest then due, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the bonds to said Paying Agent and Registrar. In the event that bonds of this issue are held in the nominee name of a national clearinghouse or depository, payment of principal or interest shall be made by wire transfer of funds in accordance with any applicable regulations governing "Depository Eligible Securities". The City and said Paying Agent and Registrar may treat the registered owner of any bond as the absolute owner of such bond for the purpose of making payments thereon and for all other purposes and neither the City nor said Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary whether such bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any bond shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the bonds or claims for interest to the extent of the sum or sums so paid. If any bond is not paid upon presentation of the bond at maturity or any interest installment is not paid when due, the delinquent bond or delinquent interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska, 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature.

Section 3. Bonds maturing on or after May 15, 2021 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after May 15, 2020, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the Bonds to be redeemed for

such optional redemption in its sole discretion. Bonds shall be redeemed only in the amount of \$5,000 or integral multiples thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the Mayor and Council in the case of optional redemptions and without further direction in the case of mandatory redemptions, by the Paying Agent and Registrar by mail not less than thirty (30) days prior to the date fixed for redemption, first class postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by number and maturity, the date of original issue, the date fixed for redemption and state that such Bond or Bonds are to be presented for prepayment at the office of the Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the Mayor and Council designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the Mayor and Council shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given.

Section 4. The City Treasurer is hereby designated as Paying Agent and Registrar for the bonds. Said Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the bonds at the office of the Paying Agent and Registrar in Springfield, Nebraska. The names and registered addresses of the registered owner or owners of the bonds shall at all times be recorded in such books. Any bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar upon surrender of such bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to such Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar will register such transfer upon said registration books and deliver to the transferee registered owner or owners (or send by registered mail to the transferee owner or owners at such owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new bond or bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the bonds by this ordinance, one bond may be transferred for several such bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such bonds may be transferred for one or several such bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a bond, the surrendered bond or bonds shall be cancelled and destroyed. All bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the bonds surrendered and shall be entitled to all benefits and protection of this ordinance to the same extent as the bonds upon transfer of which they were delivered. The City and the Paying Agent and Registrar shall not be required to transfer bonds during any period from any Record Date until its immediately following interest payment date. In the event that payments of interest due on the bonds on an interest payment date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such interest payment date and shall be payable to the registered owners of the bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal or interest on the bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Springfield, Nebraska are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The bonds shall be executed on behalf of the City by being signed by the Mayor and the City Clerk, both of which signatures may be facsimile signatures, and shall have the City seal impressed on each bond. The City Clerk shall make and certify a transcript of proceedings had and done precedent to the issuance of said bonds which shall be delivered to the purchaser of said bonds. After

being executed by the Mayor and City Clerk, said bonds shall be delivered to the Treasurer of the City who shall be responsible therefor under his/her official bond. Such Treasurer shall maintain a record of information with respect to said bonds in accordance with the requirements of Section 10-140, R.R.S. Neb. 2012, as amended, and shall cause the same to be filed with the office of the Auditor of Public Accounts of the State of Nebraska. The Paying Agent and Registrar shall register each bond in the name of its initial registered owner as designated by the initial purchaser. Each bond shall be authenticated on behalf of the City by the Paying Agent and Registrar. The bonds shall be issued initially as “book-entry only” bonds using the services of The Depository Trust Company (the “Depository”), with one typewritten bond per maturity being issued to the Depository. In such connection said officers of the City are authorized to execute and deliver a letter of representations and inducement (the “Letter of Representations”) in the form required by the Depository, for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the bonds. Upon issuance of the bonds as “book-entry-only” bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds bonds as securities depository (each, a “Bond Participant”) or to any person who is an actual purchaser of a bond from a Bond Participant while the bonds are in book-entry form (each a “Beneficial Owner”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the bonds;

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the bonds, including any notice of redemption; or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the bonds.

The Paying Agent and Registrar shall make payments with respect to the bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable to or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the bonds or (ii) to make available bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the bonds be delivered to the ultimate Beneficial Owners of the bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the

Depository, whereupon the depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such bond and all notices with respect to such bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement (if any).

(f) In the event of any partial redemption of a bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any bond shall cease to be such officer before the delivery of such bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The bonds shall be delivered to the Paying Agent and Registrar for registration and authentication.

Section 7. Said bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
COUNTY OF SARPY  
CITY OF SPRINGFIELD

GENERAL OBLIGATION  
VARIOUS PURPOSE BOND, SERIES 2015

Interest Rate

%

Maturity Date

May 15, \_\_\_\_

Date of Original Issue

May 15, 2015

CUSIP No.

Registered Owner: \_\_\_\_\_

Principal Amount: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Springfield, in the County of Sarpy, in the State of Nebraska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above the principal amount specified above in lawful money of the United States of America on the maturity date specified above, with interest thereon from date of original issue specified above or most recent interest payment date to which interest has been paid or provided for, whichever is later, to maturity (or earlier redemption) at the rate per annum specified above. Said interest shall be payable semiannually on the fifteenth day of May and November in each year, starting November 15, 2015. If this bond is not paid upon presentation at maturity or any interest installment hereon is not paid when due, the bond or interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature. The interest hereon due prior to maturity or earlier redemption shall be paid on each interest payment date by the City Treasurer, as Paying Agent and Registrar for the City by wire transfer (but only in accordance with the limited terms of the authorizing ordinance), check or draft mailed to the registered owner hereof, as shown on the records of the Paying Agent and Registrar as of the close of business on the last day of the month immediately preceding the month in which the interest payment date occurs, at such owner's registered address as it appears on the books of registration of the City. The principal of this bond and the interest due at maturity are payable on presentation and surrender to said Paying Agent and Registrar at the office of the Paying Agent and Registrar in Springfield, Nebraska. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, principal and interest as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

The City, however, reserves the right and option of paying bonds of this issue maturing on or after May 15, 2021, in whole or in part, on May 15, 2020, or at any time thereafter, at the principal amount thereof plus accrued interest to the date fixed for redemption. Notice of any such redemption shall be given by mail, sent to the registered owner of any bond to be redeemed at said registered owner's address in the manner provided in the ordinance authorizing said bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof. Any bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new bond or bonds evidencing the unredeemed principal thereof.

This bond is one of an issue of fully registered bonds of the total principal amount of \$420,000, of like tenor herewith except as to denomination, date of maturity and rate of interest issued by said City for the purpose of paying the bonded debt of said City on its legally issued Refunding Bonds, dated May 14, 2009, in the principal amount of \$325,000, now existing and unpaid, and strict conformity with and in pursuance of the provisions of Section 10-142, R.R.S. Neb. 2012 and paying the costs of street improvements constructed within Street Improvement Project No. 2014-1, in strict conformity with and in pursuance of the provisions of Sections 18-2001 to 18-2003 inclusive, R.R.S. Neb., 2012. The issuance of said bonds has been authorized by an ordinance duly enacted by the City Council and published as provided by law, all in strict compliance with Sections 10-142, 18-2001 to 18-2003, 18-1801 and 18-1802, R.R.S. Neb. 2012, as amended.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, its Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitations imposed by law. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in said City, in addition to all other taxes, sufficient in rate and amount to pay the interest on this bond when and as the same becomes due and to create a sinking fund to pay the principal of this bond when the same becomes due.

IN WITNESS WHEREOF, the Mayor and Council of the City of Springfield, Nebraska, have caused this bond to be executed on behalf of the City by being signed by the Mayor and Clerk of the City, both of which signatures may be facsimile signatures, and by causing the official seal of the City to be affixed hereto, all as of the date of original issue shown above.

CITY OF SPRINGFIELD, NEBRASKA

By \_\_\_\_\_ (Do not sign) \_\_\_\_\_  
Mayor

ATTEST:

(Do not sign)

City Clerk

(S E A L)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by an ordinance passed and approved by the Mayor and Council of the City of Springfield as described in said bonds.

(Do not sign)

City Treasurer of Springfield, Nebraska,  
as Paying Agent and Registrar

(FORM OF ASSIGNMENT)

For value received \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_, Attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

SIGNATURE GUARANTEED

By \_\_\_\_\_

\_\_\_\_\_  
Authorized Officer

Note: The signature(s) of this assignment MUST CORRESPOND with the name as written on the face of the within bond in every particular without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Said bonds are hereby sold to Ameritas Investment Corp. at \_\_\_\_\_% of the principal amount thereof, and the City Treasurer is authorized to deliver the bonds to said purchaser upon receipt of the said amount plus accrued interest (if any) to the date of payment. Said bonds are sold to the purchaser subject to the opinion of independent bond counsel that said bonds are lawfully issued; that said bonds constitute a valid obligation of the City; and that under existing laws and regulations the interest on said bonds is exempt from both Nebraska state and federal income taxes. Such purchaser and its agents, representative and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository (as defined herein) at closing. The proceeds of the bonds herein authorized shall be applied (along with other funds of the City as necessary for such purpose) to provide for redemption of the Outstanding Bonds as called for redemption on May 15, 2015 and pay the costs of the paving improvements set out in paragraph 1 herein.

Section 9. The Mayor and Council shall cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount to pay the interest on the bonds herein authorized as the same becomes due and to create a sinking fund to pay the principal of said bonds when and as such principal becomes due.

Section 10. The City of Springfield, Nebraska, hereby covenants to the purchasers and holders of the bonds hereby authorized that it will make no use of the proceeds of said bond issue, including monies

held in any sinking fund for the payment of said bonds, which would cause said bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and further covenants to comply with said Sections 103 and 148 and all applicable regulations thereunder throughout the term of said bond issue. The City hereby covenants and agrees to take all actions necessary under the Code to maintain the tax-exempt status of interest payable on the bonds with respect to taxpayers generally but not including insurance companies or corporations subject to the additional minimum tax. The City hereby designates the bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not anticipate issuing tax-exempt obligations in calendar 2015 in an amount in excess of \$10,000,000.

Section 11. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 12. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 7<sup>th</sup> day of April, 2015.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

\_\_\_\_\_  
City Clerk

**EXHIBIT "A"**  
**Policy and Procedures**  
**Federal Tax Law and Disclosure Requirements for**  
**Tax-exempt Bonds and/or Build America Bonds**

**ISSUER NAME:** City of Springfield, Nebraska

**COMPLIANCE OFFICER (BY TITLE):** City Clerk

**POLICY**

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds or as direct pay build America bonds to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with its bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

**PROCEDURES**

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the “Compliance Officer”). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website [“EMMA”] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer’s annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

*Document Review.* At the compliance review, the following documents (the “Bond Documents”) shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the “Authorizing Proceedings”),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the “Tax Documents”):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer’s continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the “Continuing Disclosure Obligations”), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer’s bonds or relating to the Issuer’s Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that

any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the “Code”) and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer’s counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as “VCAP”) operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

Agenda Item 6. Council Member Nolte introduced Resolution 2015-7 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said Resolution, the followed voted YEA: Roseland, Carlson, 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**  
**2015-7**

BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska as follows:

WHEREAS, as per Springfield Municipal Code §5-503 "Parking; Areas", the Mayor and City Council hereby prohibit the parking and/or stopping of any vehicle at any time on the West side of South 1<sup>st</sup> Street from Main Street south 100 feet; and

WHEREAS, the street listed herein is located within the corporate limits of the City of Springfield; and

WHEREAS, the Mayor and City Council hereby direct the Springfield Street Department to place no parking at any time signs on the street as specified herein; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that parking and/or stopping of any vehicle at any time is hereby prohibited on the West side of South 1<sup>st</sup> Street from Main Street south 100 feet.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Springfield Street Department is directed to place no parking at any time signs on the street as specified herein.

Introduced and Passed this 7<sup>th</sup> day of April, 2015.

Ayes   4  

Nays   0  

Abstain   0  

Absent   0  

Approved:

\_\_\_\_\_  
Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

Agenda Item 7. Council reviewed bids from Carlisle Roofing and Dillons A&A Enterprises for City Hall roof repairs. The City Administrator reported that the insurance adjuster did not agree that there was hail damage to the roof. Mayor Dill suggested the city obtain a quote for the construction of an angled roof to permanently address the issue with the flat roof. Motion by Roseland, seconded by Nolte, to table agenda item 7, regarding bids for roof repairs at City Hall, until the May 5, 2015, Council meeting. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Items 8-11. Council Members reported names of residents they found willing to serve on the Springfield Tree Board. Volunteers will be appointed at the next Council meeting. Ordinance Nos. 876-

879 will be amended as needed. Motion by Nolte, seconded by Craney, to table agenda items 8-11, regarding Ordinance Nos. 876-879, until the April 21, 2015, Council meeting. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 12. The Springfield Boy Scout Troop did not attend the meeting.

### **Department Reports**

Agenda Item 1. Roseland reported that the test well on St. Joseph's property will be abandoned this spring.

Agenda Item 2. Carlson reported that the library is gearing up for the summer reading program. He noted that library personnel recently met with Senator Kintner at a luncheon. Carlson also reported that the library received a \$1,000 donation which was matched by the Midlands Community Foundation.

Agenda Item 3. Craney reported that he met with the city maintenance department regarding the Turtle Creek sewer pipe aerial crossing. Staff will meet with Jeremy Walker with Olsson to discuss repairs.

Agenda Item 4. Nolte reported that Rick Lee, Maintenance Manager, and Kent Maystrick, Street Commissioner, prepared project lists for this spring and summer.

Agenda Item 5. Mayor Dill reported that two seasonal maintenance workers from last year will be coming back to work this summer. He asked if the Council was favorable to using the old Community Building marquee sign on the urban park property to display event messages. Council requested that the city stop using the marquee sign.

Agenda Item 6. The City Administrator reported that city staff met with David Kildow, Brandon Kildow and Denny Graham with Olsson Associates regarding the new maintenance shop. Kildow proposed changes to the shop design. A cost estimate will be provided to the Council for review at the April 21 meeting.

### **Adjournment**

Motion by Roseland, seconded by Craney, to adjourn. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Meeting adjourned at 7:59 p.m. Motion carried.

I, the undersigned, 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 7, 2015; 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.

Kathleen Gottsch, City Clerk