



## **CITY COUNCIL AGENDA**

Tuesday, August 4, 2015 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> Street

A virtual reality presentation of the proposed Springfield Pines Subdivision will be given to City Council Members beginning at 6:30 p.m. The regular meeting will begin at 7:00 p.m.

### **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 July 21, 2015 Council Meeting
2. Approve Claims and Payroll
3. Approve Pay Application No. 3 from Midwest DCM in the amount of \$810.00 for Main Street Phase 3

### **REGULAR AGENDA**

1. Sgt. Mike Bramhall with the Sarpy County Sheriff's Department will provide a monthly service report
2. Andrew Rainbolt, Sarpy County Economic Development Corporation – Review quarterly report
3. Conduct a **Public Hearing** for an application filed by Gene Graves, Managing Member of GDR, LLC, applicant, and Mahloch Family Partnership, LTD, owner, requesting a change of zoning classification from (a) R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, (b) R87 Single-Family Residential to R-30 General Family Residential on Lot 269, and (c) R87 Single-Family Residential to MU Mixed Use on Lot 270, all in Springfield Pines, a subdivision in Sarpy County, Nebraska

4. Conduct a **Public Hearing** for a preliminary plat (Lots 1-270 and Outlots A-J, Springfield Pines) of a subdivision located in the East Half of the Northeast Quarter, Section 24, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 19.19 acres, more or less, and generally located on the southwest corner of 132<sup>nd</sup> Street and Platteview Road; and for waivers to the subdivision regulations pertaining to design standards and required improvements as identified
5. Consider approval of a change in zoning classification from R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, from R87 Single-Family Residential to R30 General Family Residential on Lot 269, and from R87 Single-Family Residential to Mixed Use on Lot 270, all in Springfield Pines, a subdivision in Sarpy County, Nebraska, contingent upon approval of the final plat for Springfield Pines (zoning ordinance to be approved at same time as final plat)
6. Consider approval of **Resolution 2015-15** approving a preliminary plat (Lots 1-270 and Outlots A-J, Springfield Pines) of a subdivision located in the East Half of the Northeast Quarter, Section 24, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 119.19 acres, more or less, and generally located on the southwest corner of 132<sup>nd</sup> Street and Platteview Road; and for waivers to the subdivision regulations pertaining to design standards and required improvements as identified
7. Consider approval of **Ordinance No. 896** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 9-501; TO CHANGE PROVISIONS REGARDING SWIMMING POOLS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE
8. Consider approval of **Ordinance No. 897** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 6-333; TO RESTRICT THE TIMES FIREWORKS CAN BE DISCHARGED; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE
9. Consider approval of **Ordinance No. 898** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO ADOPT SPRINGFIELD MUNICIPAL CODE 10-723; RELATING TO SPECIAL PERMITS FOR COMMUNITY FIREWORKS SHOWS; TO RENUMBER "FIREWORKS; VIOLATIONS" AS §10-724; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE
10. Direct the City Clerk to cause notice to property owners, who have not repaired/replaced/constructed their sidewalks as directed, ordering the repair of the adjacent sidewalk pursuant to Springfield Municipal Code §8-204
11. Consider proposals from Leisure Life Sports and Bobcat for the purchase of a utility vehicle for the maintenance department
12. Consider proposal from Schmader Electric in the amount of \$22,500.00 for a new 2001 AC/DC warning siren with installation
13. Discuss Andrea Ledenbach's annual review and consider a proposed merit increase

14. Discuss Kathleen Gottsch's six month review as City Administrator and consider a proposed merit increase
15. Discuss Heath Shemek's annual review and consider a proposed merit increase
16. Discuss Kent Maystrick's annual review and consider a proposed merit increase

**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**

At 6:30 p.m. Rick Harrison, architect and land planning consultant for GDR, LLC, provided a virtual reality presentation of the proposed Springfield Pines Subdivision to City Council Members.

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 August 4, 2015. Present were Council Members: Bob Roseland, Darren Carlson, Dan Craney, Chad Nolte. Absent: Mayor Michael Dill. Council President, Bob Roseland, 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 Nolte, seconded by Carlson, to approve the Consent Agenda. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Claims and Payroll:

Date	Check #	Account ID	Account Description	Debit Amount	Name
------	---------	------------	---------------------	--------------	------

<b>General</b>					
8/5/15	36720	6084-10-10	Aflac	49.80	Aflac
8/5/15	36727	7030-10-10	Prof Svcs-Planning	660.06	Carlson, Tonya
8/5/15	36733	7240-10-10	Mileage	774.29	Dill, Michael
8/5/15	36736	7230-10-10	Postage/Shipping	26.38	First National Bank
8/5/15	36742	7030-10-10	Prof Svcs-Planning	1,925.00	JEO Consulting Group
8/5/15	36743	8140-10-10	R&M Equip	190.00	Konica Minolta Premier Finance
8/5/15	36745	7270-10-10	Insurance	1,504.65	Marcotte Insurance Agency
8/5/15	36750	7320-10-10	Natural Gas	42.00	MUD
8/10/15	36782	7330-10-10	Telephone	103.33	NT&T
8/5/15	36753	8010-10-10	Office Supplies	85.26	Office Depot
8/5/15	36754	7010-10-10	Prof Svcs-Engineer	1,022.97	Olsson Associates
8/5/15	36755	7250-10-10	Publication Costs	39.77	Omaha World Herald
8/5/15	36756	7310-10-10	Electricity	276.72	OPPD
8/10/15	36785	7046-10-10	Prof Svcs-Building Inspector	1,209.43	Sarpy County Building Inspector
8/5/15	36760	7060-10-10	Animal Control	375.49	Sarpy County Fiscal Administrator
8/6/15	36778	7050-10-10	Law Contract	7,937.00	Sarpy County Treasurer
8/5/15	36764	7020-10-10	Prof Svcs-Legal	7,642.29	Seidler & Seidler
8/5/15	36771	7280-10-10	Laundry	90.08	Walkers Uniform Rental
8/5/15	36772	8080-10-10	Promotional Materials	3,000.00	Wild Willys Fireworks
<b>Total</b>				<b>26,954.52</b>	
<b>Library</b>					
8/5/15	36721	8060-20-10	Books	374.66	Amazon
8/5/15	36724	8060-20-10	Books	110.12	Baker & Taylor
8/5/15	36729	7455-20-10	IP Address	55.00	Charter Communications
8/5/15	36745	7270-20-10	Insurance	436.45	Marcotte Insurance Agency
8/5/15	36747	8060-20-10	Books	81.99	MicroMarketing
8/5/15	36750	7320-20-10	Natural Gas	42.00	MUD
8/10/15	36782	7330-20-10	Telephone	44.86	NT&T
8/5/15	36756	7310-20-10	Electricity	299.73	OPPD
8/5/15	36758	7340-20-10	Waste Disposal	39.39	Premier Waste Solutions
8/5/15	36763	7480-20-10	Janitorial	250.00	Schmeider, Marcie
<b>Total</b>				<b>1,734.20</b>	
<b>Library Restricted</b>					
8/5/15	36728	8060-21-10	Books	84.48	Center Point Large Print
8/5/15	36737	8060-21-10	Books	45.73	Gale
8/5/15	36744	8070-21-10	Library Supplies	303.35	Manzer, Constance
8/5/15	36757	8060-21-10	Books	138.78	Penworthy
8/5/15	36759	8060-21-10	Books	22.97	Quiltmaker
8/5/15	36766	8060-21-10	Books	12.98	Taste of Home
8/5/15	36769	7260-21-10	Printing	38.97	Vistaprint
<b>Total</b>				<b>647.26</b>	
<b>Park</b>					
8/5/15	36734	7350-30-10	Rental	92.00	Eagle Services
8/5/15	36735	8110-30-10	Chemicals	157.50	Farmers Union Coop
8/5/15	36745	7270-30-10	Insurance	330.67	Marcotte Insurance Agency
8/5/15	36749	8140-30-10	R&M Equip	123.92	Mill Creek Auto Parts
8/5/15	36749	8150-30-10	R&M Vehicle	33.94	Mill Creek Auto Parts
8/5/15	36756	7310-30-10	Electricity	614.92	OPPD
8/5/15	36767	9040-30-10	Tools & Misc Equip	194.98	Tractor Supply
8/6/15	36775	8120-30-10	Fuel	51.95	Casey's General Store
8/10/15	36781	9040-30-10	Tools & Misc Equip	200.00	Kildow Construction
8/10/15	36783	7340-30-10	Waste Disposal	57.75	Premier Waste Solutions
<b>Total</b>				<b>1,857.63</b>	

<b>Community Building</b>					
8/5/15	36726	8130-40-10	R&M Building	125.00	Carlisle Roofing
8/5/15	36745	7270-40-10	Insurance	450.51	Marcotte Insurance Agency
8/5/15	36746	8030-40-10	Supplies	2.99	Menards
8/5/15	36746	8130-40-10	R&M Building	8.15	Menards
8/5/15	36750	7320-40-10	Natural Gas	42.00	MUD
8/5/15	36756	7310-40-10	Electricity	238.83	OPPD
8/10/15	36783	7340-40-10	Waste Disposal	31.50	Premier Waste Solutions
8/5/15	36771	7280-40-10	Laundry	122.32	Walkers Uniform Rental
<b>Total</b>				<b>1,021.30</b>	
<b>Water</b>					
8/5/15	36720	6084-50-20	Aflac	56.16	Aflac
8/5/15	36722	8030-50-20	Supplies	59.92	American Underground Supply
8/5/15	36722	9040-50-20	Tools & Misc Equip	69.09	American Underground Supply
8/5/15	36723	8110-50-20	Chemicals	25.88	B&D Pit Stop
8/5/15	36745	7270-50-20	Insurance	1,677.01	Marcotte Insurance Agency
8/5/15	36748	7420-50-20	Testing	36.92	Midwest Laboratories
8/5/15	36752	7420-50-20	Testing	18.00	NE Public Health Environmental Lab
8/10/15	36782	7330-50-20	Telephone	153.44	NT&T
8/5/15	36732	7430-50-20	Digger's Hotline	33.75	One Call Concepts
8/5/15	36756	7310-50-20	Electricity	1,378.39	OPPD
8/5/15	36765	8160-50-20	R&M Grounds	15.00	Silex Group
8/5/15	36768	7330-50-20	Telephone	15.08	Verizon Wireless
8/5/15	36771	7290-50-20	Uniform Allowance	45.00	Walkers Uniform Rental
<b>Total</b>				<b>3,583.64</b>	
<b>Sewer</b>					
8/5/15	36720	6084-60-30	Aflac	302.26	Aflac
8/6/15	36775	8030-60-30	Supplies	4.49	Casey's General Store
8/6/15	36775	8120-60-30	Fuel	127.05	Casey's General Store
8/5/15	36740	8140-60-30	R&M Equip	266.48	Hotsy Equipment
8/5/15	36745	7270-60-30	Insurance	1,196.17	Marcotte Insurance Agency
8/5/15	36748	7420-60-30	Testing	171.50	Midwest Laboratories
8/5/15	36751	7450-60-30	Licenses	150.00	NE Department of Environmental Quality
8/10/15	36782	7330-60-30	Telephone	53.64	NT&T
8/5/15	36756	7310-60-30	Electricity	2,355.18	OPPD
8/5/15	36768	7330-60-30	Telephone	15.08	Verizon Wireless
8/5/15	36771	7290-60-30	Uniforms Allowance	42.04	Walkers Uniform Rental
<b>Total</b>				<b>4,683.89</b>	
<b>Street</b>					
8/5/15	36723	8120-70-40	Fuel	743.52	B&D Pit Stop
8/5/15	36725	8040-70-40	Supplies-Safety/Medical	341.35	Big State Industrial Supply
8/6/15	36775	8120-70-40	Fuel	43.12	Casey's General Store
8/5/15	36730	8215-70-40	R&M Streets & Alleys	1,826.00	Clean Sweep Commercial
8/5/15	36731	8090-70-40	Concrete	491.88	Consolidated Concrete
8/5/15	36738	9040-70-40	Tools & Misc Equip	15.99	Gretna Ace Hardware
8/5/15	36739	9040-70-40	Tools & Misc Equip	74.71	Home Depot
8/6/15	36774	9037-70-40	Heavy Machinery	10,879.00	Leisure Life Sports
8/5/15	36745	7270-70-40	Insurance	1,802.04	Marcotte Insurance Agency
8/5/15	36746	8140-70-40	R&M Equip	5.56	Menards
8/5/15	36746	8030-70-40	Supplies	11.31	Menards
8/5/15	36746	9040-70-40	Tools & Misc Equip	25.95	Menards
8/5/15	36746	8225-70-40	R&M Street Signs&Posts	29.06	Menards
8/7/15	36780	9077-70-40	Main Street Revitalization	810.00	Midwest DCM

8/5/15	36750	7320-70-40	Natural Gas	48.53	MUD
8/10/15	36786	8120-70-40	Fuel	68.77	Neitzel's Corner
8/10/15	36782	7330-70-40	Telephone	48.88	NT&T
8/5/15	36754	7010-70-40	Prof Svcs-Engineer	2,727.27	Olsson Associates
8/5/15	36756	7310-70-40	Electricity	3,459.29	OPPD
8/10/15	36783	7340-70-40	Waste Disposal	31.50	Premier Waste Solutions
8/5/15	36762	9086-70-40	Capital Improvements	22,500.00	Schmader Electric
8/5/15	36765	8215-70-40	R&M Streets & Alleys	134.42	Silex Group
8/5/15	36768	7330-70-40	Telephone	15.08	Verizon Wireless
8/5/15	36770	8215-70-40	R&M Streets & Alleys	1,394.40	Vogel Traffic Services
8/5/15	36771	7290-70-40	Uniform Allowance	78.64	Walkers Uniform Rental
<b>Total</b>				<b>47,606.27</b>	
<b>Keno</b>					
8/5/15	36741	9174-80-70	Keno CB Project	6,782.50	Hurst Welding
<b>Total</b>				<b>6,782.50</b>	
<b>Payroll</b>				<b>41,007.72</b>	

### Regular Agenda

Agenda Item 1. Motion by Nolte, seconded by Craney, to move agenda item 1 down the agenda until Sgt. Mike Bramhall arrives.

Agenda Item 2. Andrew Rainbolt, Sarpy County Economic Development Director, reviewed the 2<sup>nd</sup> quarter report.

Agenda Items 3 and 4. Motion by Carlson, seconded by Craney, to open a Public Hearing of the Springfield City Council at 7:11 p.m. to consider an application filed by Gene Graves, Managing Member of GDR, LLC, applicant, and Mahloch Family Partnership, LTD, owner, requesting a change of zoning classification from (a) R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, (b) R87 Single-Family Residential to R30 General Family Residential on Lot 269, and (c) R87 Single-Family Residential to MU Mixed Use on Lot 270, all in Springfield Pines, a subdivision in Sarpy County, Nebraska. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Rick Harrison, architect and land planning consultant for GDR, presented a power point presentation of the proposed development pointing out special features implemented into the design. Harrison noted that all lots within the R50 Two-Family Residential zoning district will be designated for single-family dwellings. He reported that phase 1 will consist of 136 homes, while phase 2 will have 131 homes. Jeff Lake, developer's engineer with Olsson Associates, reviewed the applicant's request to reduce the right-of-way from 60 feet to 50 feet for local roads throughout the development. Lake noted that the drainage retention ponds will be dry ponds. Gene Graves, applicant, informed the Council that he is in the process of marketing the development to area builders. Steve Wells, 125 North 8<sup>th</sup> Street, expressed concern with potential drainage issues and maintenance of Lot 1. Lake noted that if the school district is unable to build upon the lot within a certain time frame, the property may be repurchased by the developer and subdivided into lots for single-family dwellings. Harrison provided an alternative layout for Lot 1 should this happen. David Potter, City Planner with JEO Consulting Group, reviewed the staff report and contingencies for approval. He stated that the R30 General Family Residential and Mixed Use developments will be required to meet overlay design guidelines identified in the city's zoning regulations. Larry Jobeun, attorney for GDR, reported that the subdivision will be created as an SID (sanitary improvement district) and costs for public infrastructure will be assessed to the lots created.

No one else from the public spoke in opposition to or in favor of the application. Motion by Nolte, seconded by Carlson, to close the public hearing. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried. Public Hearing closed at 8:11 p.m.

Agenda Item 5. Motion by Nolte, seconded by Craney, to approve a change in zoning classification from R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, from R87 Single-Family Residential to R30 General Family Residential on Lot 269, and from R87 Single-Family Residential to Mixed Use on Lot 270, all in Springfield Pines, a subdivision in Sarpy County, Nebraska, contingent upon approval of the final plat for Springfield Pines (zoning ordinance to be approved at same time as final plat). AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 6. Council Member Carlson introduced Resolution 2015-15 and moved its adoption. Council Member Nolte seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: 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  
2015-15**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A PRELIMINARY PLAT (LOTS 1-270 AND OUTLOTS A-J, SPRINGFIELD PINES) OF A SUBDIVISION LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER, SECTION 24, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, CONSISTING OF APPROXIMATELY 119.19 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF 132<sup>ND</sup> STREET AND PLATTEVIEW ROAD; AND FOR A WAIVER TO THE SUBDIVISION REGULATIONS PERTAINING TO RIGHT-OF-WAY WIDTH FOR LOCAL STREETS.

WHEREAS, Gene Graves, Managing Member of GDR, LLC, applicant, and Mahloch Family Partnership, LTD, owner, of the above described property have made application for approval of a preliminary plat for proposed Springfield Pines; and

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

WHEREAS, the Springfield Planning Commission held a public hearing on July 14, 2015, regarding the application and has made a recommendation of approval to the City Council of the preliminary plat for Springfield Pines, subject to the resolution of items specified in the City Planner's staff report as it meets the general requirements of the zoning ordinance and subdivision regulations; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on August 4, 2015, and is agreeable to the approval of the preliminary plat for Springfield Pines, and waiver to the subdivision regulations pertaining to the right-of-way width for local streets, contingent upon final approval of the change of zoning classification from R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, from R87 Single-Family Residential to R30 General Family Residential on Lot 269, and from R87 Single-Family Residential to Mixed Use on Lot 270.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves the preliminary plat of Lots 1-270 and Outlots A-J, Springfield Pines, and the

waiver to the subdivision regulations pertaining to the right-of-way width for local streets, contingent upon final approval of the change of zoning classification from R87 Single-Family Residential to R50 Two-Family Residential on Lots 1-268 and Outlots A-J, from R87 Single-Family Residential to R30 General Family Residential on Lot 269, and from R87 Single-Family Residential to Mixed Use on Lot 270.

PASSED AND APPROVED THIS 4<sup>TH</sup> DAY OF AUGUST, 2015.

Ayes   3  

Nays   0  

Abstain   0  

Absent   1  

Approved:

\_\_\_\_\_

Mayor

SEAL

Attest:

\_\_\_\_\_

City Clerk

Agenda Item 1. Sgt. Mike Bramhall with the Sarpy County Sheriff’s Department provided the monthly service report.

Agenda Item 7. Council Member Nolte introduced Ordinance No. 896 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 9-501; TO CHANGE PROVISIONS REGARDING SWIMMING POOLS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Carlson seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: 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 Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question was “Shall Ordinance No. 896 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: 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. 896**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 9-501; TO CHANGE PROVISIONS REGARDING SWIMMING POOLS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. Chapter 9, Article 5, Section 9-501 of the Municipal Code of Springfield, Nebraska is amended to read as follows:

**§9-501 SWIMMING POOLS; DEFINITIONS, SCOPE OF ARTICLE.**

For the purpose of this Chapter, a swimming pool shall be defined as a body of water in an artificial or semi-artificial receptacle or other container whether located indoors or outdoors, used or intended to be used for private swimming by adults or children or both, including all structures, appurtenances, equipment, appliances, and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool. The provisions of this Article shall be applicable to all underground pools and above ground pools, including inflatables, with sides that measure twenty-four (24) inches or more. Water depth is not the determining factor.

Section 2. 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 3. 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 4<sup>th</sup> day of August, 2015.

---

Mayor

(SEAL)

---

Clerk

Agenda Item 8. Council Member Carlson introduced Ordinance No. 897 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 6-333; TO RESTRICT THE TIMES FIREWORKS CAN BE DISCHARGED; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Nolte seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: 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 Nolte. The Mayor then stated the question was “Shall Ordinance No. 897

be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: 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. 897**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE 6-333; TO RESTRICT THE TIMES FIREWORKS CAN BE DISCHARGED; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. Chapter 6, Article 3, Section 6-333 of the Municipal Code of Springfield, Nebraska is amended to read as follows:

**§6-333 MISDEMEANORS; LOUD, UNNECESSARY NOISES.**

- (1) (l) Fireworks. Permissible fireworks may not be discharged except from June 25 through July 4 and December 29 through December 31 and only during the hours of 8:00 a.m. through 10:00 p.m., except that on July 4 and December 31 permissible fireworks may be discharged from 8:00 a.m. through 12:00 midnight.

Section 2. 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 3. 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 4<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Mayor

(SEAL)

\_\_\_\_\_  
Clerk

Agenda Item 9. Council Member Nolte introduced Ordinance No. 898 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO ADOPT SPRINGFIELD MUNICIPAL CODE 10-723; RELATING TO SPECIAL PERMITS FOR COMMUNITY FIREWORKS SHOWS; TO RENUMBER "FIREWORKS; VIOLATIONS" AS §10-724; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

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: 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 Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question was "Shall Ordinance No. 898 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: 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. 898**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO ADOPT SPRINGFIELD MUNICIPAL CODE 10-723; RELATING TO SPECIAL PERMITS FOR COMMUNITY FIREWORKS SHOWS; TO RENUMBER "FIREWORKS; VIOLATIONS" AS §10-724; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. Chapter 10, Article 7, Section 10-723 of the Municipal Code of Springfield, Nebraska is adopted to read as follows:

#### **§10-723 FIREWORKS; SPECIAL PERMIT FOR COMMUNITY FIREWORKS SHOW.**

No person shall conduct a public exhibition or display of fireworks without first procuring a display permit from the Nebraska State Fire Marshall and the City Clerk. All applicants for a City of Springfield permit shall present the City Clerk with a copy of their permit issued by the Nebraska State Fire Marshall, as well as a detailed to scale diagram of the location where the fireworks will be ignited. All applicants shall have a \$1,000,000 general liability insurance policy. All policies of insurance shall be written by an insurer authorized to do business in Nebraska. All policies of insurance shall name the City of Springfield as an additional named insured. If the diagram and certificate of insurance are acceptable to the City Clerk and the appropriate fee is paid, the City Clerk shall issue the license.

Section 2. Chapter 10, Article 7, Section 10-724 of the Municipal Code of Springfield, Nebraska is renumbered as follows:

#### **§10-724 FIREWORKS; VIOLATIONS.**

Any person or licensee who violates any of the provisions of this Article shall be deemed guilty of a misdemeanor, and in addition to any fine, any person who is licensed shall be subject to the revocation of such license. Upon complaint being filed with the City Clerk, the City Clerk shall notify the licensee in writing and shall order a hearing before the City Council to show cause why said license should not be revoked. The hearing shall be not less than seven (7) days after the filing of the complaint. The City Council shall conduct a special hearing for purposes of determining whether such license shall be revoked. The licensee shall appear in person or by his attorney and upon revocation no refund of any portion of the license fee shall be made to the licensee and he shall immediately close all business at all places under such license.

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 4<sup>th</sup> day of August, 2015.

---

Mayor

(SEAL)

---

Clerk

Agenda Item 10. Motion by Nolte, seconded by Carlson, to direct the City Clerk to cause notice to property owners, who have not repaired/replaced/constructed their sidewalks as directed, ordering the repair and/or construction of the adjacent sidewalk pursuant to Springfield Municipal Code §8-204. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 11. Motion by Nolte, seconded by Carlson, to approve the bid from Leisure Life Sports in the amount of \$10,879.00 for the purchase of a utility vehicle for the maintenance department. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 12. Motion by Nolte, seconded by Craney, to approve the bid from Schmader Electric in the amount of \$22,500.00 for the purchase of a new 2001 AC/DC warning siren with installation at City Hall. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Items 13-16. Motion by Nolte, seconded by Carlson, to move agenda items 13-16 into executive session. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

### **Department Reports**

Agenda Item 1. No Department Report from Roseland.

Agenda Item 2. Carlson reported that city staff is in the process of obtaining bids for the installation of an automatic handicap accessible door at the library. He said the library board is also considering succession planning. Carlson noted that bathroom and kitchen updates for the Community Building are planned for the 2015-2016 budget.

Agenda Item 3. Craney reported that a license is now required for the underground fuel storage tank at the wastewater treatment plant. Larry Nolte is looking into obtaining his license.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. No Department Report from Mayor Dill.

Agenda Item 6. Kathleen Gottsch, City Administrator, provided the Council with the geotechnical exploration report prepared by Olsson Associates for the Platteview Road wingwall issue.

### **Executive Session**

Motion by Nolte, seconded by Craney, to enter into executive session at 8:32 p.m. for the purpose of personnel discussion. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Craney, seconded by Nolte, to leave executive session at 9:09 p.m. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Nolte, seconded by Craney, to approve a \$2.00/hour annual merit increase to Andrea Ledenbach. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Nolte, seconded by Carlson, to approve a 3% six month merit increase to Kathleen Gottsch. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Nolte, seconded by Craney, to approve a 3% annual merit increase to Heath Shemek. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Craney, seconded by Carlson, to approve a 3% annual merit increase to Kent Maystrick. AYES: Carlson, Craney, Nolte. NAYS: None. Motion carried.

### **Adjournment**

Motion by Carlson, seconded by Craney, to adjourn. AYES: Carlson, Craney, Nolte. NAYS: None. Meeting adjourned at 9:12 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 August 4, 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