



AMENDED CITY COUNCIL AGENDA

Tuesday, December 15, 2020 at 7:00 p.m.
VIA VIDEO/TELEPHONE CONFERENCE

Pursuant to the Governor’s Executive Order No. 20-36, this meeting will be held by video/telephone conference. Members of the public may attend this meeting electronically or telephonically:

Join Zoom Meeting Electronically at:

<https://us02web.zoom.us/j/86857682936?pwd=ZVBVdE42bVJaS2ZyLzA3KzhSZ0E1Zz09>

Join Meeting Telephonically by Dialing: 1-312-626-6799

Meeting ID: 868 5768 2936

Password: 088681

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is available online at <https://nebraskalegislature.gov/laws/statutes.php?statute=84-1411> or on the city’s website at http://springfieldne.org/mayor_council/meeting_information
- 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 December 1, 2020 Council Meeting
2. Approve Treasurer’s Report

REGULAR AGENDA

1. John Hassett, Advanced Gaming – Request Council amend the requirement that a City Lottery Sales Outlet Location has to obtain a liquor license before they can obtain a keno license; Consider approval of Resolution 2020-42 approving the qualification standards of lottery sales outlets by Nebraska Statutes Section 9-642.01
2. Consider approval of the City Lottery Sales Outlet Location Application for The Blind Pig, LLC, 167-169 Main Street, Springfield

3. Consider bids received for City-Wide Drainage Improvements; authorize Notice of Award
4. **Tabled from December 1, 2020 Council Meeting.** Consider approval of **Ordinance No. 1056 AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.05 “AGRICULTURE RESIDENTIAL OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO ADD CONCRETE CONSTRUCTION BATCH PLANT AS A PERMITTED CONDITIONAL USE; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF**
5. Consider bids to upgrade technology at City Hall including a network upgrade, phone system upgrade, IT support and security updates

DEPARTMENT REPORTS

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
3. Street Department – Kacie Murtha
4. Water & Parks Department – Dan Craney
5. Mayor’s Report – Bob Roseland
6. City Staff Reports

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

ADJOURNMENT

MINUTES

Pursuant to the Governor’s Executive Order No. 20-36, a regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. on Tuesday, December 15, 2020, via video / telephone conference using Zoom. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Kacie Murtha, Dan Craney. 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 that it was available for review online at <https://nebraskalegislature.gov/laws/statutes.php?statute=84-1411> or on the city’s website at http://springfieldne.org/mayor_council/meeting_information.

Consent Agenda

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

The City Clerk reported a balance on hand of \$2,736,259.91 in cash assets; Prestige Treasury-\$205,573.65; Prestige Bond-\$948,771.49; Keno Community Betterment-\$223,338.94; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,204.97; Refundable Deposit Savings-\$1,227.70; Water Tower Savings-\$200,495.43; Sewer Restricted-\$203,707.68; Water Capital Facilities Fees-\$70,555.29; Sewer Capital Facilities Fees-\$182,394.33; City Sales Tax-\$3,214,663.94; Money Mark Library Bricks-\$3,969.62; Government Securities-\$116,014.38; Library Savings-\$11,629.53; Time Certificates as follows: Bond-\$79,513.27; Tower-\$59,489.30; Water-\$130,394.29; Library Bricks-\$21,982.49; Library Restricted-\$41,605.97; Cash Receipts-\$227,913.71; Cash Disbursements-\$195,385.89.

Regular Agenda

Agenda Item 1. John Hassett, keno operator with Advanced Gaming Technologies, requested that the Council amend the requirement that a City Lottery Sales Outlet Location has to obtain a liquor license before they can obtain a keno license. This term is not a requirement of state statute. Hassett reported that the City of Bellevue amended their regulations to this effect last year. Swenson inquired as to why a liquor license was required for a keno license. Bill Seidler, city attorney, noted that the city's first keno contract was initiated in 1990. In 2000 the first set of standards were mentioned in a city resolution and Council minutes; however, the standards were not specifically spelled out. Seidler recalled that the requirement may have had something to do with the fair. This requirement would make patrons go to a local bar to play keno and not a freestanding keno operation. Nikki Cardin, owner of The Blind Pig, noted that it takes approximately 60-90 days to obtain a liquor license for a new business. Council discussed pros and cons of allowing keno at non-bar businesses. Craney stated that he wants to see the keno license tied to the liquor license and suggested the Council authorize a keno license with the stipulation that a liquor license must be obtained within a certain timeframe. Seidler recommended a new Section K be added to Resolution 2020-42 to this effect. Council Member Swenson introduced amended Resolution 2020-42 to include the city attorney's recommendation and moved its adoption. Council Member Herzog seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Murtha, Craney. 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 2020-42

Establishing Qualification Standards of Lottery Sales Outlets Pursuant to Nebraska Statutes Section 9-642.01

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

WHEREAS, the lottery operator (Advanced Gaming Technologies Inc.) with whom the City of Springfield contracts to conduct its lottery shall not operate the lottery at a sales outlet location without prior approval of the sales outlet location by the City of Springfield; and

WHEREAS, Neb. Rev. Stat. §9-642.01 requires that prior to a City or lottery operator conducting a lottery at a location other than the location of the lottery operator the City shall by ordinance or resolution establish qualification standards which shall be met by any individual, sole proprietor, partnership, limited liability company or corporation; and

WHEREAS, the City Council of Springfield shall approve or disapprove each sales outlet location and individual, sole proprietorship, partnership, limited liability company, or corporation which desires to conduct the lottery at its sales outlet location solely on the basis of the qualification standards prescribed in this resolution; and

NOW, THEREFORE, BE IT RESOLVED that any individual, sole proprietorship, partnership, limited liability company, or corporation which seeks to have its location approved as an authorized sales outlet location shall:

- a. Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty to forgery, larceny, extortion, conspiracy to defraud, willful failure to make required payments or reports to a governmental agency at any level, filing false reports with any such agency, or any similar offense or offenses or any crime, whether felony or misdemeanor, involving gambling activity or moral turpitude; and
- b. Not have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska Pickle Card Lottery Act, the Nebraska Lottery and Raffle Act, or the Nebraska County and County Lottery Act; and
- c. Be fit, willing, and able to provide properly the service proposed in conformance with all provisions and requirements of the Nebraska City and County Lottery Act and the rules and regulations adopted and promulgated pursuant to the act; and
- d. If the person seeking to have its location approved as an authorized sales outlet location is a partnership, limited liability company, or corporation, the qualification standards shall apply to every partner of such a partnership, every member of such limited liability company, or corporation, and stockholder owning more than 10% of the stock of such corporation; and
- e. Have a written agreement with the Keno Contractor governing keno lottery operations at the location; such agreement shall prohibit any independent location or satellite location owner from violating any law, rule or regulation governing the keno lottery operation, and such agreement shall be submitted to the City Council; and
- f. Have seating capacity and available parking sufficient to accommodate members of the general public who may wish to come to the location to observe or play the game of keno or to engage in any other activity conducted on the premises; and
- g. Have sufficient facilities to permit the Keno Contractor to sell keno tickets; and
- h. Have a board or other monitor, clearly visible to the players, on which the winning numbers are displayed; and
- i. Have proper security for the keno lottery operations and associated activities; and
- j. All persons with any direct or indirect ownership in the location must be of good character and financially responsible; and
- k. Have applied for a State of Nebraska Class C liquor license; provided, however, that if the liquor license is not received within 120 days of application for the liquor license, City approval shall terminate and the lottery sales outlet location shall cease to be an authorized keno satellite location.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and City Council of Springfield, Nebraska, that these qualification standards of lottery sales outlets required by Nebraska Statutes Section 9-642.01 are hereby adopted.

Introduced and Passed this 15th day of December, 2020.

City Council Member Swenson moved the adoption of said resolution.
City Council Member Herzog seconded the motion.

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 2. Motion by Swenson, seconded by Craney, to approve the City Lottery Sales Outlet Location Application for The Blind Pig, LLC, 167-169 Main Street, Springfield. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 3. Motion by Swenson, seconded by Herzog, to approve the low bid from TJ Osborne Construction in the amount of \$338,443.80 for drainage improvements and authorize Notice of Award. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 4. Council let consideration of Ordinance No. 1056 die due to the applicant not paying the appropriate application fee for a text amendment.

Agenda Item 5. Council reviewed bids from CoreTech and Konica Minolta for technology upgrades at City Hall. Motion by Swenson, seconded by Craney, to approve the bid from CoreTech for a network upgrade, phone system upgrade, IT support and security update. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. Murtha reported that the maintenance department did a good job with snow removal.

Agenda Item 4. Craney reported that Keith Hentzen, Springfield Drug, inquired about Springfield Days 2021. He noted that Hentzen requested the Council provide direction on whether or not to have the event by April. Murtha recommended the committee plan events for different scenarios so that people who are social distancing in June can still participate.

Agenda Item 5. Mayor Roseland reported that he has met with construction companies regarding future developments.

Agenda Item 6. No additional city staff reports.

Adjournment

Motion by Swenson, seconded by Craney, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 7:37 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 December 15, 2020; 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