



CITY COUNCIL AGENDA

Tuesday, December 16, 2014 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the December 1, 2014 Special Council Meeting
2. Approve Minutes of the December 2, 2014 Council Meeting
3. Approve Treasurer's Report
4. Approve Invoice No. 221227 from Olsson Associates in the amount of \$2,200.00 for professional services rendered from November 2, 2014, through November 28, 2014, for work completed on the Wastewater Treatment & Collection System Facility Plan
5. Approve Invoice No. 221074 from Olsson Associates in the amount of \$2,841.84 for professional services rendered from November 2, 2014, through November 29, 2014, for work completed on Main Street Phase 3
6. Approve Invoice No. 221095 from Olsson Associates in the amount of \$8,915.31 for professional services rendered from November 2, 2014, through November 29, 2014, for work completed on City Shop Design

REGULAR AGENDA

1. Conduct a **Hearing on Special Assessments** for the purpose of considering and levying special assessments on the following properties:
 - Rick Krystof, property owner of 491 Elm Street, Springfield
 - James & Nikole Benedict, property owners of 660 Main Street, Springfield
 - Dari Sunderman, property owner of 285 Locust Street, Springfield

2. Consider approval of **Resolution 2014-38** levying special assessments on the following properties:
 - Rick Krystof, property owner of 491 Elm Street, Springfield
 - James & Nikole Benedict, property owners of 660 Main Street, Springfield
 - Dari Sunderman, property owner of 285 Locust Street, Springfield
3. **Ordinance No. 866 (third and final reading)** – Annexation of Lot 1, Zimmerman’s 2nd Addition, Sarpy County, Nebraska
4. **Ordinance No. 867 (third and final reading)** – Annexation of Lots 1-19, Springfield Industrial Park, Sarpy County, Nebraska
5. **Ordinance No. 868 (third and final reading)** – Annexation of the irregular east part of Lot 1, St. Joseph Addition, Sarpy County, Nebraska
6. Denny Graham with Olsson Associates – Review and award construction bid for the Maintenance Shop Project
7. Consider approval of **Ordinance No. 870** entering into a Gas Franchise Agreement with the Metropolitan Utilities District of Omaha (MUD)
8. Consider approval of **Resolution 2014-39** entering into Construction Engineering Services Supplemental Agreement No. 1 with Kirkham Michael & Associates, Inc. for the Springfield Trail Phase 3 project
9. Consider issuing a water/sewer utility refund to Kenneth Torbik, 341 South 8th Street Circle, due to a non-working meter head
10. Consider a request from Larry Neitzel, 365 Locust Street, to remove a dead tree on his property that is within the city street right-of-way
11. **Continued Discussion.** Consider projects for the One and Six Year Road Plan
12. Review tornado warning siren proposals from Schmader Electric
13. **Tabled December 2, 2014.** Discuss employee health insurance renewal
14. Approve pay increases for Elizabeth Brown, Library Aide, and Wendy Post, City Hall Janitorial, to \$8.00/hour effective January 1, 2015, as per Nebraska minimum wage requirements
15. Consider a \$1.00/hour pay increase for Heath Shemek for obtaining his wastewater license

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

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 December 16, 2014. Present were Mayor Mike Dill; Council Members: Bob Roseland, Darren Carlson, Dan Craney. Absent: Chad Nolte. 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 Craney, seconded by Carlson, to approve the Consent Agenda. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$964,406.11 in cash assets; Prestige Treasury - \$204,125.39; Prestige Bond - \$624,881.10; Keno Community Betterment - \$162,119.60; Keno Progressive Jackpot - \$50,000.00; Water Deposit Savings - \$4,183.64; Refundable Deposit Savings - \$1,221.45; Water Tower Savings - \$123,704.60; Sewer Restricted - \$96,528.77; Water Capital Facilities Fees - \$32,257.94; Sewer Capital Facilities Fees - \$75,268.49; City Sales Tax - \$304,097.87; Money Mark Library Bricks - \$3,760.41; Government Securities - \$104,417.35; Library Savings - \$62,410.73; Time Certificates as follows: Bond - \$76,802.25; Tower - \$57,392.92; Water - \$125,803.85; Park - \$11,915.91; Library Bricks - \$21,252.82; Cash Receipts - \$146,618.69; Cash Disbursements - \$123,665.89.

Regular Agenda

Agenda Item 1. The Clerk reported that notice was published that the Mayor and Council would hold a meeting at this time and place for the purpose of considering the levy of special assessments to pay for sidewalk improvements on the following properties:

Rick Krystof, property owner of 491 Elm Street, Springfield
James & Nikole Benedict, property owners of 660 Main Street, Springfield
Dari Sunderman, property owner of 285 Locust Street, Springfield

A Public Hearing of the Springfield City Council was opened at 7:08 p.m. for the purpose of considering and levying special assessments on 491 Elm Street, 660 Main Street, and 285 Locust Street. No one spoke in favor of or in opposition to the special assessments. No written objections were filed with the

City Clerk. Motion by Roseland, seconded by Carlson, to close the Public Hearing. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:09 p.m.

Agenda Item 2. Council Member Roseland introduced Resolution 2014-38 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Carlson, 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
2014-38**

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

1. The Mayor and Council find and determine: That the Council has heretofore designated this time and place for considering and levying special assessments upon property specially benefited by sidewalk improvements to pay the cost of constructing same; that notice of the time and place of holding this meeting for said purpose has been duly given as provided by statute by publication in the Papillion Times, a legal newspaper published in Sarpy County and of general circulation in the City, on November 12, 2014, at least four weeks before holding this meeting; that the Mayor and Council have at this session heard all persons who desired to be heard in reference to the special benefits or damages thereto by reason of the construction of said improvements.

2. The Mayor and Council find and determine that at the hearing all assessments have been adjusted and equalized with reference to the benefits resulting from the improvements; that no lot has been damaged by the construction of said improvements; that the amounts of benefits specially accruing to each lot by reason of the construction of said sidewalk improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of said improvements. The benefits are equal and uniform and the assessments shown on the schedule hereinafter set out are according to the costs incurred by the city for such improvements.

3. There are hereby levied and assessed upon the lots identified special assessments to pay the cost of constructing said improvements in the amount in dollars and cents set out in the schedule below.

Property Owner	Address	Construction Cost	Publication Cost	Administrative Fee	Total Assessment
Rick Krystof	491 Elm Street	\$650.00	\$14.35	\$100.00	\$764.35
James & Nikole Benedict	660 Main Street	\$1,890.00	\$14.76	\$100.00	\$2,004.76
Dari Sunderman	285 Locust Street	\$1,463.00	\$15.17	\$100.00	\$1,578.17

4. Said special assessments shall be a lien on the property on which they are levied from the date of the passage of this resolution and shall be certified by the City Clerk to the Treasurer of this City for collection; that the City Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the County Treasurer for entry upon the proper tax list; that said assessments shall be payable to and collected by the County Treasurer.

5. Said assessments are payable in seven equal installments, the first of which shall become delinquent not less than ten (10) days from the date of adoption of the resolution, and the remaining installments shall become delinquent the 2nd day of January, subsequent to the date of levy and thereafter, in one, two, three, four, five and six years respectively; that each of said installments shall draw interest from the date of the passage of this resolution at the rate of ten per centum (10%) per annum, until the

same become delinquent, and after the same become delinquent interest at the rate specified by law for delinquent special assessments for such projects shall be paid thereon; provided all said assessments may be paid at one time on any lot or land within ten (10) days from the date of levy without interest.

PASSED AND APPROVED this 16th day of December, 2014.

ATTEST:

Mayor

City Clerk

(S E A L)

Agenda Item 3. Third and Final Reading of Ordinance No. 866 for the annexation of Lot 1, Zimmerman's 2nd Addition, Sarpy County, Nebraska.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE

Council Member Roseland moved for final passage of the ordinance, which motion was seconded by Council Member Carlson. The Mayor then stated the question was "Shall Ordinance No. 866 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney. 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. 866

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DETERMINATION TO ANNEX: That pursuant to Nebraska Revised Statute §17-405.01, the corporate limits of the City of Springfield, Nebraska are hereby extended and increased so as to include and embrace within the corporate limits of the City of Springfield, Nebraska the adjacent and contiguous territory which is suburban in character, described in attached Exhibit 1 hereof, and such territory is hereby annexed and declared to be a part of the City of Springfield Nebraska.

Section 2. OFFICIAL MAP AND PLAT OF ANNEXED TERRITORY: The map or plat attached to this ordinance is an accurate map of the territory annexed, and is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with

the easements, avenues, streets, alleys, and lanes and the locations thereof, and such avenues or other ways are hereby dedicated to public use for the purposes designated on the map or plat.

Section 3. CERTIFICATION OF ACCURACY OF MAP: The Mayor of the City of Springfield, Nebraska is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 4. RECORDING OF MAP: This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the office of the Register of Deeds of Sarpy County, Nebraska.

Section 5. VESTING OF RIGHTS IN TERRITORY ANNEXED: On the filing and recording of the copy of this ordinance, together with the attached official map, in the office of the Register of Deeds of Sarpy County, Nebraska, the fee of all avenues, lanes, streets, highways, roads, and alleys shown in and on the map and plat shall vest in the City of Springfield, Nebraska.

Section 6. SEVERABILITY: If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE: Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the City Council, approval by the Mayor, and publication and posting as required by law.

Passed and Approved this 16th day of December, 2014.

Mayor

SEAL

Attest:

City Clerk

Agenda Item 4. Third and Final Reading of Ordinance No. 867 for the annexation of Lots 1-19, Springfield Industrial Park, Sarpy County, Nebraska.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE

Council Member Roseland moved for final passage of the ordinance, which motion was seconded by Council Member Carlson. The Mayor then stated the question was “Shall Ordinance No. 867 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney. 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. 867

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DETERMINATION TO ANNEX: That pursuant to Nebraska Revised Statute §17-405.01, the corporate limits of the City of Springfield, Nebraska are hereby extended and increased so as to include and embrace within the corporate limits of the City of Springfield, Nebraska the adjacent and contiguous territory which is suburban in character, described in attached Exhibit 1 hereof, and such territory is hereby annexed and declared to be a part of the City of Springfield Nebraska.

Section 2. OFFICIAL MAP AND PLAT OF ANNEXED TERRITORY: The map or plat attached to this ordinance is an accurate map of the territory annexed, and is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with the easements, avenues, streets, alleys, and lanes and the locations thereof, and such avenues or other ways are hereby dedicated to public use for the purposes designated on the map or plat.

Section 3. CERTIFICATION OF ACCURACY OF MAP: The Mayor of the City of Springfield, Nebraska is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 4. RECORDING OF MAP: This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the office of the Register of Deeds of Sarpy County, Nebraska.

Section 5. VESTING OF RIGHTS IN TERRITORY ANNEXED: On the filing and recording of the copy of this ordinance, together with the attached official map, in the office of the Register of Deeds of Sarpy County, Nebraska, the fee of all avenues, lanes, streets, highways, roads, and alleys shown in and on the map and plat shall vest in the City of Springfield, Nebraska.

Section 6. SEVERABILITY: If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE: Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the City Council, approval by the Mayor, and publication and posting as required by law.

Passed and Approved this 16th day of December, 2014.

Mayor

SEAL

Attest:

City Clerk

Agenda Item 5. Third and Final Reading of Ordinance No. 868 for the annexation of the irregular east part of Lot 1, St. Joseph Addition, Sarpy County, Nebraska.

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE

Council Member Roseland 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. 868 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney. 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. 868

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DETERMINATION TO ANNEX: That pursuant to Nebraska Revised Statute §17-405.01, the corporate limits of the City of Springfield, Nebraska are hereby extended and increased so as to include and embrace within the corporate limits of the City of Springfield, Nebraska the adjacent and contiguous territory which is suburban in character, described in attached Exhibit 1 hereof, and such territory is hereby annexed and declared to be a part of the City of Springfield Nebraska.

Section 2. OFFICIAL MAP AND PLAT OF ANNEXED TERRITORY: The map or plat attached to this ordinance is an accurate map of the territory annexed, and is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with the easements, avenues, streets, alleys, and lanes and the locations thereof, and such avenues or other ways are hereby dedicated to public use for the purposes designated on the map or plat.

Section 3. CERTIFICATION OF ACCURACY OF MAP: The Mayor of the City of Springfield, Nebraska is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 4. RECORDING OF MAP: This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the office of the Register of Deeds of Sarpy County, Nebraska.

Section 5. VESTING OF RIGHTS IN TERRITORY ANNEXED: On the filing and recording of the

copy of this ordinance, together with the attached official map, in the office of the Register of Deeds of Sarpy County, Nebraska, the fee of all avenues, lanes, streets, highways, roads, and alleys shown in and on the map and plat shall vest in the City of Springfield, Nebraska.

Section 6. SEVERABILITY: If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE: Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the City Council, approval by the Mayor, and publication and posting as required by law.

Passed and Approved this 16th day of December, 2014.

Mayor

SEAL

Attest:

City Clerk

Agenda Item 6. Denny Graham, Olsson Associates, did not attend. Mayor Dill reported that no bids were received for the maintenance shop project. The City Attorney reported that, as per Springfield Municipal Code §1-809, if, after advertising for bids, the city receives fewer than two bids on a contract the city may negotiate a contract in an attempt to complete the proposed enlargement or general improvements at a cost commensurate with the estimate given. Council agreed to negotiate a contract directly with a contractor.

Agenda Item 7. Council Member Craney introduced Ordinance No. 870 entitled:

AN ORDINANCE GRANTING A NATURAL GAS FRANCHISE TO METROPOLITAN UTILITIES DISTRICT OF OMAHA, A POLITICAL SUBDIVISION OF THE STATE OF NEBRASKA, ITS OFFICERS, AGENTS, EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS (HEREINAFTER "GRANTEE") TO SUPPLY AND DELIVER NATURAL GAS TO THE RESIDENTS OF THE CITY OF SPRINGFIELD, NEBRASKA (HEREINAFTER "GRANTOR"); SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM

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: Roseland, Carlson, Craney. 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 Craney. The Mayor then stated the question was "Shall Ordinance No. 870 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney. 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. 870

AN ORDINANCE GRANTING A NATURAL GAS FRANCHISE TO METROPOLITAN UTILITIES DISTRICT OF OMAHA, A POLITICAL SUBDIVISION OF THE STATE OF NEBRASKA, ITS OFFICERS, AGENTS, EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS (HEREINAFTER "GRANTEE") TO SUPPLY AND DELIVER NATURAL GAS TO THE RESIDENTS OF THE CITY OF SPRINGFIELD, NEBRASKA (HEREINAFTER "GRANTOR"); SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

SECTION 1. Grantor is a city of the second class of the State of Nebraska that desires the supply and delivery of natural gas for its residents. Grantee is a political subdivision organized under the laws of the State of Nebraska as a public utility to provide natural gas and water to its customers. Grantor desires to have Grantee provide natural gas to those ratepayers within its municipal boundaries.

SECTION 2. Subject to the terms and conditions of the Natural Gas Franchise Renewal Agreement, which is attached hereto as Exhibit "A", Grantor grants to Grantee, its successors and permitted assigns, for the term, the exclusive right, franchise and authority in, along, under, over and across all existing and future streets within Grantor's boundaries to (1) lay, construct and operate Grantee's existing system, (2) repair, maintain and replace the system if needed, and (3) modify, extend and relocate the system.

SECTION 3. Pursuant to Neb. Rev. Stat. §14-2139, Grantee shall pay to Grantor a sum equivalent to two percent (2%) of the annual gross revenue derived from all retail sales of gas sold within the boundary.

SECTION 4. This franchise is granted for a term of twenty-five (25) years commencing with the date of passage of this Ordinance.

SECTION 5. The Mayor is hereby authorized to sign this Ordinance and the Natural Gas Franchise Renewal Agreement.

SECTION 6. This Ordinance shall be published in pamphlet form and a notice to this effect shall be published once in the official newspaper of the City or public information. This Franchise shall take effect upon publication, subject to acceptance by Grantee.

Passed and Approved this 16th day of December, 2014.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 8. Council Member Craney introduced Resolution 2014-39 and moved its adoption. Council Member Carlson seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Carlson, 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
2014-39**

Construction Engineering Services Agreement
Supplemental Agreement No. 1 – BK1434

WHEREAS, City of Springfield and Kirkham Michael & Associates, Inc., have previously executed a Construction Engineering Services Agreement (BK1434) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

WHEREAS, City of Springfield understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

WHEREAS, City of Springfield and Kirkham Michael & Associates, Inc. wish to enter into a construction engineering services supplemental agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED by the City Council of the City of Springfield, Nebraska that Michael Dill, Mayor of the City of Springfield is hereby authorized to sign the attached Construction Engineering Services Supplemental Agreement No. 1 between the City of Springfield and Kirkham Michael & Associates, Inc.

NDOR Project Number: ENH-77(56)

NDOR Control Number: 22310

NDOR Project Description: Springfield Trail Phase 3

Adopted this 16th day of December, 2014 at Springfield, Nebraska.

Ayes 3

Nays 0

Abstain 0

Absent 1

Approved:

Mayor

SEAL

Attest:

City Clerk

Agenda Item 9. The City Clerk reported that Ken and Mollie Torbik moved in to 341 South 8th Street Circle on May 30. They noticed that their first three water bills all had the same readings of 13,000 gallons. After researching the situation, city staff discovered that the meter was not working correctly. In September, Rick Lee, Maintenance Manager/Water Operator, changed out the meter head. The next billing cycle their usage went down to 4,000 gallons. Torbik's are requesting a water usage refund for their first three months of service. Council reviewed a letter from the Torbik's, their first three water bills, and a water usage report from the utility billing software. Motion by Carlson, seconded by Craney, to credit Ken and Mollie Torbik's utility billing account for 341 South 8th Street Circle for the difference in cost between their first three months of service that was incorrect due to a bad meter head and their last three months of service after the meter head was fixed. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Agenda Item 10. Council reviewed a letter from Larry Neitzel, 365 Locust Street, requesting that the city remove a dead tree located within the right-of-way on his property. The City Clerk reported that, as per Springfield Municipal Code §8-504, Trees, Public Tree Care, "The city shall have the right to plan, prune, maintain, and remove trees, plants and shrubs within right-of-way or bounds of all streets, alleys, lanes, squares, and public grounds, as may be necessary to insure the public safety or to preserve or enhance the beauty of such public grounds." Council considered ways to deal with street trees and how to determine whether or not a tree is a safety concern. Motion by Roseland, seconded by Craney, to table agenda item 10, regarding a request from Larry Neitzel, 365 Locust Street, to remove a dead tree on his property within the street right-of-way, until the January 20, 2015, Council meeting. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Agenda Item 11. Council considered changes to the 2015 One and Six Year Road Plan. Council requested that Spruce Street improvements be removed from the One Year Plan and listed under the Six Year Plan. Council also requested that an asphalt overlay on Valley Drive be added to the One Year Plan and that an asphalt overlay on Platteview Drive be added to the Six Year Plan.

Agenda Item 12. Council reviewed warning siren proposals from Schmader Electric. Carlson expressed concern relocating or installing a new siren in an existing residential district. Roseland noted that he would visit with the fire department about decreasing the siren blow time from three minutes to one minute thirty seconds. Motion by Craney, seconded by Carlson, to approve the bid from Schmader Electric in the amount of \$11,992.00 to increase the pole height on the two existing warning sirens. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Agenda Item 13. The City Clerk reported that the city's current health insurance plan with Assurant Health is scheduled to renew January 1, 2015. The Clerk noted that the current plan is not an Affordable Care Act (ACA) certified plan; however, due to government regulations, employers with non-certified plans can keep their current plans for another year. Changes, such as increasing deductible limits, are not permitted. If any changes were desired, the city would be required to switch to an ACA certified plan. The 2015 renewal proposes a 30% increase to the monthly premiums. The insurance agent obtained quotes from other carriers, including quotes for ACA certified plans. The proposed renewal rates with Assurant were still less than the other quotes obtained. The ACA certified plans were 100% more than the current rates. Council also reviewed short-term and long-term disability policies. Employees currently pay 100% of their family monthly premiums. Mayor Dill suggested that employees continue to pay the same monthly premium amounts that they paid in 2014 for family coverage and that the city pay for the 30% increase in 2015. Council considered options for the 2016 renewal. Motion by Roseland, seconded Craney, to approve the 2015 health insurance renewal with Assurant Health and to freeze employee family monthly premium contributions for one year. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Agenda Item 14. Motion by Roseland, seconded by Craney, to approve pay increases for Elizabeth Brown, Library Aide, and Wendy Post, City Hall Janitorial, to \$8.00/hour effective January 1, 2015, as

per Nebraska minimum wage requirements. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Agenda Item 15. Motion by Carlson, seconded by Roseland, to approve a \$1.00/hour pay increase to Heath Shemek, contingent upon obtaining his wastewater license. AYES: Roseland, Carlson, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Roseland reported that the city received a non-acute total coliform violation notification from the Nebraska Department of Health and Human Services. He reported that the water department was addressing the violation and notices were mailed to all utility customers informing them of the violation.

Agenda Item 2. Carlson reported that the library is busy with holiday activities. The City Clerk informed the Council of an altercation that occurred at the library between two students.

Agenda Item 3. Craney reported that repairs are being made to the generator switch at the sewer plant.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. No Department Report from Mayor Dill.

Agenda Item 6. No additional city staff reports were provided.

Adjournment

Motion by Roseland, seconded by Craney, to adjourn. AYES: Roseland, Carlson, Craney. NAYS: None. Meeting adjourned at 8:14 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 16, 2014; 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

