



**CITY COUNCIL AGENDA**  
Tuesday, December 20, 2016 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

**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 6, 2016 Council Meeting
2. Approve Treasurer's Report

**REGULAR AGENDA**

1. Scott Bovick, Deputy County Administrator, Jim Warren, Sarpy County Commissioner, and Art Beccard, Environmental Services Manager – Presentation regarding Sarpy County Landfill
2. **Public Hearing continued from December 6, 2016.** Steven L. Zink, property owner of 485 South 2<sup>nd</sup> Street, is scheduled to appear and show cause as to why such condition of said property shall not be found to be a public nuisance
3. Consider approval of **Resolution 2016-39** finding the property at 485 South 2<sup>nd</sup> Street to be a public nuisance and ordering Steven L. Zink, property owner, to abate the nuisances by Thursday, January 19 (30 days from Resolution approval); and if the nuisances are not abated then the city shall have the nuisances abated by a third-party contractor and levy an assessment on the property for services rendered
4. **Tabled December 6, 2016.** Consider approval of **Ordinance No. 937** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO VACATE THE EAST ONE HUNDRED AND THIRTY-TWO FEET (132') OF THE ALLEY RUNNING EAST AND WEST THROUGH BLOCK EIGHT (8) FROM THE WEST PROPERTY LINE OF LOT ELEVEN A (11A) WEST ONE HUNDRED AND THIRTY-TWO FEET (132') TO THE WEST PROPERTY LINE OF LOT TWO (2), SPRINGFIELD, NEBRASKA; TO RETAIN UTILITY EASEMENTS;

TO PROVIDE A METHOD FOR ASCERTAINING SPECIAL DAMAGES; TO REPEAL ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE

5. Jackie Newcomb, 305 South 4<sup>th</sup> Street – Six month review of a temporary use permit for a third accessory structure at 305 South 4<sup>th</sup> Street for additional storage – Consider one time extension for an additional six months
6. Consider approval of the Certificate of Compliance for Maintenance Agreement No. 126 for roadway surface maintenance completed by the Nebraska Department of Roads in 2016

### **DEPARTMENT REPORTS**

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

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

### **ADJOURNMENT**

### **MINUTES**

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on December 20, 2016. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, 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 Swenson, seconded by Herzog, to approve the Consent Agenda. AYES: Swenson, Herzog, Craney. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$1,231,770.27 in cash assets; Prestige Treasury-\$204,534.56; Prestige Bond-\$722,878.35; Keno Community Betterment-\$179,045.72; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,190.39; Refundable Deposit Savings-\$1,223.44; Water Tower Savings-\$139,471.58; Sewer Restricted-\$127,752.76; Water Capital Facilities Fees-\$32,322.58; Sewer Capital Facilities Fees-\$75,419.37; City Sales Tax-\$146,290.78; Money Mark Library Bricks-

\$3,867.26; Government Securities-\$104,961.52; Library Savings-\$53,476.56; Time Certificates as follows: Bond-\$77,100.08; Tower-\$57,709.97; Water-\$126,528.77; Library Bricks-\$21,370.11; Cash Receipts-\$114,765.30; Cash Disbursements-\$100,608.95.

### **Regular Agenda**

Agenda Item 1. Jim Warren, Sarpy County Commissioner, stated that he would like to start providing a quarterly report to the Council regarding county projects. This time he would like county officials to review the closing of the landfill and operation of the transfer station. Scott Bovick, Deputy County Administrator, introduced Kelly Danielson and Dennis Herskind with Waste Connections, operator of the transfer station, as well as Art Beccard, Sarpy County Environmental Services Manager. Bovick reviewed procedures to close the landfill, installation of a gas conversion system in 2017, transfer station operations, and the transfer truck route. He noted that the county plans to work with NDOR regarding traffic changes and how it may impact the intersection at Hwy 50 and Platteview Road and warrant the need for a traffic signal. Mayor Roseland inquired about fire safety procedures and equipment. Herskind reviewed fire protocol and equipment available on site to handle fire situations. Swenson asked if the transfer station could keep up with county growth. Herskind said that it is designed to take in twice as much trash as is currently being processed. Bovick reported that the county is responsible for environmental monitoring, testing and remediation for 30+ years into the future. Herzog asked what the county's plans are for the site after the required monitoring period. Beccard said that the county has no current plans for the site, but it intends to maintain the site as a grassy area with no heavy public use. Donna Urbanski, 509 South 8<sup>th</sup> Avenue, inquired as to the county's plans for a memorial for Brendan Gonzalez. Warren said that the county is working with the family and considering installing a memorial plaque near the flag pole. He said that they cannot build a park because the site is an active landfill.

Agenda Item 2. A public hearing was opened at 7:24 p.m. during which Steven L. Zink, property owner of 485 South 2<sup>nd</sup> Street, was scheduled to appear and show cause as to why such condition of his property shall not be found to be a public nuisance. Zink did not attend. Mayor Roseland noted that Zink has made some progress cleaning up his property. Motion by Herzog, seconded by Swenson, to continue the public hearing until the April 4, 2017, Council meeting. AYES: Swenson, Herzog, Craney. NAYS: None. Motion carried.

Agenda Item 3. Motion by Herzog, seconded by Swenson, to table agenda item 3, regarding approval of Resolution 2016-39, until the April 4, 2017, Council meeting. AYES: Swenson, Herzog, Craney. NAYS: None. Motion carried.

Agenda Item 4. Molly Amick, realtor for First United Methodist Church and the proposed buyer of the church's rental house at 485 Cedar Street, reviewed the church's request to vacate the east 132' of alley adjacent to their properties. She said that the church has no current plans to expand, but purchased the rental property eight years ago with the future hope to expand the church or construct a parking lot. The rental house is currently uninhabitable and because of an outstanding mortgage cannot be torn down. The church is trying to acquire as much property as possible for the future, so they want to retain the rear 25' of the rental house property and combine it with the existing church property. Amick noted that, if the alley is not vacated, then the church will not sell the rental property. Sheila Brazda, Member of the Methodist Church Trustee Board, stated that the church is not constructing a parking lot on the rear portion of the rental house property or the alley. She said that the church has no plans for the future and has not set up a building fund yet. The City Administrator noted that, if the alley is vacated, the city would still retain a utility easement in the alley area, so the church could not build across the easement.

Council Member Swenson introduced Ordinance No. 937 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO VACATE THE EAST ONE HUNDRED AND THIRTY-TWO FEET (132') OF THE ALLEY RUNNING EAST AND WEST

THROUGH BLOCK EIGHT (8) FROM THE WEST PROPERTY LINE OF LOT ELEVEN A (11A) WEST ONE HUNDRED AND THIRTY-TWO FEET (132') TO THE WEST PROPERTY LINE OF LOT TWO (2), SPRINGFIELD, NEBRASKA; TO RETAIN UTILITY EASEMENTS; TO PROVIDE A METHOD FOR ASCERTAINING SPECIAL DAMAGES; TO REPEAL ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, Herzog, 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 Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Mayor then stated the question "Shall Ordinance No. 937 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, 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. 937**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, TO VACATE THE EAST ONE HUNDRED AND THIRTY-TWO FEET (132') OF THE ALLEY RUNNING EAST AND WEST THROUGH BLOCK EIGHT (8) FROM THE WEST PROPERTY LINE OF LOT ELEVEN A (11A) WEST ONE HUNDRED AND THIRTY-TWO FEET (132') TO THE WEST PROPERTY LINE OF LOT TWO (2), SPRINGFIELD, NEBRASKA; TO RETAIN UTILITY EASEMENTS; TO PROVIDE A METHOD FOR ASCERTAINING SPECIAL DAMAGES; TO REPEAL ORDINANCES IN CONFLICT; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. The Mayor and City Council find that all property owners owning property abutting the alley to be vacated have been given notice of the vacation as required by law, and/or have signed a consent form.

Section 2. That the City of Springfield, Nebraska vacates an alley in the City of Springfield, Sarpy County, Nebraska, described as follows:

Part of the alley located in Block Eight (8), Springfield, Nebraska, described as follows:  
The east one hundred and thirty-two feet (132') of the alley running east and west through Block Eight (8) from the west property line of Lot Eleven A (11A) west one hundred and thirty-two feet (132') to the west property line of Lot Two (2), Springfield, Nebraska.

Section 3. Ownership of the vacated alley shall revert to the owners of abutting real estate, one-half on each side thereof and become a part of such property.

Section 4. That the vacation of the alley is expedient for the public good and is in the best interest of the municipality.

Section 5. That the City of Springfield shall retain a sixteen (16) foot easement in the vacated alley for maintenance and construction of utilities.

Section 6. That special damages to abutting property owners shall be determined by the method described in Springfield Municipal Code §8-317.

Section 7. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 8. Any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 20<sup>th</sup> day of December, 2016.

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Mayor

(SEAL)

Attest:

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City Clerk

Agenda Item 5. Jackie Newcomb, 305 South 4<sup>th</sup> Street, requested an additional six month extension of her temporary use permit for the addition of a 128 square foot yard shed on her property. Newcomb's permit notes that the shed was being used by her daughter and would be removed when her daughter moved out of the home. Her daughter has since moved out, but she was unable to take the shed. Newcomb said that if her permit is not extended that she would put the shed on a trailer and park it in her driveway until her daughter can move it. Swenson noted that the city is trying to work with her. Mayor Roseland stated that if an extension is granted the shed must be removed entirely from the property by the end of the permit. Newcomb said that she could tear down one of her existing structures if need be in July. Motion by Swenson, seconded by Herzog, to grant a one-time extension of Jackie Newcomb's temporary use permit for a third accessory structure on her property at 305 South 4<sup>th</sup> Street for six months (July 5, 2017 expiration date). AYES: Swenson, Herzog, Craney. NAYS: None. Motion carried.

Agenda Item 6. Motion by Swenson, seconded by Herzog, to approve the Certificate of Compliance for Maintenance Agreement No. 126 for roadway surface maintenance and snow removal completed by the Nebraska Department of Roads in 2016. AYES: Swenson, Herzog. NAYS: Craney. Motion carried.

### **Department Report**

Agenda Item 1. Swenson reported that he attended training at UNO for newly elected officials. He said that the training provided a lot of good information that he will share.

Agenda Item 2. Herzog reported that the library is still selling books for their used book sale. He said they are also considering doing a display to celebrate Nebraska's 150<sup>th</sup> anniversary.

Agenda Item 3. No Department Report from Nolte.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. Mayor Roseland reported that a meeting regarding the Sarpy County Transit Study is coming up in January.

Agenda Item 6. No additional city staff reports.

**Adjournment**

Motion by Craney, seconded by Swenson, to adjourn. AYES: Swenson, Herzog, Craney. NAYS: None. Meeting adjourned at 7:57 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 20, 2016; 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