



CITY COUNCIL AGENDA

Tuesday, February 4, 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 January 21, 2014 Council Meeting
2. Approve Claims and Payroll
3. Approve 2014 Water Emergency Plan
4. Approve Invoice No. 203914 from Olsson Associates in the amount of \$911.14 for professional services rendered from December 1, 2013, through December 28, 2013, for work completed on the Buffalo Park Splash Pad
5. Approve Invoice No. 203921 from Olsson Associates in the amount of \$2,982.00 for professional services rendered from December 1, 2013, through December 28, 2013, for work completed on Spruce Street Paving Improvements
6. Consider approval of an application for a Special Designated Liquor License submitted by True Buddy Farms Home of Luv A Lamb for a fundraiser event at the Springfield Community Building on Saturday, March 22, 2014, from 12:00 noon to 8:00 p.m.
7. Consider waiving the Community Building rental fee for a fundraiser event sponsored by True Buddy Farms Home of Luv A Lamb on Friday, March 21 and Saturday, March 22, 2014

REGULAR AGENDA

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

2. Tom Webster – Discuss adult baseball league’s use of Buffalo Park
3. Connie Manzer, Library Director – Presentation of the annual library report
4. Consider approval of the following ordinances as part of the annual municipal code update:

Ordinance No. 845 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-101; RELATING TO ELECTED OFFICIALS; TO REVISE PROVISIONS REGARDING WHEN THE MAYOR MAY VOTE AS PART OF CITY COUNCIL; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 846 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-203; RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE CLERK’S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 847 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-204; RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE TREASURER’S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 848 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-301; RELATING TO OFFICIAL BONDS AND OATHS; TO CHANGE PROVISIONS RELATING TO FILING REQUIREMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 849 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-606; RELATING TO ORDINANCES; TO REVISE PROVISIONS REGARDING THE PASSAGE OF ORDINANCES; TO ALLOW THE MAYOR TO VOTE ON LEGISLATION IN CERTAIN CIRCUMSTANCES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 850 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-801.01; RELATING TO FINANCE; TO REDEFINE TERMS AND DEFINE NEW TERMS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 851 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-802; RELATING TO FINANCE; TO AUTHORIZE BIENNIAL BUDGETS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 852 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-803; RELATING TO FINANCE; TO AUTHORIZE BIENNIAL BUDGET HEARINGS; TO HARMONIZE WITH

STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 853 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-804; RELATING TO FINANCE; TO REVISE PROVISIONS RELATING TO FILING BUDGETS AND CERTIFYING TAX AMOUNTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 854 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-804.01; RELATING TO FINANCE; TO REVISE PROVISIONS RELATING TO EXPENDITURES PRIOR TO ADOPTION OF BUDGET; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Ordinance No. 855 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 6-324; RELATING TO NUISANCES; TO REVISE PROVISIONS RELATING TO NOTICE AND HEARINGS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

5. Consider a bid from Bobcat of Omaha for the lease of a skid steer loader in the amount of \$2,700.00 per year
6. Discuss possible events and marketing strategies for the Community Building

DEPARTMENT REPORTS

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Randy Fleming
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 February 4, 2014. Present were Mayor Mike Dill; Council Members: Randy Fleming, Dan Craney, Chad Nolte. Absent: Bob Roseland. Notice of this meeting was given in advance

by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

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

Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
General				
34778	6084-10-10	Aflac	49.80	Aflac
34743	6080-10-10	Health Insurance	427.13	Assurant Health
34785	7270-10-10	Insurance	350.00	CNA Surety
34786	9310-10-10	Nuisance Abatement	125.00	Dakota Title & Escrow
34742	6080-10-10	Health Insurance	53.45	Delta Dental
34793	7030-10-10	Prof Svcs-Planning	2,031.25	JEO Consulting Group
34795	8140-10-10	R&M Equip	432.75	Konica Minolta Premier Finance
34798	7270-10-10	Insurance	1,467.22	Marcotte Insurance
34800	9010-10-10	Office Equip	11.14	Menards
34801	9010-10-10	Office Equip	260.11	Menards
34805	7320-10-10	Natural Gas	135.05	MUD
34791	7330-10-10	Telephone	105.35	NT&T
34809	8010-10-10	Office Supplies	69.09	Office Depot
34811	9310-10-10	Nuisance Abatement	13.53	Omaha World Herald
34811	7250-10-10	Publication Costs	207.46	Omaha World Herald
34812	7310-10-10	Electricity	377.40	OPPD
34815	7046-10-10	Prof Svcs-Building Inspector	3,858.95	Sarpy County Building Inspector
34816	7060-10-10	Animal Control	366.25	Sarpy County Fiscal Administrator
34817	7050-10-10	Law Contract	7,676.00	Sarpy County Treasurer
34819	9310-10-10	Nuisance Abatement	536.00	Seidler & Seidler
34819	7020-10-10	Prof Svcs-Legal	1,438.46	Seidler & Seidler
34820	9010-10-10	Office Equip	3.99	Tractor Supply
34823	7280-10-10	Laundry	96.76	Walkers Uniform Rental
34824	9010-10-10	Office Equip	22.47	Westlake Ace Hardware
Total			20,114.61	
Library				
34779	8060-20-10	Books	215.12	Amazon
34743	6080-20-10	Health Insurance	485.64	Assurant Health
34784	7455-20-10	IP Address	9.99	Charter Communications
34742	6080-20-10	Health Insurance	26.20	Delta Dental
34787	8060-20-10	Books	77.74	Doubleday Book Club
34790	8060-20-10	Books	15.00	HGTV Magazine
34798	7270-20-10	Insurance	337.65	Marcotte Insurance
34805	7320-20-10	Natural Gas	264.97	MUD
34806	8060-20-10	Books	33.98	Mystery Guild
34812	7310-20-10	Electricity	238.88	OPPD
34814	8060-20-10	Books	19.97	QuiltTrends

34818	7480-20-10	Janitorial	250.00	Schmieder, Marcie
Total			1,975.14	
Library Restricted				
34783	8060-21-10	Books	84.48	Center Point Large Print
34797	7180-21-10	Education	70.00	Manzer, Constance
34813	8070-21-10	Library Supplies	63.77	Quill Corporation
34792	8070-21-10	Library Supplies	56.14	The J.P. Cook Co.
Total			274.39	
Park				
34798	7270-30-10	Insurance	319.23	Marcotte Insurance
34810	9106-30-10	MoPac Trail Phase III	396.30	Olsson Associates
34773	9177-30-10	Splash Park	911.14	Olsson Associates
34812	7310-30-10	Electricity	164.22	OPPD
Total			1,790.89	
Community Building				
34798	7270-40-10	Insurance	343.78	Marcotte Insurance
34801	8130-40-10	R&M Building	9.98	Menards
34805	7320-40-10	Natural Gas	531.40	MUD
34812	7310-40-10	Electricity	175.81	OPPD
34823	7280-40-10	Laundry	125.96	Walkers Uniform Rental
Total			1,186.93	
Water				
34778	6084-50-20	Aflac	56.17	Aflac
34743	6080-50-20	Health Insurance	517.07	Assurant Health
34781	8160-50-20	R&M Grounds	881.92	Block Electrical
34742	6080-50-20	Health Insurance	66.55	Delta Dental
34798	7270-50-20	Insurance	1,307.61	Marcotte Insurance
34802	7420-50-20	Testing	39.65	Midwest Laboratories
34807	7420-50-20	Testing	36.00	NE Public Health Environmental Lab
34791	7330-50-20	Telephone	149.43	NT&T
34789	7430-50-20	Digger's Hotline	7.85	One Call Concepts
34812	7310-50-20	Electricity	1,443.99	OPPD
34819	7020-50-20	Prof Svcs- Legal	745.95	Seidler & Seidler
34751	7185-50-20	Lodging	119.98	Super 8 Motel
34822	7330-50-20	Telephone	15.09	Verizon Wireless
34823	7290-50-20	Uniform Allowance	43.16	Walkers Uniform Rental
Total			5,430.42	
Sewer				
34778	6084-60-30	Aflac	305.13	Aflac
34743	6080-60-30	Health Insurance	292.13	Assurant Health
34782	8120-60-30	Fuel	130.80	Casey's General Store
34742	6080-60-30	Health Insurance	105.45	Delta Dental
34798	7270-60-30	Insurance	785.79	Marcotte Insurance
34802	7420-60-30	Testing	172.62	Midwest Laboratories
34803	8140-60-30	R&M Equip	10.99	Mill Creek Auto Parts
34804	8130-60-30	R&M Building	14,920.00	Millennium Construction
34791	7330-60-30	Telephone	52.18	NT&T
34809	8010-60-30	Office Supplies	41.98	Office Depot
34812	7310-60-30	Electricity	2,631.16	OPPD
34822	7330-60-30	Telephone	15.09	Verizon Wireless
34823	7290-60-30	Uniforms Allowance	57.96	Walkers Uniform Rental
Total			19,521.28	

Street				
34743	6080-70-40	Health Insurance	844.00	Assurant Health
34780	8120-70-40	Fuel	73.00	B&B Pit Stop
34781	8160-70-40	R&M Grounds	94.00	Block Electrical
34782	8120-70-40	Fuel	85.58	Casey's General Store
34742	6080-70-40	Health Insurance	65.10	Delta Dental
34796	8040-70-40	Supplies-Safety/Medical	16.00	Libra Safety Products
34798	7270-70-40	Insurance	1,577.72	Marcotte Insurance
34799	9040-70-40	Tools & Misc Equip	105.00	Matheson Tri-Gas
34801	8010-70-40	Office Supplies	2.67	Menards
34801	8040-70-40	Supplies-Safety/Medical	4.99	Menards
34805	7320-70-40	Natural Gas	514.54	MUD
34808	8120-70-40	Fuel	99.50	Neitzel's Corner
34791	7330-70-40	Telephone	47.49	NT&T
34809	8010-70-40	Office Supplies	41.48	Office Depot
34774	9082-70-40	Spruce Street Paving	2,982.00	Olsson Associates
34811	9084-70-40	Sidewalk Repair	13.94	Omaha World Herald
34812	7310-70-40	Electricity	3,388.28	OPPD
34820	8225-70-40	R&M Street Signs&Posts	4.94	Tractor Supply
34822	7330-70-40	Telephone	15.10	Verizon Wireless
34823	7290-70-40	Uniform Allowance	57.56	Walkers Uniform Rental
Total			10,032.89	
Payroll			32,232.00	

Regular Agenda

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

Agenda Item 2. Tom Webster, Jr. and Don Dalton requested permission to use the Buffalo Park baseball field during the spring and summer for an adult baseball league. Webster and Dalton noted that their schedule will not interfere with the high school baseball program or the Legion baseball program. Council agreed to allow the adult league to use the Buffalo Park baseball field for their program contingent upon receiving the appropriate insurance documents.

Agenda Item 3. Connie Manzer, Library Director, presented the annual library report. Manzer reviewed programs and services, attendance, and accreditation requirements.

Agenda Item 4. Council Member Craney introduced Ordinance Nos. 845-855 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: Fleming, 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 ordinances. Said ordinances were then read by title and thereafter Council Member Nolte moved for final passage of the ordinances, which motion was seconded by Council Member Craney. The Mayor then stated the question was "Shall Ordinance Nos. 845-855 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Fleming, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted and the Mayor in the presence of the Council signed and approved the ordinances and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinances to be published or posted as required by law and as provided therein. True, correct and complete copies of said ordinances are as follows:

ORDINANCE NO. 845

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-101; RELATING TO ELECTED OFFICIALS; TO REVISE PROVISIONS REGARDING WHEN THE MAYOR MAY VOTE AS PART OF CITY COUNCIL; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-101 of the Springfield Municipal Code is amended to read as follows:

CITY MAYOR; POWERS AND DUTIES

(A) The Mayor shall preside at all meetings of the City Council. The Mayor may vote when his or her vote would provide the additional vote required to attain the number of votes equal to a majority of the number of members elected to the city council on any pending matter, legislation, or transaction, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. He or she shall have superintendence and control of all the officers and affairs of the city, and shall take care that the ordinances of the city and all laws governing cities of the second class are complied with.
(Neb. RS 17-110)

(B) The Mayor shall have the power to veto or sign any ordinance passed by the City Council. Any ordinance vetoed by the Mayor may be passed over the veto by a vote of two-thirds (2/3) of the members of the Council. If the Mayor neglects or refuses to sign any ordinance, and return the same with his or her objections in writing at the next regular meeting of the Council, the same shall become a law without his or her signature.
(Neb. RS 17-111)

(C) The Mayor shall, from time to time, communicate to the City Council such information and recommend such measures as, in his or her opinion, may tend to the improvement of the finances, the police, health, security, ornament, comfort, and general prosperity of the city.
(Neb. RS 17-112)

(D) The Mayor shall have the power, when he or she deems it necessary, to require any officer of the city to exhibit his or her accounts or other papers, and to make reports to the Council, in writing, touching any subject or matter pertaining to his or her office.
(Neb. RS 17-113)

(E) The Mayor shall have such jurisdiction as may be vested in him or her by ordinance, over all places within five (5) miles of the corporate limits of the city, for the enforcement of any health or quarantine ordinance and regulation thereof, and shall have jurisdiction in all matters vested in him or her by ordinance, excepting taxation, within one-half (1/2) mile of the corporate limits of the city.
(Neb. RS 17-114)

(F) The Mayor shall have the power to remit fines and forfeitures, and to grant reprieves and pardons for all offenses arising under the ordinances of the city.
(Neb. RS 17-117)

(G) The Mayor shall hold no other elective or appointive office or employment with the city.

(H) The Mayor shall sign the City Clerk's minutes of all meetings of the City Council, and he or she shall sign all resolutions that have been passed and warrants for the payment of money when ordered by the Council.

(I) The Mayor shall have such other duties as are reposed in the Mayor by the laws of the State of Nebraska or as the Council may by resolution confer upon the Mayor.

Statutory reference:

Restrictions on holding other office or employment, see Neb. RS 17-108.02, 32-109, 32-603, and 32-604.

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 846

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-203; RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE CLERK'S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-203 of the Springfield Municipal Code is amended to read as follows:

APPOINTED OFFICIALS; CITY CLERK

(A) The City Clerk shall have the custody of all laws and ordinances and shall keep a correct journal of the proceedings of the City Council. After the period of time specified by the State Records Administrator pursuant to the Records Management Act, the Clerk may transfer the journal of the proceedings of the City Council to the State Archives of the Nebraska State Historical Society for permanent preservation. The Clerk shall also perform such other duties as may be required by the ordinances of the city.

(Neb. RS 17-605)

(B) (1) It shall be the duty of the Clerk to prepare and publish the official proceedings of the City Council within thirty (30) days after any meeting of the Council. The publication shall be in a newspaper of general circulation in the city, shall set forth a statement of the proceedings of the meeting, and shall also include the amount of each claim allowed, the purpose of the claim, and the name of the

claimant, except that the aggregate amount of all payroll claims may be included as one item. Between July 15 and August 15 of each year, the employee job titles and the current annual, monthly, or hourly salaries corresponding to such job titles shall be published. Each job title published shall be descriptive and indicative of the duties and functions of the position. The charge for the publication shall not exceed the rates provided for in Neb. RS 23-122.

(Neb. RS 19-1102)

(2) Publication under division (B)(1) shall be made in one legal newspaper of general circulation in the city. If no legal newspaper is published in the city, then the publication shall be made in one legal newspaper published or of general circulation within the county in which the city is located. The cost of publication shall be paid out of the general funds of the city.

(Neb. RS 19-1103)

(C) The Clerk shall dispose of or destroy city public records when the records have been determined to be of no further legal, administrative, fiscal, or historical value by the State Records Administrator pursuant to Neb. RS 84-1201 through 84-1220, provided the provisions of this division shall not apply to the minutes of the Clerk and the permanent ordinance and resolution books, or any other record classified as permanent by the State Records Administrator.

(Neb. RS 18-1701)

(D) (1) The Clerk shall permit any person to examine and copy the public records in the Clerk's custody, and may charge a fee for providing copies of a public record, as provided in Neb. RS 84-712 through 84-712.09.

(2) The Clerk may charge a reasonable fee for certified copies of any record in his or her office as set by resolution of the City Council.

(E) The Clerk shall permit no records, public papers, or other documents of the city kept and preserved in his or her office to be taken therefrom, except by such officers of the city as may be entitled to the use of the same, but only upon their leaving a receipt therefor, and except pursuant to Neb. RS 84-712(2). He or she shall keep all the records of his or her office, including a record of all licenses issued by him or her, in a blank book with a proper index. He or she shall include as part of his or her records all petitions under which the City Council shall order public work to be done at the expense of the property fronting thereon, together with references to all resolutions and ordinances relating to the same. He or she shall endorse the date and hour of filing upon every paper or document so filed in his or her office. All such filings made by him or her shall be properly docketed. Included in his or her records shall be all standard codes, amendments thereto, and other documents incorporated by reference and arranged in triplicate in a manner convenient for reference. He or she shall keep an accurate and complete account of the appropriation of the several funds and draw, sign, and attest all warrants ordered for the payment of money on the particular fund from which the same is payable. At the end of each month, he or she shall then make a report of the amounts appropriated to the various funds and the amount of the warrants drawn thereon.

(F) The Clerk shall deliver all warrants, ordinances, and resolutions under his or her charge to the Mayor for his or her signature. He or she shall also deliver to officers, employees, and committees all resolutions and communications which are directed at such officers, employees, or committees. With the seal of the city, he or she shall duly attest the Mayor's signature to all ordinances, deeds, and papers required to be attested to when ordered to do so by the City Council.

(G) The Clerk shall issue and sign all licenses, permits, and occupation tax receipts authorized by law and required by the city ordinances. He or she shall collect all occupation taxes and license money, except where some other city officer is specifically charged with that duty. He or she shall keep a register of all licenses granted in the city and the purpose for which they have been issued.

(H) The Clerk shall keep in a book with a proper index, copies of all notices required to be published or posted by the Clerk by order of the City Council or under the ordinances of the city. To each of the file copies of the notices shall be attached the printer's affidavit of publication, if the notices are required to be published, or the Clerk's certificate under seal where the same are required to be posted only.

(I) The Clerk shall receive all objections to creation of paving districts and other street improvements. He or she shall receive the claims of any person against the city, and in the event that the claim is disallowed in part or in whole, the Clerk shall notify the claimant or his or her agent or attorney by letter within five days after the disallowance, and the Clerk shall then prepare transcripts on appeals of any disallowance of a claim in all proper cases.

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 847

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-204; RELATING TO APPOINTED OFFICIALS; TO REVISE PROVISIONS REGARDING THE TREASURER'S DUTIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-204 of the Springfield Municipal Code is amended to read as follows:

APPOINTED OFFICIALS; CITY TREASURER

(A) (1) The City Treasurer shall be the custodian of all money belonging to the city. He or she shall keep a separate account of each fund or appropriation and the debts and credits belonging thereto. He or she shall give every person paying money into the treasury a receipt therefor, specifying the date of payment and on what account paid. He or she shall also file copies of such receipts with his or her monthly reports. The Treasurer shall, at the end of every month, and as often as may be required, render an account to the City Council, under oath, showing the state of the treasury at the date of such account and the balance of money in the treasury. He or she shall also accompany such accounts with a statement of all receipts and disbursements, together with all warrants redeemed and paid by him or her, which warrants, with any and all vouchers held by him or her, shall be filed with his or her account in the

City Clerk's office. If the Treasurer fails to render his or her account within twenty (20) days after the end of the month, or by a later date established by the City Council, the Mayor with the advice and consent of the Board may use this failure as cause to remove the Treasurer from office.

(2) The Treasurer shall keep a record of all outstanding bonds against the city, showing the number and amount of each bond, for and to whom the bonds were issued, and the date upon which any bond is purchased, paid, or canceled. The Treasurer shall accompany the annual statement submitted pursuant to Neb. RS 19-1101 with a description of the bonds issued and sold in that year and the terms of sale, with every item of expense thereof.
(Neb. RS 17-606)

(B) (1) The Treasurer shall prepare and publish annually within sixty (60) days after the close of the city fiscal year a statement of the receipts and expenditures of funds of the city for the preceding fiscal year. The statement shall also include the information required by Neb. RS 16-318(3) or Neb. RS 17-606(2). Not more than the legal rate provided for in Neb. RS 33-141 shall be charged and paid for such publication.
(Neb. RS 19-1101)

(2) Publication shall be made in one legal newspaper of general circulation in the city. If no legal newspaper is published in the city, then such publication shall be made in one legal newspaper published or of general circulation within the county in which the city is located.
(Neb. RS 19-1103)

(C) (1) All warrants upon the Treasurer shall be paid in the order of their presentation therefor and as otherwise provided in Neb. RS 77-2201 through 77-2215.
(Neb. RS 77-2201)

(2) The Treasurer shall keep a warrant register, which register shall show in columns arranged for that purpose the number, the date, and the amount of each warrant presented and registered, the particular fund upon which the same is drawn, the date of presentation, the name and address of the person in whose name the warrant is registered, the date of payment, the amount of interest, and the total amount paid thereon, with the date when notice to the person in whose name such warrant is registered is mailed.
(Neb. RS 77-2202)

(3) The Treasurer shall make duplicate receipts for all sums which shall be paid into his or her office, which receipts shall show the source from which such funds are derived, and shall, by distinct lines and columns, show the amount received to the credit of each separate fund, and whether the same was paid in cash, in warrants, or otherwise. The Treasurer shall deliver one of the duplicates to the person making the payment and retain the other in his or her office.
(Neb. RS 77-2209)

(4) The Treasurer shall daily, as money is received, foot the several columns of the cash book and of the register, and carry the amounts forward, and at the close of each year, in case the amount of money received by the Treasurer is insufficient to pay the warrants registered, he or she shall close the account for that year in the register and shall carry forward the excess.
(Neb. RS. 77-2210)

(5) The cash book, register, and retained receipts of the Treasurer shall at all times be open to the inspection of any person in whose name any warrants are registered and unpaid.
(Neb. RS 77-2212)

(D) The Treasurer shall permit any person to examine and copy the public records in the Treasurer's custody, and may charge a fee for providing copies of a public record, as provided in Neb. RS 84-712 through 84-712.09.

(E) The Treasurer shall keep all money belonging to the city separate and distinct from his or her own money. He or she shall cancel all bonds, coupons, warrants, and other evidences of debt against the city, whenever paid by him or her, by writing or stamping on the face thereof, "Paid by the City Treasurer," with the date of payment written or stamped thereon. He or she shall collect all special taxes, allocate special assessments to the several owners, and obtain from the County Treasurer a monthly report as to the collection of delinquent taxes.

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 848

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-301; RELATING TO OFFICIAL BONDS AND OATHS; TO CHANGE PROVISIONS RELATING TO FILING REQUIREMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-301 of the Springfield Municipal Code is amended to read as follows:

BONDS; REQUIREMENTS.

(A) The City may enact ordinances or bylaws to require from all officers and servants, elected or appointed, bonds and security or evidence of equivalent insurance for the faithful performance of their duties. The City may pay the premium for such bonds or insurance coverage.
(Neb. RS 17-604)

(B) (1) All official bonds of officers of the City shall be in form joint and several and made payable to the City in such penalty as the City Council may fix.

(2) In place of the individual bonds required to be furnished by municipal officers, a schedule, position, blanket bond or undertaking, or evidence of equivalent insurance may be given by

municipal officers, or a single corporate surety fidelity, schedule, position, or blanket bond or undertaking, or evidence of insurance coverage covering all the officers, including officers required by law to furnish an individual bond or undertaking, may be furnished. The municipality may pay the premium for the bond or insurance coverage. The bond or insurance coverage shall be, at a minimum, an aggregate of the amounts fixed by law or by the City Council, and with such terms and conditions as may be required.

(Neb. RS 11-104)

(3) The penalty amount on any bond shall not fall below the legal minimum, when one has been set by the state, for each particular official.

(C) (1) Official bonds, with the oath endorsed thereon, shall be filed in the City Clerk's office within the following time:

(a) Of all officers elected at any general election, following receipt of their election certificate and not later than ten (10) days before the first Thursday after the first Tuesday in January next succeeding the election;

(b) Of all appointed officers, within thirty (30) days after their appointment;
and

(c) Of officers elected at any special election and city officers, within thirty (30) days after the canvass of the votes of the election at which they were chosen.

(2) The filing of the bond with the oath endorsed thereon does not authorize a person to take any official action prior to the beginning of his or her term of office pursuant to Article XVII, section 5, of the Constitution of Nebraska.

(Neb. RS 11-105)

(D) All official bonds of City officers shall be executed by the principal named in such bonds and by at least two (2) sufficient sureties who shall be freeholders of the County in which such bonds are given, or any official bond of a City officer may be executed by the officer as principal and by a guaranty, surety, fidelity, or bonding company as surety, or by two (2) or more such companies. Only such companies as are legally authorized to transact business in this state shall be eligible to suretyship on the bond of a City officer.

(Neb. RS 11-109)

(E) The City Clerk shall carefully record and preserve the bonds in his or her office and shall give certified copies thereof, when required, under the seal of his or her office, and shall be entitled to receive for the same the usual fee allowed by law for certified copies of records in other cases.

(Neb. RS 11-110)

(F) (1) The approval of each official bond shall be endorsed upon such bond by the officer approving the same, and no bond shall be filed and recorded until so approved.

(Neb. RS 11-111)

(2) No bond shall be deemed to be given or complete until the approval of the City Council and all sureties are endorsed in writing on the instrument by the Mayor and City Clerk pursuant to the approval of the City Council.

(G) All official bonds shall obligate the principal and sureties for the faithful discharge of all duties required by law of such principal and shall inure to the benefit of any persons injured by a breach of the conditions of such bonds.

(Neb. RS 11-112)

(H) No official bond shall be rendered void by reason of any informality of irregularity in its execution or approval.

(Neb. RS 11-113)

(I) No City official shall be taken as security on the bond of any administrator, executor, or other officer from whom by law bond is or may be required.

(Neb. RS 11-114)

(J) If any person elected or appointed to any office neglects to have his or her official bond executed and approved as provided by law and filed for record within the time limited by this section, the City Clerk shall immediately issue an order to such person to show cause why he or she has failed to properly file such bond and why his or her office should not be declared vacant. If such person properly files the official bond within ten (10) days of the issuance of the show cause order for appointed officials or before the date for taking office for elected officials, such filing shall be deemed to be in compliance with this section. If such person does not file the bond within ten (10) days of the issuance of such order for appointed officials or before the date for taking office for elected officials and sufficient cause is not shown within that time, his or her office shall thereupon ipso facto become vacant and such vacancy shall thereupon immediately be filled by election or appointment as the law may direct in other cases of vacancy in the same office.

(Neb. RS 11-115)

(K) Any person appointed to fill a vacancy, before entering upon the duties of the office, must give a bond corresponding in substance and form with the bond required of the officer originally elected or appointed, as herein provided.

(Neb. RS 11-116)

(L) When the incumbent of an office is reelected or reappointed, he or she shall qualify by taking the oath and giving the bond as above directed, but when such officer has had public funds or property in his or her control, his or her bond shall not be approved until he or she has produced and fully accounted for such funds and property. When it is ascertained that the incumbent of an office holds over by reason of the nonelection or nonappointment of a successor or of the neglect or refusal of the successor to qualify, he or she shall qualify anew within ten (10) days from the time at which his or her successor, if elected, should have qualified.

(Neb. RS 11-117)

(M) No person shall be surety for the same officer for more than two (2) successive terms of the same office, but this provision shall not apply to incorporated surety companies.

(Neb. RS 11-118)

(N) If the sureties on the official bond of any appointed officer of the City, in the opinion of the City Council, become insufficient, the Council may, by resolution, fix a reasonable time within which the officer may give a new bond or additional sureties as directed. If the officer fails, refuses, or neglects to give a new bond or additional sureties to the satisfaction and approval of the Council, the office shall, by such failure, refusal, or neglect, become vacant and it shall be the duty of the Council to appoint a competent and qualified person to fill the office.

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 849

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-606; RELATING TO ORDINANCES; TO REVISE PROVISIONS REGARDING THE PASSAGE OF ORDINANCES; TO ALLOW THE MAYOR TO VOTE ON LEGISLATION IN CERTAIN CIRCUMSTANCES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-606 of the Springfield Municipal Code is amended to read as follows:

ORDINANCES; READING AND PASSAGE OF ORDINANCES, RESOLUTIONS, ORDERS, BYLAWS

(A) The Mayor shall preside at all meetings of the City Council. The Mayor may vote when his or her vote would provide the additional vote required to attain the number of votes equal to a majority of the number of members elected to the city council on any pending matter, legislation, or transaction, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. He or she shall have superintendence and control of all the officers and affairs of the city, and shall take care that the ordinances of the city and all laws governing cities of the second class are complied with.
(Neb. RS 17-110)

(B) The Mayor shall have the power to veto or sign any ordinance passed by the City Council. Any ordinance vetoed by the Mayor may be passed over the veto by a vote of two-thirds (2/3) of the members of the Council. If the Mayor neglects or refuses to sign any ordinance, and return the same with his or her objections in writing at the next regular meeting of the Council, the same shall become a law without his or her signature.
(Neb. RS 17-111)

(C) The Mayor shall, from time to time, communicate to the City Council such information and recommend such measures as, in his or her opinion, may tend to the improvement of the finances, the police, health, security, ornament, comfort, and general prosperity of the city.
(Neb. RS 17-112)

(D) The Mayor shall have the power, when he or she deems it necessary, to require any officer of the city to exhibit his or her accounts or other papers, and to make reports to the Council, in writing, touching any subject or matter pertaining to his or her office.
(Neb. RS 17-113)

(E) The Mayor shall have such jurisdiction as may be vested in him or her by ordinance, over all places within five (5) miles of the corporate limits of the city, for the enforcement of any health or quarantine ordinance and regulation thereof, and shall have jurisdiction in all matters vested in him or her by ordinance, excepting taxation, within one-half (1/2) mile of the corporate limits of the city.
(Neb. RS 17-114)

(F) The Mayor shall have the power to remit fines and forfeitures, and to grant reprieves and pardons for all offenses arising under the ordinances of the city.
(Neb. RS 17-117)

(G) The Mayor shall hold no other elective or appointive office or employment with the city.

(H) The Mayor shall sign the City Clerk's minutes of all meetings of the City Council, and he or she shall sign all resolutions that have been passed and warrants for the payment of money when ordered by the Council.

(I) The Mayor shall have such other duties as are reposed in the Mayor by the laws of the State of Nebraska or as the Council may by resolution confer upon the Mayor.

Statutory reference:

Restrictions on holding other office or employment, see Neb. RS 17-108.02, 32-109, 32-603, and 32-604.

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 850

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-801.01; RELATING TO FINANCE; TO REDEFINE TERMS AND DEFINE NEW TERMS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-801.01 of the Springfield Municipal Code is amended to read as follows:

FISCAL MANAGEMENT; DEFINITIONS.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

BIENNIAL BUDGET. A budget by the city that provides for a biennial period to determine and carry on the city's financial and taxing affairs.

BIENNIAL PERIOD. The two fiscal years comprising a biennium commencing in odd-numbered or even-numbered years used by the city in determining and carrying on its financial and taxing affairs.

PUBLIC FUNDS. All money, including non-tax money, used in the operation and functions of governing bodies. If the city has a lottery established under the Nebraska County and Village Lottery Act, only those net proceeds which are actually received by the city from a licensed lottery operator shall be considered **PUBLIC FUNDS**, and **PUBLIC FUNDS** shall not include amounts awarded as prizes. (Neb. RS 13-503)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 851

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-802; RELATING TO FINANCE; TO AUTHORIZE BIENNIAL BUDGETS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-802 of the Springfield Municipal Code is amended to read as follows:

FISCAL MANAGEMENT; PROPOSED BUDGET STATEMENT; CONTENTS; AVAILABILITY; CORRECTION.

(A) The City Council shall annually or biennially prepare a proposed budget statement on forms prescribed and furnished by the Auditor of Public Accounts. The proposed budget statement shall be made available to the public prior to publication of the notice of the hearing on the proposed budget statement pursuant to Neb. RS 31-506. A proposed budget statement shall contain the following information, except as provided by state law:

(1) For the immediately preceding fiscal year or biennial period, the revenue from all sources, including motor vehicle taxes, other than revenue received from personal and real property taxation, allocated to the funds and separately stated as to each such source: the unencumbered cash balance at the beginning and end of the year or biennial period; the amount received by taxation of personal and real property; and the amount of actual expenditures;

(2) For the current fiscal year or biennial period, actual and estimated revenue from all sources, including motor vehicle taxes, allocated to the funds and separately stated as to each such source: the actual unencumbered cash balance available at the beginning of the year or biennial period; the amount received from personal and real property taxation; and the amount of actual and estimated expenditures, whichever is applicable. This statement shall contain the cash reserve for each fiscal year or biennial period and shall note whether or not the reserve is encumbered. The cash reserve projections shall be based upon the actual experience of prior years or biennial periods. The cash reserve shall not exceed fifty percent (50%) of the total budget adopted exclusive of capital outlay items;

(3) For the immediately ensuing fiscal year or biennial period, an estimate of revenue from all sources, including motor vehicle taxes, other than revenue to be received from taxation of personal and real property, separately stated as to each such source: the actual or estimated unencumbered cash balances, whichever is applicable, to be available at the beginning of the year or biennial period; the amounts proposed to be expended during the year or biennial period; and the amount of cash reserve, based on actual experience of prior years or biennial periods, which cash reserve shall not exceed fifty (50%) of the total budget adopted exclusive of capital outlay items;

(4) A statement setting out separately the amount sought to be raised from the levy of a tax on the taxable value of real property:

(a) For the purpose of paying the principal or interest on bonds issued by the City Council; and

(b) For all other purposes.

(5) A uniform summary of the proposed budget statement, including each proprietary function fund included in a separate proprietary budget statement prepared pursuant to the Municipal Proprietary Function Act, and a grand total of all funds maintained by the City Council; and

(6) A list of the proprietary functions which are not included in the budget statement. These proprietary functions shall have a separate budget statement which is approved by the City Council as provided in the Municipal Proprietary Function Act.

(B) The actual or estimated unencumbered cash balance required to be included in the budget statement by this section shall include deposits and investments of the City as well as any funds held by the County Treasurer for the City and shall be accurately stated on the proposed budget statement.

(C) The City shall correct any material errors in the budget statement detected by the Auditor of Public Accounts or by other sources.
(Neb. RS 13-504)

(D) The estimated expenditures plus the required cash reserve for the ensuing fiscal year or biennial period less all estimated and actual unencumbered balances at the beginning of the year or biennial period and less the estimated income from all sources, including motor vehicle taxes, other than taxation of personal and real property shall equal the amount to be received from taxes, and that amount shall be shown on the proposed budget statement pursuant to this section. The amount to be raised from taxation of personal and real property, as determined above, plus the estimated revenue from other sources, including motor vehicle taxes, and the unencumbered balances shall equal the estimated expenditures, plus the necessary required cash reserve, for the ensuing year or biennial period.
(Neb. RS 13-505)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 852

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-803; RELATING TO FINANCE; TO AUTHORIZE BIENNIAL BUDGET HEARINGS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-803 of the Springfield Municipal Code is amended to read as follows:

FISCAL MANAGEMENT; PROPOSED BUDGET STATEMENT; HEARING; ADOPTION; CERTIFICATION OF TAX AMOUNT.

(A) The City Council shall each year or biennial period conduct a public hearing on its proposed budget statement. Notice of the place and time of the hearing, together with a summary of the proposed budget statement, shall be published at least five (5) days prior to the date set for hearing in a newspaper of general circulation within the city's jurisdiction.

(B) After the hearing, the proposed budget statement shall be adopted, or amended and adopted as amended, and a written record shall be kept of the hearing. The amount to be received from personal and real property taxation shall be certified to the levying board after the proposed budget statement is adopted or is amended and adopted as amended. The certification of the amount to be received from personal and real property taxation shall specify separately the amount to be applied to the payment of principal or interest on bonds issued by the City Council and the amount to be received for all other purposes.

(C) If the adopted budget statement reflects a change from that shown in the published proposed budget statement, a summary of the changes shall be published within twenty (20) days after its adoption in the manner provided in this section, but without provision for hearing, setting forth the items changed and the reasons for the changes.

(D) Upon approval by City Council, the budget shall be filed with the Auditor of Public Accounts. The Auditor may review the budget for errors in mathematics, improper accounting, and noncompliance with the Nebraska Budget Act or Neb. RS 13-518 to 13-522. If the Auditor detects such errors, he or she shall immediately notify the Council of such errors. The Council shall correct any such error as provided in Neb. RS 13-511. Warrants for the payment of expenditures provided in the budget adopted under this section shall be valid notwithstanding any errors or noncompliance for which the Auditor has notified the Council.

(Neb. RS 13-506)

(E) When a levy increase has been authorized by vote of the electors, the adopted budget statement shall indicate the amount of the levy increase.

(Neb. RS 13-507)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 853

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-804; RELATING TO FINANCE; TO REVISE PROVISIONS RELATING TO FILING BUDGETS AND CERTIFYING TAX AMOUNTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-804 of the Springfield Municipal Code is amended to read as follows:

FISCAL MANAGEMENT; ADOPTED BUDGET STATEMENT; FILING; CERTIFICATION OF AMOUNT OF TAX.

(A) (1) After publication and hearing on the proposed budget statement and within the time prescribed by law, the City Council shall file with and certify to the levying board or boards on or before September 20 of each year or September 20 of the final year of a biennial period and file with the Auditor of Public Accounts a copy of the adopted budget statement which complies with Neb. RS 13-518 to 13-522, together with the amount of the tax required to fund the adopted budget, setting out separately:

(a) The amount to be levied for the payment of principal or interest on bonds issued by the City Council; and

(b) The amount to be levied for all other purposes.

(2) Proof of publication shall be attached to the statements.

(B) The City Council, in certifying the amount required, may make allowance for delinquent taxes not exceeding five percent (5%) of the amount required plus the actual percentage of delinquent taxes for the preceding tax year or biennial period and for the amount of estimated tax loss from any pending or anticipated litigation which involves taxation and in which tax collections have been or can be withheld or escrowed by court order. For purposes of this section, anticipated litigation shall be limited to the anticipation of an action being filed by a taxpayer who or which filed a similar action for the preceding year or biennial period which is still pending. Except for such allowances, the City Council shall not certify an amount of tax more than one percent (1%) greater or lesser than the amount determined under Section 1-802.

(C) The City Council shall use the certified taxable values as provided by the County Assessor pursuant to Neb. RS 13-509 for the current year in setting or certifying the levy. The City Council may designate one of its members to perform any duty or responsibility required of the Council by this section.

(Neb. RS 13-508)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 854

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 1-804.01; RELATING TO FINANCE; TO REVISE PROVISIONS RELATING TO EXPENDITURES PRIOR TO ADOPTION OF BUDGET; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 1-804.01 of the Springfield Municipal Code is amended to read as follows:

FISCAL MANAGEMENT; EXPENDITURES PRIOR TO ADOPTION OF BUDGET.

(A) On and after the first day of its fiscal year in 1993 and of each succeeding year or on or after the first day of its biennial period and until the adoption of the budget by the City Council in September, the City Council may expend any balance of cash on hand for the current expenses of the city. Except as provided in division (B) of this section, the expenditures shall not exceed an amount equivalent to the total amount expended under the last budget in the equivalent period of the prior budget year or biennial period. The expenditures shall be charged against the appropriations for each individual fund or purpose as provided in the budget when adopted.
(Neb. RS 13-509.01)

(B) The restriction on expenditures in division (A) of this section may be exceeded upon the express finding of the City Council that expenditures beyond the amount authorized are necessary to enable the city to meet its statutory duties and responsibilities. The finding and approval of the expenditures in excess of the statutory authorization shall be adopted by the City Council in open public session. Expenditures authorized by this section shall be charged against appropriations for each individual fund or purpose as provided in the budget when adopted, and nothing in this section shall be construed to authorize expenditures by the city in excess of that authorized by any other statutory provision.
(Neb. RS 13-509.02)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

ORDINANCE NO. 855

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE SECTION 6-324; RELATING TO NUISANCES; TO REVISE PROVISIONS RELATING TO NOTICE AND HEARINGS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Section 6-324 of the Springfield Municipal Code is amended to read as follows:

MISDEMEANORS; WEEDS; LITTER; STAGNANT WATER

(A) Lots or pieces of ground within the city shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.

(B) The owner or occupant of any lot or piece of ground within the city shall keep the lot or piece of ground and the adjoining streets and alleys free of any growth of twelve (12) inches or more in height of weeds, grasses, or worthless vegetation.

(C) The throwing, depositing, or accumulation of litter on any lot or piece of ground within the city is prohibited.

(D) It is hereby declared to be a nuisance to permit or maintain any growth of twelve (12) inches or more in height of weeds, grasses, or worthless vegetation on any lot or piece of ground within the city or on the adjoining streets or alleys or to litter or cause litter to be deposited or remain thereon except in proper receptacles.

(E) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating this section, be guilty of an offense.

(F) (1) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any. Notice shall be given by mailing a copy of the notice by certified mail to the owner or owner's duly authorized agent and by first class mail to the occupant, if any. Such mail shall be conspicuously marked as to its importance. Within five (5) days after receipt of such notice, the owner or occupant of the lot or piece of ground may request a hearing with the city to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the City Clerk. A hearing on the appeal shall be held within fourteen (14) days after the filing of the appeal and shall be conducted by an elected or appointed officer as designated in the ordinance. The hearing officer shall render a decision on the appeal within five (5) business days after the conclusion of the hearing. If the appeal fails, the city may have such work done. Within five (5) days after receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the city may have such work done.

(2) The costs and expenses of any such work shall be paid by the owner. If unpaid for two (2) months after such work is done, the city may either:

(a) Levy and assess the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as other special taxes for improvements are levied and assessed; or

(b) Recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(G) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LITTER. Includes but is not limited to:

- (a) Trash, rubbish, refuse, garbage, paper, rags, and ashes;
- (b) Wood, plaster, cement, brick, or stone building rubble;
- (c) Grass, leaves, and worthless vegetation except when used as ground mulch or in a compost pile;
- (d) Offal and dead animals; and
- (e) Any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk.

WEEDS. Include, but are not limited to: bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus* sp.) (tourn), hemp plant (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).
(Neb. RS 17-563)

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 4th day of February, 2014.

Mayor

(SEAL)

City Clerk

Agenda Item 5. Council reviewed a bid from Bobcat of Omaha for the lease of a skid steer loader in the amount of \$2,700.00 per year. Council considered the current lease agreement with NMC CAT in the amount of \$3,000.00 per year. Motion by Fleming, seconded by Craney, to direct Chad Nolte and Rick Lee, Maintenance Manager, to select a company from which to lease a skid steer. AYES: Fleming, Craney, Nolte. NAYS: None.

Agenda Item 6. Council discussed ways to market rental of the Community Building, as well as possible community events that could be held throughout the year at the building. No action was taken.

Department Reports

Agenda Item 1. No Department Report from Roseland.

Agenda Item 2. Fleming reported that Block Electrical was working on the electrical service to the new flagpole at the Community Building. He said that 90% of the donations received by the Springfield Community Foundation during their initial kickoff fundraiser were from Main Street businesses.

Agenda Item 3. No Department Report from Craney.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. Mayor Dill reported that he met with an architect regarding future city projects.

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

Adjournment

Motion by Nolte, seconded by Craney, to adjourn. AYES: Fleming, Craney, Nolte. NAYS: None. Meeting adjourned at 8:05 p.m. Motion carried.

I, the undersigned, Assistant 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 February 4, 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.

Colleen Keleher
Assistant City Clerk