



CITY COUNCIL AGENDA

Tuesday, January 15, 2019 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 3, 2019 Council Meeting
2. Approve Treasurer's Report
3. Approve **Resolution 2019-1** amending Section 316 Health Insurance of the employee handbook
4. Approve revisions to Health Reimbursement Account Agreement

REGULAR AGENDA

1. **Continued January 3, 2019.** Conduct a **Public Hearing** to consider a conditional use permit amendment filed by Wild Willy's Fireworks LLC, applicant, and WW Building Systems, LLC, property owner, for fireworks storage and outdoor storage containers located on property legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 17105 South Hwy 50, and zoned Light Industrial
2. **Tabled January 3, 2019.** Consider approval of **Resolution 2018-34** approving a conditional use permit application submitted by Wild Willy's Fireworks LLC, applicant, and WW Building Systems, LLC, property owner, for fireworks storage and outdoor storage containers located on property legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 17105 South Hwy 50, and zoned Light Industrial
3. Conduct a Public Hearing for the One and Six Year Road Plan; approve **Resolution 2019-2** accepting and adopting the One and Six Year Road Plan

4. Conduct a Hearing on Special Assessments for the purpose of considering and levying special assessments on the following properties:
 - Ken E. and LaVonne A. Gibbs, property owners of 500 Platteview Drive, Springfield, NE
 - Troy Lynn Newman and Ruth Lindholm, property owners of 750 North 4th Street, Springfield, NE
5. Consider approval of **Resolution 2019-3** levying special assessments on the following properties:
 - Ken E. and LaVonne A. Gibbs, property owners of 500 Platteview Drive, Springfield, NE
 - Troy Lynn Newman and Ruth Lindholm, property owners of 750 North 4th Street, Springfield, NE
6. Consider bids for ceiling insulation at City Hall
7. Discuss Kathleen Gottsch's annual review and consider a proposed merit increase
8. City of Springfield v. Advantage Investment Properties, LLC

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 Thursday, January 15, 2019. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Chad Nolte, Dan Craney. Absent: None. Craney arrived at 7:03 p.m. 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 Herzog, seconded by Swenson, to approve the Consent Agenda. AYES: Swenson, Herzog, Nolte. NAYS: None. ABSENT: Craney. Motion carried.

The City Clerk reported a balance on hand of \$1,449,655.38 in cash assets; Prestige Treasury-\$205,109.66; Prestige Bond-\$794,824.44; Keno Community Betterment-\$124,508.08; Keno Progressive Jackpot-\$50,018.91; Water Deposit Savings-\$4,198.55; Refundable Deposit Savings-\$1,225.83; Water Tower Savings-\$157,549.85; Sewer Restricted-\$160,831.22; Water Capital Facilities Fees-\$48,428.31; Sewer Capital Facilities Fees-\$120,473.01; City Sales Tax-\$1,244,621.89; Money Mark Library Bricks-\$3,372.49; Government Securities-\$106,175.42; Library Savings-\$13,525.72; Time Certificates as follows: Bond-\$78,019.14; Tower-\$58,370.32; Water-\$127,966.81; Library Bricks-\$21,600.89; Library Restricted-\$40,756.58; Cash Receipts-\$189,384.91; Cash Disbursements-\$112,277.67.

**RESOLUTION
2019-1**

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

WHEREAS, the City of Springfield reserves the right to establish and update personnel policies and procedures which are within their legal authority; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Springfield, Sarpy County, Nebraska, that the City of Springfield Employee Handbook Section 316 entitled "Health Insurance" shall be amended to read as follows:

316 Health Insurance

The City of Springfield's health insurance plan provides employees and their dependents access to medical and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan after completing a sixty (60) day waiting period:

- * Regular full-time employees
- * Regular part-time employees (single coverage only)

Coverage is effective on the first day of the month following the sixty (60) day waiting period.

The required waiting period is waived for existing employees changing from part-time employment classification to regular part-time or full-time employment classifications and having already satisfied the sixty (60) day waiting period. Coverage is effective on the first day of the month following the classification change.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the City of Springfield and the insurance carrier. Any employee who wishes to waive their rights to insurance must sign a waiver stating such. This waiver will remain on file with the City Clerk.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Mayor for more information about health insurance benefits.

The City pays 100% of the employee's monthly premium, Employees are responsible for 100% of the spouse/family monthly premium. The City also reimburses employees through a health reimbursement account for covered in-network and out-of-network services incurred by the employee, spouse or child that is a member of the insurance plan. The maximum reimbursement amount shall be equal to the maximum in-network out-of-pocket limit for that employee's plan (includes in-network deductibles, coinsurance and copays). as well as 100% of the deductible and coinsurance up to the maximum out-of-pocket expense (deductibles and coinsurance are for employee/spouse/family coverage — no exclusions).

~~Employees are responsible for 100% of the spouse/family monthly premium.~~

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and the City Council of the City of Springfield, Sarpy County, Nebraska, that the City of Springfield Employee Handbook Section 316 entitled "Health Insurance" shall take effect immediately.

Introduced and Passed this 15th day of January, 2019.

Ayes: Swenson, Herzog, Nolte, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Regular Agenda

Agenda Item 1. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider a conditional use permit amendment filed by Wild Willy's Fireworks LLC, applicant, and WW Building Systems, LLC, property owner, for fireworks storage and outdoor storage containers located on property legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 17105 South Hwy 50 and zoned Light Industrial. Kathleen Gottsch, City Administrator, reviewed the revised site plan and conditional use permit agreement. Williams noted that the site plan shows additional trailer storage parking for future growth. Trailers will be parked behind the second warehouse building until such time as the third warehouse building is constructed. Craney arrived at 7:03 p.m. Motion by Swenson, seconded by Herzog, to close the public hearing. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried. Public hearing closed at 7:04 p.m.

Agenda Item 2. Council Member Nolte introduced Resolution 2018-34 and moved its adoption. Council Member Swenson seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Nolte, 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 2018-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR WILD WILLY'S FIREWORKS LLC, APPLICANT, AND WW BUILDING SYSTEMS, LLC, PROPERTY OWNER, FOR FIREWORKS STORAGE LOCATED ON PROPERTY ZONED LIGHT INDUSTRIAL AND LEGALLY DESCRIBED AS TAX LOT 3A2B, SECTION 25, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant and property owner of the above described property have made application for approval of a conditional use permit amendment for the purpose of adding outdoor storage

containers to the existing fireworks storage facility located on property zoned Light Industrial; and

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

WHEREAS, the Springfield Planning Commission held a public hearing on November 13, 2018, regarding the application and has made a recommendation of approval to the City Council of the conditional use permit amendment; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on December 4, 2018, December 18, 2018, January 3, 2019, and January 15, 2019, and is agreeable to the amendment of the conditional use permit, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves and issues the conditional use permit amendment Wild Willy's Fireworks LLC, applicant, and WW Building Systems, LLC, property owner, for fireworks storage located on property zoned Light Industrial and legally described as Tax Lot 3A2B, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 15TH DAY OF JANUARY, 2019.

Ayes: Swenson, Herzog, Nolte, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 3. Public Hearing opened at 7:05 p.m. for the One and Six Year Road Plan. Council reviewed proposed projects. No one from the public spoke in regards to the plan. Motion by Nolte, seconded by Herzog, to close the public hearing. Public hearing closed at 7:11 p.m.

Council Member Nolte introduced Resolution 2019-2 and moved its adoption. Council Member Swenson seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Nolte, 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
2019-2**

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

WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for the Street Improvement Program for the City of Springfield, Nebraska; and

WHEREAS, a public meeting was held on the 15th day of January, 2019, in accordance with the requirements of the Board of Public Roads Classification and Standards, to present this plan and there was discussion held with respect to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Springfield, Nebraska, that the One and Six Year Plan for streets as presented at said public hearing has been accepted and approved.

Introduced and Passed this 15th day of January, 2019.

Ayes: Swenson, Herzog, Nolte, Craney

Nays: None

Abstain: None

Absent: None

Approved:

Robert Roseland, Mayor

SEAL

Attest:

Kathleen Gottsch, City Clerk

Agenda Item 4. Public Hearing opened at 7:12 p.m. for the purpose of considering and levying special assessments for sidewalk improvements made to the following properties:

Ken E. and LaVonne A. Gibbs, property owners of 500 Platteview Drive, Springfield, NE

Troy Lynn Newman and Ruth Lindholm, property owners of 750 North 4th Street, Springfield, NE

None of the property owners were in attendance. Mayor Roseland reported that he spoke with Donnie Gibbs, son of Ken and LaVonne Gibbs, regarding sidewalk replacement at 500 Platteview Drive and their concern over the cost allocation. Motion by Nolte, seconded by Herzog, to close the public hearing. Public hearing closed at 7:19 p.m.

Agenda Item 5. Council Member Nolte introduced Resolution 2019-3 and moved its adoption. Council Member Herzog seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Nolte, 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
2019-3**

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 December 12, 2018, 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
Ken E. & LaVonne Gibbs	500 Platteview Drive	\$374.00	\$18.04	\$100.00	\$492.04
Troy Lynn Newman & Ruth Lindholm	220 Platteview Drive	\$519.00	\$18.04	\$100.00	\$637.04

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 28th 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 15th day of January, 2019.

Ayes: Swenson, Herzog, Nolte, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 6. Council reviewed bids from Omaha Spray Foam, Radiant Eagle, Seal-Rite Insulation and Home Pride for additional ceiling insulation at City Hall. Motion by Nolte, seconded by Herzog, to approve the bid from

Omaha Spray Foam in the amount of \$3,000 for additional ceiling insulation at City Hall. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None.

Agenda Items 7 and 8. Motion by Swenson, seconded by Nolte, to move agenda items 7 and 8, regarding Kathleen Gottsch's annual review and proposed merit increase and Springfield v. Advantage Investment Properties, LLC, into executive session. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None.

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. Herzog reported that the library has started a new city historical Facebook page. He noted that the library is sponsoring a chili cook off in February.

Agenda Item 3. Nolte reported that a sidewalk needs to be constructed south of the maintenance building along 1st Street. He requested that this be made a priority in the spring.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. Mayor Roseland reported that he offered snow fence to the fire department for placement at the top of the retaining wall that was destroyed by a vehicular accident. The missing fence is a safety issue. Herzog noted that the fire department has already contacted the fence company about making repairs. Herzog recommended that the city install a guardrail along Spruce Street at the intersection of South 2nd Street to prevent vehicles from leaving the roadway. Council debated whether or not it was the city's responsibility to install a guardrail.

Agenda Item 6. No additional city staff reports.

Donnie Gibbs, son of Ken and LaVonne Gibbs property owners of 500 Platteview Drive, arrived at the meeting after department reports to discuss sidewalk special assessments. No action was taken after the discussion, since the Council previously approved the resolution levying the special assessments.

Executive Session

Motion by Swenson, seconded by Herzog, to enter into executive session at 7:59 p.m. for the purpose of personnel matters and litigation. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Swenson, seconded by Nolte, to leave executive session at 8:20 p.m. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Nolte, seconded by Craney, to approve a 4% annual merit increase to Kathleen Gottsch, City Administrator/Clerk/Treasurer. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Nolte, seconded by Swenson, to adjourn. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Meeting adjourned at 8:21 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 January 15, 2019; 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