



CITY COUNCIL AGENDA

Tuesday, January 21, 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 7, 2014 Council Meeting
2. Approve Treasurer's Report
3. Approve Claims
4. Approve Invoice No. 202820 from Olsson Associates in the amount of \$1,550.15 for professional serviced rendered from December 1, 2013, through December 28, 2013, for work completed on Municipal Water System Improvements
5. Consider an Application for a Special Designated Liquor License submitted by Ducks Unlimited Sarpy County Sand Bar Chapter for a fundraiser event at the Sarpy County Fairgrounds 4H Building on April 11, 2014, from 4:00 p.m. to 11:59 p.m.

REGULAR AGENDA

1. Conduct a **Public Hearing** for the One and Six Year Road Plan; approve **Resolution 2014-4** accepting and adopting the One and Six Year Road Plan
2. Consider approval of **Resolution 2014-5** creating Street Improvement Project No. 2014-1 (Spruce Street from 1st Street to 2nd Street) and approving the plans, specifications and estimate of cost of the engineer for the construction of said street improvements; Authorize City Clerk to cause notice to bidders to be published as required by law for receiving bids
3. Conduct a **Hearing on Special Assessments** for the purpose of considering and levying special assessments on the following properties:

- Advantage Investment Properties, LLC, property owner of 103 Main Street, Springfield
 - Virgil Mullen, property owner of 210 North 2nd Street, Springfield
 - Dari Sunderman, property owner of 285 Locust Street, Springfield
4. Consider approval of **Resolution 2014-6** levying special assessments on the following properties:
 - Advantage Investment Properties, LLC, property owner of 103 Main Street, Springfield
 - Virgil Mullen, property owner of 210 North 2nd Street, Springfield
 - Dari Sunderman, property owner of 285 Locust Street, Springfield
 5. Mark R. Mascarello, property owner of 174 Main 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
 6. Gary Bera, 560 Cedar Street – Discuss city parking ordinances
 7. **Tabled January 7, 2014.** Consider approval of **Resolution 2014-3** directing the sale of city property (1979 International Truck) to the highest bidder, which bids will be received at auction on Sunday, March 30, 2014, beginning at 12:30 p.m. at 9009 Platteview Road, Papillion, Nebraska
 8. Discuss Heath Shemek’s six-month review and consider a proposed merit increase

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 January 21, 2014. Present were Mayor Mike Dill; Council Members: Bob Roseland, Randy Fleming, Dan Craney, Chad Nolte. Absent: None. 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: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$930,136.95 in cash assets; Prestige Treasury - \$203,972.79; Prestige Bond - \$486,953.50; Keno Community Betterment - \$144,580.40; Keno Progressive Jackpot - \$50,012.84; Water Deposit Savings - \$4,181.12; Refundable Deposit Savings - \$1,220.71; Water Tower Savings - \$116,621.91; Sewer Restricted - \$82,521.33; Water Capital Facilities Fees - \$32,233.82; Sewer Capital Facilities Fees - \$75,212.21; City Sales Tax - \$339,126.51; Money Mark Library Bricks - \$3,758.92; Government Securities - \$103,512.17; Library Savings - \$62,373.43; Time Certificates as follows: Bond - \$76,554.09; Tower - \$57,249.66; Water - \$125,380.21; Park - \$11,902.51; Library Bricks - \$21,213.13; Cash Receipts - \$329,405.35; Cash Disbursements - \$63,624.82; Refunding Bond 2010 Interest Pymt \$3,240.00.

Claims:

League of Nebraska Municipalities	339.00	Education-Gen
Meisinger, Jerry	811.00	Springfield Trail Phase 3 - ROW Acquisition
Nebraska Municipal Clerk Institute	223.00	Education-Gen
US Treasurer	1,150.48	Social Security and Medicare Tax
	24,778.48	

Regular Agenda

Agenda Item 1. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. regarding the One and Six Year Road Plans. Dennis Graham, City Engineer with Olsson Associates, reviewed the plans. Mayor Dill asked for comments from the floor. No comments were provided and no changes were requested. Motion by Nolte, seconded by Roseland, to close the Public Hearing. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Public Hearing closed at 7:02 p.m.

Council Member Nolte introduced Resolution 2014-4 and moved its adoption. Council Member Roseland seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Fleming, Craney, Nolte. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2014-4**

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 Street Improvement Program for the City of Springfield, Nebraska; and

WHEREAS, a public meeting was held on the 21st day of January, 2014, 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 21st day of January, 2014.

Ayes: 4

Nays: 0

Abstain: 0

Absent: 0

Approved:

Mayor

(SEAL)

ATTEST:

City Clerk

Agenda Item 2. Dennis Graham, City Engineer with Olsson Associates, reviewed the plans and specifications for the Spruce Street paving project. Graham also reviewed estimated project costs. Council Member Nolte introduced the following Resolution and moved its adoption. Council Member Fleming seconded the motion and upon roll call on the foregoing resolution the following voted AYE: Roseland, Fleming, Craney, Nolte. The following voted NAY: None. The passage of the Resolution having been concurred in by more than a majority of the members elected to the Council was by the Mayor declared passed and adopted. A true, correct and complete copy of said Resolution is as follows:

RESOLUTION
2014-5

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

Section 1. The Mayor and City Council hereby find and determine that it is necessary and advisable that the City, under the authority granted by Sections 18-2002 to 18-2004 inclusive, Reissue Revised Statutes of Nebraska, 2012, without petition or creating a district, cause the following unpaved street within the City to be improved by concrete paving, with curb and gutter and all necessary appurtenances, to-wit:

Spruce Street from 1st Street to 2nd Street, which improvement shall be known as Street Improvement Project No. 2014-1.

Section 2. It is further found and determined that the street to be improved in Street Improvement Project No. 2014-1 intersects a paved street and is for a distance of not exceeding one block on either side

of any such paved street, and that said street in said Project is otherwise paved and with the paving will be one continuous paved street.

Section 3. The street improvements in the Street Improvement Project set out above be, and the same hereby are, ordered constructed, and the plans and specifications and estimate of cost of the engineer in the amount of \$121,000.00 for the construction of the above street improvements, which are on file with the City Clerk, are hereby approved. For the purpose of constructing the above improvements, such improvements may be combined with other street improvement projects created in the City, but the actual cost of construction of each of the projects shall be separated in such manner that the costs may be allocated to each project for the purpose of levying any authorized levy of special assessments.

PASSED AND APPROVED this 21st day of January, 2014.

ATTEST:

Mayor

City Clerk

Motion by Nolte, seconded by Roseland, to authorize the City Clerk to cause notice to bidders to be published as required by law for receiving bids for the Spruce Street paving project. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None.

Agenda Item 3. The Clerk reported that notice was published that the Mayor and Council would hold a meeting at this time and place for the purpose of considering the levy of special assessments to pay for sidewalk improvements on the following properties:

Advantage Investment Properties, LLC, property owner of 103 Main Street, Springfield
Virgil Mullen, property owner of 210 North 2nd Street, Springfield
Dari Sunderman, property owner of 285 Locust Street, Springfield

A Public Hearing of the Springfield City Council was opened at 7:11 p.m. for the purpose of considering and levying special assessments on 103 Main Street, 210 North 2nd Street, and 285 Locust Street. No one spoke in favor of or in opposition to the special assessments. No written objections were filed with the City Clerk. Motion by Nolte, seconded by Fleming, to close the Public Hearing. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried. Public Hearing closed at 7:12 p.m.

Agenda Item 4. Council Member Nolte introduced Resolution 2014-6 and moved its adoption. Council Member Fleming seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Fleming, Craney, Nolte. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2014-6**

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 18, 2013, 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
Advantage Investment Properties, LLC	103 Main Street	\$1,512.00	\$14.76	\$100.00	\$1,626.76
Virgil Mullen	210 N. 2 nd Street	\$990.00	\$14.76	\$100.00	\$1,104.76
Dari Sunderman	285 Locust Street	\$1,012.00	\$14.76	\$100.00	\$1,126.76

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 1st day of February, 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 21st day of January, 2014.

Ayes: 4

Nays: 0

Abstain: 0

Absent: 0

Approved:

Mayor

(SEAL)

ATTEST:

City Clerk

Agenda Item 5. Mark Mascarello, property owner of 174 Main Street, and his attorney, John Wieland, were in attendance to show cause as to why the condition of said property should not be found to be a public nuisance. Wieland informed the Council that Mascarello has started cleaning up the outside of the property. He also noted that Mascarello is in the process of obtaining bids for roof repairs. Wieland said that Mascarello owns the Five & Dime Vending Company and that he uses the building at 174 Main Street to store vending equipment. Mayor Dill noted that city zoning regulations do not allow storage in the Downtown Commercial zoning district. Wieland said that Mascarello plans to run the business out of the building and to put up a business sign with phone number on the outside of the building. Craney inquired as to whether or not customers would be allowed to enter the business. Wieland said that people could stop in the building, look at the vending equipment available for lease and then rent it. Nolte expressed concern with water leaking through the holes in Mascarello's roof causing damage to the adjacent property owners' buildings. The adjacent properties share common walls with Mascarello's property. Nolte suggested a temporary cover be used until the roof can be permanently repaired. Fleming inquired about front window coverings. Wieland said that blinds would be installed in the front window within ten days. Wieland requested a sixty day time extension to abate the nuisances and make the necessary repairs. He said that he would keep City Hall informed of the progress. Motion by Nolte, seconded by Roseland, to table agenda item 5, regarding the public nuisance at 174 Main Street, until the March 4, 2014, Council meeting, during which time the Council will consider whether or not the nuisance abatement requirements have been met. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 6. Gary Bera, 560 Cedar Street, did not attend the meeting. No discussion.

Agenda Item 7. Council Member Nolte introduced Resolution 2014-3 and moved its adoption with the addition of language stating that the city will not pay to haul the property to the auction site and will not pay to haul the property on behalf of the purchaser. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Fleming, Craney, Nolte. The following voted NAY: Roseland. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2014-3**

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

WHEREAS, the City of Springfield, Nebraska is the owner of personal property described in Exhibit "A" attached hereto; and

WHEREAS, the Springfield City Council hereby directs the sale of the property, with no minimum price unless otherwise stated and in "as is" condition, to the highest bidder, which bids will be received at auction on Sunday, March 30, 2014, beginning at 12:30 p.m. at 9009 Platteview Road, Papillion, Nebraska, during the Pella Window Bi-Annual Auction.

WHEREAS, the City of Springfield, Nebraska, will not pay to haul the property to the auction site and will not pay to haul the property on behalf of the purchaser.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska, by a majority vote that:

1. The Mayor and the City Council of the City of Springfield, Nebraska, or its designee, for and on its behalf, has the authority to sell to the highest responsible bidder the aforementioned personal property described in Exhibit "A"; and
2. The proceeds of the sale of the personal property described in Exhibit "A" shall be placed in the fund of the Municipality from which it was purchased; and
3. The following passage of this resolution shall be posted in three (3) prominent places within the city for a period of not less than seven (7) days prior to the sale of the property.

Introduced and Passed this 21st day of January, 2014.

Ayes __3__

Nays __1__

Abstain __0__

Absent __0__

Approved:

Mayor

SEAL

Attest:

City Clerk

EXHIBIT "A"

City property to be sold to the highest bidder, which bids will be received at auction on Sunday, March 30, 2014, beginning at 12:30 p.m. at 9009 Platteview Road, Papillion, Nebraska, during the Pella Window Bi-Annual Auction.

- 1979 International Truck (VIN #AA185JHA25270)

Agenda Item 8. Motion by Nolte, seconded by Roseland, to move agenda item 8, regarding Heath Shemek's six-month review, into executive session. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None.

Department Reports

Agenda Item 1. Roseland discussed the well report.

Agenda Item 2. Fleming reviewed Community Building rental for December. Mayor Dill noted that he and Fleming met with Candy Connery regarding her use of the Community Building for a youth theater

program. He said the group discussed leasing a sound system and installing noise reduction material on the gym walls.

Agenda Item 3. No Department Report from Craney.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. No Department Report from Mayor Dill.

Agenda Item 6. Discussed the employee appreciation dinner.

Executive Session

Motion by Nolte, seconded by Roseland, to enter into executive session at 7:38 p.m. for the purpose of personnel discussion. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Motion by Nolte, seconded by Craney, to leave executive session at 8:03 p.m. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Motion by Roseland, seconded by Craney, to approve a 3% six-month merit increase for Heath Shemek. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Motion carried.

Adjournment

Motion by Roseland, seconded by Craney, to adjourn. AYES: Roseland, Fleming, Craney, Nolte. NAYS: None. Meeting adjourned at 8:04 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 21, 2014; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch
City Clerk

