



CITY COUNCIL AGENDA

Tuesday, July 9, 2019 at 7:00 p.m.

RESCHEDULED FROM TUESDAY, JULY 16

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 July 2, 2019 Council Meeting
2. Approve Treasurer's Report

REGULAR AGENDA

1. Consider approval of **Resolution 2019-10** approving the jurisdiction of, the Growth Management Plan for, and the Interlocal Agreement with, the Sarpy County and Cities Wastewater Agency
2. Consider approval of **Resolution 2019-11** approving the Sarpy County and Cities Wastewater Agency proposed FY2019-2020 Budget
3. Consider a bid from K & K Masonry for repairs to the flag pole base at Buffalo Park and stone pillars at the Community Building

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 Tuesday, July 9, 2019. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Chad Nolte, Dan Craney. 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 Herzog, seconded by Swenson, to approve the Consent Agenda. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$1,468,046.97 in cash assets; Prestige Treasury-\$205,262.25; Prestige Bond-\$859,403.53; Keno Community Betterment-\$152,157.97; Keno Progressive Jackpot-\$50,018.70; Water Deposit Savings-\$4,200.64; Refundable Deposit Savings-\$1,226.44; Water Tower Savings-\$165,806.03; Sewer Restricted-\$169,073.91; Water Capital Facilities Fees-\$52,466.52; Sewer Capital Facilities Fees-\$131,768.75; City Sales Tax-\$1,451,016.96; Money Mark Library Bricks-\$3,775.05; Government Securities-\$110,405.47; Library Savings-\$13,532.43; Time Certificates as follows: Bond-\$78,263.79; Tower-\$58,661.74; Water-\$128,545.29; Library Bricks-\$21,722.73; Library Restricted-\$41,011.01; Cash Receipts-\$214,656.17; Cash Disbursements-\$91,246.89.

Regular Agenda

Agenda Item 1. Council Member Nolte introduced Resolution 2019-10 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: 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 2019-10

RESOLUTION APPROVING THE JURISDICTION OF, THE GROWTH MANAGEMENT PLAN FOR, AND THE INTERLOCAL AGREEMENT WITH, THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement (as amended, the “Formation Interlocal”), and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the “Agency”) (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal);

WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board;

WHEREAS, Springfield is a Member of the Agency;

WHEREAS, pursuant to Agency Resolution 2019-004, a copy of which is attached hereto as **Exhibit 1** (the “Agency Jurisdiction Resolution”), the Agency approved and established the “Agency’s Jurisdiction” over the area identified as the “Service Area” on Exhibit A of the Agency Jurisdiction Resolution;

WHEREAS, pursuant to Section VII(A) of the Formation Interlocal, in no event, however, will the Agency have jurisdiction over each Member’s individual corporate limits, extra-territorial zoning jurisdiction, designated wastewater service area, or areas that lie within a Member’s “area of future growth and development” under maps adopted under the County Industrial Sewer Construction Act unless the individual governing body of each Member having any jurisdiction within such areas approves of such areas being within the Agency’s Jurisdiction;

WHEREAS, the Agency’s Jurisdiction includes areas within Springfield’s corporate limits, extra-territorial zoning jurisdiction, designated wastewater service area, and/or areas within Springfield’s “area of future growth and development” under maps adopted under the County Industrial Sewer Construction Act;

WHEREAS, pursuant to Section VII(D) of the Formation Interlocal, however, any wastewater treatment facilities, sewer systems, sewer lines, or related appurtenances constructed or approved by an individual Member’s governing body prior to the establishment of the Agency’s Jurisdiction which subsequently fall within the area of the Agency’s Jurisdiction (hereinafter, an “Existing Sewer System”), shall not be subject to the Agency’s Jurisdiction so long as no connection to an Agency sewer system is proposed; however, in the event a Member seeks to connect its Existing Sewer System to the Unified SSWS, such connection may be permitted subject to Agency engineering review and approval, conformity with all applicable rules and regulations, including the Master Plan, payment of all applicable connection fees, and an approved wastewater service and connection agreement with the Agency;

WHEREAS, the Governing Body of the City of Springfield also reviewed Exhibit A to the Agency Jurisdiction Resolution depicting the Agency’s Jurisdiction, within which each of Sarpy County, Papillion, Gretna and Springfield currently owns, operates, maintains, designs, constructs, extends, and collects revenue from (collectively, “Operation”) its own Existing Sewer System within the areas also depicted on Exhibit A as the “Sarpy Service Area” (the “Sarpy Sewer Service Area”), the “Papillion Service Area” (the “Papillion Sewer Service Area”), the “South Gretna Buffalo Creek Service Area” (the “Gretna Sewer Service Area”) and the “Springfield Creek Basin Service Area” (the “Springfield Sewer Service Area”), respectively;

WHEREAS, pursuant to the Agency Jurisdiction Resolution, the Agency also adopted, approved and executed the Springfield Sewer Interlocal (as defined in, and attached as Exhibit C to, the Agency Jurisdiction Resolution) to provide for Springfield’s continued Operation of its Existing Sewer System in

the Springfield Sewer Service Area that is partially located within the Agency's Jurisdiction, but only until such Existing Sewer System is connected to and incorporated into the Unified SSWS pursuant to Section VII(D) of the Formation Interlocal;

WHEREAS, the Governing Body of the City of Springfield deems it appropriate and advisable to approve the Springfield Sewer Interlocal;

WHEREAS, pursuant to Section VI of the Formation Interlocal, the Agency is required to plan, develop, and approve a Master Plan for the design of the Unified SSWS;

WHEREAS, in connection therewith, the Agency Board also reviewed and approved the Growth Management Plan (the "Growth Management Plan"), attached to the Agency Jurisdiction Resolution as Exhibit D, that prioritizes areas of land development and growth within the Agency's Jurisdiction and that serves as a necessary step in the development of the Master Plan;

WHEREAS, the Agency recognized that the Agency's adoption of the Growth Management Plan does not supersede each Member's planning approval jurisdiction;

WHEREAS, Springfield (a) recognizes that any future development and related sewer service expansion within the Agency's Jurisdiction shall be consistent with the Growth Management Plan and its implementing policies and procedures adopted by the Agency Board from time to time, and (b) agrees to submit the Growth Management Plan to its planning and zoning board (or related body) for review and incorporation into Springfield's comprehensive development and land use plan or similar instrument; and

WHEREAS, the Governing Body of the City of Springfield deems it appropriate and advisable to approve the Growth Management Plan attached to the Agency Jurisdiction Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that the Agency's Jurisdiction is hereby approved and established over the "Service Area" identified on Exhibit A attached to the Agency Jurisdiction Resolution, including over such areas within Springfield's jurisdiction; provided, that the inclusion of the Springfield Sewer Service Area within the Agency's Jurisdiction is conditioned upon, within 30 days after the date of the Agency Jurisdiction Resolution, the Agency and Springfield entering into the Springfield Sewer Interlocal;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, in accordance with this Resolution and Sections VII(B) and VII(D) of the Formation Interlocal, the Agency shall have sole jurisdiction within the area of Springfield's jurisdiction to authorize, design, and construct the Unified SSWS to the exclusion of all other sewer systems, unless such other sewer system(s) are otherwise allowed by written agreement of the Agency and as otherwise provided in the Gretna Sewer Interlocal (as defined in the Agency Jurisdiction Resolution) and/or in the Springfield Sewer Interlocal, and any sewer systems constructed or approved by a Member prior to the establishment of the Agency's Jurisdiction which subsequently fall within the area of the Agency's Jurisdiction shall not be subject to the Agency's Jurisdiction so long as no connection to an Agency sewer system is proposed; provided, however, in the event a Member seeks to connect its Existing Sewer System to the Unified SSWS, such connection may be permitted, subject to (a) Agency engineering review and approval, (b) conformity with all applicable rules and regulations, including the Master Plan and Growth Management Plan, (c) payment of all applicable connection fees, and (d) an approved wastewater service and connection agreement with the Agency;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that to the extent that any governing bodies of any Members do not approve the establishment of the Agency's Jurisdiction in accordance with the Agency Jurisdiction Resolution, the areas within such Members' jurisdictions shall not be included within the Agency's Jurisdiction, and any future inclusion of such areas within the Agency's Jurisdiction shall be subject to the Agency's prior written approval and governed by the Agency's policies and procedures then in effect including, but not limited to, the Growth Management Plan;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT the Springfield Sewer Interlocal is hereby approved;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT the Mayor of the City of Springfield is hereby authorized to execute on behalf of the City of Springfield the Springfield Sewer Interlocal;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT the Growth Management Plan attached to the Agency Jurisdiction Resolution as Exhibit D is hereby approved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT the Growth Management Plan does not supersede Springfield's planning approval jurisdiction, but Springfield (a) recognizes that any future development and related sewer service expansion within the Agency's Jurisdiction shall be consistent with the Growth Management Plan and its implementing policies and procedures adopted by the Agency Board from time to time, and (b) agrees to submit the Growth Management Plan to its planning and zoning board (or related body) for review and incorporation into its comprehensive development and land use plan or similar instrument.

The above Resolution was approved by a vote of the Governing Body of the City of Springfield at a public meeting duly held in accordance with applicable law on the 9th day of July, 2019.

Ayes: Swenson, Herzog, Nolte, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 2. Council Member Nolte introduced Resolution 2019-11 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: 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
2019-11**

**RESOLUTION APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY
PROPOSED FY2019-2020 BUDGET**

WHEREAS, City of Springfield is a party to an interlocal agreement (as amended, the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and,

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and,

WHEREAS, the Agency Board has approved the proposed FY2019-2020 Budget, and,

WHEREAS, the Governing Body of the City of Springfield deems it appropriate and advisable to approve the proposed FY2019-2020 Budget which has been approved by the Agency Board and is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD that the proposed FY2019-2020 Budget is hereby approved.

The above Resolution was approved by a vote of the GOVERNING BODY OF THE CITY OF SPRINGFIELD at a public meeting duly held in accordance with applicable law on the 9th day of July, 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. A bid was not received prior to the meeting. Motion by Herzog, seconded by Swenson, to table agenda item 3, regarding a bid from K&K Masonry for repairs to the flag pole base at Buffalo Park and stone pillars at Community Building, until the August 6, 2019, Council meeting. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Swenson reported on sewer agency matters.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. No Department Report from Nolte.

Agenda Item 4. Craney reported that SYAA expressed concerns with the new paint color on the concession stand at City Park. The maintenance department will tint the paint to a darker color and repaint.

Agenda Item 5. Mayor Roseland reported that he and the City Administrator met with representatives of Sarpy County Economic Development Corp. to discuss their strategic planning process.

Agenda Item 6. Kathleen Gottsch, City Administrator, provided a status update on the well project.

Nick Stolzer, 504 South 7th Avenue, asked about city water and sewer projects. He also inquired about drainage study and stormwater retention.

Adjournment

Motion by Swenson, seconded by Herzog, to adjourn. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Meeting adjourned at 7:19 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 July 9, 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