



**CITY COUNCIL AGENDA**  
Tuesday, June 7, 2016 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> Street

**CALL TO ORDER**

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room
- Roll call
- Pledge of Allegiance

**CONSENT AGENDA**

*All consent agenda items are approved in one motion unless removed by a Council Member. Removed items will be placed under the Regular Agenda for consideration and action by the Council.*

1. Approve Minutes of the May 17, 2016 Council Meeting
2. Approve Claims and Payroll
3. Grant a 60 day extension for the filing of the final plat for the Springfield Pines Subdivision
4. Approve Invoice No. 252733 from Olsson Associates in the amount of \$4,740.49 for professional services rendered from April 10, 2016, through May 7, 2016, for work completed on South 1st Street Sanitary Sewer Replacement & Spruce Street Paving Improvements
5. Approve Invoice No. 252734 from Olsson Associates in the amount of \$9,382.75 for professional services rendered from April 10, 2016, through May 7, 2016, for work completed on the Turtle Creek Sanitary Sewer Crossing
6. Approve Invoice No. 252305 from Olsson Associates in the amount of \$13,790.00 for professional services rendered from April 10, 2016, through May 7, 2016, for work completed on Municipal Water System Improvements (New Well)
7. Approve Payment No. 1 in the amount of \$18,225.00 and Payment No. 2 in the amount of \$71,765.32 from K2 Construction, Inc. for work completed on the South 1<sup>st</sup> Street Sanitary Sewer Replacement and Spruce Street Paving Improvements
8. Approve Payment No. 1 from K2 Construction, Inc. in the amount of \$51,822.00 for work completed on the Turtle Creek Sanitary Sewer Crossing

## REGULAR AGENDA

1. Proclamation dedicating the Buffalo Park Splash Pad to the memory of Mayor Michael Dill (years of service 2008-2015)
2. Appoint a new member to the Springfield City Council to fulfill the vacancy of member Darren Carlson. The individual will be chosen from a group of citizens who completed the application process prior to the deadline of June 1, 2016. This term will end December 2018.
3. Lt. Dennis Svoboda with the Sarpy County Sheriff's Department will provide a monthly service report
4. Rod Kehlenbeck, 585 Vine Street – Discuss speeding vehicles on South 6<sup>th</sup> Street
5. Conduct a **Public Hearing** to consider a preliminary plat (Lots 1-8, Prairie Toehold) of a subdivision located in Tax Lot 1B3, Tax Lot 1B4 and Tax Lot 2A, part of the southeast quarter of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 46.571 acres, more or less, and generally located north of Fairview Road and west of 132<sup>nd</sup> Street, adjacent to the Fairview Heights Subdivision; and for waivers to the subdivision regulations pertaining to design standards and required improvements as identified
6. Consider approval of **Resolution 2016-16** approving the preliminary plat of (Lots 1-8, Prairie Toehold) of a subdivision located in Tax Lot 1B3, Tax Lot 1B4 and Tax Lot 2A, part of the southeast quarter of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 46.571 acres, more or less, and generally located north of Fairview Road and west of 132<sup>nd</sup> Street, adjacent to the Fairview Heights Subdivision; and for waivers to the subdivision regulations pertaining to design standards and required improvements as identified
7. Conduct a **Public Hearing** to consider amendments to Section 5.19 “LI Light Industrial District” of the Springfield Zoning Ordinance, including changes to permitted and permitted conditional uses; and amendments to Section 5.21 “HCO Highway Corridor Overlay District” of the Springfield Zoning Ordinance, including changes to permitted and conditional permitted uses and sign criteria
8. Consider approval of **Ordinance No. 927** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.19 “LI LIGHT INDUSTRIAL DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
9. Consider approval of **Ordinance No. 928** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS,” SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
10. Consider approval of **Ordinance No. 929** ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 6 POLICE REGULATIONS, ARTICLE 1 ANIMALS, SECTIONS 6-145 THROUGH 6-167 REGULATIONS OF POT-BELLIED PIGS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

11. Consider approval of **Ordinance No. 930** establishing the amount of certain fees and taxes charged by the City of Springfield for various services; including changes to animal licensing; repealing ordinances in conflict; and providing for an effective date
12. Discuss zoning violation at 154 Main Street and consider further action
13. Consider a request from Crown Castle regarding a lease extension for the AT&T telecommunications tower located on the water tower property
14. **Tabled May 17, 2016.** Discuss annual medical insurance renewal
15. Discuss Jean Latham's annual review and consider a proposed merit increase
16. Discuss Barb Henninger's annual review and consider a proposed merit increase
17. Discuss Larry Nolte's annual review and consider a proposed merit increase

### **DEPARTMENT REPORTS**

1. Sewer Department – Vacant
2. Library & Community Building – Roy Swenson
3. Water & Parks Department – Dan Craney
4. Street Department – Chad Nolte
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 June 7, 2016. Present were Mayor Bob Roseland; Council Members: Roy Swenson, 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 Swenson, seconded by Craney, to approve the Consent Agenda. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Check #	Account ID	Account Description	Debit Amount	Name
<b>General</b>				
37808	6084-10-10	Aflac	119.36	Aflac
37809	9060-10-10	Building	540.00	All About Blinds
37822	9010-10-10	Office Equip	9,448.00	Cornhusker State Industries
37826	7045-10-10	Prof Svcs-Tech Support	131.28	First National Bank
37880	7185-10-10	Lodging	67.97	Gottsch, Kathleen
37880	7240-10-10	Mileage	377.60	Gottsch, Kathleen
37831	9060-10-10	Building	58.37	Home Depot
37833	7030-10-10	Prof Svcs-Planning	2,924.50	JEO Consulting Group
37838	8140-10-10	R&M Equip	190.00	Konica Minolta Premier Finance
37878	7270-10-10	Insurance	1,806.58	Marcotte Insurance
37842	9060-10-10	Building	5.23	Menards
37846	7260-10-10	Printing	40.00	Miller Press
37847	7320-10-10	Natural Gas	42.38	MUD
37851	7330-10-10	Telephone	109.53	NT&T
37852	8030-10-10	Supplies	120.22	Office Depot
37852	9010-10-10	Office Equip	299.97	Office Depot
37853	7010-10-10	Prof Svcs-Engineer	2,651.39	Olsson Associates
37857	7250-10-10	Publication Costs	115.21	Omaha World Herald
37859	7310-10-10	Electricity	221.76	OPPD
37864	7046-10-10	Prof Svcs-Building Inspector	888.00	Sarpy County Building Inspector
37865	7060-10-10	Animal Control	376.88	Sarpy County Fiscal Administrator
37866	8080-10-10	Promotional Materials	28.33	Sarpy County Landfill
37867	7050-10-10	Law Contract	8,207.00	Sarpy County Treasurer
37871	7020-10-10	Prof Svcs-Legal	2,600.00	Seidler & Seidler
37874	7280-10-10	Laundry	117.70	Walkers Uniform Rental
<b>Total</b>			<b>31,487.26</b>	
<b>Library</b>				
37876	8060-20-10	Books	165.70	Amazon/SYNCB
37813	8060-20-10	Books	109.57	Baker & Taylor
37814	8130-20-10	R&M Building	105.00	Block Electrical
37819	7455-20-10	IP Address	55.00	Charter Communications
37878	7270-20-10	Insurance	533.55	Marcotte Insurance
37847	7320-20-10	Natural Gas	47.68	MUD
37851	7330-20-10	Telephone	46.86	NT&T
37859	7310-20-10	Electricity	182.37	OPPD
37869	7480-20-10	Janitorial	200.00	Schmieder, Marcie
<b>Total</b>			<b>1,445.73</b>	
<b>Library Restricted</b>				
37818	8060-21-10	Books	86.88	Center Point Large Print
37823	8060-21-10	Books	151.47	Diamond Lake Books
37826	7205-21-10	Subscription	99.95	First National Bank
37827	8060-21-10	Books	86.88	Gale
37861	8070-21-10	Library Supplies	9.46	Quill Corporation
37862	8075-21-10	Program Fees	200.00	Quinn, Jeff
37870	7240-21-10	Mileage	8.10	Seiber, Kellie
37816	8075-21-10	Program Fees	150.00	UNO Capow Science
<b>Total</b>			<b>792.74</b>	
<b>Park</b>				
37810	8160-30-10	R&M Grounds	350.00	Annie's Nursery

37877	8150-30-10	R&M Vehicle	222.16	Austec Repair
37811	8150-30-10	R&M Vehicle	48.50	B&B Garage
37812	8120-30-10	Fuel	551.98	B&D Pit Stop
37824	7350-30-10	Rental	95.00	Eagle Services
37825	8110-30-10	Chemicals	219.40	Farmers Union Coop
37831	9040-30-10	Tools & Misc Equip	27.92	Home Depot
37832	8140-30-10	R&M Equip	129.36	J&J Small Engine Service
37834	8140-30-10	R&M Equip	101.22	John Deere Financial
37878	7270-30-10	Insurance	411.86	Marcotte Insurance
37842	8160-30-10	R&M Grounds	16.37	Menards
37859	7310-30-10	Electricity	470.90	OPPD
37860	7340-30-10	Waste Disposal	60.10	Premier Waste Solutions
<b>Total</b>			<b>2,704.77</b>	
<b>Community Building</b>				
37878	7270-40-10	Insurance	542.91	Marcotte Insurance
37847	7320-40-10	Natural Gas	50.44	MUD
37859	7310-40-10	Electricity	72.76	OPPD
37860	7340-40-10	Waste Disposal	32.80	Premier Waste Solutions
37874	7280-40-10	Laundry	160.05	Walkers Uniform Rental
<b>Total</b>			<b>858.96</b>	
<b>Water</b>				
37808	6084-50-20	Aflac	56.16	Aflac
37877	8150-50-20	R&M Vehicle	231.41	Austec Repair
37811	8150-50-20	R&M Vehicle	47.62	B&B Garage
37812	8120-50-20	Fuel	284.87	B&D Pit Stop
37814	8130-50-20	R&M Building	187.26	Block Electrical
37830	8110-50-20	Chemicals	1,224.13	Hawkins
37863	8150-50-20	R&M Vehicle-	221.49	Jerry Steinhauer/Sabar
37839	8140-50-20	R&M Equip	226.95	Layne Christensen
37840	8150-50-20	R&M Vehicle	279.98	Lutz Repair Services
37878	7270-50-20	Insurance	2,162.28	Marcotte Insurance
37845	7420-50-20	Testing	37.98	Midwest Laboratories
37849	8150-50-20	R&M Vehicle	3.99	Mill Creek Auto Parts
37848	8030-50-20	Supplies	231.17	Municipal Supply
37850	7420-50-20	Testing	18.00	NE Public Health Environmental Lab
37851	7330-50-20	Telephone-	149.34	NT&T
37856	9090-50-20	New Well	13,790.00	Olsson Associates
37858	7430-50-20	Digger's Hotline	42.18	One Call Concepts
37859	7310-50-20	Electricity	923.21	OPPD
37873	7330-50-20	Telephone	15.22	Verizon Wireless
37874	7290-50-20	Uniform Allowance	59.50	Walkers Uniform Rental
<b>Total</b>			<b>20,192.74</b>	
<b>Sewer</b>				
37808	6084-60-30	Aflac	168.88	Aflac
37877	8150-60-30	R&M Vehicle	204.26	Austec Repair
37817	8030-60-30	Supplies	4.99	Casey's General Store
37817	8120-60-30	Fuel	40.87	Casey's General Store
37837	9097-60-30	Turtle Creek Aerial Crossing	51,822.00	K2 Construction
37836	9096-60-30	South 1st Street Sewer-Sewer	89,990.32	K2 Construction
37878	7270-60-30	Insurance	1,544.48	Marcotte Insurance
37843	8030-60-30	Supplies	32.94	Menards
37845	7420-60-30	Testing	442.00	Midwest Laboratories
37849	8030-60-30	Supplies	13.90	Mill Creek Auto Parts

37849	8140-60-30	R&M Equip	13.99	Mill Creek Auto Parts
37848	8030-60-30	Supplies	106.00	Municipal Supply
37851	7330-60-30	Telephone	55.27	NT&T
37854	9096-60-30	South 1st Street Sewer	4,740.49	Olsson Associates
37855	9097-60-30	Turtle Creek Aerial Crossing	9,382.75	Olsson Associates
37859	7310-60-30	Electricity	1,955.86	OPPD
37872	8140-60-30	R&M Equip	15.99	Ty's Outdoor Power & Service
37873	7330-60-30	Telephone	15.22	Verizon Wireless
37874	7290-60-30	Uniforms Allowance	54.65	Walkers Uniform Rental
<b>Total</b>			<b>160,604.86</b>	
<b>Street</b>				
37877	8150-70-40	R&M Vehicle	222.16	Austec Repair
37811	8140-70-40	R&M Equip	20.00	B&B Garage
37812	8120-70-40	Fuel	226.70	B&D Pit Stop
37817	8120-70-40	Fuel	107.31	Casey's General Store
37820	8215-70-40	R&M Streets & Alleys	1,876.00	Clean Sweep Commercial
37821	9084-70-40	Sidewalk Repair	241.25	Consolidated Concrete
37821	9060-70-40	Building	868.50	Consolidated Concrete
37825	8110-70-40	Chemicals	97.50	Farmers Union Coop
37829	8130-70-40	R&M Building	26.94	Gretna Ace Hardware
37831	9040-70-40	Tools & Misc Equip	41.43	Home Depot
37835	9060-70-40	Building	9,746.58	Kildow Construction
37878	7270-70-40	Insurance	2,358.84	Marcotte Insurance
37841	9060-70-40	Building	55,820.00	Marsh Creek Concrete
37842	9040-70-40	Tools & Misc Equip	9.88	Menards
37844	8225-70-40	R&M Street Signs&Posts	57.05	Michael Todd & Company
37847	7320-70-40	Natural Gas	104.84	MUD
37851	7330-70-40	Telephone	50.47	NT&T
37815	9015-70-40	Equipment Rental	175.00	Omaha Tractor
37815	9015-70-40	Equipment Rental	2,700.00	Omaha Tractor
37859	7310-70-40	Electricity	3,467.58	OPPD
37860	7340-70-40	Waste Disposal	32.80	Premier Waste Solutions
37868	8200-70-40	Miscellaneous	312.00	Schmader Electric
37873	7330-70-40	Telephone	15.22	Verizon Wireless
37874	7290-70-40	Uniform Allowance	105.65	Walkers Uniform Rental
37875	9060-70-40	Building	20.87	West Omaha Winsupply
<b>Total</b>			<b>78,704.57</b>	
<b>Keno</b>				
37879	9174-80-70	Keno CB Project	7,965.00	Outdoor Recreation Products
<b>Total</b>			<b>7,965.00</b>	
<b>Payroll</b>			<b>38,457.31</b>	

## **Regular Agenda**

Agenda Item 1. Approved Proclamation dedicating the Buffalo Park Splash Pad to the memory of Mayor Michael Dill (years of service 2008-2015).

Agenda Item 2. Mayor Roseland nominated Chris Tolliver, 508 South 7<sup>th</sup> Street, as the new member to the Springfield City Council to fulfill the vacancy left by Darren Carlson, who recently resigned. Tolliver will satisfy Carlson's term ending December 2018. The nomination was unanimous. AYES: Swenson, Craney, Nolte. NAYS: None. Tolliver will be sworn in at the June 21, 2016, Council meeting.

Agenda Item 3. Lt. Dennis Svoboda with the Sarpy County Sheriff's Department provided the monthly service report. He reported that the sheriff's department will have officers in town throughout Springfield Days activities. Lt. Svoboda reviewed parking issues on Platteview Road during a weekend soccer tournament. He suggested that the city install no parking signs on both sides of Platteview Road to help enforce no parking violations.

Agenda Item 4. Rod and Maggie Kehlenbeck, 585 Vine Street, expressed concern with speeding vehicles traveling on South 6<sup>th</sup> Street. Rod said that they would like to see additional law enforcement patrolling the area. He suggested a speed monitor be used to alert drivers when they are speeding and help slow traffic down. Lt. Svoboda said that the department has put a deputy in Buffalo Park watching for speeders. He noted that they will also put up a temporary radar trailer. He reported that traffic coming into town from the south may not be slowing down appropriately, since the speed limit on the gravel road is 55 mph and the speed in town is 25 mph. He said he contacted the Sarpy County Public Works Department and inquired about installing 35 mph speed limit signs on South 138<sup>th</sup> Street (6<sup>th</sup> Street). Rod suggested the city also clean up the speed limit signs and make them more visible. Craney suggested putting red flags on the speed limit signs.

Agenda Item 5. A Public Hearing of the Springfield City Council was opened at 7:19 p.m. to consider a preliminary plat (Lots 1-8, Prairie Toehold) of a subdivision located in Tax Lot 1B3, Tax Lot 1B4 and Tax Lot 2A, part of the southeast quarter of Section 12, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 46.571 acres, more or less, and generally located north of Fairview Road and west of 132<sup>nd</sup> Street, adjacent to the Fairview Heights Subdivision; and for waivers to the subdivision regulations pertaining to design standards and required improvements as identified. Council reviewed the staff report prepared by David Potter, City Planner with JEO Consulting Group. David Mangelsen, applicant, informed the Council that his intention is to subdivide the property into eight parcels so that each of his three children will have a lot and the remaining five lots will be sold. Scott Loos with Lamp, Rynearson, applicant's engineer, reviewed the dedicated easements requested by the city for future roads and utilities. No one else from the public spoke in favor of or in opposition to the application. Motion by Nolte, seconded by Swenson, to close the public hearing. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried. Public hearing closed at 7:24 p.m.

Agenda Item 6. Council Member Nolte introduced Resolution 2016-16 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, 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  
2016-16**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A PRELIMINARY PLAT (LOTS 1-8, PRAIRIE TOEHOLD) OF A SUBDIVISION LOCATED IN TAX LOT 1B3, TAX LOT 1B4 AND TAX LOT 2A, PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, CONSISTING OF APPROXIMATELY 46.571 ACRES, MORE OR LESS, AND GENERALLY LOCATED NORTH OF FAIRVIEW ROAD AND WEST OF 132<sup>ND</sup> STREET, ADJACENT TO THE FAIRVIEW HEIGHTS SUBDIVISION; AND FOR WAIVERS TO THE SUBDIVISION REGULATIONS PERTAINING TO DESIGN STANDARDS AND REQUIRED IMPROVEMENTS AS IDENTIFIED.

WHEREAS, MDM Mangelsen, LLC, applicant and owner, of the above described property has made application for approval of a preliminary plat for proposed Prairie Toehold with requested waivers; and

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

WHEREAS, the Springfield Planning Commission held a public hearing on April 12, 2016, regarding the application and has made a recommendation of approval to the City Council of the preliminary plat for Prairie Toehold and identified waivers, subject to the resolution of items specified in the City Planner's staff report as it meets the general requirements of the zoning ordinance and subdivision regulations; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on June 7, 2016, and is agreeable to the approval of the preliminary plat for Prairie Toehold, and waivers to the subdivision regulations pertaining to design standards and required improvements.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves the preliminary plat of Lots 1-8, Prairie Toehold, and waivers to the subdivision regulations pertaining to design standards and required improvements.

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF JUNE, 2016.

Ayes   3  

Nays   0  

Abstain   0  

Absent   0  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

Agenda Item 7. A Public Hearing of the Springfield City Council was opened at 7:28 p.m. to consider amendments to Section 5.19 "LI Light Industrial District" of the Springfield Zoning Ordinance, including changes to permitted and permitted conditional uses; and amendments to Section 5.21 "HCO Highway Corridor Overlay District" of the Springfield Zoning Ordinance, including changes to permitted and conditional permitted uses and sign criteria. Council reviewed the staff report prepared by David Potter, City Planner with JEO Consulting Group. No one from the public spoke in favor of or in opposition to the application. Motion by Nolte, seconded by Craney, to close the public hearing. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried. Public hearing closed at 7:32 p.m.

Agenda Item 8. Council Member Swenson introduced Ordinance No. 927 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.19 "LI LIGHT INDUSTRIAL DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD,

SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, 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 ordinance. Said ordinance was then read by title and thereafter Council Member Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Nolte. The Mayor then stated the question "Shall Ordinance No. 927 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 927**

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.19 "LI LIGHT INDUSTRIAL DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

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

Section 1. Approval of Amendment to Zoning Ordinance. On May 10, 2016, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.19 of the zoning ordinance to amend permitted and conditional permitted within the Light Industrial Zoning District and reported a recommendation of approval to the City Council. On June 7, 2016, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed change to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 5.19 is hereby amended to read as follows:

Section 5.19 LI Light Industrial District

- B. Permitted Uses
1. Assembly of metal products
  2. Dying and cleaning establishments
  3. Farm and industrial equipment sales establishments
  4. Laboratories
  5. Manufacture and assembly of electrical and electronic appliances
  6. Assembly, compounding, processing, packaging, or treatment of articles or merchandise from previously prepared materials
  7. Production of light sheet metal products, including heating and ventilation equipment
  8. Machine shops or other metal working

9. Printing and publishing businesses
10. Stone and monument works
11. Storage of farm and agricultural products
12. Truck and freight terminals
13. Public local distribution and main transmission utilities
14. Warehouses and wholesale businesses
15. Agricultural farms, truck gardens, greenhouses, plant nurseries, orchards, grain storage facilities, and the usual agricultural farm buildings and structures
- ~~16. Building materials and fuel yards~~
- ~~17. Contractor yards~~
18. Highway maintenance yards or buildings
- ~~19. Fixed plants for processing stone, gravel or clay~~
- ~~20. Licensed Recreational Vehicle Storage — Out of Doors and /or Within an Enclosed Building~~
- ~~21. Unlicensed Recreational Vehicle Storage — Out of Doors and/or Within an Enclosed Building~~
- ~~22. Self storage facility, enclosed~~
23. Distribution centers
24. Animal hospitals
25. Automotive sales, rental and service within an enclosed building

C. Permitted Conditional Uses

1. Public utility main transmission lines, including substations, distribution centers, regulator stations, pumping stations, treatment facilities, storage, equipment buildings, garages, towers, or similar public service uses
2. Concrete products manufacture
3. Farm and industrial equipment manufacture
4. Fertilizer storage or processing
5. Fuel storage
6. Acetylene gas manufacturing or storage
7. Cement, lime, gypsum, or plaster-of-paris manufacture
8. Fireworks or explosives manufacture
9. Gunpowder manufacture or storage
10. Boiler works
11. Burlap manufacture
12. Coal and coke yards
13. Bakery products manufacture
14. Feed and forage plants
15. Grain mill products manufacture
16. Meat products manufacture
17. Manufacture, fabrication, or treatment of sheet metal or shaped metal products including such industries as farm machinery, farm equipment, construction materials and machinery, heating, ventilating, plumbing equipment, and household appliances
18. Fabrication, manufacture and treatment of lumber or wood products
19. Alfalfa dehydrating plants
20. Oil, rubber, or leather goods manufacture
21. Outdoor signs or devices for advertising, display, announcements, notices, or property identifications
22. Satellite dish antennas that conform with the supplementary regulations of this Ordinance
23. Auction Houses that warehouse sale items and sell said items within the auction facility and/or outside of the auction facility, but on the premises
24. Sexually Oriented Businesses in accordance with Section 8.17 of these regulations.
25. Outdoor Storage Containers, not limited in quantity but subject to Section 8.18

26. Storage of Fireworks.
27. Building materials and fuel yards.
28. Contractor yards.
29. Highway maintenance yards.
30. Fixed plants for processing stone, gravel or clay.
31. Licensed Recreational Vehicle Storage – Out of Doors and /or Within an Enclosed Building.
32. Unlicensed Recreational Vehicle Storage – Out of Doors and/or Within an Enclosed Building.
33. Self-storage facility, enclosed.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF JUNE, 2016.

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Mayor

(SEAL)

Attest:

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City Clerk

Agenda Item 9. Council Member Swenson introduced Ordinance No. 928 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

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: Swenson, 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 ordinance. Said ordinance was then read by title and thereafter Council Member Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Nolte. The Mayor then stated the question “Shall Ordinance No. 928 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 928**

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On May 10, 2016, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.21 of the zoning ordinance to amend permitted and conditional permitted uses to exclude certain uses within the Highway Corridor Overlay District (extraction and processing of rock, gravel, sand, clay and dirt; licensed recreational vehicle storage-out of doors; unlicensed recreational vehicle storage-out of doors; concrete recycling and distribution plant; truck and freight terminals; contractor yards) and to amend criteria for appearance on signs and reported a recommendation of approval to the City Council. On June 7, 2016, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed changes to the zoning ordinance are advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 9.01 of the Springfield Zoning Ordinance, Section 5.21 is hereby amended to read as follows:

Section 5.21 HCO Highway Corridor Overlay District

D. Permitted and Conditional Permitted Uses:

All permitted and special permitted principal uses contained in the underlying base zoning district are allowed in the HCO District, except for the following and location of specific uses is determined by the current land use plan and zoning map.

- (1) livestock sales
- (2) large alternative energy production devices
- (3) recycling processing
- (4) construction batch plants
- (5) landfills
- (6) self-service car wash operations that constitute the primary use
- (7) hazardous waste storage, as a primary use
- (8) mobile home park
- (9) mobile home sales
- (10) pawn shops
- (11) salvage or junk yard operations and transfer stations, as a primary use
- (12) tow lots, as a primary use
- (13) extraction and processing of rock, gravel, sand, clay and dirt
- (14) licensed recreational vehicle storage – out of doors
- (15) unlicensed recreational vehicle storage – out of doors
- (16) concrete recycling and distribution plant
- (17) truck and freight terminals
- (18) contractor yards

H. Criteria for Appearance:

(7) Signs

Local sign regulations and NAC Title 410, Chapter 3—Sign Permits: NDOR Rules and Regulations Relating to the Control of Advertising in Areas Adjacent to the Highway Beautification Control System standards shall apply in the Highway Corridor Overlay District, except as modified in this section:

- (a) The combined area of all wall signs attached to any façade of a building shall not exceed twenty-five percent of the façade area of the building (including doors and windows).
- (b) Roof signs are not permitted, and wall signs shall not extend beyond the top edge of any façade of the building.
- (c) Projecting signs shall not exceed 15 square feet per building face.
- (d) Window signs shall consist of lettering applied to the interior of display windows.
- (e) Window signs shall not fill up more than 20 percent of the window area, and shall be limited to letters of 8 inches or less in height.
- (f) Billboards shall not be permitted in the district.
- (g) Pole signs shall ~~be limited to on-premise only~~ not be permitted in the district.
- (h) All freestanding signs shall be monument signs (i.e., the lower edge of the sign is attached to a foundation with no visible air space in between the lower edge of the sign face and the foundation) constructed of materials that are similar to or are compatible in quality and appearance with the primary materials used on primary buildings on the site. The addition of skirting between the lower edge of the sign face and the foundation of a pole sign, in order to avoid visible air space between the two, is prohibited, ~~unless made a permanent part of the sign with similar materials and approved by the city.~~
- (i) The maximum height of a monument sign shall be 10 feet above grade along the Highway 50 corridor and the maximum sign face of a monument sign shall ~~be 32 square feet, or~~ comply with the regulations of the underlying zoning district, ~~of which the stricter of the two shall apply.~~ If the monument sign is oriented approximately perpendicular to the street frontage, or if it is located diagonally on a corner lot in order to be seen from two streets, it may contain a sign face of up to ~~32~~ 100 square feet ~~on each of its two sign faces.~~ ~~The area of double-faced signs is calculated on the largest face only.~~ Maximum sign areas shall apply to each lot or parcel, and not per street frontage or per user.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 7<sup>TH</sup> DAY OF JUNE, 2016.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

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City Clerk

Agenda Item 10. Council Member Swenson introduced Ordinance No. 929 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 6 POLICE REGULATIONS, ARTICLE 1 ANIMALS, SECTIONS 6-145 THROUGH 6-167 REGULATIONS OF POT-BELLIED PIGS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

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: Swenson, 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 ordinance. Said ordinance was then read by title and thereafter Council Member Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Nolte. The Mayor then stated the question "Shall Ordinance No. 929 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 929**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 6 POLICE REGULATIONS, ARTICLE 1 ANIMALS, SECTIONS 6-145 THROUGH 6-167 REGULATIONS OF POT-BELLIED PIGS; 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. Chapter 6, Article 1, Sections 6-145 through 6-167 of the Municipal Code of Springfield, Nebraska are adopted to read as follows:

**§6-145 ANIMALS; NUMBER AND SIZE RESTRICTIONS.**

It shall be unlawful for any person to own, keep, or harbor at any time more than one pot-belly pig per dwelling unit within the city limits or within the one-mile extraterritorial zoning jurisdiction of the city. Further, it shall be unlawful for any person to own, keep or harbor any pot-bellied pig reaching a size greater than 100 pounds in weight or 22 inches in height within the city limits or within the one-mile extra-territorial zoning jurisdiction of the city.

**§6-146 ANIMALS; SPAYING; NEUTERING.**

It shall be unlawful to own, keep or harbor a pot-bellied pig within the city limits or within the one mile extraterritorial zoning jurisdiction of the city that is not spayed or neutered within 30 days after attaining the age of three months.

**§6-147 ANIMALS; RUNNING AT LARGE.**

It shall be unlawful for any person to allow or permit any pot-bellied pig which is owned, kept or harbored by him/her to run or be at large in or upon the private premises of others or upon the streets, highways and other public places of the city or within the one-mile extraterritorial zoning jurisdiction of the city.

**§6-148 ANIMALS; RESTRAINT.**

It shall be unlawful for the owner of any pot-bellied pig within the city or within the one-mile extraterritorial zoning jurisdiction of the city to fail to keep his/her pot-bellied pig securely restrained by a chain or otherwise confined in or upon his/her premises in an enclosure sufficient to contain the pot-bellied pig.

**§6-149 ANIMALS; POT-BELLIED PIGS DAMAGING PROPERTY OF OTHERS.**

It shall be unlawful for the owner of a pot-bellied pig to allow or permit his/her pot-bellied pig to damage property of others or cause bodily injury. If the owner is adjudged guilty of a violation of this section, the court may, in addition to the penalty provided for the violation of this code, order such disposition or destruction of the offending pot-bellied pig as may seem reasonable and proper.

**§6-150 ANIMALS; DISTURBANCE OF THE PEACE.**

It shall be unlawful for any person who owns, keeps, harbors, maintains, or permits on any parcel of land or premises under his/her control any pot-bellied pig which by loud, continued, or frequent oinking, squealing, or grunting shall annoy or disturb the peace and comfort of the inhabitants of any neighborhood or interfere with any person or persons in the reasonable and comfortable enjoyment of life or property; provided, however, this section shall not apply to the animal shelter, veterinarians, and medical laboratories.

**§6-151 ANIMALS; APPLICABILITY OF ARTICLE.**

The provisions of this article shall be applicable and controlling within the corporate limits of the city and within the one-mile extraterritorial zoning jurisdiction of the city, regardless of when a pot-bellied pig was acquired by the owner or when it was brought into the city limits or the one-mile extraterritorial zoning jurisdiction of the city.

**§6-152 ANIMALS; EXCEPTIONS.**

Notwithstanding any other provision herein, the provisions of this article shall not be deemed to apply to, or in any way to interfere with, the ordinary conduct and operation of veterinary clinics, biological laboratories or pet shows, when conducted within the city or within the city or within the one-mile extraterritorial zoning jurisdiction of the city.

**§6-153 ANIMALS; LICENSE REQUIRED.**

It shall be unlawful for any person to own, keep or harbor any pot-bellied pig within the city limits or within the one-mile extraterritorial zoning jurisdiction of the city unless such pot-bellied pig has been

licensed by the authority as required by the provisions of this article; provided, however, that this section shall not apply to any pot-bellied pig which has not reached the age of eight weeks.

**§6-154 ANIMALS; APPLICATION.**

- (1) Written application for a license required by the provisions of this article shall be made to the authority, or its designee, and the application shall:
  - (a) State the name and address of the owner of the pot-bellied pig;
  - (b) State the color, age and sex of the pot-bellied pig;
  - (c) Submit documentation signed by a licensed veterinarian indicating that, upon reaching the age of four months, the pot-bellied pig has been neutered or spayed;
  - (d) Provide such other information as may identify the pot-bellied pig.
- (2) The application shall certify to the information contained in such application under penalty of law of the willful making of any untrue statement.

**§6-155 ANIMALS; DATE FOR OBTAINING LICENSE.**

Licenses required by the provisions of this article shall be procured on or before January 1 of each year, provided:

- (1) If the pot-bellied pig is acquired by an owner after such date, such license shall be acquired within 30 days after the date of acquisition of such pot-bellied pig.
- (2) If the owner becomes a resident of the city after January 1, he/she shall acquire such license within 30 days after he/she established residency in the city.

**§6-156 ANIMALS; FEES GENERALLY.**

The annual fee for a license required by the provisions of this article shall be as listed in the Master Fee Schedule.

**§6-157 ANIMALS; LATE CHARGE.**

In the event the owner fails to acquire a license under the provisions of this article within the time required, he/she shall pay a late charge as provided for the Master Fee Schedule in addition to the fees required by this article.

**§6-158 ANIMALS; ISSUANCE; TAG.**

- (1) Upon payment of the required fee, the authority or its designee shall issue a numbered receipt and tag to the owner of the pot-bellied pig licensed.
- (2) Such license receipt shall contain the owner's name and address and such description of the pot-bellied pig as may be required for purposes of identification, and the number of the tag issued therefore.
- (3) Such tag shall be in such form and description as the authority or its designee shall determine from time to time.

**§6-159 ANIMALS; SEPARATE LICENSE AND TAG REQUIRED FOR EACH-POT-BELLIED FIG.**

A separate license and tag is required under the provisions of this division for each pot-bellied pig owned, kept or harbored by any person.

**§6-160 ANIMALS; WEARING OF COLLAR AND TAG OR OTHER IDENTIFICATION.**

Upon receiving a tag under the provisions of this division, it shall be the duty of the owner or other person keeping a pot-bellied pig to ensure that the pot-bellied pig bears the permanent means of identification at all times such as an implanted micro-chip or such tag attached to a durable collar or harness worn at all times.

**§6-161 ANIMALS; RECORDS.**

The authority or its designee shall keep a record of the name and address of each owner obtaining a license under the provisions of this article and the number of the license and tag issued.

**§6-162 ANIMALS; EXPIRATION.**

Licenses issued under the provision of this article shall be valid until January 1 of the succeeding year.

**§6-163 ANIMALS; MISUSE OF TAG.**

No owner shall permit or allow his/her pot-bellied pig to wear any license tag other than the one issued for such pot-bellied pig and for the period of the license year hereinbefore mentioned.

**§6-164 ANIMALS; REMOVAL OF TAG.**

No person shall remove or cause to be removed the collar or tag from any licensed pot-bellied pig without the consent of the owner, keeper, or harbinger thereof.

**§6-165 ANIMALS; VACCINATION REQUIRED.**

- (1) Every pot-bellied pig required to be licensed by the article shall be vaccinated, by a veterinarian licensed to practice in the state and certified to treat livestock by the state department of agriculture, for the following diseases:
  - Four to six weeks of age: Erysipelas bacterin  
Leptospira (five or six serotypes) bacterin  
Atrophic rhinitis vaccine
  - Eight to ten weeks of age: Repeat above schedule (unless second vaccine already administered)
  - Biannually: Booster leptospira bacterin
  - Annually: Booster erysipelas bacterin  
Tetanus toxoid (if recommended by veterinarian)  
Booster atrophic rhinitis vaccine.
- (2) Young pot-bellied pigs shall be vaccinated within 30 days after they have reached two months of age. Unvaccinated pot-bellied pigs acquired or moved into the state must be vaccinated within 30 days after purchase or arrival, unless less than two months of age as specified above. Subject to the above, every such pot-bellied pig shall be revaccinated following a period of not more than 12 months since its last vaccination.

**§6-166 ANIMALS; BLOOD TESTS REQUIRED.**

Every pot-bellied pig required to be licensed by this article shall, no later than the age of eight weeks, be blood tested to ensure that the animal is not carrying pseudo rabies or brucellosis. Such testing shall be repeated annually thereafter. In the event the animal tests positive for either disease, the animal shall be held by the authority or its designee and treated until cured, or if the disease is incurable, the animal shall be destroyed. The cost of holding and, if necessary, destroying the animal shall be borne by the owner of the animal.

**§6-167 ANIMALS; CERTIFICATE OF VACCINATION AND BLOOD TESTING.**

- (1) It shall be the duty of each veterinarian, at the time of vaccinating or blood testing any pot-bellied pig, to complete a certificate of vaccination and blood testing, which shall include but not be limited to the following information:
  - (a) The owner's name and address;
  - (b) An adequate description of the animal, including but not limited to such items as the animal's sex, age, name, and distinctive markings;
  - (c) The date of vaccination;
  - (d) The vaccination tag number;
  - (e) The type of vaccine administered;
  - (f) The manufacturer's serial number of the vaccine used. Such veterinarian shall issue a tag with the certificate of vaccination;
  - (g) The date of blood testing; and
  - (h) The results of the blood tests.
- (2) The veterinarian shall make and provide a copy of each certificate issued to the authority or its designee at the time of its issuance. In the event blood tests reveal the presence of pseudo rabies, brucellosis, or other disease, the veterinarian shall notify the authority or its designee immediately.

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 7<sup>th</sup> day of June, 2016.

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(Mayor)

(SEAL)

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Clerk

Agenda Item 11. Council Member Swenson introduced Ordinance No. 930 entitled:

**AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE**

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, 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 ordinance. Said ordinance was then read by title and

thereafter Council Member Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Nolte. The Mayor then stated the question “Shall Ordinance No. 930 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 930**

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1.

**MASTER FEE SCHEDULE**

**ANIMAL CONTROL**

All fees listed in this section are collected by the contracted Animal Control Authority, currently the Nebraska Humane Society. The Animal Control Authority sets and collects fees for the following: Impoundment (including a per day boarding fee), Veterinary Expenses, Euthanasia Expenses and Removal Costs.

- |    |                    |   |
|----|--------------------|---|
| 1. | Dog & Cat Licenses |   |
|    | a.                 | Spayed or Neutered: \$5.00 annually               |
|    | b.                 | Intact: \$15.00 annually                          |
|    | c.                 | License Handling/Issuance Fee: \$5.00 per license |

\*No dog and cat license fees will be charged for senior citizens (65 or older) who own a spayed or neutered dog or cat.

- |    |                                       |                           |
|----|---------------------------------------|---------------------------|
| 2. | <u>Pot-Belly Pig License:</u>         | <u>\$35.00 annually</u>   |
|    | <u>License Handling/Issuance Fee:</u> | <u>\$5.00 per license</u> |

- |    |  |                      |
|----|--|----------------------|
| 3. | Fine for not being licensed by March 15: | Double licensing fee |
|----|--|----------------------|

- |    |  |  |
|----|--|--|
| 4. | Impound fees (excluding the per day boarding fee): |  |
|    | a.   | Altered Dog, Cat <u>or Pot-Belly Pig:</u>                          |
|    |  | \$35.00 first redemption   |
|    |  | \$70.00 second redemption within 24 months of the first redemption |
|    |  | \$140.00 third redemption within 24 months of the first redemption |

- +\$50.00 for subsequent redemptions
- b. Unaltered Dog or Cat:
  - \$100.00 first redemption
  - \$300.00 second redemption within 24 months of the first redemption
  - \$600.00 third redemption or any subsequent redemption within 24 months of the first redemption
- c. Reimbursement for animals sterilized and micro-chipped within 90 days of the date of redemption:
  - \$65.00 first redemption
  - \$230.00 second redemption
  - \$460.00 third redemption

**BUILDING SERVICES**

The City of Springfield contracts with the Sarpy County Building Inspector for inspection services. Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the city shall charge and collect a fee. Building Permit Fees are based on Project Valuation calculated using the per square foot construction costs in the Sarpy County Building Valuation Data Table attached. Please also refer to the Sarpy County Permit Fee Schedule and Electric, Mechanical, and Plumbing Fixture Fee Tables attached.

Residential Dwelling:

Finished Area Above Grade	\$104.00 per sq. ft.
Finished Area Below Grade	\$25.00 per sq. ft.
Unfinished Above/Below	\$15.00 per sq. ft.
Attached Garage	\$15.00 per sq. ft.
Deck/Patio	Included with new construction + elec/mech/plumb fixture fees

Residential Addition Same as new construction

Residential Basement (Below Grade) Finish \$25.00 per sq. ft.  
+ elec/mech/plumb fixture fees

Residential Garage Addition (Attached or Detached) \$25.00 per sq. ft.

Residential Plumbing Permit \$24.00 base fee + fixture fee

Residential Mechanical Permit \$24.00 base fee + fixture fee

Residential Electric Permit \$50.00

Deck Estimated Project Valuation

Sheds \$5.00 per sq. ft.

Fences \$5.00 per lineal foot

Swimming Pools:

Above Ground	\$24.00
Below Ground	Estimated Project Valuation + fixture fee

Spas	\$24.00 + fixture fee
Lawn Sprinkler System:	
In addition to new construction permit	\$30.00
As a separate permit	\$42.00
Commercial Building:	
Permit Fee is based on Project Valuation calculated on a per square foot construction cost based on Occupant Use and Construction Type in the 2012 Building Valuation Data Table. Refer to the Sarpy County Building Valuation Data Table and Fee Schedule attached.	
Commercial Addition	Same as new construction
Commercial Remodel	Estimated Project Valuation
Commercial Electrical	Obtain Permit through State of Nebraska
Change of Occupancy	\$100.00 + applicable building permit fees
Grading Permit:	
Less than 10 acres	\$500.00
10 acres or more	\$1,000.00
Building Relocation / Moving Permit	\$100.00 + applicable building permit fees
Demolition Permit:	
Accessory structure less than 1,200 sq. ft.	\$50.00
Single-Family Dwelling	\$100.00
Commercial Structure	\$250.00
Park Capital Facilities Fee	\$200.00
*applied to all new construction residential and commercial permits	
Septic Permit	\$100.00
Well Permit:	
New Well	\$100.00
Repair	\$50.00
Decommission	\$50.00
Curb Cut (New Opening):	
Fee	\$50.00 (covers inspection services)
Deposit (refundable upon final inspection)	\$125.00
Street Opening	\$10.00 per sq. ft., \$600.00 minimum
Sign Permit	\$.30 per sq. ft., \$40.00 minimum
Penalty Fee for No Permit	Triple permit fee

Expired Building Permit Renewal	One-half of new building permit fee
Refund Policy	80% of permit fee
Re-Inspection Fee (assessed upon third and any subsequent re-inspect)	\$60.00
Inspection Fee outside of normal business hours (two hour minimum)	\$60.00
Inspections for which no fee is specifically indicated (minimum charge – 1 hour)	\$50.00 per hour

**CITY FACILITIES RENTAL**

1. Community Building	
a. Hourly	\$10.00 residents and business owners within corporate limits \$25.00 non-residents 4 hour maximum rental period
b. Daily (entire building)	\$75.00 residents and business owners within corporate limits \$300.00 non-residents
c. Deposit	\$125.00 (refundable)
2. Library Meeting Room	
a. Daily	\$25.00
b. Deposit	\$100.00 (refundable)

**ELECTION SERVICES**

1. Election Filing Fees (See Ordinance)	1% of annual salary
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**LIBRARY SERVICES**

1. Damaged & Lost	
a. Books	Replacement Cost
b. Magazines	Replacement Cost
c. Audio Tapes	Replacement Cost
d. Videos	Replacement Cost
2. Fines	
a. Books and Magazines	\$.10 per day
b. Audio Books	\$.10 per day
c. Videos/DVDs	\$1.00 per day
3. Inter-Library Loan	\$2.00
4. Non-resident Library Card	\$35.00 annually

**MISCELLANEOUS**

1. Copy of City Map	\$3.00
2. Fee for Returned Checks (NSF)	\$30.00

- |    |  |  |
|----|--|--|
| 3. | Handicap Parking Permit (State Statute)  | No charge  |
| 4. | Property Cleanup Service Fees (including but not limited to mowing/lawn service, snow removal and tree trimming) | \$300.00 per occurrence                            |
| 5. | Request for Records (State Statute)  | \$5.00 per half hour over 4 hours, plus copy costs |

**OCCUPATION FEES / FRANCHISE FEES / IN LIEU OF TAXES**

(State Statute requires these fees be set by Ordinance)

- |               |  |                                 |
|---------------|--|---------------------------------|
| 1.            | Advertising Bench                                |                                 |
|               | a. Application                                   | \$10.00                         |
|               | b. Renewal application                           | \$10.00                         |
| 2.            | Billiards, Pool Tables                           | \$10.00 annually                |
| <del>3.</del> | <del>Bingo License (State Statute)</del>         | <del>\$10.00 annually</del>     |
| 4.            | Electric Companies                               | \$0 annually                    |
| 5.            | Fire Insurance Companies (State Statute)         | \$5.00 annually                 |
| 6.            | Fireworks Stands                                 |                                 |
|               | a. June 25 – July 4 Selling Period               | \$2,500.00                      |
|               | b. December 29 – 31 Selling Period               | \$500.00                        |
|               | c. Deposit                                       | \$500.00 (refundable)           |
| 7.            | Franchise Fees/In Lieu of Taxes                  |                                 |
|               | a. Electricity                                   | 5% of gross revenues            |
|               | b. Gas (State Statute §14-2139)                  | 2% of gross revenues            |
|               | c. Cable Television (State Statute sets ceiling) | 3% of gross revenues            |
| 8.            | Liquor Establishments                            |                                 |
|               | a. Class A – Beer On Sale Only                   | \$150.00                        |
|               | b. Class B – Beer Off Sale Only                  | \$150.00                        |
|               | c. Class C – All Alcoholic Liquor On & Off Sale  | \$500.00                        |
|               | d. Class D – All Alcoholic Liquor Off Sale Only  | \$300.00                        |
|               | e. Class I – All Alcoholic Liquor On Sale Only   | \$375.00                        |
|               | f. Class L – Craft Brewery (Brew Pub)            | \$375.00                        |
|               | g. Class W – Wholesale Beer                      | \$750.00                        |
|               | h. Class X – Wholesale Liquor                    | \$1,125.00                      |
|               | i. Class Y – Farm Winery                         | \$375.00                        |
|               | j. Class K – Catering                            | \$150.00                        |
| 9.            | Mechanical Amusement Devices                     | \$10.00 annually                |
| 10.           | Sexually Oriented Business                       |                                 |
|               | a. New Application                               | \$500.00 plus professional fees |
|               | b. Annual Fee                                    | \$500.00                        |
| 11.           | Special Liquor Licenses                          | \$50.00 per day plus State Fee  |

		\$500.00 deposit (refundable)
12.	Tattoo Parlor	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00
13.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
14.	Tobacco License (State Statute)	\$10.00 annually
15.	Mobile Home Park	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$10.00 per pad
16.	Vendor/Hawker/Peddler	
	a. Annually	\$150.00
	b. Per day	\$50.00

**PLANNING SERVICES**

1.	Administrative Plat (lot split/consolidation)	\$200.00
2.	Annexation Requests	\$100.00 plus professional services costs (legal, engineering, planning, and administration)
3.	Board of Adjustment / Variance Request	\$250.00
4.	Connection-Capital Facilities Fees*	
	a. Sewer Connection-Capital Facilities Fees	
	Residential - Single Family	\$1,400.00 per unit
	Residential - Duplex	\$1,400.00 per unit
	Residential - Multi Family	\$800.00 per unit
	Commercial/Industrial	\$6,000.00 per acre
	Park or Common Area	\$300.00 per acre
	Agriculture Land	\$200.00 per acre
	b. Water Connection-Capital Facilities Fees	
	Residential - Single Family	\$500 per unit
	Residential - Duplex	\$500.00 per unit
	Residential - Multi Family	\$300.00 per unit
	Commercial/Industrial	\$1,000.00 per acre
	Park or Common Area	\$100.00 per acre
	Agriculture Land	\$100.00 per acre

\*Refer to Springfield Municipal Codes §3-105.03 and §3-209.03 for applicability and payment due date.

5.	Comprehensive Plan Amendment	\$500.00
6.	Conditional Use Permit (1 acre or less)	\$300.00

7.	Conditional Use Permit (over 1 acre)	\$500.00
8.	Conditional Use Permit Amendment / Renewals	\$150.00
9.	Conditional Use Permit Annual Fee	\$30.00
10.	County Filing Fees (if filed by City)	\$50.00 plus actual costs
11.	Design Review Fee (applicable to zoning districts with overlay design standards)	\$250.00 or 20% of permit fee, whichever is greater
12.	Final Plat	\$500.00 plus \$10.00 for each lot
13.	Flood Plain Development Permit	\$500.00
14.	Park and Open Space Fee Cash in Lieu of Land Fee	.04 acres per unit at Final Plat \$30,000.00 per acre*

\*Calculated on the basis of each dwelling unit constituting .04 acres. In satisfaction of a subdivider's required dedication of land for parks, playgrounds, trails or recreational uses per City Subdivision Regulations and/or the subdivider's required in lieu of fee, the City may, in its discretion, accept in whole or in part, the cost of park/recreational improvements installed and paid for by the subdivider, such as pedestrian/bike trail improvements, trees, and other park/recreational improvements as set forth in a City approved park/recreational improvement plan incorporated into a subdivision agreement. Such dedications, in lieu of fee payment, or accepted park/recreational improvements are to be made or paid by the subdivider and shall not be made, paid or reimbursed by a sanitary improvement district.

15.	Preliminary Plat	\$750.00 plus \$10.00 per lot
	a. Revised Preliminary	\$250.00
16.	Replat	\$750.00 plus \$10.00 per lot
17.	Site Plan Review (amount added to building permit, as necessary)	\$150.00 less than 1 acre \$300.00 1-5 acres \$500.00 over 5 acres
18.	Tax Increment Finance Project Fee	1 ½ % of project cost to be Tax Increment Financed
19.	Vacation of Plat	\$150.00
20.	Vacation of Public Right-of-Way	\$150.00
21.	Zoning Map Amendment	\$400.00 (\$200.00 refundable if denied by Council)
22.	Zoning / Subdivision Regulations Text Amendment	\$500.00

### **POLICE SERVICES**

1.	Parking Violations	
	a. 1 <sup>st</sup> offense	\$10.00
	b. Offense	\$20.00

**SEWER UTILITY FEES**

**(State Statute requires these fees be set by Ordinance)**

1. Sewer Connection/Tap Fee

Residential

a.	3/4"	\$300.00
b.	1"	\$400.00
c.	1 1/2"	\$425.00
d.	2"	\$450.00
e.	Larger Connections	Set by Council

Commercial/Industrial

a.	3/4"	\$450.00
b.	1"	\$600.00
c.	1 1/2"	\$650.00
d.	2"	\$675.00
e.	Larger Connections Out of City	Set by Council 150% of fee

2. Sewer Use Rates (Set by Ordinance) \$27.06 per month, \$1.09 per 1,000 gallons of usage

3. Utility Deposit (includes water and sewer) \$150.00

**WATER UTILITY FEES**

**(State Statute requires these fees be set by Ordinance)**

1. Water Connection/Tap Fee

Residential

a.	3/4"	\$300.00
b.	1"	\$400.00
c.	1 1/2"	\$425.00
d.	2"	\$450.00
e.	larger connections	Set by Council

Commercial/Industrial

a.	3/4"	\$450.00
b.	1"	\$600.00
c.	1 1/2"	\$650.00
d.	2"	\$675.00
e.	larger connections	Set by Council
	Out of City	150% of fee

2. Water Meter Fee

a.	3/4"	\$275.00
b.	1"	\$325.00
c.	1 1/2"	City's actual cost
d.	Non-listed Meters	City's actual cost

3.	Water Re-connection	
a.	Water emergency – 1 <sup>st</sup> violation	\$50.00
b.	Water emergency – 2 <sup>nd</sup> violation	\$200.00
c.	Water emergency – 3 <sup>rd</sup> violation	\$300.00
d.	By request of owner – during business hours	\$30.00
	after business hours	\$60.00
e.	For non-payment or other violation–during business hours	\$40.00
	after business hours	\$80.00
4.	Water Use Rates	\$27.06 per month for 2,000 gallons, \$2.70 per 1,000 gallons of usage thereafter
5.	Non-service area customer	\$25 for each 500 gallon (does not include SIDs governed by _____ Developer Agreement)
6.	Non-working/Non-readable Meter	\$50.00 per month

Section 2. Fees not listed in the previous section are still valid and applicable as noted in their documents of origin.

Section 3. This ordinance does not prohibit the development and implementation of additional fees.

Section 4. For fees which are required to be adopted by State Statute, this ordinance serves as an affirmation and shall not override the governing statute.

Section 5. Any City official is hereby authorized and directed to refuse service to anyone who refuses to pay the fee established for that service.

Section 6. No fee shall be waived or refunded without approval of the Springfield City Council.

Section 7. The City of Springfield shall have the right to charge, in addition to the above fees, any overtime costs incurred in connection with the service.

Section 8. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 9. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 7<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

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City Clerk

Agenda Item 12. The City Administrator reported that the building addition at 154 Main Street is in violation of the Springfield Zoning Ordinance. The addition is crossing over the adjacent property lines, thus not meeting city side yard setback requirements. Council reviewed the staff report provided by the City Administrator, as well as a survey prepared by Olsson Associates. Motion by Swenson, seconded by Craney, to proceed with filing a complaint in the Sarpy County District Court against the property owner of 154 Main Street for zoning violations. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 13. Council considered a request from Crown Castle to extend a lease agreement for the AT&T telecommunications tower located on the water tower property. Council agreed not to extend the lease agreement at this time. They indicated that they would renegotiate in the future if AT&T needs to acquire additional land for a specific new tenant.

Agenda Item 14. Council reviewed insurance proposals from Coventry and BlueCross BlueShield. They considered monthly premiums, deductibles and employee contributions. BlueCross BlueShield's proposal noted that deductibles incurred to date would be honored by their policy if the city switched to their insurance plan. The city's policy is set for a July 1 renewal date. Council expressed concern switching to BlueCross with ongoing employee medical issues, but noted the significant monthly premium savings. The City Administrator reported that BCBS stated that the specific medical issue at hand is a covered benefit; however, BCBS cannot guarantee coverage until all claims are submitted and adjudicated. Motion by Nolte, seconded by Swenson, to (1) switch agents from Silverstone Group to Marcotte Insurance, (2) switch to the BlueCross BlueShield BluePride Option 307 HSA Bronze health insurance plan as long as there are no major objections from employees, and (3) increase the employee spouse/family monthly premium contribution to 75%. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Items 15-17. Motion by Swenson, seconded by Craney, to move agenda items 15-17 into executive session. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

### **Department Reports**

Agenda Item 1. Nolte reported that K2 Construction wrapped up the Turtle Creek Aerial Crossing project. He said he would verify with the adjacent property owner that their property was put back to its original condition after contractor access. Nolte reviewed the South 1<sup>st</sup> Street sewer main replacement project. The City Administrator provided the Council with a paving schedule from the contractor. Nolte expressed concern with the condition of the staging area on the fair board's property. He said that the contractor used a much larger area than what was originally requested. This area needs to be cleaned up and returned to its original condition prior to final payment.

Agenda Item 2. No Department Report from Swenson.

Agenda Item 3. Craney reported that he will begin working on Frisbee later in the month.

Agenda Item 4. Nolte reported that Omaha Paving finished asphalt patch work this week. He said they will begin sealing after Springfield Days. Nolte noted that Kent Maystrick worked with Omaha Paving to address problem areas. Some areas included on the original bid were substituted for other areas in worse condition.

Agenda Item 5. Mayor Roseland reported that he attended meetings for United Cities and the Sarpy County Comprehensive Plan Update.

Agenda Item 6. Kathleen Gottsch, City Administrator, requested the Council provide feedback regarding tire day. Council was interested in offering a tire day in the fall, depending upon the cost of the event. She reminded the Council about upcoming events during Springfield Days, including the splash pad dedication and parade. Gottsch reported that Sarpy County Public Works has offered to serve as a third party engineer to review construction plans and testing for the Springfield Pines Subdivision.

### **Executive Session**

Motion by Swenson, seconded by Craney, to enter into executive session at 8:24 p.m. for the purpose of personnel discussion. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Craney, seconded by Swenson, to leave executive session at 8:45 p.m. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Swenson, seconded by Nolte, to approve a \$1.00/hour annual merit increase for Jean Latham, Library Aide. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Swenson, seconded by Nolte, to approve a 3% annual merit increase for Barb Henninger, Administrative Assistant. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Motion by Swenson, seconded by Craney, to table agenda item 17, regarding Larry Nolte's annual review and proposed merit increase, until the wage caps are reviewed and wage scale updated. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

### **Adjournment**

Motion by Nolte, seconded by Swenson, to adjourn. AYES: Swenson, Craney, Nolte. NAYS: None. Meeting adjourned at 8:48 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 June 7, 2016; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch  
City Clerk