



CITY COUNCIL AGENDA
Tuesday, March 15, 2016 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the February 16, 2016 Council Meeting
2. Approve Treasurer's Report
3. Consider an Application for a Special Designated Liquor License submitted by Ducks Unlimited Sarpy County Sand Bar Chapter for a fundraiser event at the Sarpy County Fairgrounds 4H Building

REGULAR AGENDA

1. **Tabled March 1, 2016.** Conduct a **Public Hearing** to consider an application filed by Springfield Landing, LLC, applicant and owner, amending the Springfield Comprehensive Plan and changing the future land use designation from Medium Density Residential to Industrial on the south eleven acres of Tax Lot 18, Section 24, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, bordered by the existing drainage ditch to the north and Pflug road to the south and generally located on the northwest corner of Pflug Road and South 138th Street
2. **Tabled March 1, 2016.** Consider approval of **Ordinance No. 910** changing the future land use designation from Medium Density Residential to Industrial on the south approximate eleven acres of Tax Lot 18, Section 24, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, bordered by the existing drainage ditch to the north and Pflug road to the south and generally located on the northwest corner of Pflug Road and South 138th Street

3. Consider approval of **Resolution 2016-11** entering into an Interlocal Cooperation Agreement with Sanitary and Improvement District 311 of Sarpy County, Nebraska outlining the terms and conditions of lowering the existing 12” water main along Main Street and South 132nd Street to serve the District
4. Consider approval of **Resolution 2016-12** entering into Loan Agreement No. D311611 with the Nebraska Department of Environmental Quality for the purpose of repairing and improving the city’s public water supply system
5. Consider approval of **Resolution 2016-13** authorizing the Mayor to enter into a revised Subdivision Agreement with Springfield Pines, LLC, Springfield Pines Homeowners Association, and Sanitary and Improvement District No. 311 for Phase 1 of Springfield Pines

DEPARTMENT REPORTS

1. Sewer Department – Darren Carlson
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 March 15, 2016. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Dan Craney, Chad Nolte. Absent: Darren Carlson. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

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

The City Clerk reported a balance on hand of \$999,967.35 in cash assets; Prestige Treasury-\$204,381.10; Prestige Bond-\$611,581.54; Keno Community Betterment-\$158,617.97; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,187.86; Refundable Deposit Savings-\$1,222.69; Water Tower Savings-\$133,511.30; Sewer Restricted-\$115,942.99; Water Capital Facilities Fees-\$32,298.34; Sewer Capital Facilities Fees-\$75,362.78; City Sales Tax-\$201,944.26; Money Mark Library Bricks-\$3,764.94; Government Securities-\$104,953.63; Library Savings-\$60,092.01; Time Certificates as follows: Bond-\$76,951.29; Tower-\$57,572.80; Water-\$126,235.96; Park-\$11,938.26; Library Bricks-\$21,319.43; Cash Receipts-\$141,807.48; Cash Disbursements-\$128,396.12; Refunding Bond 2013 Interest Payment-\$1,292.50.

Regular Agenda

Agenda Item 1. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider an application filed by Springfield Landing, LLC, applicant and owner, amending the Springfield Comprehensive Plan and changing the future land use designation from Medium Density Residential to Industrial on the south eleven acres of Tax Lot 18, Section 24, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, bordered by the existing drainage ditch to the north and Pflug road to the south and generally located on the northwest corner of Pflug Road and South 138th Street. Council reviewed the staff report prepared by David Potter, City Planner with JEO Consulting Group. Dan Williams, Springfield Landing, provided a proposed site plan for the property. He noted that four storage unit buildings would be constructed on the property as phase 1. A second phase with additional storage unit buildings would be added in the future. He reviewed landscaping, building design, security, and vehicle access. Williams noted that he is soliciting a partner to develop the north half of the larger property for high-density residential development. Council discussed paving of adjacent streets. Motion by Nolte, seconded by Swenson, to close the public hearing. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried. Public hearing closed at 7:14 p.m.

Agenda Item 2. Council Member Nolte introduced Ordinance No. 910 entitled:

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL ON PROPERTY LEGALLY DESCRIBED AS THE SOUTH APPROXIMATE ELEVEN ACRES OF TAX LOT 18, SECTION 24, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BORDERED BY THE EXISTING DRAINAGE DITCH TO THE NORTH AND PFLUG ROAD TO THE SOUTH AND GENERALLY LOCATED ON THE NORTHWEST CORNER OF PFLUG ROAD AND SOUTH 138TH STREET; 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 Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Swenson. The Mayor then stated the question "Shall Ordinance No. 910 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. 910

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL ON PROPERTY LEGALLY DESCRIBED AS THE SOUTH APPROXIMATE ELEVEN ACRES OF TAX LOT 18, SECTION 24, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BORDERED BY THE EXISTING DRAINAGE DITCH TO THE NORTH AND PFLUG ROAD TO THE SOUTH AND GENERALLY LOCATED ON THE NORTHWEST CORNER OF PFLUG ROAD AND SOUTH 138TH STREET; 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. APPLICATION. An application was filed by Springfield Landing, LLC, property owner, requesting a change of future land use designation from Medium Density Residential to Industrial on property legally described as the south eleven acres of Tax Lot 18, Section 24, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, bordered by the existing drainage ditch to the north and Pflug Road to the south and generally located on the northwest corner of Pflug Road and South 138th Street.

Section 2. APPROVAL TO CHANGE FUTURE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL. On February 9, 2016, the Springfield Planning Commission conducted a public hearing on the matter of changing the future land use designation from Medium Density Residential to Industrial on said legally described property and reported to the City Council that it recommended approval of the land use change. On March 1, 2016, the City Council opened a public hearing on said proposed change and continued the hearing until the March 15, 2016, City Council meeting at the request of the property owner. On March 15, 2016, the hearing was reconvened and closed and the City Council found and determined that the future land use change from Medium Density Residential to Industrial on said legally described property was advisable. The City Council further found and determined that public hearings were duly held and notices were duly given. The City Council hereby approves said proposed change in future land use designation from Medium Density Residential to Industrial on said legally described property.

Section 3. 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 15TH DAY OF MARCH, 2016.

Mayor

(SEAL)

Attest:

City Clerk

Agenda Item 3. Council Member Nolte introduced Resolution 2016-11 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
2016-11**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SANITARY AND IMPROVEMENT DISTRICT NO. 311 OF SARPY COUNTY, NEBRASKA, TO LOWER AN EXISTING 12” WATER MAIN ALONG MAIN STREET AND SOUTH 132ND STREET TO SERVE THE DISTRICT.

WHEREAS, pursuant to the Interlocal Cooperation Act, Section 13-801, *et seq.*, the City and the District are authorized to enter into this Agreement with each other so as to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage and thereby provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of such political subdivisions.

WHEREAS, the City and District have entered into a Subdivision Agreement, which was approved and adopted by the Springfield City Council on March 1, 2016, by Resolution 2016-10 and amended by the Springfield City Council on March 15, 2016, by Resolution 2016-13; and

WHEREAS, pursuant to the terms and conditions of the Subdivision Agreement, the City has agreed to the District lowering an existing 12” water main along Main Street and South 132nd Street to serve the District; and

WHEREAS, the Interlocal Cooperation Agreement attached hereto as Exhibit “A,” provides for the design, construction and payment of the entire cost of lowering and constructing the 12” water main to serve the District.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Springfield hereby approves and authorizes the Mayor to enter into the Interlocal Cooperation Agreement with Sanitary and Improvement District No. 311 of Sarpy County, Nebraska, to lower an existing 12” water main along Main Street and South 132nd Street to serve the District, a copy of which is attached hereto as Exhibit “A.”

Introduced and passed this 15th day of March, 2016.

Ayes __3__

Nays __0__

Abstain __0__

Absent __1__

Approved:

MAYOR

SEAL

Attest:

CITY CLERK

Agenda Item 4. Council reviewed the terms of the loan agreement with NDEQ for the new well project and discussed the financial terms. Jeremy Walker, Olsson Associates, discussed Davis Bacon and Buy America requirements. Council Member Nolte introduced Resolution 2016-12 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, Crane, 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
2016-12**

WHEREAS, the City of Springfield, Nebraska recognizes that a properly functioning public water supply system is necessary to the health and welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that portions of the City public water supply system are in need of significant repair and improvement; and

WHEREAS, funding for the cost of the repair and improvement of portions of the City public water supply system may be obtained by loan from the Nebraska Department of Environmental Quality, subject to certain requirements and obligations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska that they should execute the contract for loan between the Nebraska Department of Environmental Quality and the City of Springfield, Nebraska designated as Project No. D311611, incorporated by reference into this Resolution as if fully set forth; and

BE IT FURTHER RESOLVED, Robert Roseland, Mayor, is hereby directed to execute the contract and all other documents necessary to facilitate the loan between the Nebraska Department of Environmental Quality and the City of Springfield, Nebraska for the purpose of repairing and improving the City public water supply system; and

BE IT FURTHER RESOLVED THAT Kathleen Gottsch, Clerk, be authorized and directed to sign all necessary documents, to furnish such assurances to the State of Nebraska as may be required by law or regulations, and to receive payment on behalf of the applicant.

PASSED AND APPROVED THIS 15th day of March, 2016.

Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of March, 2016.

SEAL

Ayes _____

Nays _____

Abstain _____

Absent _____

Agenda Item 5. Council Member Nolte introduced Resolution 2016-13 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
2016-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A REVISED SUBDIVISION AGREEMENT FOR LOTS 1-128 AND OUTLOTS A-I, SPRINGFIELD PINES, A SUBDIVISION LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER, SECTION 24, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, CONSISTING OF APROXIMATELY 59.99 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE NORTHWEST CORNER OF 132ND STREET AND MAIN STREET.

WHEREAS, it has been represented that GDR, LLC will assign all of its interest to Springfield Pines, LLC; and

WHEREAS, it has been represented to the City of Springfield by Springfield Pines, LLC that the name of Sanitary Improvement District No. 311 of Sarpy County has been reserved; and

WHEREAS, it has been represented to the City of Springfield that Springfield Pines, LLC is a Nebraska Limited Liability Company in good standing and a Certificate of the Secretary of State has been deposited with the Springfield City Administrator; and

WHEREAS, it has been represented to the City of Springfield that the Springfield Pines Homeowners Association is a Nebraska Corporation in good standing and a Certificate of the Secretary of State has been deposited with the Springfield City Administrator; and

WHEREAS, Mahloch Family Partnership will convey its ownership interest to Springfield Pines, LLC; and

WHEREAS, on March 1, 2016, the City Council of the City of Springfield approved Resolution 2016-10 (1) authorizing the Mayor to enter into a Subdivision Agreement with Springfield Pines, LLC, Springfield Pines Homeowners Association, and Sanitary and Improvement District No. 311 for Phase 1 of Springfield Pines, (2) approving a final plat (Lots 1-128 and Outlots A-I, Springfield Pines) of a subdivision located in the East Half of the Northeast Quarter, Section 24, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, consisting of approximately 59.99 acres, more or less, and generally located on the northwest corner of 132nd Street and Platteview Road, (3) authorizing the Mayor to enter into a water supply agreement, and (4) authorizing the Mayor to enter into a sewer agreement,

contingent upon the city receiving an agreement from the developer that the SID will pay for and/or reimburse the city for all costs associated with the water main lowering/relocation; such financial agreement to be approved by the city attorney and city administrator; and

WHEREAS, on March 15, 2016, the City Council of the City of Springfield approved Resolution 2016-11 entering into an Interlocal Cooperation Agreement with Sanitary and Improvement District 311 (Springfield Pines) of Sarpy County, Nebraska outlining the terms and conditions of lowering the existing 12” water main along Main Street and South 132nd Street to serve the District; and

WHEREAS, the approval of such Interlocal Cooperation Agreement amends the language in Section XVI “District to Connect to City Water System” of the Subdivision Agreement; therefore, requiring the Subdivision Agreement to be amended to reflect the same terms of the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Springfield hereby approves and authorizes the Mayor to enter into a Subdivision Agreement, a water supply agreement, and a sewer agreement with Springfield Pines, LLC, Springfield Pines Homeowners Association, and Sanitary Improvement District No. 311 of Sarpy County, Nebraska for Springfield Pines, contingent upon (1) the developers executing the final plat attached hereto as Exhibit “A,” (2) the City of Springfield being presented with proof that SID 311 of Sarpy County has been formed, and (3) the developers executing the Subdivision Agreement attached hereto as Exhibit “B.”

Introduced and passed this 15th day of March, 2016.

Ayes 3

Nays 0

Abstain 0

Absent 0

Approved:

MAYOR

SEAL

Attest:

CITY CLERK

Department Reports

Agenda Item 1. No Department Report from Carlson.

Agenda Item 2. No Department Report from Swenson.

Agenda Item 3. Craney reported that he is meeting with Heath Shemek on April 1 to discuss Frisbee golf.

Agenda Item 4. Nolte reported that the maintenance department has been working on the City Hall remodel. He is working with Kent Maystrick to obtain bids for sealing asphalt overlays.

Agenda Item 5. Mayor Roseland reported on legislative items.

Agenda Item 6. No additional staff reports were provided. Members from Boy Scout Troop 711 were in attendance to earn a badge. Several scouts asked questions about city projects.

Adjournment

Motion by Nolte, seconded by Swenson, to adjourn. AYES: Swenson, Craney, Nolte. NAYS: None. Meeting adjourned at 7:35 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 March 15, 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