



CITY COUNCIL AGENDA
Tuesday, March 5, 2013 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 19, 2013 Council Meeting
2. Approve Claims and Payroll
3. Approve Invoice No. 185966 from Olsson Associates in the amount of \$3,550.06 for professional services rendered from through February 2, 2013, for work completed on Springfield Municipal Water System Improvements
4. Approve Invoice No. 186083 from Olsson Associates in the amount of \$5,667.52 for professional services rendered through February 9, 2013, for work completed on the Buffalo Park Topographic Survey
5. Approve Invoice No. 186475 from Olsson Associates in the amount of \$3,404.00 for professional services rendered from December 30, 2012, through February 2, 2013, for work completed on Springfield Main Street Phase 2 Downtown Sidewalk Improvements
6. Approve Invoice No. 186411 from Olsson Associates in the amount of \$1,954.18 for professional services rendered from December 30, 2012, through February 2, 2013, for work completed on Springfield Trail Phase 3

REGULAR AGENDA

1. Lt. Mike Erhart with the Sarpy County Sheriff's Department will provide a monthly service report

2. Consider approval of **Resolution 2013-9** calling Street Improvement Bond Anticipation Notes, Series 2012, dated July 10, 2012, in the principal amount of \$410,000, for payment
3. Consider approval of **Ordinance No. 833** AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2013, OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) ISSUED FOR THE PURPOSE OF PAYING THE COST OF PAVING INTERSECTIONS AND AREAS FORMED BY THE CROSSING OF STREETS AND ALLEYS WITHIN THE CITY IN STREET IMPROVEMENT DISTRICT NO. 2012-1 AND PAYING THE COST OF PAVING STREETS AND ALLEYS WITHIN SAID DISTRICT EXCLUSIVE OF SAID INTERSECTIONS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM
4. Consider approval of **Resolution 2013-10** amending the special assessment delinquency date for Street Improvement District No. 2012-1 (South 1st Street)
5. Consider approval of **Resolution 2013-11** amending the special assessment delinquency date for Sidewalk Improvement District Nos. 2011-1 and 2012-1 (Main Street)
6. Brett Richards, Springfield Platteview Community Schools Superintendent – Discuss using the City Park and Buffalo Park ball fields for high school softball and baseball programs
7. Rod Jones, President of the Springfield Youth Athletic Association – Discuss City Park ball field improvements; review and consider approval of bids for an outfield fence topper and installing a water line from the restroom facility to the concession stand
8. Steve Block, Block Electric – Review lighting design for the Community Building
9. Report from the Springfield Board of Health regarding nuisances at:
 - Lots 5 and 6, Block 24, Spearman’s Addition to the City of Springfield, Sarpy County, Nebraska (485 South 2nd Street)
 - South ½ of Lots 7 and 8, Block 18, Spearman’s Addition to the City of Springfield, Nebraska (380 South 2nd Street)
 - Lot 7, Block 1, Springfield Addition to the City of Springfield, Nebraska (460 Cedar Street)
 - Lots 6, 7, and 8, Block 11, Springfield Addition to the City of Springfield, Nebraska (265 Main Street)
 - Lot 5, Grand Square Addition to the City of Springfield, Nebraska (15501 South Highway 50)
10. If the Board of Health has delivered a certification to the City Council that the owners of 485 South 2nd Street, 380 South 2nd Street, 460 Cedar Street, 265 Main Street, and 15501 South Highway 50 have not abated the nuisances, then direct the City Clerk to notify:
 - Steven L. Zink, property owner, and Sac Federal Credit Union, Trustee and Beneficiary, of 485 South 2nd Street, Springfield, NE 68059, legally described as Lots 5 and 6, Block 24, Spearman’s Addition to the City of Springfield, Sarpy County, Nebraska

- Earl York and Anitta C. York, property owners, and Wells Fargo Financial National Bank, Trustee, and Wells Fargo Bank, N.A., Beneficiary, of 380 South 2nd Street, Springfield, NE 68059, legally described as the South ½ of Lots 7 and 8, Block 18, Spearman’s Addition to the City of Springfield, Nebraska
- Thomas Powles, Sr. and Joyce A. Powles, property owners, of 460 Cedar Street, Springfield, NE 68059, legally described as Lot 7, Block 1, Springfield Addition to the City of Springfield, Nebraska
- Kirk A. Kobiela, property owner, and Eric H. Lindquist, NE State Bar Assoc., Trustee, and Crestar Mortgage Corporation, Beneficiary, assigned to Federal National Mortgage Association, of 265 Main Street, Springfield, NE 68059, legally described as Lots 6, 7, and 8, Block 11, Springfield Addition to the City of Springfield, Nebraska
- Jerry G. Meisinger and Marlin D. Meisinger, property owners, of 15501 South Highway 50, Springfield, NE 68059, legally described as Lot 5, Grand Square Addition to the City of Springfield, Nebraska

that they are to appear before the City Council on April 2, 2013, at 7:00 p.m. and show cause why such condition of said properties should not be found to be public nuisances

11. Consider approval of **Ordinance No. 834** 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 (INCLUDING INDUSTRIAL USERS) OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE (master fee schedule)
12. Consider approval of **Ordinance No. 835** AN ORDINANCE GRANTING A CABLE TELEVISION FRANCHISE TO CC VI, LLC, LOCALLY KNOWN AS CHARTER COMMUNICATIONS; SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR REGULATION AND USE OF THE SYSTEM; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM
13. Review a claim from the property owners of 460 Platteview Drive for a sewer main backup
14. Review the procedure and guidelines for the removal of the caboose from Buffalo Park
15. **Tabled February 19, 2013.** Consider placing a flag pole at the community building
16. **Tabled February 19, 2013.** Discuss Kathleen Gottsch’s annual review and consider a proposed merit increase
17. Discuss Connie Manzer’s annual review and consider a proposed merit increase

DEPARTMENT REPORTS

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Randy Fleming
3. Sewer Department – Dan Craney

4. Street Department – Chad Nolte
5. Mayor’s Report – Mike Dill
6. City Staff Reports

The Mayor and City Council reserve the right to adjourn into executive session per Section 84-1410 of the Nebraska Revised Statutes.

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on March 5, 2013. Present were Council Members: Bob Roseland, Randy Fleming, Dan Craney, Chad Nolte. Absent: Mayor Michael Dill. Dan Craney, Council President, presided as Acting Mayor. 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 Acting 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 Fleming, seconded by Roseland, to approve the Consent Agenda. AYES: Roseland, Fleming, Nolte. NAYS: None. Motion carried.

Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
General				
33614	6084-10-10	Aflac	49.80	Aflac
33580	6080-10-10	Health Insurance	746.89	Assurant Health
33585	6080-10-10	Health Insurance	50.90	Delta Dental
33620	9310-10-10	Nuisance Abatement	57.50	First National Bank
33622	7185-10-10	Lodging	10.00	Gottsch, Kathleen
33622	7240-10-10	Mileage	167.83	Gottsch, Kathleen
33623	7030-10-10	Prof Svcs-Planning	156.25	JEO Consulting Group
33624	7200-10-10	Dues	50.00	Keep Nebraska Beautiful
33625	8140-10-10	R&M Equip	190.00	Konica Minolta Premier Finance
33626	7045-10-10	Prof Svcs-Tech Support	125.00	Massman, Nelson, Reinig
33633	7320-10-10	Natural Gas	85.15	MUD
33658	7330-10-10	Telephone	100.94	NT&T
33637	7010-10-10	Prof Svcs-Engineer	1,279.69	Olsson Associates
33638	9310-10-10	Nuisance Abatement	84.46	Omaha World Herald
33638	7250-10-10	Publication Costs	130.38	Omaha World Herald
33640	7310-10-10	Electricity	334.46	OPPD
33643	7040-10-10	Prof Svcs-Other	197.70	Sarpy County Election Commissioner
33644	7060-10-10	Animal Control	352.35	Sarpy County Fiscal Administrator
33645	7050-10-10	Law Contract	7,424.00	Sarpy County Treasurer

33647	7020-10-10	Prof Svcs-Legal	2,689.79	Seidler & Seidler
33653	7280-10-10	Laundry	127.20	Walkers Uniform Rental
Total			14,410.29	
Library				
33580	6080-20-10	Health Insurance	849.87	Assurant Health
33617	8060-20-10	Books	39.54	Center Point Large Print
33618	7455-20-10	IP Address	9.99	Charter Communications
33585	6080-20-10	Health Insurance	24.95	Delta Dental
33619	8060-20-10	Books	18.32	Doubleday Book Club
33629	8060-20-10	Books	111.93	MicroMarketing
33633	7320-20-10	Natural Gas	175.70	MUD
33634	8060-20-10	Books	16.99	Mystery Guild
33658	7330-20-10	Telephone	32.27	NT&T
33640	7310-20-10	Electricity	305.07	OPPD
33646	7480-20-10	Janitorial	150.00	Schmieder, Marcie
Total			1,734.63	
Library Restricted				
33621	8060-21-10	Books	146.42	Gale
33641	8030-21-10	Supplies	104.68	Quill Corporation
33642	8060-21-10	Books	19.97	QuiltTrends
33651	8030-21-10	Supplies	183.46	Upstart
Total			454.53	
Park				
33612	9106-30-10	MoPac Trail Phase III	1,954.18	Olsson Associates
33610	9177-30-10	Splash Park	5,667.52	Olsson Associates
33640	7310-30-10	Electricity	151.34	OPPD
Total			7,773.04	
Community Building				
33613	8130-40-10	R&M Bldg	21.90	Action Batteries
33627	8130-40-10	R&M Bldg	83.56	Maystrick, Kent
33628	8030-40-10	Supplies	33.02	Menards
33628	8130-40-10	R&M Bldg	390.36	Menards
33633	7320-40-10	Natural Gas	396.18	MUD
33640	7310-40-10	Electricity	159.38	OPPD
33653	7280-40-10	Laundry	151.20	Walkers Uniform Rental
33654	8030-40-10	Supplies	11.94	Westlake Ace Hardware
Total			1,247.54	
Water				
33614	6084-50-20	Aflac	56.17	Aflac
33580	6080-50-20	Health Insurance	906.64	Assurant Health
33615	8120-50-20	Fuel	160.30	B&B Pit Stop
33585	6080-50-20	Health Insurance	63.38	Delta Dental
33630	7420-50-20	Testing	44.64	Midwest Laboratories
33635	7420-50-20	Testing	281.00	NE Public Health Environmental Lab
33658	7330-50-20	Telephone	146.20	NT&T
33637	7010-50-20	Prof Svcs-Engineer	361.03	Olsson Associates
33609	9090-50-20	New Well	3,550.06	Olsson Associates
33639	7430-50-20	Digger's Hotline	5.60	One Call Concepts
33640	7310-50-20	Electricity	1,185.35	OPPD
33656	7330-50-20	Telephone	30.13	Verizon Wireless
33653	7290-50-20	Uniform Allowance	59.95	Walkers Uniform Rental
Total			6,850.45	

Sewer				
33614	6084-60-30	Aflac	305.13	Aflac
33580	6080-60-30	Health Insurance	68.95	Assurant Health
33616	8030-60-30	Supplies	2.29	Casey's General Store
33616	8120-60-30	Fuel	140.96	Casey's General Store
33585	6080-60-30	Health Insurance	63.37	Delta Dental
33630	7420-60-30	Testing	56.61	Midwest Laboratories
33658	7330-60-30	Telephone	51.75	NT&T
33637	7010-60-30	Prof Svcs-Engineer	135.38	Olsson Associates
33640	7310-60-30	Electricity	2,448.48	OPPD
33649	8150-60-30	R&M Vehicle	25.67	Ty's Outdoor Power & Service
33652	8160-60-30	R&M Grounds	1,237.50	Utilities Service Group
33656	7330-60-30	Telephone	30.13	Verizon Wireless
33653	7290-60-30	Uniforms Allowance	49.95	Walkers Uniform Rental
Total			4,616.17	
Street				
33580	6080-70-40	Health Insurance	1,039.87	Assurant Health
33615	8120-70-40	Fuel	567.32	B&B Pit Stop
33616	8120-70-40	Fuel	188.64	Casey's General Store
33585	6080-70-40	Health Insurance	24.95	Delta Dental
33628	8030-70-40	Supplies	14.48	Menards
33631	8140-70-40	R&M Equip	378.40	Midwest Service & Sales
33632	8140-70-40	R&M Equip	66.50	Mill Creek Auto Parts
33632	8150-70-40	R&M Vehicle	397.31	Mill Creek Auto Parts
33633	7320-70-40	Natural Gas	576.48	MUD
33636	8140-70-40	R&M Equip	358.72	NMC Exchange
33658	7330-70-40	Telephone	47.57	NT&T
33611	9077-70-40	Downtown Main Street	3,404.00	Olsson Associates
33638	9086-70-40	Capital Improvements	52.36	Omaha World Herald
33640	7310-70-40	Electricity	3,399.58	OPPD
33648	8140-70-40	R&M Equip	46.63	State Steel
33650	8130-70-40	R&M Bldg	77.54	United Electric Supply
33656	7330-70-40	Telephone	30.13	Verizon Wireless
33653	7290-70-40	Uniform Allowance	49.95	Walkers Uniform Rental
33655	8100-70-40	Sand & Gravel	1,029.18	Westover Rock & Sand
Total			11,749.61	
Payroll			24,698.75	

Regular Agenda

Agenda Item 1. Lt. Mike Erhart with the Sarpy County Sheriff's Department provided the monthly service report. Lt. Erhart informed the Council of Lt. Russ Zeeb's retirement party scheduled for March 15.

Agenda Items 2 and 3. Motion by Roseland, seconded by Fleming, to move agenda items 2 and 3 further down on the agenda until John Trecek with Ameritas arrives. AYES: Roseland, Fleming, Nolte. NAYS: None. Motion carried.

Agenda Item 4. Council Member Roseland introduced Resolution 2013-10 and moved its adoption. Council Member Fleming seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Fleming. The following voted NAY: None. The following voted to ABSTAIN: Nolte. Due to the lack of a majority vote, the motion to approve Resolution 2013-10 failed.

Agenda Items 4 and 5. Motion by Roseland, seconded by Fleming, to table agenda items 4 and 5, regarding Resolution 2013-10 and Resolution 2013-11, until the March 19, 2013, Council meeting. AYES: Roseland, Fleming, Nolte. NAYS: None. Motion carried.

Agenda Item 6. Brett Richards, Springfield Platteview Community Schools Superintendent, was in attendance to discuss the high school using the ball fields at City Park and Buffalo Park for JV and Varsity softball and baseball programs. Richards indicated that the school would like to have the programs active for the 2013-2014 school year. He reported that the softball program would use the field at City Park and the season would run from approximately August through October. The baseball program would use the field at Buffalo Park and the season would run from approximately March through May. The fields would be used for both practices and games. Games would typically be held on Tuesday or Friday afternoons/evenings and Saturdays. Richards inquired if the city would be willing to partner with the school, SYAA and Legion Baseball to make required improvements to the ball fields in order for them to meet baseball and softball regulations. Richards, Rod Jones – President of the SYAA, and the Council discussed possible improvements, including outfield grading and seeding at City Park, fence requirements at City Park, parking issues, and lighting requirements. Bill Seidler, City Attorney, provided a draft interlocal agreement for the groups to use. He said an agreement would be required for the school and the city to partner on this project. The City Clerk provided Richards with insurance requirements. Council agreed that they were in favor of working with the school to help implement the two new athletic programs. The parties agreed that representation from each group would work together to determine what improvements would be required.

Agenda Item 7. Rod Jones, President of the SYAA, provided the Council with bids to review for improvements at City Park, including the purchase of an outfield fence topper and infield conditioner, as well as running a water line from the restrooms to the concession stand and installing a sink in the stand. Council requested that additional information be provided. Motion by Roseland, seconded by Nolte, to table agenda item 7, regarding bids for ball field improvements at City Park, until the March 19, 2013, Council meeting. AYES: Roseland, Fleming, Nolte. NAYS: None. Motion carried.

Agenda Item 8. Steve Block with Block Electric was unable to attend the meeting, but Fleming provided the Council with a verbal bid from him for basement lighting at the Community Building. Fleming reported that Block would charge \$108/light to replace the 13 globe fixtures in the basement. Fleming said that the new lighting would be energy efficient, 8' tandem strip lights. The City Clerk requested that a written bid be provided for city records. Motion by Roseland, seconded by Nolte, to approve the bid from Block Electric in the amount of \$1,404.00 to replace the globe lighting fixtures in the basement of the Community Building. AYES: Roseland, Fleming, Nolte. NAYS: None. Motion carried.

Agenda Item 9. The Springfield Board of Health reported to the Council that the nuisances at the following described properties have not been abated:

- 485 South 2nd Street, legally described as Lots 5 and 6, Block 24, Spearman's Addition to the City of Springfield, Sarpy County, Nebraska
- 380 South 2nd Street, legally described as legally described as the South ½ of Lots 7 and 8, Block 18, Spearman's Addition to the City of Springfield, Sarpy County, Nebraska
- 460 Cedar Street, legally described as legally described as Lot 7, Block 1, Springfield Addition to the City of Springfield, Sarpy County, Nebraska
- 265 Main Street, legally described as legally described as Lots 6, 7, and 8, Block 11, Springfield Addition to the City of Springfield, Sarpy County, Nebraska
- 15501 South Highway 50, legally described as legally described as Lot 5, Block 24, Grand Square Addition to the City of Springfield, Sarpy County, Nebraska

The Board noted that on January 14, 2013, they determined the properties to be public nuisances and subsequently notified the property owners, beneficiaries, and trustees of each property, of such

determination and directed them to remedy the nuisances immediately. On February 25, 2013, the Board of Health met and determined that the nuisances at each property were not abated.

Agenda Item 10. Motion by Nolte, seconded by Roseland, to direct the City Clerk to notify:

- Steven L. Zink, property owner, and Sac Federal Credit Union, Trustee and Beneficiary, of 485 South 2nd Street, legally described as Lots 5 and 6, Block 24, Spearman's Addition to the City of Springfield, Sarpy County, Nebraska
- Earl York and Anitta C. York, property owners, and Wells Fargo Financial National Bank, Trustee, and Wells Fargo Bank, N.A., beneficiary, of 380 South 2nd Street, legally described as legally described as the South ½ of Lots 7 and 8, Block 18, Spearman's Addition to the City of Springfield, Sarpy County, Nebraska
- Thomas Powles, Sr., and Joyce a. Powles, property owners, of 460 Cedar Street, legally described as legally described as Lot 7, Block 1, Springfield Addition to the City of Springfield, Sarpy County, Nebraska
- Kirk A. Kobiela, property owner, and Eric H. Lindquist, NE State Bar Assoc., Trustee, and Crestar Mortgage Corporation, Beneficiary, assigned to Federal National Mortgage Association, of 265 Main Street, legally described as legally described as Lots 6, 7, and 8, Block 11, Springfield Addition to the City of Springfield, Sarpy County, Nebraska
- Jerry G. Meisinger and Marlin D. Meisinger, property owners, of 15501 South Highway 50, legally described as legally described as Lot 5, Block 24, Grand Square Addition to the City of Springfield, Sarpy County, Nebraska

that they are to appear before the City Council on April 2, 2013, at 7:00 p.m. and show cause why such condition of said property should not be found to be a public nuisance. AYES: Roseland, Fleming, Nolte. NAYS: None.

Agenda Items 11 and 12. Motion by Nolte, seconded by Fleming, to table agenda items 11 and 12, regarding Ordinance No. 834 and Ordinance No. 835, until the March 19, 2013, Council meeting. AYES: Roseland, Fleming, Nolte. NAYS: None.

Agenda Item 13. The City Clerk reported that the claim from the property owners of 460 Platteview Drive for damages from a sewer main backup was turned over to the city's commercial insurance carrier and that the insurance company is investigating the situation. No action is required at this time.

Agenda Item 14. Bill Seidler, City Attorney, provided the Council with a draft bid form and conditions of sale for the caboose at Buffalo Park. Council agreed to proceed with the sale of the caboose.

Agenda Item 2. John Trecek with Ameritas arrived at 7:47 p.m. Trecek reviewed Resolution 2013-9 that calls Street Improvement Bond Anticipation Notes, Series 2012, dated July 10, 2012, in the principal amount of \$410,000 for payment. These notes were used to pay for the South 1st Street paving project. Since the project is now complete, the city can pay off the bond anticipation notes and issue the final bond for this project. Council Member Fleming introduced Resolution 2013-9 and moved its adoption. Council Member Nolte seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Roseland, Fleming, Nolte. The following voted NAY: None. Whereupon the Acting Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2013-9**

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

Section 1. That the following notes, in accordance with their option provisions, are hereby called for payment on April 9, 2013, after which date interest on the notes will cease:

Street Improvement Bond Anticipation Notes, Series 2012, dated July 10, 2012, in the principal amount of \$410,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP No.</u>
\$410,000	July 15, 2013	851077 FE2

Section 2. These notes are to be paid at the office of the City Treasurer in Springfield, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

PASSED AND APPROVED this 5th day of March, 2013.

Ayes 3

Nays 0

Abstain 0

Absent 1

Approved:

Acting Mayor

SEAL

Attest:

City Clerk

Agenda Item 3. Trecek reported that Ordinance No. 833 authorizes the issuance of various purpose bonds in the amount of \$180,000. He said that the bonds have a five year option, at which time the city can either pay off the bond in full or refund them at a lower interest rate.

Council Member Nolte introduced Ordinance No. 833 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2013, OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) ISSUED FOR THE PURPOSE OF PAYING THE COST OF PAVING INTERSECTIONS AND AREAS FORMED BY THE CROSSING OF STREETS AND ALLEYS WITHIN THE CITY IN STREET IMPROVEMENT DISTRICT NO. 2012-1 AND PAYING THE COST OF PAVING STREETS AND ALLEYS WITHIN SAID DISTRICT EXCLUSIVE OF SAID INTERSECTIONS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE

DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Fleming seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Roseland, Fleming, 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 Roseland. The Acting Mayor then stated the question was "Shall Ordinance No. 833 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Fleming, 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 Acting Mayor declared the ordinance adopted and the Acting 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 his 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. 833

AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2013, OF THE CITY OF SPRINGFIELD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) ISSUED FOR THE PURPOSE OF PAYING THE COST OF PAVING INTERSECTIONS AND AREAS FORMED BY THE CROSSING OF STREETS AND ALLEYS WITHIN THE CITY IN STREET IMPROVEMENT DISTRICT NO. 2012-1 AND PAYING THE COST OF PAVING STREETS AND ALLEYS WITHIN SAID DISTRICT EXCLUSIVE OF SAID INTERSECTIONS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM

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

Section 1. The Mayor and Council find and determine:

(a) that pursuant to an ordinance duly enacted and proceedings duly had, Street Improvement District No. 2012-1 was created in the City and paving and other improvements were constructed therein, which improvements have been completed and have been, and hereby are accepted by the City; that the costs of said paving and other improvements in the District, including all costs as certified by the engineer and the costs of the issuance of the bonds are found to be not less than \$180,000; that of the above costs not less than \$18,000 is hereby determined to be intersection portion and not less than \$162,000 opposite abutting property portion; that after taking into consideration application of monies on hand, there remains due and unpaid to pay the cost of paving exclusive of intersections and areas formed by the crossing of streets and alleys in said District the sum of \$474,100 and the City has taken all preliminary steps required for the issuance of \$18,000 Intersection Paving Bonds of Street Improvement District Nos. 2012-1 under Section 17-520, R.R.S. Neb. 2012 and \$464,100 District Improvements Bonds of said District under Section 17-516, R.R.S. Neb. 2012;

(b) that pursuant to authority granted by Sections 18-1801 and 18-1802, Reissue Revised Statutes of Nebraska, 2012, the City may combine proposed bond issues into a single bond issue to be designated "Various Purpose Bonds", and that all conditions, acts and things required by law to exist or to be done

precedent to the issuance of Various Purpose Bonds, Series 2013, of the City of Springfield, Nebraska, in the principal amount of \$180,000 have been done in due form and time as required by law.

Section 2. For purposes as set out in Section 1 hereof, there shall be and there are hereby ordered issued Various Purpose Bonds, Series 2013, in the principal amount of \$180,000, to bear date of original issue of April 9, 2013, and to be in fully registered form. Said bonds shall bear interest at the rates per annum and mature on September 15 of each year in the principal amounts as follows:

<u>Principal Amount</u>	<u>Maturing on September 15 of Year</u>	<u>Interest Rate Per Annum</u>
\$10,000	2014	
10,000	2015	
15,000	2016	
20,000	2017	
25,000	2018	
25,000	2019	
25,000	2020	
25,000	2021	
25,000	2022	

The bonds shall be issued in the denomination of \$5,000 or any integral multiple thereof and shall be numbered from 1 upwards in the order of their issuance. No bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the bonds issued shall be as directed by the initial purchasers thereof. Interest on the bonds shall be payable semiannually on March 15 and September 15 of each year, starting September 15, 2013. The interest due on each interest payment date shall be payable to the registered owners of record as of the close of business on the last day of the calendar month immediately preceding the calendar month in which the interest payment date occurs (the "Record Date"), subject to the provisions of Section 3 hereof. Payment of interest due on the bonds prior to maturity or redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check in the amount due for such interest on each interest payment date to the registered owner of each bond, as of the applicable Record Date, to such owner's registered address as shown on the books of registration, as required to be maintained in Section 3 hereof. Payment of principal due at maturity or at any date fixed for redemption, together with any accrued interest then due, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the bonds to said Paying Agent and Registrar. In the event that bonds of this issue are held in the nominee name of a national clearinghouse or depository, payment of principal or interest shall be made by wire transfer of funds in accordance with any applicable regulations governing "Depository Eligible Securities". The City and said Paying Agent and Registrar may treat the registered owner of any bond as the absolute owner of such bond for the purpose of making payments thereon and for all other purposes and neither the City nor said Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary whether such bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any bond shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the bonds or claims for interest to the extent of the sum or sums so paid. If any bond is not paid upon presentation of the bond at maturity or any interest installment is not paid when due, the delinquent bond or delinquent interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska, 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature.

Section 3. The City Treasurer is hereby designated as Paying Agent and Registrar for the bonds. Said Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the bonds at the office of the Paying Agent and Registrar in Springfield, Nebraska. The names and registered addresses of the registered owner or owners of the bonds shall at all times be recorded in

such books. Any bond may be transferred pursuant to its provisions at the office of the Paying Agent and Registrar upon surrender of such bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to such Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar will register such transfer upon said registration books and deliver to the transferee registered owner or owners (or send by registered mail to the transferee owner or owners at such owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new bond or bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the bonds by this ordinance, one bond may be transferred for several such bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such bonds may be transferred for one or several such bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a bond, the surrendered bond or bonds shall be cancelled and destroyed. All bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the bonds surrendered and shall be entitled to all benefits and protection of this ordinance to the same extent as the bonds upon transfer of which they were delivered. The City and the Paying Agent and Registrar shall not be required to transfer bonds during any period from any Record Date until its immediately following interest payment date or to transfer any bonds called for redemption for a period of 30 days next preceding the date fixed for redemption prior to maturity. In the event that payments of interest due on the bonds on an interest payment date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such interest payment date and shall be payable to the registered owners of the bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 4. Bonds maturing on or after September 15, 2018 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after April 9, 2018, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the bonds to be redeemed from such optional redemption in its sole discretion but bonds shall be redeemed only in the amount of \$5,000 or integral multiples thereof. Any bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new bond evidencing the unredeemed principal thereof. Notice of redemption of any bond called for redemption shall be given at the direction of the Mayor and Council by the Paying Agent and Registrar by mail not less than thirty days prior to the date fixed for redemption, first class postage prepaid, sent to the registered owner of such bond at said owner's registered address. Such notice shall designate the bond or bonds to be redeemed by number and maturity, the date of original issue, the date fixed for redemption and state that such bond or bonds are to be presented for payment at the office of the Paying Agent and Registrar. In case of any bond partially redeemed, such notice shall specify the portion of the principal amount of such bond to be redeemed. No defect in the mailing of notice for any bond shall affect the sufficiency of the proceedings of the Mayor and Council designating the bonds called for redemption or the effectiveness of such call for bonds for which notice by mail has been properly given and the Mayor and Council shall have the right to further direct notice of redemption for any such bond for which defective notice has been given.

Section 5. If the date for payment of the principal or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The bonds shall be executed on behalf of the City by being signed by the Mayor and the City Clerk, both of which signatures may be facsimile signatures, and shall have the City seal impressed on each bond. The City Clerk shall make and certify a transcript of proceedings had and done precedent to the issuance of said bonds which shall be delivered to the purchaser of said bonds. After being executed by the Mayor and City Clerk, said bonds shall be delivered to the Treasurer of the City

who shall be responsible therefor under his/her official bond. Such Treasurer shall maintain a record of information with respect to said bonds in accordance with the requirements of Section 10-140, R.R.S. Neb. 2012, as amended, and shall cause the same to be filed with the office of the Auditor of Public Accounts of the State of Nebraska. The Paying Agent and Registrar shall register each bond in the name of its initial registered owner as designated by the initial purchaser. Each bond shall be authenticated on behalf of the City by the Paying Agent and Registrar. The bonds shall be issued initially as “book-entry only” bonds using the services of The Depository Trust Company (the “Depository”), with one typewritten bond per maturity being issued to the Depository. In such connection said officers of the City are authorized to execute and deliver a letter of representations and inducement (the “Letter of Representations”) in the form required by the Depository (which may include any “blanket” letter previously executed and delivered), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the bonds. Upon issuance of the bonds as “book-entry-only” bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds bonds as securities depository (each, a “Bond Participant”) or to any person who is an actual purchaser of a bond from a Bond Participant while the bonds are in book-entry form (each a “Beneficial Owner”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the bonds;

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the bonds. The Paying Agent and Registrar shall make payments with respect to the bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable to or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the bonds or (ii) to make available bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the bonds be delivered to the ultimate Beneficial Owners of the bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the depository will notify the Bond Participants of the availability

through the Depository of bond certificates representing the bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such bond and all notices with respect to such bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement (if any).

(f) In the event of any partial redemption of a bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any bond shall cease to be such officer before the delivery of such bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The bonds shall be delivered to the Paying Agent and Registrar for registration and authentication.

Section 7. Said bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF SARPY
CITY OF SPRINGFIELD

VARIOUS PURPOSE BOND, SERIES 2013

Bond No. _____ \$ _____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP No.</u>
%	September 15, ____	April 9, 2013	

Registered Owner: _____

Principal Amount: _____

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Springfield, in the County of Sarpy, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above the principal amount specified above in lawful money of the United States of America on the maturity date specified above, with interest thereon from date of original issue specified above or most recent interest payment date, whichever is later, to maturity (or earlier redemption) at the rate per annum specified above. Said interest shall be payable semiannually on the fifteenth day of March and September in each year, starting September 15, 2013. If this bond is not paid upon presentation at maturity or any interest installment hereon is not paid when due, the bond or interest installment shall bear interest thereafter until paid at a rate equal to the rate assessed against delinquent taxes under Section 45-104.01 R.R.S. Nebraska 2010, as now existing or as the same may be amended from time to time by the Nebraska Legislature. The interest hereon due prior to maturity or earlier redemption shall be paid on each interest payment date by the City Treasurer, as Paying Agent and Registrar for the City by wire transfer (but only in accordance with the limited terms of the authorizing ordinance), check or draft mailed to the registered owner hereof, as shown on the records of the Paying Agent and Registrar as of the close of business on the last day of the month immediately preceding the month in which the interest payment date occurs, at such owner's registered address as it appears on the books of registration of the City. The principal of this bond and the interest due at maturity or upon call for redemption prior to maturity are payable on presentation and surrender to said Paying Agent and Registrar at the office of the Paying Agent and Registrar in Springfield, Nebraska. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, principal and interest as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

The City, however, reserves the right and option of paying bonds of this issue maturing on or after September 15, 2018, in whole or in part, on April 9, 2018, or at any time thereafter, at the principal amount thereof plus accrued interest to the date fixed for redemption. Notice of any such redemption shall be given by mail, sent to the registered owner of any bond to be redeemed at said registered owner's address in the manner provided in the ordinance authorizing said bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof. Any bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new bond or bonds evidencing the unredeemed principal thereof.

This bond is one of an issue of fully registered bonds of the total principal amount of \$180,000 of like tenor herewith except as to denomination, date of maturity and rate of interest issued by said City for the purpose of paying the cost of improving intersections and areas formed by the crossing of streets and alleys within Street Improvement District No. 2012-1 of the City of Springfield and paying the cost of paving streets and alleys within said districts exclusive of said intersections, for which the City has taken all preliminary steps required to issue bonds in the principal amount of \$162,000 under Section 17-516, Reissue Revised Statutes of Nebraska, 2012, and bonds in the principal amount of \$18,000 under Section 17-520, R.R.S. Neb. 2012. The issuance of said bonds has been authorized by an ordinance duly passed by the Mayor and Council of said City in strict compliance with Sections 18-1801 and 18-1802, R.R.S. Neb. 2012, as amended.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and

thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, its Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond, does not exceed any limitations imposed by law. The City covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in said City, in addition to all other taxes, sufficient in rate and amount to pay the interest on this bond when and as the same becomes due and to create a sinking fund to pay the principal of this bond when the same becomes due.

IN WITNESS WHEREOF, the Mayor and Council of the City of Springfield, Nebraska, have caused this bond to be executed on behalf of the City by being signed by the Mayor and Clerk of the City, both of which signatures may be facsimile signatures, and by causing the official seal of the City to be affixed hereto, all as of the date of original issue shown above.

CITY OF SPRINGFIELD, NEBRASKA

By _____ (Do not sign)
Mayor

ATTEST:

(Do not sign)
City Clerk

(S E A L)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by an ordinance passed and approved by the Mayor and Council of the City of Springfield as described in said bonds.

(Do not sign)

City Treasurer of Springfield, Nebraska,
as Paying Agent and Registrar

(FORM OF ASSIGNMENT)

For value received _____ hereby sells, assigns and transfers unto _____ the within bond and hereby irrevocably constitutes and appoints _____, Attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: _____

Registered Owner

SIGNATURE GUARANTEED
By _____

Authorized Officer

Note: The signature(s) of this assignment MUST CORRESPOND with the name as written on the face of the within bond in every particular without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Said bonds are hereby sold to Ameritas Investment Corp. at ____% of the principal amount thereof, and the City Treasurer is authorized to deliver the bonds to said purchaser upon receipt of the said amount plus accrued interest to the date of payment. Said bonds are sold to the purchaser subject to the opinion of independent bond counsel that said bonds are lawfully issued; that said bonds constitute a valid obligation of the City; and that under existing laws and regulations the interest on said bonds is exempt from both Nebraska state and federal income taxes. The proceeds of the bonds herein authorized shall be used to pick up and pay off outstanding bond anticipation notes of the City which were issued to provide temporary financing for costs of the paving improvements described in Section 1. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. The Mayor and Council shall cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount to pay the interest on the bonds herein authorized as the same becomes due and to create a sinking fund to pay the principal of said bonds when and as such principal becomes due.

Section 10. The City of Springfield, Nebraska, hereby covenants to the purchasers and holders of the bonds hereby authorized that it will make no use of the proceeds of said bond issue, including monies held in any sinking fund for the payment of said bonds, which would cause said bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended

(the "Code") and further covenants to comply with said Sections 103 and 148 and all applicable regulations thereunder throughout the term of said bond issue. The City hereby covenants and agrees to take all actions necessary under the Code to maintain the tax-exempt status of interest payable on the bonds with respect to taxpayers generally but not including insurance companies or corporations subject to the additional minimum tax. The City hereby designates the bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not anticipate issuing tax-exempt obligations in calendar 2013 in an amount in excess of \$10,000,000.

Section 11. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 12. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 5th day of March, 2013.

Acting Mayor

ATTEST:

City Clerk

(S E A L)

EXHIBIT "A"
**Policy and Procedures
Federal Tax Law and Disclosure Requirements for
Tax-exempt Bonds and/or Build America Bonds**

ISSUER NAME: CITY OF SPRINGFIELD, NEBRASKA

COMPLIANCE OFFICER (BY TITLE): CITY CLERK

POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds or as direct pay build America bonds to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with its bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated

specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website [“EMMA”] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer’s annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the “Bond Documents”) shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the “Authorizing Proceedings”),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the “Tax Documents”):
 - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
 - (ii) Form 8038 series filed with the Internal Revenue Service;
 - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
 - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
 - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
 - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer’s continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the “Continuing Disclosure Obligations”), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer’s bonds or relating to the Issuer’s Continuing Disclosure Obligations.

Use and Timely Expenditure of Bond Proceeds. Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

Arbitrage Yield Restrictions and Rebate Matters. The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the “Code”) and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

Use of Bond Financed Property. Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

Continuing Disclosure. Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer’s counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as “VCAP”) operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

Agenda Item 15. Fleming reported that he visited with Kevin Mitchell regarding the flag pole that was donated to the city on behalf of Darrell Gottsch. In addition to the flag pole, money was also donated to the city by Darrell Gottsch for a new flag pole to be constructed at the Springfield Creek Trails and Recreation Area. Fleming said that Mitchell was acceptable with the city placing the existing flag pole on the Community Building property. He noted that Mitchell and the Gottsch family would rather use the money donated to construct a new flag pole in the park area. Fleming said that he would request a bid from Block Electric to light the flag pole. Motion by Nolte, seconded by Fleming, to erect the donated flag pole on the Community Building property. AYES: Roseland, Fleming, Nolte. NAYS: None.

Agenda Items 16 and 17. Motion by Nolte, seconded by Fleming, to move agenda items 16 and 17, regarding Kathleen Gottsch's and Connie Manzer's annual review and proposed merit increase, into executive session. AYES: Roseland, Fleming, Nolte. NAYS: None.

Department Reports

Agenda Item 1. Roseland reported that the area around 132nd and Main Streets could be a good location for a new well. He said that locating a well too far south of town would not be financially feasible.

Agenda Item 2. Fleming reported that he attended the Nebraska League of Municipalities Midwinter Conference in Lincoln. He also reported that he and the City Clerk met with Wendy Post, Community Building Rental Coordinator, to discuss building improvement projects, rental agreement, rental fees, and ideas to generate more rentals. Fleming provided cost estimates for new appliances in the Community Building basement kitchen. He said that he has requested the City Clerk prepare a job description for the rental coordinator.

Agenda Item 3-6. No Department Reports.

Executive Session

Motion by Nolte, seconded by Fleming, to enter into executive session at 8:14 p.m. for the purpose of personnel matters. AYES: Roseland, Fleming, Nolte. NAYS: None.

Motion by Nolte, seconded by Roseland, to leave executive session at 8:22 p.m. AYES: Roseland, Fleming, Nolte. NAYS: None.

Motion by Fleming, seconded by Nolte, to approve a \$1.38/hour merit increase for Kathleen Gottsch, City Clerk. AYES: Roseland, Fleming, Nolte. NAYS: None.

Motion by Nolte, seconded by Roseland, to approve a \$.50/hour merit increase for Connie Manzer, Library Director, as per the Library Board's request. AYES: Roseland, Fleming, Nolte. NAYS: None.

Adjournment

Motion by Nolte, seconded by Roseland, to adjourn. AYES: Roseland, Fleming, Nolte. NAYS: None. Meeting adjourned at 8:24 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 5, 2013; 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