



CITY COUNCIL AGENDA

Tuesday, May 16, 2017, 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 May 2, 2017 Council Meeting
2. Approve Treasurer's Report

REGULAR AGENDA

1. Andrew Rainbolt, Sarpy County Economic Development Corp. – 1st Quarter Report
2. Conduct a **Public Hearing** to consider an application for a Class D Liquor License by BRP Investments, Inc., d/b/a B & D Pit Stop D-121690, 14111 Platteview Road, Springfield
3. Paul and Lyn Erhart, 140 North 8th Street – Request that the Community Building remain open in the morning during summer months for walkers
4. Report from the Springfield Board of Health regarding nuisances at Lot 5, Grand Square Addition to the City of Springfield, Sarpy County, Nebraska (15501 South Highway 50; Meisinger)
5. Direct the City Clerk to notify Jerry and Bonnie Meisinger, property owners of 15501 South Highway 50, Springfield, NE 68059, legally described as Lot 5, Grand Square Addition to the City of Springfield, Sarpy County, Nebraska, that they are to appear before the City Council on June 6, 2017, at 7:00 p.m. and show cause why such condition of said property should not be found to be a public nuisance
6. Discuss purchasing additional property for sewer plant expansion
7. Consider approval of **Ordinance No. 960** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER

11 MUNICIPAL PLANNING, ARTICLE 6 STORMWATER REGULATIONS, SECTIONS 11-601 THRU 11-629; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

8. Consider offering employment to a candidate for the Maintenance Laborer position in the Streets and Parks Departments

DEPARTMENT REPORTS

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
3. Street Department – Chad Nolte
4. Water & Parks Department – Dan Craney
5. Mayor’s Report – Bob Roseland
6. City Staff Reports

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

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on May 16, 2017. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Chad Nolte, Dan Craney. Absent: None. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

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

The City Clerk reported a balance on hand of \$1,311,494.39 in cash assets; Prestige Treasury-\$204,636.57; Prestige Bond-\$820,531.04; Keno Community Betterment-\$197,696.81; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,192.07; Refundable Deposit Savings-\$1,223.93; Water Tower Savings-\$142,789.52; Sewer Restricted-\$134,315.22; Water Capital Facilities Fees-\$32,338.70; Sewer Capital Facilities Fees-\$75,456.98; City Sales Tax-\$186,349.60; Money Mark Library Bricks-\$2,868.48; Government Securities-\$104,972.85; Library Savings-\$53,497.89; Time Certificates as follows: Bond-\$77,272.50; Tower-\$57,775.43; Water-\$126,644.12; Library Bricks-\$21,418.62; Cash Receipts-\$373,951.40; Cash Disbursements-\$124,902.04.

Regular Agenda

Agenda Item 1. Andrew Rainbolt with the Sarpy County Economic Development Corp. was unable to attend. This item will be rescheduled.

Agenda Item 2. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider an application for a Class D Liquor License by BRP Investments, Inc., d/b/a B & D Pit Stop D-121690, 14111 Platteview Road, Springfield. No one from the public spoke in opposition to or in support of the application. No written comments were received. Motion by Herzog, seconded by Nolte, to close the Public Hearing. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Public Hearing closed at 7:02 p.m. Motion by Nolte, seconded by Herzog, to recommend approval of an application for a Class D Liquor License by BRP Investments, Inc., d/b/a B & D Pit Stop D-121690, 14111 Platteview Road, Springfield. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 3. Lyn Erhart, 140 North 8th Street, requested that the Council allow the Community Building to remain open during the morning throughout the summer months for walkers. Erhart noted that it is easier for some residents to walk inside due to smooth surfaces and weather conditions. Motion by Nolte, seconded by Swenson, to open the Community Building from 7:00 a.m. until 9:00 a.m., Monday thru Friday, excluding holidays, during the summer months for walkers. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 4. The Springfield Board of Health reported to the Council that the nuisances at 15501 South Highway 50, legally described as Lot 5, Grand Square Addition to the City of Springfield, Sarpy County, Nebraska, have not been abated. The Board noted that on September 12, 2016, they determined the property to be a public nuisance as per Springfield Municipal Code §4-301 (6)(7)(8)(9) and subsequently notified the property owner of the property of such determination and directed him to remedy the nuisances immediately. On May 8, 2017, the Board of Health met and determined that the nuisances at 15501 South Highway 50 were not abated.

Agenda Item 5. City Administrator, Kathleen Gottsch, introduced the following exhibits to the Council:

Exhibit 14 – Photographs of the property taken May 8, 2017.

Exhibit 15 – Photographs of the property taken May 8, 2017.

Exhibit 16 – Photographs of the property taken May 8, 2017.

Jerry Meisinger, property owner of 15501 South Highway 50, attended the meeting and stated that the work cannot be done overnight. Council noted that this matter has been ongoing for years and the city has tried working with him over that time. Mayor Roseland asked Meisinger about new nuisances found on the east side of the creek. Meisinger said that he removed the barrel of liquid, but cannot remove the other items yet due to rain. He stated that he will contact his attorney and sue the city for harassment. He commented that he cannot afford to hire contractors and he is not young anymore. Meisinger reported that he obtained a burn permit that day for the wood pile, but cannot burn because of the wind. He also reported that he hauled three loads of debris to the cleanup day event. Nolte reminded Meisinger that he told the city that the barn doors would be fixed last fall. The doors are still not fixed creating safety issues. Craney suggested Meisinger make a list of items to be corrected and work with the city to complete each item. Mayor Roseland asked Meisinger how soon he could get the work completed. Meisinger said it depends on who he can get to help him. Council offered to give Meisinger an additional 60 days to abate the nuisances. Council reviewed the process going forward should Meisinger not abate the nuisances. Mayor Roseland said that he would touch base with Meisinger after 45 days to check on the status of the projects. Motion by Swenson, seconded by Nolte, to table agenda item 5, regarding nuisance abatement at 15501 South Highway 50, until the July 18, 2017, Council meeting. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 6. Dan Williams informed the Council that he is considering purchasing the property directly to the south of the city's wastewater treatment facility. He understands that the city may need additional property for the expansion of the sewer facility to accommodate growth and possibly a regional plant. Williams proposed exchanging property with the city – he would obtain the city's existing property west of the plant and the city would obtain his property to the east within the designated floodplain. Williams plans to develop the west portion of this property, adjacent to Highway 50, into a light industrial development. Council reviewed a staff report with information provided by Jeremy Walker with Olsson Associates regarding the purchase of additional property and issues with development within the floodplain. In the report it was noted that the property slopes downward to the east and that the floodplain area would need to be raised up. Nolte asked Williams if he would supply the fill dirt and Williams noted that he might be able to do that. Swenson requested that the city obtain additional information including a cost estimate for moving dirt, floodplain regulations pertaining to the sewer plant, permitting processes, as well as a better site plan from Williams. Williams noted that he wants to work on this project over the next 90 days and would like to proceed with rezoning the property and platting it. Williams said that the proposed development would have private wells and septic systems. He said that he needs to contact NDOR regarding the existing access onto Highway 50 and any improvements, such as adding turn lanes, they may require for the development. Motion by Herzog, seconded by Swenson, to table agenda item 6, regarding the purchase of additional property for the sewer plant expansion, until the June 6, 2017, Council meeting. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 7. Council Member Swenson introduced Ordinance No. 960 and moved that the statutory rule requiring reading on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, Herzog, Craney. The following voted NAY: Nolte. 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 ordinances. Said ordinance was then read by title. Nolte expressed concern with the proposed regulations and requested clarification. Kathleen Gottsch, City Administrator, suggested that a representative of the NRD attend a future meeting to review the stormwater regulations. Motion by Herzog, seconded by Nolte, to table agenda item 7, regarding Ordinance No. 960 adopting stormwater regulations, until a future meeting at which an NRD representative can attend. AYES: Swenson, Herzog, Nolte. NAYS: Craney. Motion carried.

Agenda Item 8. Motion by Herzog, seconded by Nolte, to move agenda item 8, regarding the Maintenance Laborer position, into executive session. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. Herzog reported that the library updated their display case to celebrate Nebraska 150 and advertise events for Springfield Days and the Sarpy County Fair.

Agenda Item 3. No Department Report from Nolte.

Agenda Item 4. Craney reported that he worked with Rick Lee, Maintenance Manager, to layout the disc golf course at Buffalo Park. The equipment arrived that day. Craney also reported that the splash pad will open the Friday before Memorial Day.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. Andie Ledenbach, Assistant City Clerk, provided Springfield Days information to the Council. She asked them to attend the Nebraska 150 flag raising ceremony and to participate in the parade. She also asked them to consider volunteering for events.

Executive Session

Motion by Swenson, seconded by Herzog, to enter into executive session at 8:15 p.m. for the purpose of personnel discussion. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Craney, seconded by Swenson, to leave executive session at 8:28 p.m. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Swenson, seconded by Nolte, to offer the full-time Maintenance Laborer position to Sterling Lambries at the rate of \$18.00/hour and to authorize staff to hire another candidate if Lambries declines the position. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Swenson, seconded by Nolte, to adjourn. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Meeting adjourned at 8:29 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 May 16, 2017; 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