



CITY COUNCIL AGENDA

Tuesday, May 17, 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 May 3, 2016 Council Meeting
2. Approve Treasurer's Report
3. Approve Payment No. 1 from K2 Construction, Inc. in the amount of \$77,400.00 for work completed on the Turtle Creek Sanitary Sewer Crossing

REGULAR AGENDA

1. Accept Darren Carlson's resignation from the City Council
2. Declare a vacancy for Darren Carlson's City Council seat which term expires December 2018 and authorize notice of the vacancy and length of the unexpired term to be posted in three public places within the city (Springfield City Hall, Springfield Post Office, Springfield State Bank)
3. Elect a temporary Council President
4. **Tabled May 3, 2016.** Kirk Myers, Kracklin' Kirks Fireworks – Request to waive Springfield Municipal Code §6-333 for a fireworks demo shoot on Friday, June 24 from approximately 9:00 p.m. – 11:00 p.m.
5. Consider approval of the following ordinances as part of the annual municipal code update:

ORDINANCE NO. 913 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 4 HEALTH AND SANITATION, ARTICLE 3 NUISANCES, SECTION 4-303 NUISANCES; ABATEMENT PROCEDURE; CLARIFYING LANGUAGE RELATING TO COSTS OF ABATEMENT BEING COLLECTED AS A SPECIAL ASSESSMENT; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 914 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 10 BUSINESS REGULATIONS, ARTICLE 1 ALCOHOLIC BEVERAGES, SECTION 10-103 ALCOHOLIC BEVERAGES; LOCATION; REVISING PROVISIONS RELATING TO LOCATION OF RETAIL ESTABLISHMENTS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 915 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 6 POLICE REGULATIONS, ARTICLE 1 ANIMALS, SECTION 6-115 ANIMALS; ABANDONMENT, NEGLECT AND CRUELTY; TO PROVIDE DEFINITION OF OWNER OR CUSTODIAN; TO AUTHORIZE CITATIONS BEING ISSUED TO CUSTODIANS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 916 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 6 POLICE REGULATIONS, ARTICLE 3 MISCELLANEOUS MISDEMEANORS, SECTION 6-334 MISDEMEANORS; CRIMINAL MISCHIEF; TO DEFINE THE OFFENSE OF CRIMINAL MISCHIEF; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 917 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 8 PUBLIC WAYS AND PROPERTY, ARTICLE 1 MUNICIPAL PROPERTY, SECTION 8-113 MUNICIPAL PROPERTY; REGULATION OF SNOW, ICE AND OTHER ENCROACHMENTS; CLARIFYING LANGUAGE RELATING TO COSTS OF REMOVAL BEING COLLECTED AS A SPECIAL ASSESSMENT; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 918 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 10 BUSINESS REGULATIONS, ARTICLE 1 ALCOHOLIC BEVERAGES, SECTION 10-130 ALCOHOLIC BEVERAGES; KEG SALES; REQUIREMENTS; PROHIBITED ACTS; TO APPLY KEG SALES REGULATIONS TO LARGE VOLUME SALES OF ALCOHOL; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 919 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA ADOPTING SPRINGFIELD MUNICIPAL CODE CHAPTER 8 PUBLIC WAYS AND PROPERTY, ARTICLE 1 MUNICIPAL PROPERTY, SECTION 8-114 MUNICIPAL PROPERTY; REGULATION OF OBSTRUCTIONS, REGULATING OBSTRUCTIONS IN PUBLIC WAYS; CLARIFYING THAT REMOVAL MAY BE DONE AT THE EXPENSE OF THE MUNICIPALITY OR THE PERSON PLACING THEM THERE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 920 AN ORDINANCE OF THE CITY OF SPRINGFIELD, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 8 PUBLIC WAYS AND PROPERTY, ARTICLE 1 MUNICIPAL PROPERTY, SECTION 8-112 MUNICIPAL PROPERTY; PUBLIC WORKS INVOLVING ARCHITECTURE OR ENGINEERING; REQUIREMENTS; REVISING LANGUAGE REGARDING UNDER WHAT CIRCUMSTANCES THE MUNICIPALITY IS CONSIDERED A PUBLIC SERVICE PROVIDER; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 921 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 1 ADMINISTRATIVE, ARTICLE 7 ELECTIONS, SECTION 1-714 ELECTIONS; RECALL PROCEDURE; TO REVISE PROVISIONS REGARDING RECALL PROCEDURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 922 AN ORDINANCE RELATING OF THE CITY OF SPRINGFIELD, NEBRASKA AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 1 ADMINISTRATIVE, ARTICLE 8 FISCAL MANAGEMENT, SECTION 1-825 FISCAL MANAGEMENT; REVISION OF BUDGET; TO PROVIDE THAT THE HEARING REQUIREMENT DOES NOT APPLY EMERGENCY EXPENDITURES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 923 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 8 PUBLIC WAYS AND PROPERTY, ARTICLE 5 TREES, SECTION 8-509 TREES; DEAD OR DISEASED TREE REMOVAL; EXTENDING AUTHORITY TO ABATE THEM WITHIN THE ONE-MILE ZONING JURISDICTION; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 924 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 3 DEPARTMENTS, ARTICLE 8 UTILITIES GENERALLY, SECTION 3-803 UTILITIES GENERALLY; DIVERSION OF SERVICES, METER TAMPERING, UNAUTHORIZED RECONNECTION, PROHIBITED; EVIDENCE; TO ALLOW ELECTRONIC DELIVERY OF NOTICE OF DISCONTINUANCE OF SERVICE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 925 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 1 ADMINISTRATIVE, ARTICLE 1 ELECTED OFFICIALS, SECTION 1-105 ELECTED OFFICIALS; VACANCY; TO REVISE PROVISIONS REGARDING VACANCIES IN OFFICE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

ORDINANCE NO. 926 AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 6, ARTICLE 3 MISCELLANEOUS MISDEMEANORS, SECTION 6-324 MISDEMEANORS; WEEDS, LITTER, STAGNANT WATER; EXTENDING AUTHORITY TO REGULATE AND ABATE THEM WITHIN THE ONE-MILE ZONING JURISDICTION; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

6. **Tabled May 3, 2016.** Discuss Coventry annual medical insurance renewal

7. Consider offering employment to candidates for the part-time seasonal maintenance position

DEPARTMENT REPORTS

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

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

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. at City Hall on May 17, 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 Swenson, to approve the Consent Agenda. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$1,119,224.17 in cash assets; Prestige Treasury-\$204,432.05; Prestige Bond-\$726,020.26; Keno Community Betterment-\$162,248.04; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,188.70; Refundable Deposit Savings-\$1,222.94; Water Tower Savings-\$134,842.91; Sewer Restricted-\$118,581.86; Water Capital Facilities Fees-\$32,306.39; Sewer Capital Facilities Fees-\$75,381.57; City Sales Tax-\$119,439.17; Money Mark Library Bricks-\$3,865.71; Government Securities-\$104,955.38; Library Savings-\$53,455.03; Time Certificates as follows: Bond-\$76,999.26; Tower-\$57,572.80; Water-\$126,253.24; Park-\$11,942.72; Library Bricks-\$21,332.86; Cash Receipts-\$371,591.79; Cash Disbursements-\$164,998.64.

Regular Agenda

Agenda Item 1. Motion by Swenson, seconded by Craney, to accept Darren Carlson's resignation from the City Council. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 2. Motion by Nolte, seconded by Swenson, to declare a vacancy for Darren Carlson's City Council seat which term expires December 2018 and authorize notice of the vacancy and length of the unexpired term to be posted in three public places within the city (Springfield City Hall, Springfield Post Office, Springfield State Bank). AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 3. Motion by Craney, seconded by Swenson, to elect Roy Swenson as temporary Council President. AYES: Swenson, Craney. NAYS: Nolte. Motion carried.

Agenda Item 4. Kirk Myers with Kracklin' Kirks Fireworks, requested permission to perform a fireworks demo shoot on Friday, June 24 from approximately 9:00 p.m. – 11:00 p.m. at the fairgrounds. According to Springfield Municipal Code §6-333, permissible fireworks may only be discharged from June 25 through July 4. Nolte reported that Kirk's demo shoot in 2015 left burn marks on the city's new trail and that the crew did not pick up all of the debris. The city's maintenance crew and fair board members picked up the garbage. Myers said that he was unaware of these issues. Nolte noted that the property must be cleaned up and returned to its original state after the demo shoot. Motion by Nolte, seconded by Swenson, to waive Springfield Municipal Code §6-333 and allow Kracklin' Kirks Fireworks to perform a demo shoot on June 24 from 9:00 p.m. – 11:00 p.m., but the shoot cannot occur on city property. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 5. Council Member Swenson introduced Ordinance Nos. 913-926 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 ordinances. Said ordinances were then read by title and thereafter Council Member Swenson moved for final passage of the ordinances, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance Nos. 913-926 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 ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted and the Mayor in the presence of the Council signed and approved the ordinances and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinances to be published or posted as required by law and as provided therein. True, correct and complete copies of said ordinances are attached to the end of the minutes.

Agenda Item 6. Council reviewed insurance proposals from Coventry and BlueCross BlueShield. They considered monthly premiums, deductibles and employee contributions. BlueCross BlueShield's proposal noted that deductibles incurred to date would be honored by their policy if the city switched to their insurance plan. The city's policy is set for a July 1 renewal date. Motion by Swenson, seconded by Craney, to table agenda item 6, regarding the annual medical insurance renewal, until the June 7, 2016, Council meeting. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 7. Motion by Swenson, seconded by Craney, to authorize city staff to hire two part-time seasonal maintenance workers at the rate of \$10.00/hour for up to 40 hours per week. AYES: Swenson, Craney, Nolte. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report for the sewer department.

Agenda Item 2. No Department Report from Swenson.

Agenda Item 3. No Department Report from Craney.

Agenda Item 4. No Department Report from Nolte.

Agenda Item 5. Mayor Roseland reported that he plans to attend the Sarpy County Comp Plan meeting on May 23.

Agenda Item 6. The City Administrator reported that the property owners at 590 Locust Street inquired about the addition of a railing along the sidewalk adjacent to South 6th Street. The sidewalk was installed as per building requirements and, therefore, does not require a railing. Council agreed that the property owners can install a railing at their own expense if they so desire.

City Attorney, Bill Seidler, Jr., reported that oral arguments will be held before the Nebraska Supreme Court on May 27 regarding the city's case against the City of Papillion.

Adjournment

Motion by Swenson, seconded by Craney, to adjourn. AYES: Swenson, Craney, Nolte. NAYS: None. Meeting adjourned at 7:46 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 17, 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