



**CITY COUNCIL AGENDA**  
Tuesday, May 5, 2015 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> Street

**CALL TO ORDER**

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

**CONSENT AGENDA**

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

1. Approve Minutes of the April 21, 2015 Council Meeting
2. Approve Claims and Payroll
3. Approve Invoice No. 226234 from Olsson Associates in the amount of \$3,800.00 for professional services rendered from March 8, 2015, through April 4, 2015, for work completed on the Wastewater Treatment & Collection System Facility Plan
4. Waive Springfield Municipal Code §10-710 and approve fireworks stand licenses for:
  - a. Bellino Fireworks, Inc. – 1100 Park Drive & 15701 Highway 50
  - b. Kracklin Kirks Fireworks – Railroad & Main Streets
  - c. Wild Willy's Fireworks, LLC – 15905 South Highway 50
  - d. Williams Enterprises, LLC – Railroad & Main Streets

**REGULAR AGENDA**

1. Lt. Steve Grabowski with the Sarpy County Sheriff's Department will provide a monthly service report
2. Olsson Associates – Consider a proposal from Olsson Associates for geotechnical services regarding wingwall movement and slope erosion at the intersection of Platteview Road and Park Drive
3. Consider a proposal from Thrasher for the installation of a complete helical tieback system for the box culvert/wingwall at Platteview Road and Park Drive

4. Jennifer Williams – Consider a request from Campus Life Platteview, program of Greater Omaha Youth for Christ, to waive the Community Building rental fee for informational meetings to be held on Sunday, May 3 and Monday, May 4 from 7:00 – 8:00 p.m.
5. Chris Noda, Summit Health Physical Therapy – Consider a request to block off the Springfield Creek Trails and Recreation Area trailhead for a children’s bike safety event to be held in June
6. Al Petersen, 911 Maple Street – Discuss water recycling system for Buffalo Park Splash Pad
7. **Tabled April 7, 2015.** Consider bids for roof repairs at City Hall
8. Consider approval of **Ordinance No. 882** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 4, ARTICLE 3 NUISANCES, SECTION 4-301; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ORDINANCES IN CONFLICT
9. Consider approval of **Ordinance No. 883** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REPEALING SPRINGFIELD MUNICIPAL CODE CHAPTER 6, ARTICLE 3 MISCELLANEOUS MISDEMEANORS, SECTION 6-325; AMENDING SPRINGFIELD MUNICIPAL CODE TO REPEAL CONFLICTING ORDINANCES, RESOLUTIONS AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

#### **DEPARTMENT REPORTS**

1. Water & Parks Department – Bob Roseland
2. Library & Community Building – Darren Carlson
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 May 5, 2015. Present were Mayor Mike Dill; Council Members: Bob Roseland, Darren Carlson, Dan Craney, Chad Nolte. Absent: None. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current

copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

**Consent Agenda**

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

Claims and Payroll:

| Check #                   | Account ID | Account Description    | Debit Amount     | Name                              |
|---------------------------|------------|------------------------|------------------|-----------------------------------|
| <b>General</b>            |            |                        |                  |                                   |
| 36364                     | 6084-10-10 | Aflac                  | 49.80            | Aflac                             |
| 36336                     | 6080-10-10 | Health Insurance       | 546.05           | Assurant Health                   |
| 36370                     | 8130-10-10 | R&M Building           | 243.00           | Block Electrical                  |
| 36337                     | 6080-10-10 | Health Insurance       | 86.60            | Delta Dental                      |
| 36385                     | 8130-10-10 | R&M Building           | 27.98            | Gretna Ace Hardware               |
| 36387                     | 7030-10-10 | Prof Svcs-Planning     | 1,645.00         | JEO Consulting Group              |
| 36391                     | 8140-10-10 | R&M Equip              | 190.00           | Konica Minolta Premier Finance    |
| 36393                     | 8010-10-10 | Office Supplies        | 42.79            | Ledenbach, Andrea                 |
| 36401                     | 7320-10-10 | Natural Gas            | 44.26            | MUD                               |
| 36429                     | 7330-10-10 | Telephone              | 113.44           | NT&T                              |
| 36405                     | 7250-10-10 | Publication Costs      | 117.87           | Omaha World Herald                |
| 36406                     | 7310-10-10 | Electricity            | 267.56           | OPPD                              |
| 36411                     | 7200-10-10 | Dues                   | 800.00           | Sarpy County Economic Development |
| 36412                     | 7060-10-10 | Animal Control         | 375.49           | Sarpy County Fiscal Administrator |
| 36410                     | 7050-10-10 | Law Contract           | 7,937.00         | Sarpy County Treasurer            |
| 36414                     | 9310-10-10 | Nuisance Abatement     | 430.00           | Seidler & Seidler                 |
| 36414                     | 7020-10-10 | Prof Svcs-Legal        | 997.28           | Seidler & Seidler                 |
| 36420                     | 7230-10-10 | Postage                | 220.00           | US Postal Service                 |
| 36422                     | 7280-10-10 | Laundry                | 90.08            | Walkers Uniform Rental            |
| <b>Total</b>              |            |                        | <b>14,224.20</b> |                                   |
| <b>Library</b>            |            |                        |                  |                                   |
| 36366                     | 8060-20-10 | Books                  | 557.83           | Amazon                            |
| 36336                     | 6080-20-10 | Health Insurance       | 613.67           | Assurant Health                   |
| 36368                     | 8060-20-10 | Books                  | 112.41           | Baker & Taylor                    |
| 36375                     | 7455-20-10 | IP Address             | 65.00            | Charter Communications            |
| 36337                     | 6080-20-10 | Health Insurance       | 29.15            | Delta Dental                      |
| 36395                     | 8060-20-10 | Books                  | 12.00            | Eating Well Magazine              |
| 36388                     | 8060-20-10 | Books                  | 146.90           | Kid's Reference Company           |
| 36376                     | 8060-20-10 | Books                  | 12.00            | Leyboldt, Chuck                   |
| 36398                     | 8060-20-10 | Books                  | 29.94            | MicroMarketing                    |
| 36401                     | 7320-20-10 | Natural Gas            | 67.44            | MUD                               |
| 36429                     | 7330-20-10 | Telephone              | 38.34            | NT&T                              |
| 36406                     | 7310-20-10 | Electricity            | 220.88           | OPPD                              |
| 36407                     | 8060-20-10 | Books                  | 21.00            | Papillion Times                   |
| 36408                     | 7340-20-10 | Waste Disposal         | 39.39            | Premier Waste Solutions           |
| 36413                     | 7480-20-10 | Janitorial             | 200.00           | Schmieder, Marcie                 |
| 36418                     | 8130-20-10 | R&M Building           | 83.40            | United Electric Supply            |
| <b>Total</b>              |            |                        | <b>2,249.35</b>  |                                   |
| <b>Library Restricted</b> |            |                        |                  |                                   |
| 36366                     | 8070-21-10 | Library Supplies       | 31.96            | Amazon                            |
| 36424                     | 7045-21-10 | Prof Svcs-Tech Support | 1,100.00         | Biblionix                         |
| 36374                     | 8060-21-10 | Books                  | 84.48            | Center Point Large Print          |

|                           |            |                       |                 |                             |
|---------------------------|------------|-----------------------|-----------------|-----------------------------|
| 36378                     | 8070-21-10 | Library Supplies      | 94.62           | Demco                       |
| 36383                     | 7205-21-10 | Subscription          | 14.95           | First National Bank         |
| 36384                     | 8060-21-10 | Books                 | 45.73           | Gale                        |
| 36400                     | 7260-21-10 | Printing              | 200.00          | Miller Press                |
| 36409                     | 8070-21-10 | Library Supplies      | 190.94          | Quill Corporation           |
| 36394                     | 8070-21-10 | Library Supplies      | 120.31          | The Library Store           |
| 36419                     | 7230-21-10 | Postage               | 263.75          | US Postal Service           |
| <b>Total</b>              |            |                       | <b>2,146.74</b> |                             |
|                           |            |                       |                 |                             |
| <b>Park</b>               |            |                       |                 |                             |
| 36365                     | 8140-30-10 | R&M Equip             | 27.00           | Aksarben Saw & Tool         |
| 36336                     | 6080-30-10 | Health Insurance      | 305.18          | Assurant Health             |
| 36367                     | 8120-30-10 | Fuel                  | 212.25          | B&D Pit Stop                |
| 36371                     | 8130-30-10 | R&M Building          | 15.00           | Carl Jarl Locksmiths        |
| 36372                     | 8160-30-10 | R&M Grounds           | 290.00          | Carlson, Michael            |
| 36337                     | 6080-30-10 | Health Insurance      | 43.30           | Delta Dental                |
| 36380                     | 7350-30-10 | Rental                | 79.22           | Eagle Services              |
| 36382                     | 8110-30-10 | Chemicals             | 433.00          | Farmers Union Coop          |
| 36385                     | 8130-30-10 | R&M Building          | 9.99            | Gretna Ace Hardware         |
| 36386                     | 8030-30-10 | Supplies              | 9.20            | Home Depot                  |
| 36396                     | 8140-30-10 | R&M Equip             | 18.06           | Menards                     |
| 36404                     | 9106-30-10 | MoPac Trail Phase III | 26.61           | Olsson Associates           |
| 36406                     | 7310-30-10 | Electricity           | 499.48          | OPPD                        |
| 36427                     | 7340-30-10 | Waste Disposal        | 57.75           | Premier Waste Solutions     |
| 36417                     | 8140-30-10 | R&M Equip             | 43.57           | Tractor Supply              |
| <b>Total</b>              |            |                       | <b>2,069.61</b> |                             |
|                           |            |                       |                 |                             |
| <b>Community Building</b> |            |                       |                 |                             |
| 36397                     | 8030-40-10 | Supplies              | 23.98           | Menards                     |
| 36401                     | 7320-40-10 | Natural Gas           | 98.06           | MUD                         |
| 36406                     | 7310-40-10 | Electricity           | 74.72           | OPPD                        |
| 36427                     | 7340-40-10 | Waste Disposal        | 31.50           | Premier Waste Solutions     |
| 36422                     | 7280-40-10 | Laundry               | 122.32          | Walkers Uniform Rental      |
| <b>Total</b>              |            |                       | <b>350.58</b>   |                             |
|                           |            |                       |                 |                             |
| <b>Water</b>              |            |                       |                 |                             |
| 36364                     | 6084-50-20 | Aflac                 | 56.16           | Aflac                       |
| 36423                     | 8140-50-20 | R&M Equip             | 13.97           | American Underground Supply |
| 36336                     | 6080-50-20 | Health Insurance      | 1,000.05        | Assurant Health             |
| 36367                     | 8120-50-20 | Fuel                  | 212.22          | B&D Pit Stop                |
| 36337                     | 6080-50-20 | Health Insurance      | 74.07           | Delta Dental                |
| 36389                     | 8160-50-20 | R&M Grounds           | 450.00          | Kildow Construction         |
| 36392                     | 8140-50-20 | R&M Equip             | 648.88          | Layne Christensen           |
| 36393                     | 8010-50-20 | Office Supplies       | 37.44           | Ledenbach, Andrea           |
| 36399                     | 7420-50-20 | Testing               | 36.92           | Midwest Laboratories        |
| 36429                     | 7330-50-20 | Telephone             | 153.39          | NT&T                        |
| 36379                     | 7430-50-20 | Digger's Hotline      | 33.35           | One Call Concepts           |
| 36406                     | 7310-50-20 | Electricity           | 1,110.88        | OPPD                        |
| 36426                     | 8140-50-20 | R&M Equip             | 146.98          | Utility Equipment Company   |
| 36421                     | 7330-50-20 | Telephone             | 15.08           | Verizon Wireless            |
| 36422                     | 7290-50-20 | Uniform Allowance     | 45.00           | Walkers Uniform Rental      |
| <b>Total</b>              |            |                       | <b>4,034.39</b> |                             |
|                           |            |                       |                 |                             |
| <b>Sewer</b>              |            |                       |                 |                             |
| 36364                     | 6084-60-30 | Aflac                 | 302.26          | Aflac                       |
| 36336                     | 6080-60-30 | Health Insurance      | 338.76          | Assurant Health             |
| 36373                     | 8030-60-30 | Supplies              | 6.48            | Casey's General Store       |

|                |            |                            |                  |                              |
|----------------|------------|----------------------------|------------------|------------------------------|
| 36373          | 8120-60-30 | Fuel                       | 172.41           | Casey's General Store        |
| 36337          | 6080-60-30 | Health Insurance           | 74.08            | Delta Dental                 |
| 36381          | 8160-60-30 | R&M Grounds                | 612.50           | Eyman Plumbing               |
| 36428          | 8160-60-30 | R&M Grounds                | 612.50           | Eyman Plumbing               |
| 36393          | 8010-60-30 | Office Supplies            | 62.04            | Ledenbach, Andrea            |
| 36397          | 8030-60-30 | Supplies                   | 11.37            | Menards                      |
| 36399          | 7420-60-30 | Testing                    | 369.39           | Midwest Laboratories         |
| 36402          | 9040-60-30 | Tools & Misc Equip         | 10.50            | Mill Creek Auto Parts        |
| 36429          | 7330-60-30 | Telephone                  | 53.62            | NT&T                         |
| 36404          | 7010-60-30 | Prof Svcs-Engineer         | 241.30           | Olsson Associates            |
| 36363          | 7010-60-30 | Prof Svcs-Engineer         | 4,500.00         | Olsson Associates            |
| 36406          | 7310-60-30 | Electricity                | 2,317.89         | OPPD                         |
| 36421          | 7330-60-30 | Telephone                  | 15.08            | Verizon Wireless             |
| 36422          | 7290-60-30 | Uniforms Allowance         | 42.04            | Walkers Uniform Rental       |
| <b>Total</b>   |            |                            | <b>9,742.22</b>  |                              |
|                |            |                            |                  |                              |
| <b>Street</b>  |            |                            |                  |                              |
| 36336          | 6080-70-40 | Health Insurance           | 785.66           | Assurant Health              |
| 36367          | 8120-70-40 | Fuel                       | 316.59           | B&D Pit Stop                 |
| 36369          | 8225-70-40 | R&M Street Signs&Posts     | 242.94           | Barco Municipal Products     |
| 36373          | 8120-70-40 | Fuel                       | 135.56           | Casey's General Store        |
| 36377          | 9084-70-40 | Sidewalk Repair            | 1,366.13         | Consolidated Concrete        |
| 36377          | 8090-70-40 | Concrete                   | 3,109.07         | Consolidated Concrete        |
| 36337          | 6080-70-40 | Health Insurance           | 72.45            | Delta Dental                 |
| 36382          | 8140-70-40 | R&M Equip                  | 182.14           | Farmers Union Coop           |
| 36385          | 8030-70-40 | Supplies                   | 17.99            | Gretna Ace Hardware          |
| 36386          | 9040-70-40 | Tools & Misc Equip         | 19.98            | Home Depot                   |
| 36390          | 7350-70-40 | Rental                     | 887.36           | Kildow Properties            |
| 36396          | 9084-70-40 | Sidewalk Repair            | 4.96             | Menards                      |
| 36396          | 8225-70-40 | R&M Street Signs&Posts     | 23.60            | Menards                      |
| 36397          | 8040-70-40 | Supplies-Safety/Medical    | 24.99            | Menards                      |
| 36396          | 9040-70-40 | Tools & Misc Equip         | 35.32            | Menards                      |
| 36397          | 9040-70-40 | Tools & Misc Equip         | 52.14            | Menards                      |
| 36397          | 8215-70-40 | R&M Streets & Alleys       | 141.60           | Menards                      |
| 36402          | 8150-70-40 | R&M Vehicle                | 36.89            | Mill Creek Auto Parts        |
| 36402          | 9040-70-40 | Tools & Misc Equip         | 60.52            | Mill Creek Auto Parts        |
| 36401          | 7320-70-40 | Natural Gas                | 74.85            | MUD                          |
| 36403          | 7090-70-40 | Department of Roads        | 9,780.00         | Nebraska Department of Roads |
| 36429          | 7330-70-40 | Telephone                  | 48.75            | NT&T                         |
| 36404          | 7010-70-40 | Prof Svcs-Engineer         | 1,565.26         | Olsson Associates            |
| 36406          | 7310-70-40 | Electricity                | 3,455.72         | OPPD                         |
| 36427          | 7340-70-40 | Waste Disposal             | 31.50            | Premier Waste Solutions      |
| 36414          | 9077-70-40 | Main Street Revitalization | 298.00           | Seidler & Seidler            |
| 36415          | 8215-70-40 | R&M Streets & Alleys       | 1,150.72         | Silex Group                  |
| 36416          | 9040-70-40 | Tools & Misc Equip         | 399.99           | Tighton Fastener & Supply    |
| 36421          | 7330-70-40 | Telephone                  | 15.08            | Verizon Wireless             |
| 36422          | 7290-70-40 | Uniform Allowance          | 80.64            | Walkers Uniform Rental       |
| <b>Total</b>   |            |                            | <b>24,416.40</b> |                              |
|                |            |                            |                  |                              |
| <b>Keno</b>    |            |                            |                  |                              |
| 36425          | 9174-80-70 | Keno CB Project            | 4,935.00         | Outdoor Recreation Products  |
| <b>Total</b>   |            |                            | <b>4,935.00</b>  |                              |
|                |            |                            |                  |                              |
| <b>Payroll</b> |            |                            | <b>33,452.21</b> |                              |

## Regular Agenda

Agenda Item 1. Lt. Steve Grabowski with the Sarpy County Sheriff's Department provided the monthly service report.

Agenda Item 2. Ed Schnackenberg, Olsson Associates, reported that the west wingwall on the north end of the box culvert that extends below Platteview Road at the intersection with Park Drive is showing signs of movement. He also noted that the west slope of the creek south of the intersection, where TAB recently constructed a new wingwall, is still eroding and sloughing off. Schnackenberg reviewed a proposal for Olsson's geotechnical team to complete soil borings and CPT testing near this intersection in order to determine the cause of the slope erosion and present options and recommendations for repair, reinforcement, and shoring. The scope of Olsson's work includes providing soil borings and related subsurface information to Thrasher for their installation of a complete helical tieback system at the north wingwall. Nolte inquired as to the cost of the soil borings. Schnackenberg reviewed the soil boring process. Mayor Dill reviewed the history of the wingwall situation and noted that the city needs to address the situation as soon as possible. Motion by Roseland, seconded by Carlson, to approve the proposal from Olsson Associates on a time and material basis not to exceed \$8,630.00 for geotechnical services regarding wingwall movement and slope erosion at the intersection of Platteview Road and Park Drive. AYES: Roseland, Carlson, Dill. NAYS: Craney, Nolte. Motion carried.

Agenda Item 3. Motion by Roseland, seconded by Carlson, to table agenda item 3, regarding a proposal from Thrasher for the installation of a complete helical tieback system for the wingwall at Platteview Road and Park Drive, until the June 2, 2015, Council meeting. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 4. Jen Williams, on behalf of Campus Life Platteview, requested the Council waive the Community Building rental fee for informational meetings held on Sunday, May 3 and Monday, May 4. Williams said the group is organizing an after school program to help kids be successful physically, socially, mentally and spiritually. She noted that Springfield Platteview Schools has approved the program. Motion by Roseland, seconded by Nolte, to waive the Community Building rental fee for Campus Life Platteview's informational meetings held on May 3 and 4, 2015. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 5. Chris Noda, Summit Health Physical Therapy, requested the Council block off the Springfield Creek Trails and Recreation Area trailhead on Thursday, June 4 from 1:00-3:00 p.m. for a children's bike safety event. He said that he is sponsoring the event along with Springfield Memorial Library and the Sarpy County Health Department's Safe Kids Program. Noda reported that the Safe Kids Program will be handing out free helmets, a local bike shop will be on site checking bikes for safety and fixing flat tires, and the Sarpy County Sheriff's Department will be discussing bike safety and awareness. Three or four tents will be setup in the park area for information and the parking lot will be used for an obstacle course. Carlson noted that the SSAP soccer fields will be used on June 5-6 for a soccer tournament. He requested that SSAP be contacted to make sure that the bike safety event wouldn't interfere with tournament parking. The City Administrator reported that Summit Health has already provided the correct insurance to the city for the event. Motion by Nolte, seconded by Craney, to block off the Springfield Creek Trails and Recreation Area trailhead on Thursday, June 4 for a children's bike safety event sponsored by Summit Health Physical Therapy. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 6. Al Petersen, 911 Maple Street, provided the Council with an informational handout he prepared regarding splash pad water recycling systems and requested that they consider installing a water recycling/recirculating system at the Buffalo Park Splash Pad. Petersen said that he is a supporter of the splash pad, but disagrees with the water being dumped down the storm sewer. He said a recycling/recirculating system would be better for the environment and not tax the city's water system

during hot and dry months. Mayor Dill noted that the Council originally planned to reclaim the water for ball field and park irrigation; however, the Council chose to remove this item from the project due to the large cost. The pipes were plumbed so that a tank could be added in the future. Petersen said that the city could chlorinate the water and recirculate it or possibly even use UV treatment. Carlson pointed out that Nebraska law prohibits a city from sending chlorinated water into the storm sewer, so the water would need to be de-chlorinated prior to disposal. Petersen said that he is willing to further research this method if the Council would like. Council suggested that, if he continues to research this matter, that he obtain information from Nebraska contacts rather than his Iowa contacts due to different state laws.

Agenda Item 7. Nolte requested that Luke Cochran with Home Pride Roofing submit a bid to install a new roof on City Hall. Cochran provided a bid in the amount of \$49,800 for roof replacement. Cochran reviewed his bid and pointed out that it includes tearing off and hauling away the existing Durolast roof and installing a new 60 mil TPO roof system from Firestone Building Products. The bid states that Home Pride would charge \$1.38 per square foot to replace wet or deteriorated insulation. There is approximately 7,700 square feet of roof on the building, which equals an additional charge of \$10,626. The bid includes a 10 year labor and material warranty from Firestone. The warranty can be upgraded to a 15 year warranty for an additional \$975. The grand total for the main bid plus all upgrades is \$61,401. Council considered removal of the original roof and decking. Cochran said that it was not necessary and would add \$20,000+ to the bid amount. Mayor Dill noted that bids are still being obtained for a gable style roof system and he requested the Council table action until the next meeting. Motion by Roseland, seconded by Carlson, to table agenda item 7, regarding bids for roof repairs at City Hall, until the May 19, 2015, Council meeting. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Motion carried.

Agenda Item 8. Council Member Nolte introduced Ordinance No. 882 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 4, ARTICLE 3 NUISANCES, SECTION 4-301; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ORDINANCES IN CONFLICT

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: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question was "Shall Ordinance No. 882 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

#### **ORDINANCE NO. 882**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING SPRINGFIELD MUNICIPAL CODE CHAPTER 4, ARTICLE 3 NUISANCES, SECTION 4-301; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ORDINANCES IN CONFLICT.

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

Section 1. Chapter 4, Article 3, Section 4-301 of the Municipal Code of Springfield, Nebraska is amended to read as follows:

### Article 3. Nuisances

#### **§4-301 Nuisances; Specifically Defined.**

The maintaining, using, placing, depositing, leaving, or permitting of any of the following specific acts, omissions, places, conditions, and things are hereby declared to be nuisances:

- (1) Any odorous, putrid, unsound or unwholesome grain, meat, hides, skins, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl;
- (2) Privies, vaults, cesspools, dumps, pits or like places which are not securely protected from flies or rats, or which are foul or malodorous;
- (3) Filthy, littered or trash-covered cellars, houseyards, barnyards, stable-yards, factory-yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises;
- (4) Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the Municipality;
- (5) Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish or any waste vegetable or animal matter in any quantity; provided, nothing herein contained shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the Municipality, nor the dumping of non-putrefying waste in a place and manner approved by the health officer;
- (6) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles;
- (7) Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials when any of said articles or materials create a condition in which flies or rats may breed or multiply, or which may be a fire danger or which are so unsightly as to depreciate property values in the vicinity thereof;
- (8) Any unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished, which said buildings, billboards or other structures are either a fire hazard, a menace to the public health or safety, or are so unsightly as to depreciate the value of property in the vicinity thereof;
- (9) All places used or maintained as junk yards, or dumping grounds, or for the wrecking and dissembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof;
- (10) Stagnant water permitted or maintained on any lot or piece of ground;
- (11) Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building or enclosure, in which animals or fowls of any kind are confined or on which are stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when said places in which said animals are confined, or said premises on which said vegetable or animal matter is located, are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom, to the annoyance of inhabitants of the Municipality, or are maintained and kept in such a manner as to be injurious to the public health;
- (12) All trees on private property that are in a diseased, dying, or dead condition or that may serve as a breeding place for the European Elm Bark Beetle, *Scolytus Multistriatus*, or other disease carrying insects.



~~(12)~~(13) All other things specifically designated as nuisances elsewhere in this Code.

Section 2. Any other ordinance or section passed and approved prior to passage, approval and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and Approved this 5<sup>th</sup> day of May, 2015.

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Mayor

(SEAL)

Attest:

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City Clerk

Agenda Item 9. Council Member Nolte introduced Ordinance No. 883 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REPEALING SPRINGFIELD MUNICIPAL CODE CHAPTER 6, ARTICLE 3 MISCELLANEOUS MISDEMEANORS, SECTION 6-325; AMENDING SPRINGFIELD MUNICIPAL CODE TO REPEAL CONFLICTING ORDINANCES, RESOLUTIONS AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Nolte moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question was "Shall Ordinance No. 883 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Roseland, Carlson, Craney, Nolte. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

**ORDINANCE NO. 883**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REPEALING SPRINGFIELD MUNICIPAL CODE CHAPTER 6, ARTICLE 3 MISCELLANEOUS MISDEMEANORS, SECTION 6-325; AMENDING SPRINGFIELD MUNICIPAL CODE TO REPEAL CONFLICTING ORDINANCES, RESOLUTIONS AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 6, Article 3 Miscellaneous Misdemeanors, Section § 6-325 of the Municipal Code of Springfield is hereby repealed.

Section 2. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this Ordinance and in conflict with the provisions is herewith repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

PASSED AND APPROVED this 5<sup>th</sup> day of May, 2015.

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Mayor

(SEAL)

Attest:

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City Clerk

### **Department Reports**

Agenda Item 1. Roseland reported that the new splash pad spray feature was installed. Carlson said that he was contacted by a member of the Springfield Elementary PTO regarding use of the splash pad on the last day of school. Council was okay with the school using the splash pad for an end of the year event.

Agenda Item 2. Carlson reviewed the library board minutes. He noted that the library will soon be starting their summer reading program. He said that the Lego program was a success and that library staff reorganized the non-fiction area.

Agenda Item 3. Craney noted that sewer projects are moving forward.

Agenda Item 4. Nolte said that Rick Lee, Maintenance Manager, is obtaining bids to seal roads that have been overlaid.

Agenda Item 5. Mayor Dill reported that the fire hydrant on the southeast corner of 2<sup>nd</sup> and Main Streets needs to be relocated as part of the Main Street Phase 3 project. He also reported that he has attended numerous meetings with the City Administrator regarding sewer systems in southern Sarpy County.

Agenda Item 6. No additional city staff reports were provided.

### **Adjournment**

Motion by Roseland, seconded by Nolte, to adjourn. AYES: Roseland, Carlson, Craney, Nolte. NAYS: None. Meeting adjourned at 8:40 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 5, 2015; 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