



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

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the November 1, 2016 Council Meeting
2. Approve Treasurer's Report

REGULAR AGENDA

1. Conduct a hearing for the purpose of considering and levying special assessments on the lots and parcels of land in Street Improvement Project No. 2016-1 (Spruce Street); consider approval of **Resolution 2016-32** levying and assessing upon the lots and parcels of land in Street Improvement Project No. 2016-1 special assessments to pay for the cost of constructing said improvements in the amount set out in the schedule of assessments
2. Consider a request from Dan Williams, property owner of 14117 Platteview Road, and Donna Olson, business owner, to approve drive-thru lane layout and vehicle stacking requirements for a coffee shop/kiosk
3. **Tabled October 18, 2016.** Consider approval of a bid for the installation of a monument sign at the new maintenance facility
4. **Tabled November 1, 2016.** Consider operation of new maintenance facility to allow residents to dump tree limbs (i.e. open facility one Saturday per month to residents only)
5. Charles and Margaret Leonard – Tort Claim

DEPARTMENT REPORTS

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
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 November 15, 2016. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, 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 Nolte, seconded by Swenson, to approve the Consent Agenda. AYES: Swenson, Herzog, Craney, Nolte. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$1,284,215.61 in cash assets; Prestige Treasury-\$204,534.56; Prestige Bond-\$727,412.23; Keno Community Betterment-\$172,878.08; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,190.39; Refundable Deposit Savings-\$1,223.44; Water Tower Savings-\$138,804.58; Sewer Restricted-\$126,420.76; Water Capital Facilities Fees-\$32,322.58; Sewer Capital Facilities Fees-\$75,419.37; City Sales Tax-\$127,663.58; Money Mark Library Bricks-\$3,867.26; Government Securities-\$104,960.66; Library Savings-\$53,476.56; Time Certificates as follows: Bond-\$77,100.08; Tower-\$57,709.97; Water-\$126,447.91; Library Bricks-\$21,370.11; Cash Receipts-\$118,689.04; Cash Disbursements-\$111,345.68.

Regular Agenda

Agenda Item 1. The Clerk reported that, pursuant to the order heretofore entered by the Council, notice has been published that the Mayor and Council would hold a meeting at this time and place for the purpose of considering the levy of special assessments to pay for paving improvements in Street

Improvement Project No. 2016-1 of said City. The Mayor then stated that the Board was in session at 7:01 p.m. for said purpose and all persons interested would be heard.

The following filed written objections: No written objections were filed.

The following appeared in person or by agent or by attorney and were heard:

Steve Haffke asked if it was common for a corner lot to be specially assessed for both streets adjacent to the property. The City Administrator reported that corner lots can be assessed for pavement on both sides. The City Administrator reviewed the payment process, due dates, interest rate and county collection process.

No one else from the public appeared. Motion by Nolte, seconded by Swenson, to close the public hearing. AYES: Swenson, Herzog, Craney, Nolte. NAYS: None. Motion carried. Public Hearing closed at 7:07 p.m.

All persons who desired a hearing having been heard, the Board having considered the recommendations of the engineer in charge of said improvements and the members of the Board having heretofore personally inspected the paving improvements and the real estate abutting upon and adjacent thereto, Council Member Swenson offered the following Resolution and moved its adoption. Council Member Herzog seconded the motion for its passage and adoption, and after consideration, the roll was called upon the passage and adoption of said resolution and the following Council Members voted AYE: Swenson, Herzog, Nolte, Craney. The following voted NAY: None. The passage of the resolution having been concurred in by a majority of all members elected to the Council was declared passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2016-32**

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

1. The Mayor and Council find and determine: That the Council has heretofore designated this time and place for considering and levying special assessments upon property specially benefited by paving improvements in Street Improvement Project No. 2016-1 to pay the cost of constructing same; that notice of the time and place of holding this meeting for said purpose has been duly given as provided by statute by publication in The Papillion Times, a legal newspaper published in the City, for more than four weeks (five consecutive weekly publications) before the time designated therein for holding this meeting said publication being made in the issues of said paper published on October 12, 19, 26, November 2 and 9, 2016.; that the Mayor and Council have at this session heard all persons who desired to be heard in reference to the special benefits or damages thereto by reason of the construction of said improvements and with reference thereto have considered the advice of the engineer in charge of the construction of said improvements.

2. The Mayor and Council find and determine that at the hearing all assessments have been adjusted and equalized with reference to the benefits resulting from the improvements and have been apportioned among the several lots and parcels of land subject to assessment in proportion to the special benefits accrued to said lots and parcels of land respectively from such improvements; that no lot or parcel of land in said Districts has been damaged by the construction of said improvements; that the amounts of benefits specially accruing to each lot and parcel of land in said projects by reason of the construction of said paving improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of said improvements. The benefits are equal and uniform and the assessments shown on the schedule hereinafter set out are according to front footage of the lots or real estate within the Districts.

3. There are hereby levied and assessed upon the several lots and parcels of land in Street Improvement Project No. 2016-1 special assessments to pay the cost of constructing said improvements in the amount in dollars and cents set out in the schedule below in the column headed "Special Assessments".

(INSERT SCHEDULE OF ASSESSMENTS)

4. Said special assessments shall be a lien on the property on which they are levied from the date of the passage of this resolution and shall be certified by the City Clerk to the Treasurer of this City for collection; that the City Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the City Treasurer for entry upon the proper tax list; that said assessments shall be payable to and collected by the City Treasurer.

5. Said assessments are payable in fifteen (15) equal installments, the first of which shall become delinquent not less than fifty (50) days from the date of adoption of the resolution, and the remaining installments shall become delinquent the 5th day of January, subsequent to the date of levy and thereafter, in one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen years respectively; that each of said installments shall draw interest from the date of the passage of this resolution at the rate of five and one-quarter per centum (5.25%) per annum, until the same become delinquent, and after the same become delinquent interest at the rate specified by law for delinquent special assessments for such projects shall be paid thereon; provided all said assessments may be paid at one time on any lot or land within fifty (50) days from the date of levy without interest.

PASSED AND APPROVED this 15th day of November, 2016.

ATTEST:

Mayor

City Clerk

(S E A L)

Agenda Item 2. Dan Williams, property owner of 14117 Platteview Drive, reviewed the drive-thru lane site plan he submitted for the proposed coffee shop. Williams expressed that his option was the best alternative for the drive-thru. Council also reviewed two alternatives submitted by city professional staff. City professional staff did not approve Williams' plan because of the location of the drive-thru lane in conjunction with the flow of traffic at the business site. Williams pointed out concerns/issues with both city alternatives. Donna Olson, coffee shop owner, informed the Council that she previously owned a Scooters coffee shop for 15 years. The Springfield coffee shop will offer a variety of coffee, pastries and breakfast items. She plans to be open from approximately 5:30 a.m. until 6:00 p.m. Olson noted that she hopes to occupy the adjacent bay in the future to expand the inside seating area. The City Administrator noted that Springfield Zoning Ordinance Sections 8.01.01 and 8.03 require a coffee kiosk to have five stacking spaces in the drive-thru. Each stacking until shall be 22 feet long. Required vehicle stacking shall not block driveways or required parking stalls. Section 8.01.08 also states that stacking requirements may be reduced by approval of the City Council following site plan review by the Planning Commission. The Planning Commission considered this item at their November 8 meeting and recommended that the vehicle stacking requirement be reduced from five to three vehicles, but the drive-thru lane be striped to accommodate five vehicles. Council considered all alternatives and possible conflicts with traffic flow into and out of the business site. Motion by Nolte, seconded by Swenson, to reduce the vehicle stacking requirement from five to three vehicles, but require the drive-thru lane be

striped to accommodate five vehicles. AYES: Swenson, Nolte, Craney. NAYS: None. ABSTAIN: Herzog. Motion carried.

Agenda Item 3. Council reviewed design options from Omaha Neon Sign and Dolphens Design & Sign for a monument sign at the new maintenance facility. Council requested staff obtain specific pricing details for Options A and B from Dolphens Design & Sign. Motion by Swenson, seconded by Herzog, to table agenda item 3, regarding the new sign for the maintenance facility, until the December 6, 2016, Council meeting. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 4. Council considered operation of the new maintenance facility to allow residents to dump tree limbs, grass and leaves on site. Council discussed months and hours of operation, employee supervision, dumping rules and enforcement of violators. Council reviewed comments received from the Sarpy County Sheriff's Department pertaining to enforcement. They considered purchasing surveillance cameras to catch violators. The City Administrator provided a draft operations plan for review. Additional information will be added, as per the sheriff's recommendations. Motion by Swenson, seconded by Herzog, to table agenda item 4, regarding operation of new maintenance facility to allow residents to dump tree limbs over the weekend, until the January 3, 2017, Council meeting. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Agenda Item 5. Motion by Nolte, seconded by Swenson, to move agenda item 5 into executive session. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Swenson noted that he plans to tour the sewer plant next week.

Agenda Item 2. Herzog reported that the library had a donation book sale and they still have books remaining.

Agenda Item 3. No Department Report from Craney.

Agenda Item 4. Nolte reported that all of the sidewalk repairs are complete for 2016. The 2017 properties have been marked for sidewalk replacement and notice will be going out later this winter. He reported that the Pflug Road gate at the maintenance facility is only 20' wide. He said the city needs to consider making the gate larger before the project is complete. He said that commercial trucks with pups will not be able to use that entrance to deliver street materials. Nolte will research this matter. He also reported that one snow plow is ready to go for winter and the second plow can be ready in an hour.

Agenda Item 5. Mayor Roseland reported that he plans to attend the elected officials class being offered in La Vista in December. He also plans to attend the SCEDC leadership meeting in December.

Agenda Item 6. The City Administrator reported that the tree lighting ceremony is scheduled for Monday, November 21 at 7:00 p.m. The SYAA is having a soup supper from 5:30-7:00 p.m. at the Community Building the same night. North 2nd Street will be closed from Main Street to the alley adjacent to the Post Office for the event.

Executive Session

Motion by Nolte, seconded by Swenson, to enter into executive session at 7:50 p.m. for the purpose of strategy sessions with respect to pending litigation. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Motion by Nolte, seconded by Swenson, to leave executive session at 8:12 p.m. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Nolte, seconded by Swenson, to adjourn. AYES: Swenson, Herzog, Nolte, Craney. NAYS: None. Meeting adjourned at 8:12 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 November 15, 2016; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch
City Clerk