



## **CITY COUNCIL AGENDA**

Tuesday, November 5, 2019 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 October 15, 2019 Council Meeting
2. Approve Claims and Payroll
3. Waive the Community Building rental fee for the Springfield Youth Athletic Association soup supper scheduled for Monday, November 25, to be held in conjunction with Making Spirits Bright – A Springfield Holiday Tradition
4. Close Main Street from 9<sup>th</sup> Street to 1<sup>st</sup> Street for the parade of lights and close North 2<sup>nd</sup> Street from Main Street north to the alley adjacent to the Post Office for the tree lighting ceremony as part of Making Spirits Bright – A Springfield Holiday Tradition
5. Approve fireworks stand license application from Wild Willy's Fireworks for the New Year's selling period
6. Appoint Sue Pereira to fill a vacancy on the Springfield Memorial Library Board (term end December 2022)

### **REGULAR AGENDA**

1. Sarpy County Sheriff's Monthly Service Report
2. Conduct a **Public Hearing** to consider a conditional use permit renewal filed by KCM Enterprises, LLC, applicant, and Kevin and Cecelia Mitchell, property owners, for an outside licensed recreational vehicle storage facility located on property zoned Agriculture Residential and legally

described as Tax Lot 4, Section 13, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, and generally located at 13702 Platteview Road

3. Consider approval of **Resolution 2019-19** approving the conditional use permit renewal filed by KCM Enterprises, LLC, applicant, and Kevin and Cecelia Mitchell, property owners, for an outside licensed recreational vehicle storage facility located on property zoned Agriculture Residential and legally described as Tax Lot 4, Section 13, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, and generally located at 13702 Platteview Road
4. Steve Adair, 665 Elm Street – Discuss drainage concerns due to Springfield Pines Subdivision
5. Niccole Meyer, 205 North 7<sup>th</sup> Street – Discuss concerns regarding high water usage / continuous leak report
6. Consider approval of **Ordinance No. 1022** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, RELATING TO WATER BILLING PROCEEDURES FOR LAWN SPRINKLER SYSTEMS; TO ADOPT SPRINGFIELD MUNICIPAL CODE CHAPTER 3 DEPARTMENTS, ARTICLE 1 WATER DEPARTMENT, SECTION 3-122 MUNICIPAL WATER DEPARTMENT; LAWN SPRINKLER SYSTEM WATER BILLING POLICY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE
7. Consider a proposal from Executive Janitorial Corporation for monthly cleaning of the Community Building
8. Consider a proposal from Dolphens Sign for a new park entrance sign at Buffalo Park
9. Consider proposals for the development and maintenance of a new city website
10. Consider approval of **Resolution 2019-21** approving and authorizing the execution of the Interlocal Agreement for the Contribution and Allocation of Omaha Public Power District Payments In Lieu of Taxes

#### **DEPARTMENT REPORTS**

1. Sewer Department – Roy Swenson
2. Library & Community Building – Michael Herzog
3. Street Department – Kacie Murtha
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 Tuesday, November 5, 2019. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Kacie Murtha, Dan Craney. 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 Herzog, seconded by Swenson, to approve the Consent Agenda. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Check #	Account ID	Account Description	Debit Amount	Name
<b>General</b>				
42381	6084-10-10	Aflac	140.68	Aflac
42383	7260-10-10	Printing	650.00	American Legal Publishing
42384	6084-10-10	Aflac	13.20	Ameritas Life Insurance
42352	6080-10-10	Health Insurance	2,032.05	BlueCross BlueShield
42353	6080-10-10	Health Insurance	127.62	Delta Dental
42400	7240-10-10	Mileage	244.85	Gottsch, Kathleen
42404	8030-10-10	Supplies	24.98	Home Depot
42404	8010-10-10	Office Supplies	29.98	Home Depot
42405	7200-10-10	Dues	170.00	IIMC
42406	7030-10-10	Prof Svcs-Planning	1,470.00	JEO Consulting Group
42408	7040-10-10	Prof Svcs-Other	9,305.21	Kissel, Kohout, ES Associates
42409	7020-10-10	Prof Svcs-Legal	50.00	Klinker, Mark A.
42452	8140-10-10	R&M Equip	69.54	Konica Minolta Business Solutions
42410	8140-10-10	R&M Equip	180.98	Konica Minolta Premier Finance
42413	7270-10-10	Insurance	1,605.15	Marcotte Insurance
42415	8030-10-10	Supplies	2.97	Menards
42421	7320-10-10	Natural Gas	44.10	MUD
42423	7200-10-10	Dues	154.00	Nebraska Notary Association
42451	7330-10-10	Telephone	126.54	NT&T
42425	7010-10-10	Prof Svcs-Engineer	59.14	Olsson Associates
42427	7310-10-10	Electricity	265.51	OPPD
42359	6080-10-10	Health Insurance	88.50	Principal
42429	7046-10-10	Prof Svcs-Building Inspector	4,074.20	Sarpy County Building Inspector
42430	7060-10-10	Animal Control	403.00	Sarpy County Fiscal Administrator
42431	7050-10-10	Law Contract	9,103.00	Sarpy County Treasurer
42433	7020-10-10	Prof Svcs-Legal	1,308.00	Seidler & Seidler
42438	7250-10-10	Publication Costs	328.00	Suburban Newspaper
42444	7280-10-10	Laundry	97.77	Walkers Uniform Rental
<b>Total</b>			<b>32,168.97</b>	
<b>Sales Tax</b>				

42387	9089-15-10	Community Events	1,445.00	Brite Ideas Decorating
42390	9170-15-10	Buffalo Park	83.82	Carroll Construction Supply
42398	9089-15-10	Community Events	250.00	Fiscus, Brandon
42401	9170-15-10	Buffalo Park	18,912.52	Harm's Concrete
42445	9089-15-10	Community Events	1,000.00	Wild Willys Fireworks
<b>Total</b>			<b>21,691.34</b>	
<b>Library</b>				
42384	6084-20-10	Aflac	26.40	Ameritas Life Insurance
42386	8060-20-10	Books	204.66	Baker & Taylor
42352	6080-20-10	Health Insurance	1,273.37	BlueCross BlueShield
42450	7455-20-10	IP Address	55.00	Charter Communications
42353	6080-20-10	Health Insurance	64.28	Delta Dental
42393	8130-20-10	R&M Building	682.00	Derby's Heating & Air
42407	8060-20-10	Books	574.40	Junior Library Guild
42412	8060-20-10	Books	194.50	Lookout Books
42413	7270-20-10	Insurance	673.43	Marcotte Insurance
42417	8060-20-10	Books	222.41	MicroMarketing
42421	7320-20-10	Natural Gas	47.04	MUD
42451	7330-20-10	Telephone	51.15	NT&T
42427	7310-20-10	Electricity	242.80	OPPD
42428	7340-20-10	Waste Disposal	19.00	Premier Waste Solutions
42359	6080-20-10	Health Insurance	105.99	Principal
42432	7480-20-10	Janitorial	200.00	Schmieder, Marcie
42434	8060-20-10	Books	357.96	Smart Apple Media
<b>Total</b>			<b>4,994.39</b>	
<b>Library Restricted</b>				
42392	8060-21-10	Books	89.28	Center Point Large Print
42396	7045-21-10	Prof Svcs-Tech Support	40.00	Egis Technologies
42399	8060-21-10	Books	139.38	Gale
42419	7260-21-10	Printing	150.00	Milacek Monument
<b>Total</b>			<b>418.66</b>	
<b>Park</b>				
42381	6084-30-10	Aflac	52.52	Aflac
42382	8140-30-10	R&M Equip	45.00	Aksarben Saw & Tool
42385	8140-30-10	R&M Equip	380.00	B&B Garage
42352	6080-30-10	Health Insurance	1,223.52	BlueCross BlueShield
42388	8120-30-10	Fuel	136.56	BRP Investments
42389	8160-30-10	R&M Grounds	135.00	Carlson, Michael
42353	6080-30-10	Health Insurance	95.48	Delta Dental
42394	7350-30-10	Rental	255.92	Eagle Services
42395	8160-30-10	R&M Grounds	322.03	Echo
42397	8130-30-10	R&M Building	519.70	Ferguson Enterprises
42413	7270-30-10	Insurance	1,042.43	Marcotte Insurance
42415	8130-30-10	R&M Building	119.99	Menards
42420	8150-30-10	R&M Vehicle	22.99	Mill Creek Auto Parts
42427	7310-30-10	Electricity	350.08	OPPD
42428	7340-30-10	Waste Disposal	111.00	Premier Waste Solutions
42359	6080-30-10	Health Insurance	74.77	Principal

42440	8140-30-10	R&M Equip	187.82	Ty's Outdoor Power & Service
42441	8160-30-10	R&M Grounds	410.00	United Seeds
42444	7290-30-10	Uniform Allowance	22.51	Walkers Uniform Rental
<b>Total</b>			<b>5,507.32</b>	
<b>Community Building</b>				
42404	8160-40-10	R&M Grounds	76.63	Home Depot
42413	7270-40-10	Insurance	525.83	Marcotte Insurance
42415	8130-40-10	R&M Building	7.28	Menards
42415	8030-40-10	Supplies	33.96	Menards
42421	7320-40-10	Natural Gas	49.12	MUD
42427	7310-40-10	Electricity	137.51	OPPD
42428	7340-40-10	Waste Disposal	42.00	Premier Waste Solutions
42436	8030-40-10	Supplies	22.97	Springfield Ace Hardware
42444	7280-40-10	Laundry	146.94	Walkers Uniform Rental
<b>Total</b>			<b>1,042.24</b>	
<b>Water</b>				
42381	6084-50-20	Aflac	56.16	Aflac
42384	6084-50-20	Aflac	10.75	Ameritas Life Insurance
42385	8150-50-20	R&M Vehicle	875.10	B&B Garage
42352	6080-50-20	Health Insurance	1,750.69	BlueCross BlueShield
42388	8120-50-20	Fuel	63.60	BRP Investments
42353	6080-50-20	Health Insurance	81.65	Delta Dental
42402	8110-50-20	Chemicals	803.29	Hawkins
42403	8140-50-20	R&M Equip	138.22	HOA Solutions
42437	8150-50-20	R&M Vehicle	359.62	Jerry Steinhauer/Sabar
42413	7270-50-20	Insurance	1,761.98	Marcotte Insurance
42418	7420-50-20	Testing	58.52	Midwest Laboratories
42424	7420-50-20	Testing	258.00	NE Public Health Environmental Lab
42451	7330-50-20	Telephone	182.57	NT&T
42426	7430-50-20	Digger's Hotline	49.59	One Call Concepts
42427	7310-50-20	Electricity	844.60	OPPD
42359	6080-50-20	Health Insurance	88.51	Principal
42433	7010-50-20	Prof Svcs-Engineer	87.50	Seidler & Seidler
42414	7260-50-20	Printing	270.75	Storey Kenworthy/Matt Parrott
42442	7330-50-20	Telephone	16.21	Verizon Wireless
42444	7290-50-20	Uniform Allowance	22.51	Walkers Uniform Rental
<b>Total</b>			<b>7,779.82</b>	
<b>Sewer</b>				
42381	6084-60-30	Aflac	55.38	Aflac
42384	6084-60-30	Aflac	10.75	Ameritas Life Insurance
42352	6080-60-30	Health Insurance	1,076.78	BlueCross BlueShield
42388	8120-60-30	Fuel	236.31	BRP Investments
42391	8030-60-30	Supplies	11.58	Casey's
42353	6080-60-30	Health Insurance	64.28	Delta Dental
42437	8150-60-30	R&M Vehicle	165.00	Jerry Steinhauer/Sabar
42413	7270-60-30	Insurance	1,282.28	Marcotte Insurance
42418	7420-60-30	Testing	194.50	Midwest Laboratories

42425	7010-60-30	Prof Svcs-Engineer	59.15	Olsson Associates
42427	7310-60-30	Electricity	2,494.32	OPPD
42359	6080-60-30	Health Insurance	63.71	Principal
42433	7010-60-30	Prof Svcs-Engineer	1,725.00	Seidler & Seidler
42436	8130-60-30	R&M Building	12.98	Springfield Ace Hardware
42436	8030-60-30	Supplies	13.98	Springfield Ace Hardware
42414	7260-60-30	Printing	270.75	Storey Kenworthy/Matt Parrott
42443	8140-60-30	R&M Equip	2,078.00	The Waldinger Corporation
42442	7330-60-30	Telephone	16.21	Verizon Wireless
42444	7290-60-30	Uniforms Allowance	30.09	Walkers Uniform Rental
<b>Total</b>			<b>9,861.05</b>	
<b>Street</b>				
42381	6084-70-40	Aflac	26.26	Aflac
42385	8140-70-40	R&M Equip	380.00	B&B Garage
42352	6080-70-40	Health Insurance	1,903.36	BlueCross BlueShield
42388	8120-70-40	Fuel	402.50	BRP Investments
42391	8120-70-40	Fuel	598.47	Casey's
42450	7455-70-40	Internet	64.98	Charter Communications
42353	6080-70-40	Health Insurance	48.21	Delta Dental
42404	8160-70-40	R&M Grounds	101.63	Home Depot
42404	9040-70-40	Tools & Misc Equip	618.94	Home Depot
42422	8140-70-40	R&M Equip	2,686.56	John Deere Financial
42411	8030-70-40	Supplies	765.00	Logan Contractors Supply
42413	7270-70-40	Insurance	2,333.90	Marcotte Insurance
42416	9040-70-40	Tools & Misc Equip	1.96	Menards
42415	8030-70-40	Supplies	3.99	Menards
42416	8160-70-40	R&M Grounds	37.44	Menards
42416	8140-70-40	R&M Equip	44.26	Menards
42415	8150-70-40	R&M Vehicle	74.20	Menards
42420	8140-70-40	R&M Equip	171.97	Mill Creek Auto Parts
42420	8030-70-40	Supplies	210.03	Mill Creek Auto Parts
42421	7320-70-40	Natural Gas	111.33	MUD
42451	7330-70-40	Telephone	57.74	NT&T
42427	7310-70-40	Electricity	4,157.09	OPPD
42428	7340-70-40	Waste Disposal	42.00	Premier Waste Solutions
42359	6080-70-40	Health Insurance	81.58	Principal
42435	9040-70-40	Tools & Misc Equip	119.99	Southern Carlson
42436	8130-70-40	R&M Building	44.98	Springfield Ace Hardware
42436	8030-70-40	Supplies	71.42	Springfield Ace Hardware
42438	9084-70-40	Sidewalk Repair	36.08	Suburban Newspaper
42439	8140-70-40	R&M Equip	1,223.56	Titan Machinery
42442	7330-70-40	Telephone	16.22	Verizon Wireless
42444	7290-70-40	Uniform Allowance	41.26	Walkers Uniform Rental
<b>Total</b>			<b>16,476.91</b>	
<b>Keno</b>				
42436	9175-80-70	Community Bldg	11.57	Springfield Ace Hardware
<b>Total</b>			<b>11.57</b>	
		Payroll	51,635.02	

		VOYA Retirement ER	3,472.20	
		Medical Reimbursement	2,032.90	
		Water Deposit Refunds	600.00	

**Regular Agenda**

Agenda Item 1. Reviewed the Sarpy County Sheriff’s monthly service report. No one from the department was able to attend.

Agenda Item 2. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider a conditional use permit renewal filed by KCM Enterprises, LLC, applicant, and Kevin and Cecelia Mitchell, property owners, for an outside licensed recreational vehicle storage facility located on property zoned Agriculture Residential and legally described as Tax Lot 4, Section 13, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, and generally located at 13702 Platteview Road. Mitchell spoke in favor of his application. No one else from the public spoke in favor of, in opposition to or in neutral capacity of the application. Motion by Herzog, seconded by Swenson, to close the public hearing. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public hearing ended at 7:03 p.m.

Agenda Item 3. Council Member Swenson introduced Resolution 2019-19 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Murtha, Craney. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION  
2019-19**

**KCM Enterprises, LLC – Conditional Use Permit Renewal Agreement**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A CONDITIONAL USE PERMIT RENEWAL FOR KCM ENTERPRISES, LLC, APPLICANT, AND KEVIN AND CECELIA MITCHELL, PROPERTY OWNERS, FOR AN OUTSIDE LICENSED RECREATIONAL VEHICLE STORAGE FACILITY LOCATED ON PROPERTY ZONED AGRICULTURE RESIDENTIAL AND LEGALLY DESCRIBED AS TAX LOT 4, SECTION 13, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, AND GENERALLY LOCATED AT 13702 PLATTEVIEW ROAD.

WHEREAS, the applicant and property owners of the above described property have made application for approval of a conditional use permit renewal for continued use of an outside licensed recreational vehicle storage facility located on property zoned Agriculture Residential; and

WHEREAS, the city planner, city engineer, city attorney, city clerk and other agencies have reviewed such application; and

WHEREAS, the Springfield Planning Commission held a public hearing on October 8, 2019, regarding the application and has made a recommendation of approval to the City Council of the conditional use permit renewal; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on November 5, 2019, and is agreeable to the renewal of the conditional use

permit, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves and issues the renewed conditional use permit to KCM Enterprises, LLC, applicant, and Kevin and Cecelia Mitchell, property owners, for the use of an outside licensed recreational vehicle storage facility located on property zoned Agriculture Residential and legally described as Tax Lot 4, Section 13, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 5<sup>th</sup> DAY OF NOVEMBER, 2019.

City Council Member Swenson moved the adoption of said resolution.

City Council Member Craney seconded the motion.

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 4. Steve Adair, 665 Elm Street, and Mick Kreifels, 595 Elm Street, expressed concerns with storm water drainage from the Springfield Pines Subdivision. They reported that residents on Elm Street have noticed an increase in storm water running down the street from the east since the residential development started construction. They said that many of the storm sewer inlets in the subdivision are either sand bagged or covered with mesh protective liners that are full of debris. Photographs of the clogged inlets were provided to the Council. The City Administrator reported that she brought this matter up with the developer and was informed that the person the SID contracted with to perform stormwater inspections and maintenance failed to perform the maintenance portion. The developer is in the process of hiring someone new. The City Administrator also reported that several building contractors are not using silt fence as required. Motion by Swenson, seconded by Herzog, to direct city staff to proceed with formal action against the developer as per city stormwater regulations and building codes. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 5. Niccole Meyer, 205 North 7<sup>th</sup> Street, expressed concern with using 78,000 gallons of water over a two month period. She said she had a plumber come to her home and nothing was found that would have caused the increased usage. Meyer said her home is built on a cement slab so all of her pipes are above ground. She said her average consumption is 6,000-7,000 gallons per month. She disputes paying the water bill and claims that they had no leak. The City Administrator noted that high water usage such as this is indicative of running lawn sprinklers, filling a swimming pool or having a leak. The Administrator informed the Council that after meters were read on August 1 for July usage, staff noticed that Meyer's had higher than normal water usage of 34,000 gallons. Staff reached out to Meyer and left a voicemail informing her of the high read. Meyer did not communicate back to city staff and



her husband paid the bill without comment. Meters were read on August 30 (due to Labor Day) and Meyer's again had a higher than normal water read of 44,000 gallons. The utility billing clerk had the water operator reread Meyer's water meter on September 12 to see how much water had gone through the meter since the beginning of the month and that reading showed that an additional 4,000 gallons had been used since the August 3 / September 3 read. When staff read the meter on October 1, the meter reader did not receive any signal from Meyer's meter. Meyer's was billed for a zero read, even though at least 4,000 gallons had gone through the meter from the first of the month through September 12 when the reread was done. The water operator provided Meyers with a new meter. Meyers protested having to install the meter as the property owner. The City Administrator noted that meter installation is the responsibility of the homeowner not city staff. Meyers said she was upset that the water operator did not provide instructions or call her back in October to discuss the meter reads. Council Members shared personal water leak stories and knowledge of other residents with previous leaks. They noted that lawn sprinkler systems can generate leaks that result in water traveling underground instead of pooling on the lawn. Meyers said she has a lawn sprinkler system, but has never used it since she moved in. Council pointed out that water can still travel through sprinkler system lines if the system has not had the water completely shut off. Council noted that residents are responsible for the payment of all water usage, including that of leaks. Council noted that the city will test Meyer's old meter when she brings it in after installing the new meter. No action was taken.

Agenda Item 6. Council Member Swenson introduced Ordinance No. 1022 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, RELATING TO WATER BILLING PROCEDURES FOR LAWN SPRINKLER SYSTEMS; TO ADOPT SPRINGFIELD MUNICIPAL CODE CHAPTER 3 DEPARTMENTS, ARTICLE 1 WATER DEPARTMENT, SECTION 3-122 MUNICIPAL WATER DEPARTMENT; LAWN SPRINKLER SYSTEM WATER BILLING POLICY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

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, Murtha, Craney. 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 Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1022 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Murtha, Craney. The following voted NAY: None. The following ABSTAINED: Herzog. 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. 1022**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, RELATING TO WATER BILLING PROCEDURES FOR LAWN SPRINKLER SYSTEMS; TO ADOPT SPRINGFIELD MUNICIPAL CODE CHAPTER 3 DEPARTMENTS, ARTICLE 1 WATER DEPARTMENT, SECTION 3-122 MUNICIPAL WATER DEPARTMENT; LAWN SPRINKLER SYSTEM WATER BILLING POLICY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES 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. Chapter 3, Article 1, Section 3-122 of the Springfield Municipal Code is adopted to read as follows:

**§3-122 MUNICIPAL WATER DEPARTMENT; LAWN SPRINKLER SYSTEM WATER BILLING POLICY.**

Properties with a separate water meter for the lawn sprinkler system will be billed monthly from April 1 through October 31 (May through November water bills). During the months of November through March (December through April water bills), the billing account associated with the lawn sprinkler system will be made inactive and no monthly bill will be charged. A reconnect fee, as adopted in the city's master fee schedule, will be applied to the account annually and appear on the May water bill. Sewer fees will not be applied to lawn sprinkler system accounts.

If a property owner with a separate water meter for the lawn sprinkler system desires to decommission said system in order to eliminate the monthly billing charges, the property owner may have a licensed contractor / plumber remove the lawn sprinkler system water supply line and meter. The City of Springfield Water Operator shall supervise and inspect the work to confirm the water supply line has been completely removed. The water meter must be returned to the City. Once the line has been removed and the meter returned, the water billing account associated with the lawn sprinkler system on the property will be made inactive. Future reconnection of the lawn sprinkler system will require an appropriate building permit and the property owner shall pay all reconnect fees or deposits required to make such connection.

Section 2. Any other ordinance or code 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 November, 2019.

Robert Roseland, Mayor

SEAL

Kathleen Gottsch, City Clerk

Agenda Item 7. Council reviewed a bid from Executive Janitorial Corporation for monthly cleaning at the Community Building. Council discussed cleaning done by renters and the city maintenance department. They considered changes to deposit return guidelines. Motion by Herzog, seconded by Swenson, to approve the bid from Executive Janitorial Corporation in the amount of \$230 per month for cleaning at the Community Building. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 8. Council reviewed two bid options from Dolphens Sign for a new park entrance sign at Buffalo Park. Motion by Swenson, seconded by Herzog, to approve bid design option 1 from Dolphens Sign in the approximate amount of \$1,200-\$1,500 for a new entrance sign at Buffalo Park. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 9. Council reviewed proposals for the development and maintenance of a new city website. Motion by Herzog, seconded by Swenson, to table agenda item 9, regarding proposals for the development and maintenance of a new city website, until the November 19, 2019, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 10. Council Member Swenson introduced Resolution 2019-21 and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Murtha, Craney. The following voted NAY: Herzog. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

#### **RESOLUTION 2019-21**

##### **Approve and Authorize the Mayor to Sign the Revised Interlocal Agreement for the Contribution and Allocation of Omaha Public Power District Payment in Lieu of Taxes Between the Sarpy County and Cities Wastewater Agency and Sarpy County**

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, et seq. (the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater Agency dated September 19, 2017 (as amended, the “Formation Interlocal”) and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the “Agency”) (all capitalized terms not otherwise expressly defined herein shall have the same meanings as provided in the Formation Interlocal). The Formation Interlocal is incorporated herein by this reference; and,

WHEREAS, pursuant to the Formation Interlocal, the powers of the Agency as a body are exercised by the Agency Board; and,

WHEREAS, the City of Springfield is a Member of the Agency; and,

WHEREAS, pursuant to Neb. Rev. Stat. 70-651.03, on or before April 1 of each year, the Omaha Public Power District (“OPPD”) is required to pay to the County treasurer a sum equal to five percent (5%) of the gross revenues derived by OPPD during the preceding calendar year from retail sales of electricity within the incorporated cities and villages located within the County (the “Annual OPPD Payment”); and,

WHEREAS, pursuant to Neb. Rev. Stat. 70-651.04, each Annual OPPD Payment is subsequently divided and distributed by the County treasurer to the Cities, the County, school districts, and any learning community located in the Cities in the proportion that their respective property tax levies in the preceding year bore to the total of such levies (“Annual OPPD Distribution”); and,

WHEREAS, the Agency’s operating budget can, in part, be funded by the agreement of each Member having jurisdiction over certain areas in Sarpy County to pledge and contribute to the Agency a portion of the Annual OPPD Distribution otherwise paid and made available to them pursuant to Neb. Rev. Stat. 70-651.04; and,

WHEREAS, on September 25, 2019, pursuant to Agency Resolution 2019-014, the Agency adopted the Interlocal Agreement for the Contribution and Allocation of Omaha Public Power District Payments in Lieu of Taxes which outlines the terms and conditions of each Member’s payment of a portion of the Annual OPPD Distribution (“Prior OPPD Interlocal”); and,

WHEREAS, following the September 25, 2019, Agency approval of the Prior OPPD Interlocal, the Members and Agency desire to revise the terms of the Prior OPPD Interlocal, to rescind the Agency Board’s approval of the Prior OPPD Interlocal, and adopt and approve the Revised Interlocal Agreement for Contribution and Allocation of Omaha Public Power District Payments in Lieu of Taxes (the “Revised

OPPD Interlocal”), a copy of the Revised OPPD Interlocal is attached hereto and incorporated herein by this reference as Exhibit A; and,

WHEREAS, the Springfield City Council discussed the proposed Revised OPPD Interlocal for Springfield’s payment to the Agency of a portion of its Annual OPPD Distributions for retail electricity services attributable to customers located within the PILOT Allocation Area (as defined in the Revised OPPD Interlocal) that is in the City of Springfield jurisdiction for the 2019 calendar year and for years thereafter; and,

WHEREAS, after discussion the Springfield City Council has deemed it appropriate, necessary, convenient and advisable to approve the Revised OPPD Interlocal and to authorize its execution by Mayor of the City of Springfield.

NOW, THEREFORE, BE IT RESOLVED BY THE SPRINGFIELD CITY COUNCIL that, pending approval of Sarpy County and the Cities of Papillion, Bellevue, La Vista and Gretna, the attached Revised OPPD Interlocal is hereby approved; and,

BE IT ALTERNATELY RESOLVED that, should any of the above listed Cities or Sarpy County not approve the Revised OPPD Interlocal, the Springfield City Council instead approves the Alternate Revised OPPD Interlocal, a copy of which is attached hereto as Exhibit B; and,

BE IT FURTHER RESOLVED BY THE SPRINGFIELD CITY COUNCIL THAT the Mayor is hereby authorized to execute the Revised OPPD Interlocal as approved above on behalf of the City of Springfield; and further that the Recitals above are incorporated into the Resolutions by reference.

The above Resolutions were approved by a vote of the Governing Body of the City of Springfield at a public meeting duly held in accordance with applicable law on the 5<sup>th</sup> day of November, 2019.

Ayes: Swenson, Murtha, Craney

Nays: Herzog

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

### **Department Reports**

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. Herzog reported that the library book sale is November 9. He thanked Dawn Miner, Library Board Member who recently resigned, for her years of service and moving the library forward over the years.

Agenda Item 3. Murtha reported that the maintenance department will soon be filling potholes and putting a second coat of salt protectant on the Main Street Bridge. The Buffalo Park parking lot has been backfilled and the Community Building additional parking lot has been constructed.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. Mayor Roseland reported on sewer agency items.

Agenda Item 6. Gottsch reminded the Council to participate in the holiday lighted parade and tree lighting ceremony scheduled for Monday, November 25.

### **Adjournment**

Motion by Herzog, seconded by Murtha, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:27 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 5, 2019; 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