



CITY COUNCIL AGENDA

Tuesday, October 20, 2020 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 – Roy Swenson, Mike Herzog, Mayor Bob Roseland, Kacie Murtha, Dan Craney
- 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 6, 2020 Council Meeting
2. Approve Treasurer’s Report
3. Nikole Benedict, 660 Main Street – Amend prior request and approval to close Main Street from South 6th Street to North 7th Street for a wedding ceremony from Saturday, October 17, 2020, from 1:00 p.m. to 4:00 p.m. to Sunday, October 25 from 3:30 p.m. to 5:30 p.m.
4. Approve invoice from OPPD in the amount of \$1,500 for electrical services to set up new service at the City Park restroom facility

REGULAR AGENDA

1. Conduct a Public Hearing to consider amendments to and adoption of the following sections of the Springfield Zoning Ordinance as they pertain to:
 - A. Alternative energy production facilities, solar energy systems and utilities:
 - a. Section 2.03 Definitions
 - b. Section 5.21 Highway Corridor Overlay District
 - c. Section 5.22 Corridor Overlay District
 - d. Section 8.10 Residential Solar Panels
 - e. Section 8.11 Solar Energy Systems
 - B. Permitted and conditional permitted uses:
 - a. Section 5.22 Corridor Overlay District

- C. Sarpy County and Cities Wastewater Agency growth management plan and policies:
 - a. Section 2.03 Definitions
 - b. Section 5.23 MSO Main Street Overlay District

- 2. Consider approval of **Ordinance No. 1046** AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 3. Consider approval of **Ordinance No. 1047** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 4. Consider approval of **Ordinance No. 1048** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.22 “CO CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 5. Consider approval of **Ordinance No. 1049** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.23 “MSO MAIN STREET OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 6. Consider approval of **Ordinance No. 1050** AN ORDINANCE TO AMEND ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.10 “RESIDENTIAL SOLAR PANELS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 7. Consider approval of **Ordinance No. 1051** AN ORDINANCE TO ADOPT A NEW ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.11 “SOLAR ENERGY SYSTEMS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 8. Conduct a Public Hearing to consider an amendment to Section 5.10 Required Improvements: Sanitary Sewer of the Springfield Subdivision Regulations to reference the Sarpy County and Cities Wastewater Agency growth management plan and policies

- 9. Consider approval of **Ordinance No. 1052** AN ORDINANCE TO AMEND ARTICLE 5 “REQUIRED IMPROVEMENTS”, SECTION 5.10 “SANITARY SEWER” OF THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

- 10. Conduct a Public Hearing to consider an amendment to Chapter 4 Achieve of the Springfield Comprehensive Plan to adopt the Sarpy County and Cities Wastewater Agency growth management plan and policies and rate policies

11. Consider approval of **Ordinance No. 1053** AN ORDINANCE TO AMEND CHAPTER 4 “ACHIEVE” OF THE COMPREHENSIVE PLAN OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
12. Consider approval of **Ordinance No. 1054** establishing the amount of certain fees and taxes charged by the City of Springfield for various services; including changes to sewer connection fees and sewer user rates; repealing ordinances in conflict; and providing for an effective date
13. Consider approval of **Resolution 2020-35** authorizing the City Clerk to present Springfield Ordinance Nos. 1046, 1049, 1052 and 1053, implementing the Growth Management Plan for the Sarpy County and Cities Wastewater Agency, to the Sarpy County and Cities Wastewater Agency
14. Consider approval of **Resolution 2020-36** authorizing the City Clerk to present Ordinance Nos. 1053 and 1054, adopting a Revised Sewer User Rates and Connection Fees Schedule and establishing related policies and procedures for the Unified SSWS for land development within the Agency’s jurisdiction, to the Sarpy County and Cities Wastewater Agency
15. Consider approval of **Resolution 2020-37** entering into Master Agreement Work Order No. 3 with Olsson for the Platteview Road Asphalt Overlay Project
16. Consider approval of **Resolution 2020-38** entering into Master Agreement Work Order No. 4 with Olsson for the Main Street Asphalt, Curb and Gutter Project
17. Consider approval of a bid for the replacement of the Buffalo Park baseball field backstop and netting system
18. Discuss property acquisition for new well project

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. on Tuesday, October 20, 2020, at City Hall. 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.

The City Clerk reported a balance on hand of \$1,642,029.09 in cash assets; Prestige Treasury-\$205,573.65; Prestige Bond-\$948,305.90; Keno Community Betterment-\$224,967.02; Keno Progressive Jackpot-\$50,008.15; Water Deposit Savings-\$4,204.97; Refundable Deposit Savings-\$1,227.70; Water Tower Savings-\$194,621.43; Sewer Restricted-\$197,858.68; Water Capital Facilities Fees-\$69,055.29; Sewer Capital Facilities Fees-\$173,194.33; City Sales Tax-\$3,228,043.83; Money Mark Library Bricks-\$3,969.18; Government Securities-\$116,000.12; Library Savings-\$11,629.53; Time Certificates as follows: Bond-\$79,308.51; Tower-\$59,459.33; Water-\$130,111.65; Library Bricks-\$21,963.32; Library Restricted-\$41,605.97; Cash Receipts-\$285,496.78; Cash Disbursements-\$158,311.15; Various Purpose Bond 2013 principal \$25,000, interest \$706.25 payments; GO Sidewalk Bond 2014 principal \$30,000, interest \$480.00 payments.

Regular Agenda

Agenda Item 1. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider amendments to and adoption of the following sections of the Springfield Zoning Ordinance as they pertain to (A) alternative energy production facilities, solar energy systems and utilities under Sections 2.03 Definitions, 5.21 Highway Corridor Overlay District, 5.22 Corridor Overlay District, 8.10 Residential Solar Panels, and 8.11 Solar Energy Systems; (B) permitted and conditional permitted uses in Section 5.22 Corridor Overlay District; and (C) Sarpy County and Cities Wastewater Agency growth management plan and policies under Sections 2.03 Definitions and 5.23 MSO Main Street Overlay District. Staff reviewed the proposed text amendments. Carolyn Wiese, 16002 South 156th Street, inquired about the future of the Platteview Road alignment as it potentially affects her property. Council noted that the text amendments did not pertain to the Platteview Road alignment, but understood her concerns. No one else from the public spoke in favor of or in opposition to the application. Motion by Swenson, seconded by Craney, to close the public hearing. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public hearing ended at 7:10 p.m.

Agenda Item 2. Council Member Swenson introduced Ordinance No. 1046 entitled:

AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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. 1046 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1046

AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 2.03 of the zoning ordinance adding definitions of Alternative Energy Production, Passive Solar Energy System, Solar Collector, and Solar Energy System (SES) and amending definitions of Policy and Public Utility and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 2.03 is hereby amended to include the following new and revised definitions:

Section 2.03.04 Definitions

ALTERNATIVE ENERGY PRODUCTION shall mean the use of a site for the production of off-site energy consumption utilizing methods that do not involve the oxidation, combustion or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations or water-powered mills or generating facilities.

PASSIVE SOLAR ENERGY SYSTEM – Any space or structural components that are specifically designed to retain heat derived from solar energy, including ponds for evaporating cooling, and any moving parts that increase heat retention by the system.

POLICY shall mean a statement or document of the City, such as but not limited to, the comprehensive plan and the Sarpy County and Cities Wastewater Agency Plan agreement, that forms the basis for enacting legislation or making decisions.

PUBLIC UTILITY shall mean any business which furnishes the general public telephone service, telegraph service, electricity, natural gas, water and sewer, or any other business so affecting the public interests as to be subject to the supervision or regulation by an agency of the state or federal government. This shall exclude any principal use classified as Alternative Energy Production Devices or Wind Energy Conservation Systems and any accessory use classified as Solar Energy Systems.

SOLAR COLLECTOR – Any device, structure, or part of a device or structure which is used primarily to transform solar energy into thermal, chemical, or electrical energy. It includes any space or structural components specifically designed to retain heat derived from solar energy.

SOLAR ENERGY SYSTEM (SES) – A complete design or assembly consisting of a solar energy collector, an energy storage facility when used, and components for the distribution of transformed energy to the extent that they cannot be used jointly with a conventional energy system. Passive solar energy systems are included in this definition but not to the extent that they fulfill other functions, such as structural or recreational.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 3. Council Member Swenson introduced Ordinance No. 1047 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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 Murtha. The Mayor then stated the question “Shall Ordinance No. 1047 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson,

Herzog, Murtha, Craney. 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. 1047

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending (1) Section 5.21 of the zoning ordinance adding Alternative Energy Production to the list of permitted and conditional permitted uses not allowed in the HCO District and (2) removing regulations pertaining to Solar Energy from Subsection H Criteria for Appearance, and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.21 is hereby amended as follows:

Section 5.21 HCO Highway Corridor Overlay District

D. Permitted and Conditional Permitted Uses:

All permitted and special permitted principal uses contained in the underlying base zoning district are allowed in the HCO District, except for the following and location of specific uses is determined by the current land use plan and zoning map.

- (1) livestock sales
- (2) large alternative energy production devices
- (3) recycling processing
- (4) construction batch plants
- (5) landfills
- (6) self-service car wash operations that constitute the primary use
- (7) hazardous waste storage, as a primary use
- (8) mobile home parks
- (9) mobile home sales
- (10) pawn shops
- (11) salvage or junk yard operations and transfer stations, as a primary use
- (12) tow lots, as a primary use

- (13) extraction and processing of rock, gravel, sand, clay and dirt
- (14) licensed recreational vehicle storage – out of doors
- (15) unlicensed recreational vehicle storage – out of doors
- (16) concrete recycling and distribution plant
- (17) truck and freight terminals
- (18) contractor yards
- (19) Alternative Energy Production

(4) Towers, Alternative Energy, Signs

~~(b) — Solar Energy~~

~~(i) — Purpose~~

~~This section is intended to promote the compatible use of solar energy systems and to assist in decreasing Springfield's dependence upon non-renewable energy systems through the encouragement of solar energy systems for the generation of energy and the heating of buildings and water.~~

~~(ii) — Standards~~

~~Solar energy systems shall be a permitted use. Private restrictions on solar energy systems, such as business owner's association covenants or restrictions, are not permitted.~~

~~(iii) — Height~~

~~In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may exceed by three feet the local maximum height limits. Systems taller than three feet above any maximum height shall be subject to local approval.~~

~~(iv) — Setbacks and Screening~~

~~In solar retrofit installations, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment appurtenant to a solar energy system may extend into the required setbacks a maximum of three feet. Systems extending more than three feet into any required setback shall be subject to approval. Where possible, such solar equipment shall be screened from public view within the right-of ways with structures or plant material when adjacent to Highways 50.~~

~~(v) — Conflict with Other City Policies and Ordinances~~

~~Nothing in this subsection does, or is intended to abrogate the owner's responsibility to meet all other requirements of the city's land use regulations, including, but not limited to, the preservation of private and public views, the quality of architectural design, and the preservation of historic landmark structures.~~

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 4. Council Member Swenson introduced Ordinance No. 1048 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.22 "CO CORRIDOR OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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. 1048 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1048

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.22 "CO CORRIDOR OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.22 of the zoning ordinance revising permitted and conditional permitted uses allowed in the district and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.22 is hereby amended as follows:

Section 5.22 CO Corridor Overlay District

B. Permitted and Conditional Permitted Uses:

~~The following principal uses are permitted in the CO District.~~

All permitted and conditional uses contained in the underlying base zoning district are allowed in the CO District, except for the following:~~unless specifically noted in these regulations.~~

(1) livestock sales

(2) recycling processing

(3) construction batch plants

(4) landfills

(5) hazardous waste storage, as a primary use

(6) salvage or junk yard operations and transfer stations, as a primary use

(7) extraction and processing of rock, gravel, sand, clay and dirt

(8) concrete recycling and distribution plant

(9) contractor yards

(10) large alternative energy production devices

(11) Alternative Energy Production

~~C. Permitted Conditional Uses:~~

~~The following uConditional Permitted U~~ses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the CO Overlay District as recommended by the Planning Commission and City Council and approved by the City Council.

~~1. All conditional uses contained in the underlying base zoning district unless specifically noted in these regulations.~~

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 5. Council Member Swenson introduced Ordinance No. 1049 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.23 "MSO MAIN STREET OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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 Murtha moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question “Shall Ordinance No. 1049 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1049

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.23 “MSO MAIN STREET OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.23 of the zoning ordinance amending Table 1-1: Site Plan Review Criteria to require approval of Sanitary Waste Disposal by the Sarpy County and Cities Wastewater Agency and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.23 is hereby amended as follows:

Section 5.23 MSO Main Street Overlay District

Table 1-1: Site Plan Review Criteria

Sanitary Waste Disposal	<p>Developments within 300 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.</p> <p>Sanitary sewer must have adequate capacity to serve development.</p> <p><u>Shall be approved by the Sarpy County and Cities Wastewater Agency</u></p>
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Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 6. Council Member Swenson introduced Ordinance No. 1050 entitled:

AN ORDINANCE TO AMEND ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.10 “RESIDENTIAL SOLAR PANELS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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 Herzog. The Mayor then stated the question “Shall Ordinance No. 1050 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1050

AN ORDINANCE TO AMEND ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.10 “RESIDENTIAL SOLAR PANELS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 8.10 of the zoning ordinance amending the title to Residential Solar Panels and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given.

Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 8.10 is hereby amended as follows:

Section 8.10 Residential Solar Panels

No solar panel shall be constructed within the residential zoning jurisdiction of the City of Springfield unless a permit therefore is approved and issued by the building inspector and is constructed in conformance with the following requirements. For those devices that include electrical, plumbing and heating constructions, the applicable permits shall also be obtained. Solar panels shall meet the following requirements.

8.10.01 Lot and Height Requirements: Solar panels shall conform to the required front, side, street side, and rear lot setback requirements except as provided herein:

1. A solar panel which is attached to an integral part of the principal building may project three feet into the front yard and street side yard; six feet into the rear yard; and two feet into the side yard.
2. A solar panel which is freestanding may be located only in the required rear yard provided it does not exceed six feet in height and is located not less than five feet from the rear lot line and not closer than one foot to any existing easement as measured from the closest point of the structure including its foundation and anchorage's, nor shall the solar panel be located in the required side yard, front yard or street side yard.

8.10.02 Structural Requirements: The physical structure and connections to existing structures shall conform to the applicable Springfield building codes.

8.10.03 Plot Plan: The application for a permit shall be accompanied by a plot plan drawn to scale showing property lines, existing structures on the lot, proposed solar panel location with respect to property lines, and dimensions of the proposed solar panel.

8.10.04 Permit Fee: A permit fee is required. This permit fee shall be paid prior to the issuance of the building permit. The amount of the fee shall be as established in the Master Fee Schedule.

8.10.05 Pre-existing Solar Panels: Notwithstanding noncompliance with the requirements of this section, a solar panel erected prior to January 1, 2015, pursuant to a valid building permit issued by the City, may continue to be utilized so long as it is maintained in operational condition.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 7. Council Member Swenson introduced Ordinance No. 1051 entitled:

AN ORDINANCE TO ADOPT A NEW ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.11 “SOLAR ENERGY SYSTEMS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha 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 Herzog. The Mayor then stated the question “Shall Ordinance No. 1051 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1051

AN ORDINANCE TO ADOPT A NEW ARTICLE 8 “SUPPLEMENTAL REGULATIONS”, SECTION 8.11 “SOLAR ENERGY SYSTEMS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of adding a new Section 8.11 of the zoning ordinance adding regulations for Solar Energy Systems and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 8.11 is hereby adopted to read as follows:

Section 8.11 Solar Energy Systems

8.11.01 Purpose: This section is intended to promote the compatible use of for off-site energy consumption solar energy systems.

8.11.02 Standards: Solar Energy Systems (SES) are permitted as an accessory use in any base zoning district, unless specifically noted, and subject to the regulations contained within this section.

8.11.03 Height

- a. SES shall comply with the maximum height of the base district, except that, for solar retrofit installation, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment may exceed the maximum height of the base district by three feet.

8.11.04 Setbacks and Screening

- a. SES shall comply with the minimum setbacks of the base district except that, for solar retrofit installation, solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment may extend into any setback of the base district by three feet.
- b. For purposes of rooftop mechanical equipment screening, SES shall not be considered rooftop mechanical equipment.

8.11.05 Decommissioning

- a. The property owner shall have six (6) months to complete decommissioning of the SES if no electricity is generated for a continuous period of twelve (12) months. Decommissioning shall include removal of solar energy collectors, storage tanks and equipment, roof ponds, or other solar equipment associated with SES.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 8. A Public Hearing of the Springfield City Council was opened at 7:15 p.m. to consider an amendment to Section 5.10 Required Improvements: Sanitary Sewer of the Springfield Subdivision Regulations to reference the Sarpy County and Cities Wastewater Agency growth management plan and policies. No one from the public spoke in favor of or in opposition to 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 7:16 p.m.

Agenda Item 9. Council Member Swenson introduced Ordinance No. 1052 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "REQUIRED IMPROVEMENTS", SECTION 5.10 "SANITARY SEWER" OF THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, 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 Murtha. The Mayor then stated the question "Shall Ordinance No. 1052 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1052

AN ORDINANCE TO AMEND ARTICLE 5 "REQUIRED IMPROVEMENTS", SECTION 5.10 "SANITARY SEWER" OF THE SUBDIVISION REGULATIONS OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Subdivision Regulations. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.10 of the subdivision regulations amending it to reference the Sarpy County and Cities Wastewater Agency growth management plan and policies and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the subdivision regulations and found and determined that said proposed amendment to the subdivision regulations is advisable and in the best interests of the City. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the subdivision regulations as set forth in this Ordinance.

Section 2. Amendment to Subdivision Regulations. Section 5.10 is hereby amended as follows:

Section 5.10 Required Improvements: Sanitary Sewer.

A sanitary sewer system shall be designed and constructed by the subdivider for all lots in the proposed subdivision per the Sarpy County and Cities Wastewater Agency Growth Management Plan. The following requirements shall apply:

- A. Type of Improvements. Within the corporate limits, a sanitary sewer collection system including all pipes and manholes shall be provided and said collection system shall be connected to the public sewage system in accordance with plans acceptable to the Planning Commission and City Council.

Within the jurisdictional areas of the City but outside the corporate limits, if a proposed subdivision is so located with regard to an adequate public sewer, either existing or to be existing within one (1) year from the date of application for final plat approval, or that said sewer is located within 1,320 feet of the proposed subdivision or can be reached if the cost of installing lateral and connecting sewers from all lots shown upon said plat, exclusive of

connections from individual structures; is equal to or less than one hundred fifty (150) percent of the cost of installing a private sewage collection and disposal system for all lots, then adequate lateral and connecting sewers to said public sewer system shall be constructed.

If the subdivision is not located relative to a public sewer system, a private collection and treatment system acceptable to the City Council and the Sarpy County and Cities Wastewater Agency and appropriate to the Nebraska Departments of Health and Human Services and Environmental Quality and Energy may be used. However, the City and Sarpy County and Cities Wastewater Agency may require the developer to provide a plan for future extension of utilities including permanent easements. If on-site disposal is proposed, the subdivider shall document acceptable percolation rates on each lot and such lots shall be adequately sized to allow for the installation and safe operation of such systems in conjunction with any proposed water supply or well location.

- B. Standards. When applicable, improvement plans for a permanent sewage system shall be provided showing pipe sizes, gradients, type of pipe, invert and finished grade elevations, location and type of manholes, treatment facilities if applicable, and the location, type and size of all lift or pumping stations.

Design Standards of said system shall be subject to the approval of the City in accordance with the following standards:

1. At least eight (8) inch sewer lines will be installed.
2. At least four (4) inch service connections from the sewer line to the property line of each lot will be installed with the location marked.
3. Manholes will be provided at all interceptor and lateral junctions, at the end of each line, and at all changes in direction, grade and size.

Design standard of said system shall be in general compliance with the requirements of the State Department of Environmental Quality and Energy.

The subdivider shall execute a three-party connection agreement with the Sarpy County and Cities Wastewater Agency prior to approval of Final Plats.

Where a sanitary sewer is accessible by gravity flow within 1,320 feet of the final plat, the developer shall connect thereto and provide adequate sewer lines and stubs to benefit each lot. Where a sanitary sewer is not accessible by gravity flow within 1,320 feet of the final plat, the developer shall make provisions for the disposal of sewage required by law. Where a sanitary sewer is not accessible by gravity flow within 1,320 feet of the final plat, but where plans for installation of sanitary sewers within such proximity to the plat have been prepared and construction will commence within 12 months from the date of the approval of the plat, the developer shall be required to install sewers in conformity with such plans. Design of sanitary sewer lines shall conform to standards and guidelines approved by the utility superintendent, city engineer and city council as well as section 4.21. A sanitary sewer main shall be installed in the proposed street right-of-way to serve the lots in the development. All lots shall be served by an individual service line. Materials for sanitary sewer improvements shall meet the requirements of the City's "Materials and Testing Standards and Specifications".

- A. Where deemed required, public sanitary sewers shall be installed to adequately serve all lots, including lateral connections to the public system. Combination of sanitary sewers and storm sewers shall be prohibited.
- B. Where a public sanitary sewer system is not reasonably accessible, the subdivider may provide:
 - 1. A central treatment plant, provided that such central treatment plant is installed in accordance with the city and Nebraska Department of Environmental ~~Quality and Energy~~ and Department of Health requirements and the Sarpy County and Cities Wastewater Agency, or
 - 2. Lots may be served by individual disposal systems, if the provisions of the following section are met.
 - 3. Sewer mains and/or stormwater drainage improvements shall be located under paved sections of streets so that connections may be made at a later date.
 - 4. Property owners shall connect to public sanitary sewer system at such time as connection becomes accessible.
- B. Where the installation of individual disposal systems is considered, the following shall apply:
 - 1. Approval by the Sarpy County and Cities Wastewater Agency.
 - 2. The suitability of the soil for individual systems, the absorptive ability of the soil, surface drainage, ground water level, applicable wellhead protection regulations, and topography shall be the criteria for determining whether or not the installation of individual systems is permissible. Criteria shall be in accordance with the requirements of the city and the Nebraska Department of Environmental Quality and Department of Health.
 - 3. Each lot so served shall be of a size and shape to accommodate the necessary length of tile field at a safe distance from and at a lower elevation than the proposed buildings. Such lot size and shape shall conform to the requirements of the zoning district in which they are located, provided that in no case shall said minimum lot be less than one (1) acre in area where there is a public water supply available at the lot, and two and a half (2 ½) acres where there is not a public water supply available.
 - 4. At least one (1) percolation test shall be made for each lot area being platted, and each test shall be located in close proximity to the proposed individual sewage disposal unit, be numbered and its location shown on the preliminary plat. All percolation tests shall be performed in accordance with the requirements of the Springfield City Council.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor
SEAL
Attest: Kathleen Gottsch, City Clerk

Agenda Item 10. A Public Hearing of the Springfield City Council was opened at 7:17 p.m. to consider an amendment to Chapter 4 Achieve of the Springfield Comprehensive Plan to adopt the Sarpy County and Cities Wastewater Agency growth management plan and policies and rate policies. No one from the public spoke in favor of or in opposition to 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 7:18 p.m.

Agenda Item 11. Council Member Herzog introduced Ordinance No. 1053 entitled:

AN ORDINANCE TO AMEND CHAPTER 4 “ACHIEVE” OF THE COMPREHENSIVE PLAN OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Swenson 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. 1053 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1053

AN ORDINANCE TO AMEND CHAPTER 4 “ACHIEVE” OF THE COMPREHENSIVE PLAN OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Comprehensive Plan. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Chapter 4 of the comprehensive plan to adopt the Sarpy County and Cities Wastewater Agency growth management plan and policies and rate policies and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the comprehensive plan and found and determined that said proposed amendment to the comprehensive plan is advisable and in the best interests of the City. The City Council further found and determined that public hearings were

duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the comprehensive plan as set forth in this Ordinance.

Section 2. Amendment to Comprehensive Plan. Chapter 4 is hereby amended to include the following:

SPRINGFIELD COMPREHENSIVE PLAN
CHAPTER 4 ACHIEVE SPRINGFIELD
SECTION 4.4 SARPY COUNTY AND CITIES WASTEWATER AGENCY
GROWTH MANAGEMENT PLAN & RATES

Overview

This Growth Management Plan (the “Plan”) provides an overall framework for the suburban/ urban development of a portion of southern Sarpy County (the “County”) to be served by a unified sanitary sewer system owned and operated under the auspices of the Sarpy County and Cities Wastewater Agency (the “System”). The Plan identifies areas intended to be served by the System as well as growth zones intended to manage development in phases.

The Agency and its individual Members agree that the System’s design, phasing and operation are intended to achieve the following objectives:

- Enable future development while limiting it to areas that can be served by sanitary wastewater facilities and other necessary public infrastructure, facilities and services.
- Encourage economic development in the County through targeted public infrastructure development.
- Provide support for the Future Land Use plans and related infrastructure and service plans of each Agency Member.
- Consider market demand while providing predictability for private investment.
- Support projects that provide County-wide benefit.
- Reflect holistic public infrastructure, facility and service needs and impacts.
- Ensure that those who benefit from the System contribute to its development, operation and maintenance.

To achieve these objectives, the Agency and its Members have adopted this Plan and, separately, the policies and procedures required to implement it. The Agency may periodically update this Plan, the Growth Zones (as defined below) and the implementing policies and procedures.

Growth Management Area

The Service Area map (Figure 49) depicts the “Service Area” covered by the Growth Management Plan. Land within this area (the “Growth Management Area”) is intended to be developed to a suburban/urban density, defined as development that requires municipal water and sanitary sewer

service. Land outside of the Growth Management Area and outside of the Papillion Creek Watershed is restricted to lower-density development that can be accommodated through individual or small-scale well and septic systems.

Growth Zones

The Growth Management Area comprises two “Growth Zones” that manage where and how new development occurs within the Growth Management Area: (1) the Urban Reserve Zone (“URZ”), which limits growth in areas not currently served with sanitary sewer and other public utilities but which can be served in the future; and (2) the Urban Development Zone (“UDZ”), which provides opportunity for immediate investment and development and which best supports urban and suburban-scale densities with corresponding infrastructure extensions.

The URZ’s purpose is to ensure that sufficient land is available to accommodate projected demand for future urban development. Further, given the cost of the infrastructure needed to support such development, it is critical that enough land is reserved within the URZ to accommodate the density of development needed to pay for the sewers, streets, utilities and other infrastructure required to serve the new urban development. As urban scale infrastructure (sanitary sewer, roads, etc.) becomes available on the periphery of the URZ, the Agency should assess the phased transition of watersheds to the UDZ.

The Growth Zone map (Figure 50) depicts the boundaries of each Growth Zone. Boundary adjustments will be made in accordance with policies and procedures set forth by the Agency and will support the Agency’s objective of ensuring any development occurring within the URZ is consistent with infrastructure development plans and availability within the UDZ. Criteria considered by the Agency in evaluating boundary adjustment requests to include portions of the URZ in the UDZ may include:

- Will the property in question be served by sanitary interceptor sewers and other infrastructure necessary to support urban-scale development?
- Can the property be served by industry-standard depth gravity flow to an existing municipal sanitary sewer line in the UDZ?
- Is there a factual error in the delineation of the URZ boundary?

If a boundary adjustment request meets one or more of the criteria set forth above, the Agency should consider adjusting the URZ boundary to incorporate the property in question into the UDZ and update the Growth Zone map accordingly.

This Growth Management Plan does not supersede each Member’s planning approval jurisdiction.

Growth Management Plan Implementing Policies and Procedures

I. Purpose

The policies and procedures set forth herein (collectively, these “Policies”) are intended to and do effectuate the Growth Management Plan adopted by the Sarpy County and Cities Wastewater Agency (the “Agency”) on June 26, 2019 pursuant to Resolution No. 2019-004 and amended on February 26, 2020 pursuant to Resolution No. 2020-004 (as amended, the “Growth Management Plan”) to guide

suburban and urban development within the Agency’s jurisdiction in southern Sarpy County depicted as the “Service Area” on Figure 49 (the “Agency’s Jurisdiction”) to be served by a unified sanitary sewer system owned and operated under the Agency (the “System”). The Growth Management Plan is incorporated herein by this reference.

II. Amendments

The Agency Board may establish and adopt such additional procedures as it deems necessary and appropriate to effectuate these policies and procedures.

III. Policies

The following policies, as adopted by the Agency and its individual members (individually, a “Member”; collectively, “Members”), applies to property within the designated Urban Reserve Zone (“URZ”) and Urban Development Zone (“UDZ”), as depicted on the Growth Zone map attached hereto as Figure 50.

A. URZ Policies:

1. Standard suburban/urban/industrial development requiring municipal water and/or sewage treatment services will not be allowed in the URZ until individual watersheds are included within the UDZ and "opened" for development as part of the phased extension of sanitary sewer service from the UDZ, unless otherwise provided in these Policies.
2. New development in this zone will be limited except as may be allowed by the applicable Member’s large acreage and build-through or similar type of zoning and/or subdivision regulations. For Members that do not have a large acreage, build-through or similar type zoning and/or subdivision regulations, developments in those Members’ zoning and planning jurisdiction shall adhere to Sarpy County’s corresponding regulations.
3. New developments in this zone must provide for arterial street connections and through-street connections and adequate easements for future utility extensions. Such future extensions cannot be altered, blocked or denied. The applicable Members shall follow their respective street connection plans or similar type policies. For Members that do not have such plans or policies, those Members shall follow Sarpy County’s street connection plan.
4. Prior to a Member’s approval of a final plat for any tract, parcel or lot within the URZ, there must be a Member Agreement for such tract, parcel or lot.
5. If development is permitted in these areas it should be designed in a way that minimizes impact on surrounding uses and allows for future suburban/urban/industrial development, i.e. cluster development.
6. The URZ should be periodically monitored/evaluated for adjustment by the Agency. As urban scale infrastructure (sanitary sewer, roadways, and other improvements) becomes available on the periphery of the URZ, the Agency may assess the phased transition of watersheds located in the URZ to the UDZ.
7. If a Member determines that standard suburban/urban/industrial development should occur within a portion of the URZ located within that Member’s planning and zoning jurisdiction, that Member may allow such standard suburban/urban/industrial development consistent with the following

procedure, unless waived or otherwise agreed to by the Agency Board in writing:

- (a) Such Member must notify the Agency Administrator in writing that it desires to pursue a Member Agreement (defined below) to allow standard suburban/urban/industrial development in the URZ;
- (b) The Agency pays for and commissions from its financial advisor(s) a new study of the potential adverse impact of such development within the URZ to the System's anticipated capacity, function and connection fees if such development were to occur. The Member shall provide the Agency's financial advisor(s) with all pertinent information reasonably requested by said advisor(s) related to the proposed standard suburban/urban/industrial development in order for the advisor(s) to conduct such a study;
- (c) Prior to such impact study being conducted, (i) a preliminary plat of such proposed standard suburban/urban/industrial development must have previously been submitted to the Member's planning and zoning board, and (ii) the Member requesting the Agency impact study must pay to the Agency one-half of the cost for the same;
- (d) In the event the Member disagrees with the results of the Agency's impact study, such Member may, at the Member's sole cost and expense, obtain a separate study on the potential adverse impact of such development in the URZ. If the Member elects to obtain a separate impact study, it shall provide a copy of the same to the Agency Administrator. The Agency is under no obligation to accept, consider, adopt or incorporate any portion of such Member's impact study, and the Agency Board retains the authority to determine the adverse impact of such development in the URZ in its sole and absolute discretion; and
- (e) The Agency and such Member enter into a written agreement (a "Member Agreement") pursuant to which such Member agrees to compensate the Agency for and make other accommodations necessary to eliminate any adverse impact as determined by the Agency's impact study. If the Member agrees to compensate the Agency for and otherwise eliminate the potential impacts to the System capacity, function and connection fees as determined by the impact study, then the Agency cannot deny or delay approval of the Member Agreement.

- 8. To the extent feasible and agreed to by the Agency and the applicable Member, the Member Agreement may include provisions permitting the developer of such land to be reimbursed by such Member or other future developments in connection with the developer's pioneering of the construction and payment of non-interceptor sewer infrastructure.

B. UDZ Policies:

- 1. Development in these areas must be served with public infrastructure, facilities, utilities and services in a manner that is coordinated with the appropriate Member jurisdictions.

2. Development must follow the Agency's technical advisor's sewer flow and revenue assumptions for the land within the UDZ and the Agency's Growth Management Plan. In general, it is assumed that the future land use pattern in the Agency's Jurisdiction will be urban, suburban, or industrial in character and density.
3. If a Member approves a development within the UDZ that is not urban, suburban or industrial in character and density, such development shall be subject to a connection fee on a per acre basis as set forth in the Agency's rate and fee schedule then in effect. If, however, such Member does not want to assess a connection fee on a per acre basis, the procedure set forth in Section III(A)(7) above shall be followed to determine the adverse impact of such development and the Member's agreement to compensate the Agency for the same.

C. *Policies Applicable to Unique Developments:* If a Member notifies the Agency of a development in its zoning and planning jurisdiction that such Member does not otherwise support pursuant to subsections (B) or (C) above, and only after such Member used good faith efforts to reach an agreement with the applicable developer with respect to connection fees, user rates and other considerations applicable to such development not otherwise addressed in this Section III or set forth in the Growth Management Plan, the Agency agrees to waive the connection fees otherwise payable to the Agency applicable to such development in accordance with the Agency's rate and fee schedules then in effect.

IV. Boundary Adjustment Procedures and Criteria

Although it is not encouraged, a limited amount of development may be allowed within the URZ prior to the installation of infrastructure necessary to support urban development. However, it is important that any such interim development provides for future sewer and utility easements and follows applicable Agency and Member policies for arterial and internal street connections.

In addition, it is important that any such development reserves sufficient land for future urban development. Such steps will ensure that future urban development can be supported and fit seamlessly with earlier development. To ensure that sufficient land is set aside and that proper connections and easements are provided, any development approved by the Agency in the URZ in accordance with the Agency's policies and procedures shall adhere to build-through regulations comparable to those of Sarpy County with respect to the level of sewer flows and revenue generated by such development or the applicable Member's similar type regulations, whichever is more restrictive and promotes the most dense development.

A. Agency Boundary Updates:

1. Following the initial adoption of the Growth Management Plan and establishment of the URZ and UDZ boundaries by the Agency, the Agency shall set aside a portion of the fees collected from development for future updates to the Growth Management Plan. This update shall occur every 4-5 years or sooner if market conditions require. The update shall follow the same process as the initial adoption of the plan, as follows:

- (a) Document and review historic development data and trends in the Agency's Jurisdiction and the surrounding metropolitan area
- (b) Review all plans for the area and ensure that those plans and the new growth management plan are compatible.
- (c) Analyze current market conditions and estimate future development needs.
- (d) Review actual revenue from various sources and estimate revenue based on future development patterns and trends.
- (e) Review potential watersheds for a shift from the URZ to the UDZ and estimate costs.
- (f) Consider not only the sewer costs but also the cost of other needed public infrastructure, utility, facility and service costs.
- (g) Based on this analysis identify preferred watershed(s), if any, that are needed to accommodate new development, to be included in the UDZ. Calculate the revenue adjustments needed to pay for the necessary improvements.
- (h) Meet with the Member jurisdictions, development community, business community and public, to develop the proposed changes, costs and financing plan.
- (i) Based on input from these interested parties prepare a final boundary plan for approval by the Agency Board and adoption by the applicable Member jurisdictions.

B. Boundary Adjustment Requests: The following section outlines the process and criteria for adjusting the Urban Reserve Zone and Urban Development Zone boundaries following a special request by an Agency Member.

1. Requests for boundary adjustments by an Agency Member should be made in writing to the Agency Administrator stating the reason or reasons for the adjustment. The Agency Administrator will transmit the request to the Board as a Growth Management Plan amendment for appropriate action.
2. In considering the request for a boundary adjustment, the Agency Board should inquire whether the following criteria can be met:
 - (a) The applicable Member and/or developer must have taken the necessary steps to ensure that a portion of the URZ will be served by municipal sanitary interceptor sewers and other infrastructure necessary to support urban development.
 - (b) The applicant can show that there is a factual defect in the delineation of the Urban Reserve Zone boundary line.
 - (c) A developer can show that after the proposed grading of a portion of its plat that is within the URZ, the property can be served by industry standard depth gravity flow to an existing municipal sanitary sewer line in the Urban Development Zone (UDZ).
 - (d) Any other criteria not now anticipated that follows the objectives outlined in the Growth Management Plan.

If it is determined by the Agency Board that at least one of the above criteria has been met and upon execution of agreements and/or adoption of an Agency Board resolution effectuating the

above, the development area will be added into the UDZ and the Growth Zone map(s) will be adjusted accordingly unless the Agency determines that such modification would: (i) adversely impact the System, the Agency, or any Member jurisdiction; (ii) cause the Agency to violate any agreements to which it is a party; or (iii) otherwise violate Agency policies and/or procedures then in effect.

V. Exception Requests Procedures and Criteria

A. The following provides the process and criteria for evaluating specific requests by an applicant or Agency Member for an exception (an "Exception") from the Growth Management Plan and/or these Policies:

1. Requests for Exception should be made in writing to the Agency Administrator stating the reason or reasons why the guidelines should be waived.
2. The Agency Administrator will transmit the request to the Board for appropriate action as a Growth Management Plan Exception.
3. In considering the request for Exception, the Board shall determine whether one or more of the following criteria can be met:

- (a) The applicant can show that it made a bona fide application for subdivision approval and/or rezoning prior to the effective date of the 2019 Growth Management Plan and, therefore, should be entitled to have its plat considered in accordance with the regulations prevailing at the time they submitted their plat.
- (b) The applicant can show that approval of the request would further another important Member Comprehensive Plan objective which might offset any detrimental impact of granting an Exception from the URZ requirements.
- (c) The applicant can show that the approval will allow division of property for settlement of an estate between family members so that ownership will be continued uninterrupted within the family and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections.
- (d) The applicant can show that it is requesting to create a single additional lot for sale or transfer to a member of their immediate family for construction of a home for that family member and that they have followed the County's guidelines for utility and drainage easements and roadway access and connections.
- (e) The applicant agrees to pay sewer connection and usage fees established by the Agency and to set aside any necessary sewer easements as may be necessary to ensure the future extension of sewer service within the Agency's Jurisdiction.

B. Exceptions shall not be granted if the subdivision is proposed for land that has previously been set aside as an "outlot" through the Build-Through Overlay Zoning District process.

C. Exceptions related to 3b above should not be granted unless supported by the applicable Member jurisdiction within which the exception is located and only after

appropriate physical and financial adjustments and possible compensations are provided to ensure that the exception will not adversely affect the Agency's objectives, policies, procedures or finances. In addition, such an exception should not be granted if the small lot subdivision can be achieved through a Build-Through Overlay Zoning District process.

- D. In the event the Agency grants conditional approval of an Exception request, such Agency conditions shall be satisfied before the applicable Agency Member approves the applicable preliminary plat and/or rezoning approval.

VI. **Administrative Changes/Approvals.** Requests for an Exception and/or Agency approval of developments within the Agency's Jurisdiction that are determined to be, as determined by the Agency's planning and land use advisor(s), (a) non-material or administrative in nature, or (b) in conformance with, or otherwise satisfy, the criteria set forth in the Growth Management Plan and these Policies may be approved by the Agency Administrator without Agency Board approval. Such approval by the Agency Administrator must be in writing and accompanied by a written recommendation by the applicable Agency planning and land use advisor(s) and approved by Agency legal counsel.

VII. **Fees and Rates**

- A. Prior to the connection to the Agency's System of any development or land located within the Agency's Service Area, such development or land shall be subject to the payment of applicable connection, usage, and other rates and fees established by the Agency from time to time. Each Member having zoning jurisdiction over such developments shall be responsible for collecting and paying to the Agency such rates and fees in accordance with applicable Agency resolutions, policies and procedures then in effect.

- B. Except as otherwise set forth in the Agency's then applicable rate and fee schedules, single-family lots of three (3) acres or less, or single-family lots of twenty (20) acres or more located in the URZ and as allowed by the applicable Member's large acreage and build-through or similar type of zoning and/or subdivision regulations that are approved and developed in accordance with the Growth Management Plan (as amended) and these Policies (as amended), shall be assessed a connection fee equal to one (1) equivalent dwelling unit (EDU) as defined and set forth in the applicable Agency rate and fee schedules then in effect.

VIII. **Connection Agreements.** Prior to a Member's approval of a final plat for any development or land located within the Agency's Service Area, the Agency, the Member having zoning and planning jurisdiction, and such owner, developer or sub-divider shall enter into a three-party connection agreement that authorizes the connection of such development or land to the Agency's System and incorporates the Agency's Growth Management Plan, these Policies, and the sewer connection fees and user rates schedules and policies then in effect. Each Member shall include this provision as a condition to each preliminary plat approval. Provided however, that no such three-party connection agreement is required for any final plat for any development or land that is (a) within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, or Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set

forth in Agency Resolution 2019-004 dated June 26, 2019, and (b) not connecting to the Agency's System.

Rate and Fee Policies

All capitalized terms set forth in these Rate and Fee Policies (the "Policies") shall have the same meanings as set forth in that certain Interlocal Agreement Creating the Sarpy County and Cities Wastewater System by and between the County of Sarpy, Nebraska and the Cities of Papillion, Bellevue, Springfield, La Vista, and Gretna, Nebraska dated September 19, 2017 (as amended, the "Formation Interlocal").

The Agency has adopted a Growth Management Plan and implementing policies and procedures (collectively, as amended from time to time, the "Growth Management Plan") which provides the overall framework for the suburban/urban/industrial development of land within the Agency's Jurisdiction to be served by the Unified SSWS owned and operated by the Agency. The Growth Management Plan identifies areas intended to be served by the Unified SSWS as well as growth zones intended to manage development in phases. All development within the Agency's jurisdiction shall be in accordance with the Growth Management Plan.

The Agency Board adopted a revised sewer user rates and fee schedule (the "2020 Rate and Fee Schedule") pursuant to Agency Resolution No. 2020-014. Said rate schedule has been adopted by the City of Springfield as part of the master fee schedule and may be amended periodically to reflect updates approved by the Agency Board. These Policies shall apply to the payment and collection of user rate and connection fees established by the 2020 Rate and Fee Schedule and to any other rates, fees and charges established by the Agency in the future.

Pursuant to Section V(A)(4) of the Formation Interlocal, the Agency has the power and authority to "[m]ake, amend, and repeal such Agency bylaws, rules, and regulations from time to which are not inconsistent with the Act and [the Formation Interlocal] and which are intended to carry out and effectuate the Agency's powers and purposes".

These Policies, as adopted by the Agency in accordance with the Formation Interlocal, apply to all land and developments located within the Growth Zones (as defined in the Growth Management Plan) and subject to the Agency's Jurisdiction. Therefore, except to the extent otherwise agreed to by the Agency in writing, any license, agreement, permit or other approval by the Agency for any Agency Member, owner, developer, sub-divider, sanitary improvement district, or other person or entity to connect any development, tract, parcel or land to any sewer system located within the Agency's Jurisdiction shall be subject to the following terms, conditions, policies and procedures:

(1) Prior to the date the Agency begins providing wastewater services to users in the Agency's Jurisdiction, the Agency will conduct a cost of service study to determine whether this 2020 Rate and Fee Schedule is sufficient to support the Agency's financial obligations and, if necessary, to modify the same accordingly.

(2) Connection to the Unified SSWS or any sewer system located within the Agency's Jurisdiction or to any sewer line that drains into a sewer system located within the Agency's Jurisdiction obligates the connecting owner, developer or sub-divider to pay ongoing user charges in accordance with the user rates set forth in the 2020 Rate and Fee Schedule, as the same may be modified or amended from time to time (the "User Rates") for the treatment of the sewage entering

such sewer system, and for the ongoing operations and maintenance of the Unified SSWS. The User Rates will be computed based on the water consumption calculated and billed by each Member's water service provider. The Members' calculation of water consumption may be based on actual consumption, average consumption or a combination thereof. Failure to pay the applicable User Rates on a timely basis shall subject such owner, developer or sub-divider to disconnection of water service by the applicable water service provider, as well as any other lawful remedies necessary to recover past due charges. Each Member shall use good faith efforts to collect and pay to the Agency all outstanding and unpaid User Rates.

(3) Each Agency Member shall cause the applicable municipal water provider (either MUD or the Member itself) to collect the User Rates from the owners, developers and sub-dividers of land within such Member's zoning jurisdiction on a monthly basis and shall pay to the Agency within 30 days of the date of each receipt of such collected amounts from said owners, developers and sub-dividers. The Agency shall pay for the reasonable and customary administrative charges and fees related to each water provider's collection and remittance of the User Rates to the Agency pursuant to this section.

(4) The sewer connection fees applied pursuant to these Policies shall be in the applicable amounts set forth in the 2020 Rate and Fee Schedule, as the same may be modified and amended from time to time or in such other amount agreed to by the Agency Board in connection with developments having unique or special circumstances (hereinafter, the "Connection Fee(s)"). The amount of the applicable Connection Fees shall be based on the land use and the number of developable acres shown on the final plat approved by the governing body of the applicable Agency Member having zoning jurisdiction over such land. For purposes this section, the term "developable acres" shall mean the difference between the gross acres reflected on such final plat, less the aggregate acreage attributable to greenspace, outlots, road, utility and other similar easements, and other areas on which development is not permitted under such final plat.

(5) No connection shall be made to the Unified SSWS or any other sewer system within the Agency's Jurisdiction until the applicable portions Connection Fees shall have been paid to the Agency Treasurer.

(6) The Connection Fees shall not create an obligation on behalf of the Agency to provide any services to the applicable development or platted parcels until such time as the applicable Member jurisdiction in which such development or platted parcels are connected to the Unified SSWS.

(7) This section shall only apply to Connection Fees for lots, parcels and tracts located in the Urban Development Zone (as such term is defined in the Agency's Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Resolution No. 2019-004, as amended from time to time (as amended, the "Growth Management Plan")). The Connection Fees shall apply to all final plats which come before the applicable Agency Member's governing body for approval. One-half of the applicable Connection Fee shall be paid prior to the recording of the final plat with Sarpy County Register of Deeds. The remaining one-half of the applicable Connection Fee shall be paid at the time the owner, developer or sub-divider submits its building permit application to the applicable Agency Member. In the event the subject parcel is not platted, one hundred percent (100%) of the applicable Connection Fee shall be paid at the time the owner, developer or sub-divider submits its building permit application to the Applicable Agency Member. In the event of a lot line adjustment or lot split of a single-family residential lot in which no building permit is required, one hundred percent (100%) of the applicable Connection Fee shall be paid prior to the recording of the replat reflecting such lot line adjustment or lot split with the Sarpy County Register of Deeds. The applicable Agency Member shall

collect the portions of the Connection Fees when due from the applicable owner, developer or sub-divider and shall remit the same to the Agency within 30 days of its receipt of such payment.

(8) One hundred percent (100%) of the Connection Fees for lots, parcels and tracts located in the Urban Reserve Zone (as such term is defined in the Agency's Growth Management Plan) shall be paid by the applicable owner, developer or sub-divider prior to the recording of the final plat of the applicable development with the Sarpy County Register of Deeds, unless otherwise agreed to by the Agency in writing. If no plat or rezoning is required, said Connection Fee shall be paid prior to the issuance of the building permit.

(9) The calculation and payment of the Connection Fees pursuant to these Policies only apply to the initial land use, as defined by the applicable Member's zoning regulations, related to the development shown on the final plat.

(10) In the event the total developable acreages is expanded beyond the area for which a final plat was originally approved by the applicable Member, the owner, developer or sub-divider thereof shall pay an additional connection fee as determined by the Agency with respect to such expanded developable area, even if additional sewer connection is not required.

(11) Unless otherwise agreed to by the Agency Board in writing, physical connection to the Unified SSWS or any other sewer system located within the Agency's Jurisdiction, or to any sewer line that drains into the Unified SSWS or any other sewer system located within the Agency's Jurisdiction, is not permitted until: (A) the payment of all fees and charges due to the Agency Member having zoning jurisdiction over such connecting sewer system have been made by the applicable owner, developer or sub-divider; (B) the payment of all Connection Fees then due and payable to the Agency have been remitted by the Agency Member having zoning jurisdiction over the connecting sewer system; and (C) any and all required development, subdivision and/or connection agreements (as applicable, the "Member Agreements"), have been fully-executed by the owner, developer or sub-divider and the applicable Agency Member(s) having jurisdiction over the land to be developed. The required Member Agreements may include wastewater sewer agreements with the Agency Members, the City of Omaha, and other applicable governmental entities. Any sewer connection that violates this provision shall be subject to a service charge of 10% of the applicable connection fee(s) and will be disconnected until brought into compliance.

(12) Each Agency Member shall incorporate these Policies into the applicable Member Agreements.

(13) The Agency reserves the right to assess the applicable owner, developer or sub-divider a reasonable administrative fee to offset the Agency's costs and expenses related to any review of any proposed plats, plans, specifications, Member Agreements or other instruments and documents related to a proposed development subject to the Agency's Jurisdiction or connection of the SSWS or other sewer system located within the Agency's Jurisdiction; provided, however, that no such administrative fee shall be assessed unless and until such fee is adopted by the Agency Board.

(14) Notwithstanding anything in these Policies or in Agency Resolution No. 2020-014 to the contrary, the Agency's Growth Management Plan and these Policies do not in any manner apply to the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, or Papillion Sewer Service Area, respectively, as designated pursuant to the separate interlocal agreements by the Agency

and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019 and the sewer systems therein that are not connected to the Agency's System.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 12. Council Member Swenson introduced Ordinance No. 1054 entitled:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR 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: 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 Herzog. The Mayor then stated the question "Shall Ordinance No. 1054 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. 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. 1054

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1.

MASTER FEE SCHEDULE

ANIMAL CONTROL

All fees listed in this section are collected by the contracted Animal Control Authority, currently the Nebraska Humane Society. The Animal Control Authority sets and collects fees for the following: Impoundment (including a per day boarding fee), Veterinary Expenses, Euthanasia Expenses and Removal Costs.

1. Dog & Cat Licenses
 - a. Spayed or Neutered: \$5.00 annually
 - b. Intact: \$15.00 annually
 - c. License Handling/Issuance Fee: \$5.00 per license

*No dog and cat license fees will be charged for senior citizens (65 or older) who own a spayed or neutered dog or cat.

2. Pot-Belly Pig License: \$35.00 annually
License Handling/Issuance Fee: \$5.00 per license
3. Fine for not being licensed by March 15: Double licensing fee
4. Impound fees (excluding the per day boarding fee):
 - a. Altered Dog, Cat or Pot-Belly Pig:
\$35.00 first redemption
\$70.00 second redemption within 24 months of the first redemption
\$140.00 third redemption within 24 months of the first redemption
+\$50.00 for subsequent redemptions
 - b. Unaltered Dog or Cat:
\$100.00 first redemption
\$300.00 second redemption within 24 months of the first redemption
\$600.00 third redemption or any subsequent redemption within 24 months of the first redemption
 - c. Reimbursement for animals sterilized and micro-chipped within 90 days of the date of redemption:
\$65.00 first redemption
\$230.00 second redemption
\$460.00 third redemption
5. Boarding Fee: \$16.00 daily
6. Rabies Quarantine Fee \$16.00 daily

BUILDING SERVICES

The City of Springfield contracts with the Sarpy County Building Inspector for inspection services. Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the city shall charge and collect a fee. Building Permit Fees are based on Project Valuation calculated using the per square foot construction costs in the Sarpy County Building Valuation Data Table attached. Please also refer to the Sarpy County Permit Fee Schedule and Electric, Mechanical, and Plumbing Fixture Fee Tables attached.

Residential Dwelling:	
Finished Area Above Grade	\$104.00 per sq. ft.
Finished Area Below Grade	\$30.00 per sq. ft.; \$35.00 w/walkout
Unfinished Above/Below	\$20.00 per sq. ft.; \$25.00 w/walkout
Attached Garage	\$25.00 per sq. ft.
Deck/Patio	\$15.00 per sq. ft.; \$25.00 per sq. ft. w/roof + elec/mech/plumb fixture fees
Residential Addition	Same as new construction
Residential Basement (Below Grade) Finish	\$35.00 per sq. ft. + elec/mech/plumb fixture fees
Residential Garage Addition (Attached or Detached)	\$25.00 per sq. ft.
Residential Plumbing Permit	\$30.00 base fee + fixture fee
Residential Mechanical Permit	\$30.00 base fee + fixture fee
Residential Electric Permit	\$30.00 base fee + fixture fee
Deck	Greater of Estimated Cost or \$15.00 per sq. ft.; or \$25.00 per sq. ft. w/roof
Sheds	\$5.00 per sq. ft.
Fences	\$5.00 per lineal foot
Swimming Pools:	
Above Ground	\$30.00
Below Ground	Estimated Project Valuation + fixture fee
Spas	\$30.00 + fixture fee
Lawn Sprinkler System:	
In addition to new construction permit	\$30.00
As a separate permit	\$42.00
Commercial Building:	
Permit Fee is based on Project Valuation calculated on a per square foot construction cost based on Occupant Use and Construction Type in the 2012 Building Valuation Data Table. Refer to the Sarpy County Building Valuation Data Table and Fee Schedule attached.	
Commercial Addition	Same as new construction
Commercial Remodel	2012 ICC BVD Schedule

Commercial Electrical	\$30.00 base fee + fixture fee
Residential Plan Review and Processing Fee	Based on Permit Valuation \$0-\$624.99 = 8% of permit value \$625.00-\$2,499.99 = \$50.00 \$2,500.00 and above = \$100.00
Commercial Plan Review Fee	Greater of \$100 or 25% of Permit Fee whichever is greater External Review: Cost + 25%
Revised Plan Review (copy of stamped plan)	
Residential	\$50.00
Commercial	\$100.00
Change of Occupancy	\$100.00 + applicable building permit fees
Grading Permit:	
Less than 10 acres	\$500.00
10 acres or more	\$1,000.00
*Sites less than 1 acre do not require grading permit.	
Building Relocation / Moving Permit fees	\$100.00 + applicable building permit fees
Demolition Permit:	
Accessory structure less than 1,200 sq. ft.	\$50.00
Single-Family Dwelling	\$100.00
Commercial Structure	\$250.00
Park Capital Facilities Fee	\$200.00
*applied to all new construction residential and commercial permits	
Septic Permit	\$100.00
Well Permit:	
New Well	\$100.00
Repair	\$50.00
Decommission	\$50.00
Curb Cut (New Opening; does not include curb grind):	
Fee	\$50.00 (covers inspection services)
Deposit (refundable upon final inspection)	\$125.00
Street Opening	\$10.00 per sq. ft., \$600.00 minimum
Sign Permit	\$.30 per sq. ft., \$40.00 minimum

Penalty Fee for No Permit	Triple permit fee
Expired Building Permit Renewal	One-half of new building permit fee
Refund Policy	80% of permit fee
Re-Inspection Fee (assessed upon third and any subsequent re-inspect)	\$60.00
Inspection Fee outside of normal business hours (two hour minimum)	\$60.00
Inspections for which no fee is specifically indicated (minimum charge – 1 hour)	\$50.00 per hour

CITY FACILITIES RENTAL

1. Community Building	
a. Hourly	\$10.00 residents and business owners within corporate limits \$25.00 non-residents 4 hour maximum rental period
b. Daily (entire building)	\$75.00 residents and business owners within corporate limits \$300.00 non-residents
c. Daily (gym <u>or</u> basement only)	\$150.00 non-residents
d. Deposit	\$150.00 (refundable)
2. Library Meeting Room	
a. Daily	\$25.00
b. Deposit	\$150.00 (refundable)

ELECTION SERVICES

1. Election Filing Fees (See Ordinance)	1% of annual salary
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LIBRARY SERVICES

1. Damaged & Lost	
a. Books	Replacement Cost
b. Magazines	Replacement Cost
c. Audio Tapes	Replacement Cost
d. Videos	Replacement Cost
2. Fines	
a. Books and Magazines	\$.10 per day
b. Audio Books	\$.10 per day
c. Videos/DVDs	\$1.00 per day
3. Inter-Library Loan	\$2.00
4. Non-resident Library Card	\$35.00 annually

MISCELLANEOUS

1.	Copy of City Map	\$3.00
2.	Fee for Returned Checks (NSF)	\$30.00
3.	Handicap Parking Permit (State Statute)	No charge
4.	Property Cleanup Service Fees (including but not limited to mowing/lawn service, snow removal and tree trimming)	\$300.00 per hour per city employee (not prorated)
	Lien for Property Cleanup Services	Amount owed for services rendered plus applicable lien recording and releasing fees
5.	Request for Records (State Statute)	\$5.00 per half hour over 4 hours, plus copy costs

OCCUPATION FEES / FRANCHISE FEES / IN LIEU OF TAXES

(State Statute requires these fees be set by Ordinance)

1.	Advertising Bench	
	a. Application	\$10.00
	b. Renewal application	\$10.00
2.	Billiards, Pool Tables	\$10.00 annually
3.	Electric Companies	\$0 annually
4.	Fire Insurance Companies (State Statute)	\$5.00 annually
5.	Fireworks Stands	
	a. June 25 – July 4 Selling Period	\$2,500.00
	b. December 29 – 31 Selling Period	\$500.00
	c. Deposit	\$500.00 (refundable)
6.	Franchise Fees/In Lieu of Taxes	
	a. Electricity	5% of gross revenues
	b. Gas (State Statute §14-2139)	2% of gross revenues
	c. Cable Television (State Statute sets ceiling)	3% of gross revenues
7.	Liquor Establishments	
	a. Class A – Beer On Sale Only	\$150.00
	b. Class B – Beer Off Sale Only	\$150.00
	c. Class C – All Alcoholic Liquor On & Off Sale	\$500.00
	d. Class D – All Alcoholic Liquor Off Sale Only	\$300.00
	e. Class I – All Alcoholic Liquor On Sale Only	\$375.00
	f. Class L – Craft Brewery (Brew Pub)	\$375.00
	g. Class W – Wholesale Beer	\$750.00

h.	Class X – Wholesale Liquor	\$1,125.00
i.	Class Y – Farm Winery	\$375.00
j.	Class K – Catering	\$150.00
8.	Mechanical Amusement Devices	\$10.00 annually
9.	Sexually Oriented Business	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$500.00
10.	Special Liquor Licenses	\$50.00 per day plus State Fee \$500.00 deposit (refundable)
11.	Tattoo Parlor	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$500.00
12.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
13.	Tobacco License (State Statute)	\$10.00 annually
14.	Mobile Home Park	
a.	New Application	\$500.00 plus professional fees
b.	Annual Fee	\$10.00 per pad
15.	Vendor/Hawker/Peddler	
a.	Annually	\$150.00 per person
b.	Per day	\$50.00 per person

PLANNING SERVICES

1.	Administrative Plat (lot split/consolidation)	\$300.00
2.	Annexation Requests	\$100.00 plus professional services costs (legal, engineering, planning, and administration)
3.	Arterial Street Improvement Policy Fees	
a.	For all new agricultural construction, including single family dwellings and buildings for uses permitted in the Agricultural Residential District, a fee of 0.75% of the building permit valuation shall be charged at the time the building permit is issued.	
b.	For all new residential construction, including single family dwellings, town homes, and duplexes, a fee of 0.75% of the building permit valuation shall be charged at the time the building permit is issued.	

- c. For new mobile home pads, a fee in the amount of \$1,000.00 per unit shall be charged when the site is permitted.
- d. For new multi-family residential construction, a fee in the amount of \$5,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.
- e. For new civic, public facility, office and commercial use type construction, as defined in the City of Springfield Zoning Code, a fee in the amount of \$5,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.
- f. For new industrial construction, a fee in the amount of \$1,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.

4. Board of Adjustment / Variance Request \$250.00

5. Connection-Capital Facilities Fees*

a. Sewer Connection-Capital Facilities Fees

City of Springfield Connection Fees:

Residential - Single Family	\$3,500.00 per unit
Residential - Duplex	\$3,500.00 per unit
Residential – Mobile Home	\$3,500.00 per unit
Residential - Multi Family	\$2,980.00 per unit
Commercial/Industrial	\$17,500.00 per acre

Sarpy County and Cities Wastewater Agency Connection Fees:

<u>Property Use</u>	<u>FY 2020-2021</u>	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
<u>Single-family Residential lots located in the Urban Reserve Zone (“URZ”)¹ consisting of three acres or less, and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations</u>	<u>\$4,181.62 per parcel/ tract/lot</u>	<u>\$4,307.48 per parcel/ tract/lot</u>	<u>\$4,437.14 per parcel/ tract/lot</u>	<u>\$4,570.70 per parcel/ tract/lot</u>	<u>\$4,707.36 per parcel/ tract/lot</u>
<u>Single-family Residential parcel/tract/lots located in</u>	<u>\$4,181.62 per parcel/ tract/lot</u>	<u>\$4,307.48 per parcel/ tract/lot</u>	<u>\$4,437.14 per parcel/ tract/lot</u>	<u>\$4,570.70 per parcel/ tract/lot</u>	<u>\$4,707.36 per parcel/ tract/lot</u>

the URZ consisting of twenty acres or more, and approved for development through applicable Member large-lot or similar type zoning and/or subdivision regulations					
All other Residential uses that do not fall within the residential uses described in the two rows immediately above	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Commercial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Industrial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Civic	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre

[* Single-family residential lots located in the URZ consisting of \(i\) three acres or less and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations, or \(ii\) twenty acres or more and approved for development through applicable Member large lot or similar type zoning and/or subdivision regulations shall pay a flat connection fee in accordance with the schedule above.](#)

[¹ As defined pursuant to the Agency’s Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Resolution No. 2019-004, as amended from time to time.](#)

b. Water Connection-Capital Facilities Fees

Residential - Single Family	\$750.00 per unit
Residential - Duplex	\$750.00 per unit
Residential - Multi Family	\$500.00 per unit
Residential - Park or Common Area	\$250.00 per acre
Commercial/Industrial	\$1,500.00 per acre

*Refer to Springfield Municipal Codes §3-105.03 and §3-209.03 for applicability and payment due date.

- | | | |
|-----|---|---------------------------|
| 6. | Comprehensive Plan Amendment | \$500.00 |
| 7. | Conditional Use Permit (1 acre or less) | \$300.00 |
| 8. | Conditional Use Permit (over 1 acre) | \$500.00 |
| 9. | Conditional Use Permit Amendment / Renewals | \$150.00 |
| 10. | Conditional Use Permit Annual Fee | \$30.00 |
| 11. | County Filing Fees (if filed by City) | \$50.00 plus actual costs |

12. Design Review Fee (applicable to zoning districts with overlay design standards) \$250.00 or 20% of building permit fee, whichever is greater
13. Final Plat \$500.00 plus \$10.00 for each lot
14. Flood Plain Development Permit \$500.00
15. Park and Open Space Fee .04 acres per unit at Final Plat
Cash in Lieu of Land Fee \$30,000.00 per acre*
- *This fee applies to residential development only. Calculated on the basis of each dwelling unit constituting .04 acres. In satisfaction of a subdivider's required dedication of land for parks, playgrounds, trails or recreational uses per City Subdivision Regulations and/or the subdivider's required in lieu of fee, the City may, in its discretion, accept in whole or in part, the cost of park/recreational improvements installed and paid for by the subdivider, such as pedestrian/bike trail improvements, trees, and other park/recreational improvements as set forth in a City approved park/recreational improvement plan incorporated into a subdivision agreement. Such dedications, in lieu of fee payment, or accepted park/recreational improvements are to be made or paid by the subdivider and shall not be made, paid or reimbursed by a sanitary improvement district.
16. Preliminary Plat \$750.00 plus \$10.00 per lot
a. Revised Preliminary \$250.00
17. Replat \$750.00 plus \$10.00 per lot
18. Site Plan Review \$150.00 less than 1 acre
(amount added to building permit, as necessary) \$300.00 1-5 acres
\$500.00 over 5 acres
19. Subdivision Agreement 250.00 Amendment Request
750.00 Rescission and Replacement of a Previously Recorded Agreement
19. Tax Increment Finance Project Fee 1 ½ % of project cost to be Tax Increment Financed
20. Vacation of Plat \$150.00
21. Vacation of Public Right-of-Way \$150.00
22. Watershed Fees

	FY 2020	FY 2021	FY 2022	FY2023	FY2024
Fee Category	July 1, 2019 – June 30, 2020	July 1, 2020 – June 30, 2021	July 1, 2021 – June 30, 2022	July 1, 2022 – June 30, 2023	July 1, 2023 – June 30, 2024
Single Family Residential per dwelling unit (also includes low-density multi-family up to 4-plexes)	\$931	\$954	\$978	\$1,002	\$1,027
High-Density Multi-Family	\$4,095	\$4,197	\$4,302	\$4,410	\$4,520

Residential per gross acre (beyond 4-plexes)					
Commercial/Industrial/Institutional per gross acre	\$4,963	\$5,087	\$5,214	\$5,345	\$5,478

- 23. Zoning Map Amendment \$400.00 (\$200.00 refundable if denied by Council)
- 24. Zoning / Subdivision Regulations Text Amendment \$500.00

POLICE SERVICES

- 1. Parking Violations
 - a. 1st offense \$10.00
 - b. Subsequent offenses \$20.00

SEWER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

- 1. Sewer Connection/Tap Fee

Residential

- a. ¾" \$300.00
- b. 1" \$400.00
- c. 1 ½" \$425.00
- d. 2" \$450.00
- e. 3" \$500.00
- f. 4" \$600.00
- g. 6" \$800.00
- h. 8" \$1,000.00
- i. 10" \$1,200.00
- j. 12" \$1,400.00

Commercial/Industrial

- a. ¾" \$450.00
- b. 1" \$600.00
- c. 1 ½" \$650.00
- d. 2" \$675.00
- e. 3" \$750.00
- f. 4" \$850.00
- g. 6" \$1,050.00
- h. 8" \$1,250.00
- i. 10" \$1,450.00
- j. 12" \$1,650.00

Out of City 150% of fee

- 2. Sewer Use Rates

[City of Springfield Sewer User Rates](#)
1,000

\$31.37 per month, \$1.26 per

gallons of usage, calculated annually based upon water consumption for the months of December, January and February (*January, February and March billing*)

[Sarpy County and Cities Wastewater Agency Rate and Fee Schedule](#)

USER RATES (per 1,000 gallons²)

Property Use	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
Residential	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Commercial/Civic	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Industrial	\$13.23	\$13.89	\$14.59	\$15.32	\$16.09

¹The User Rates will be computed based on the water consumption calculated and billed by each Member's water service provider. The Members' calculation of water consumption may be based on actual consumption, average consumption or a combination thereof.

3. Utility Deposit (includes water and sewer) \$150.00

WATER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

1. Water Connection/Tap Fee

Residential

a. ¾"	\$300.00
b. 1"	\$400.00
c. 1 ½"	\$425.00
d. 2"	\$450.00
e. 3"	\$500.00
f. 4"	\$600.00
g. 6"	\$800.00
h. 8"	\$1,000.00
i. 10"	\$1,200.00
j. 12"	\$1,400.00

Commercial/Industrial

a. ¾"	\$450.00
b. 1"	\$600.00
c. 1 ½"	\$650.00
d. 2"	\$675.00
e. 3"	\$750.00
f. 4"	\$850.00
g. 6"	\$1,050.00
h. 8"	\$1,250.00

i.	10"	\$1,450.00
j.	12"	\$1,650.00
	Out of City	150% of fee
2.	Water Meter Fee	
a.	3/4"	\$330.00
b.	1"	\$390.00
c.	1 1/2"	City's actual cost
d.	Non-listed Meters	City's actual cost
3.	Water Re-connection	
a.	Water emergency – 1 st violation	\$50.00
b.	Water emergency – 2 nd violation	\$200.00
c.	Water emergency – 3 rd violation	\$300.00
d.	By request of owner – during business hours	\$30.00
	after business hours	\$60.00
e.	For non-payment or other violation—during business hours	\$40.00
	after business hours	\$80.00
4.	Water Use Rates	\$31.37 per month for 2,000 gallons, \$3.13 per 1,000 gallons of usage thereafter
5.	Non-service area customer	\$25 for each 500 gallon (does not include SIDs governed by Developer Agreement)
6.	Non-working/Non-readable Meter	\$50.00 per month + minimum water/sewer bill

Section 2. Fees not listed in the previous section are still valid and applicable as noted in their documents of origin.

Section 3. This ordinance does not prohibit the development and implementation of additional fees.

Section 4. For fees which are required to be adopted by State Statute, this ordinance serves as an affirmation and shall not override the governing statute.

Section 5. Any City official is hereby authorized and directed to refuse service to anyone who refuses to pay the fee established for that service.

Section 6. No fee shall be waived or refunded without approval of the Springfield City Council.

Section 7. The City of Springfield shall have the right to charge, in addition to the above fees, any overtime costs incurred in connection with the service.

Section 8. This ordinance shall be in full force and effect from and after its passage, approval and publication or posting as required by law.

Section 9. 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 its provisions is hereby repealed.

Passed and Approved this 20th day of October, 2020.

Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 13. Council Member Swenson introduced Resolution 2020-35 and moved its adoption. Council Member Murtha 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 NO. 2020-35

AUTHORIZING THE CITY CLERK TO PRESENT SPRINGFIELD ORDINANCE NOS. 1046, 1049, 1052 AND 1053 TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY THROUGH WHICH ORDINANCES ADOPTED AND APPROVED THE POLICIES AND PROCEDURES IMPLEMENTING THE GROWTH MANAGEMENT PLAN FOR THE SARPY COUNTY AND CITIES WASTEWATER AGENCY

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 an agreement (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);

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

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

WHEREAS, pursuant to Agency Resolution 2019-004, the Agency adopted the Growth Management Plan (as amended, "Growth Management Plan") that prioritizes areas of land development and growth within the Agency's Jurisdiction and that serves as a necessary step in the development of the Master Plan. The Growth Management Plan was subsequently approved by the governing body of the City of Springfield. The Growth Management Plan was amended pursuant to Agency Resolution 2020-004 to amend the area of land located within the Urban Development Zone (as defined in the Growth Management Plan);

WHEREAS, pursuant to Agency Resolution 2020-013, a copy of which is attached hereto as **Exhibit 1** (the "GMP Policies Resolution"), the Agency adopted and approved certain policies and procedures that are intended to implement and enforce the Growth Management Plan (the "GMP Policies"). The GMP Policies are attached to the GMP Policies Resolution;

WHEREAS, the Agency Board recognized in the GMP Policies Resolution that the Agency's adoption of the GMP Policies does not, except as otherwise provided in the Formation Interlocal or pursuant to Agency Resolution 2019-004, (a) expand the Agency's Jurisdiction or abrogate the

requirements of Section VII of the Formation Interlocal, (b) abrogate each Member's maintenance of its own autonomy, jurisdiction, powers, and indebtedness as a governmental subdivision, (c) supersede each Member's planning approval jurisdiction, or (d) in any manner restrict, limit, or control either Gretna's, Springfield's, Sarpy County's or Papillion's sole authority to own, operate, maintain, design, construct, extend, and collect revenue from their Existing Sewer Systems located within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, and Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019;

WHEREAS, the Agency Board has submitted to the Governing Body of the City of Springfield the GMP Policies for review and incorporation into the City of Springfield's comprehensive development and land use plan and/or similar instruments;

WHEREAS, the City of Springfield (a) recognizes that any future development and related sewer service expansion within the Agency's Jurisdiction shall be consistent with the Growth Management Plan, as amended, the GMP Policies, and any other implementing policies and procedures adopted by the Agency Board from time to time, and (b) has submitted the GMP Policies to the Springfield Planning Commission for review and incorporation into its comprehensive development and land use plan and similar instruments; and

WHEREAS, on October 13, 2020, the Springfield Planning Commission recommended approval of said Growth Management Plan and Policies; and

WHEREAS, on October 20, 2020, the Governing Body of the City of Springfield deemed it appropriate and advisable to adopt and approve the GMP Policies attached to the Agency GMP Policies Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that the GMP Policies were hereby adopted and approved on October 20, 2020, through Ordinance Nos. 1046, 1049, 1052 and 1053 and the City Clerk is hereby authorized to present Ordinance Nos. 1046, 1049, 1052 and 1053 to the Sarpy County and Cities Wastewater Agency as certification that the city has complied with its obligations under Agency Resolution 2020-013; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT the Springfield's adoption and approval of the GMP Policies does not, except as otherwise provided in the Formation Interlocal or pursuant to Agency Resolution 2019-004, (a) expand the Agency's Jurisdiction or abrogate the requirements of Section VII of the Formation Interlocal, (b) abrogate Springfield's maintenance of its own autonomy, jurisdiction, powers, and indebtedness as a governmental subdivision, (c) supersede Springfield's planning approval jurisdiction, or (d) in any manner restrict, limit, or control either Gretna's, Springfield's, Sarpy County's or Papillion's sole authority to own, operate, maintain, design, construct, extend, and collect revenue from their Existing Sewer Systems located within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, and Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT THE GOVERNING BODY OF THE CITY OF SPRINGFIELD a) recognizes that any future development and related sewer service expansion within the Agency's Jurisdiction shall be consistent

with the Growth Management Plan, as amended, the GMP Policies, and any other implementing policies and procedures adopted by the Agency Board from time to time, and (b) has submitted the GMP Policies to its Planning Commission for review and incorporation into Springfield’s comprehensive development and land use plan and similar instruments.

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 20th day of October, 2020.

City Council Member Swenson moved the adoption of said resolution.
City Council Member Murtha seconded the motion.

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 14. Council Member Swenson introduced Resolution 2020-36 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 NO. 2020-36

AUTHORIZING THE CITY CLERK TO PRESENT SPRINGFIELD ORDINANCE NOS. 1053 AND 1054 TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY THROUGH WHICH ORDINANCES ADOPTED A REVISED SEWER USER RATES AND CONNECTION FEES SCHEDULE AND ESTABLISHED RELATED POLICIES AND PROCEDURES FOR THE UNIFIED SWS FOR LAND DEVELOPMENT WITHIN THE AGENCY’S JURISDICTION

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 an agreement (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);

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

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

WHEREAS, pursuant to Section V(A)(3) of the Formation Interlocal, the Agency has the power and authority to “[e]stablish just and equitable rates, fees, or charges for the use of or connection to the

Unified SSWS, any property or equipment associated therewith, or any services provided in connection with [the Unified SSWS]”;

WHEREAS, pursuant to Agency Board Resolution 2019-014, a copy of which is attached hereto as **Exhibit 1** (the “2020 Agency Rates and Fees Resolution”), the Agency adopted and approved an updated sewer user rates and connection fees schedule for land development in the Agency’s Jurisdiction (the “2020 Rate and Fee Schedule”) and established related policies and procedures with respect to the payment and collection of rates and fees set by the 2020 Rate and Fee Schedule (the “2020 Rate and Fee Policies”);

WHEREAS, pursuant to the 2020 Agency Rates and Fees Resolution, the Agency shall charge and assess the applicable user rates and connection fees for the applicable services within the Agency’s Jurisdiction in the amounts set forth on the attached 2020 Rate and Fee Schedule and in accordance with the attached 2020 Rate and Fee Policies;

WHEREAS, the Agency Board recognized in the 2020 Agency Rates and Fees Resolution that the Agency’s adoption of the 2020 Rate and Fee Schedule and the 2020 Rate and Fees Policies do not in any manner restrict, limit, or control either Gretna’s, Springfield’s, Sarpy County’s or Papillion’s sole authority to own, operate, maintain, design, construct, extend, and collect revenue from their Existing Sewer Systems located within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, and Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019 and the sewer systems therein that are not connected to the Agency’s System;

WHEREAS, the Agency Board has submitted to the Governing Body of the City of Springfield the 2020 Rate and Fee Schedule and the 2020 Rate and Fee Policies for review and incorporation into Springfield’s comprehensive development and land use plan or similar instruments so that the development occurring within Springfield’s zoning jurisdiction and the Agency’s Jurisdiction shall be subject to the 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies; and

WHEREAS, on October 13, 2020, the Springfield Planning Commission recommended approval of said 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies; and

WHEREAS, on October 20, 2020, the Governing Body of the City of Springfield deemed it appropriate and advisable to adopt and approve the 2020 Rate and Fee Schedule and the 2020 Rate and Fee Policies attached to the 2020 Agency Rates and Fees Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that the 2020 Rate and Fee Schedule and the 2020 Rate and Fee Policies were hereby adopted and approved on October 20, 2020, through Ordinance Nos. 1053 and 1054 and the City Clerk is hereby authorized to present Ordinance Nos. 1053 and 1054 to the Sarpy County and Cities Wastewater Agency as certification that the city has complied with its obligations under Agency Resolution 2020-014;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that the 2020 Rate and Fee Schedule and the 2020 Rate and Fee Policies are hereby approved and established over the portions of Springfield’s zoning and planning jurisdiction located within the Agency’s Jurisdiction, and, from and after the date hereof, the Agency shall charge and assess the applicable user rates and connection fees for the applicable services within the Agency’s Jurisdiction in

the amounts set forth on the attached 2020 Rate and Fee Schedule and in accordance with the attached 2020 Rate and Fee Policies;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, that the City of Springfield has submitted the 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies to Springfield's Planning Commission for review, approval and incorporation into Springfield's comprehensive development and land use plan and similar instruments so that the development occurring within Springfield's zoning jurisdiction and the Agency's Jurisdiction shall be subject to the 2020 Rate and Fee Schedule and 2020 Rate and Fee Policies; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD THAT THE GOVERNING BODY OF THE CITY OF SPRINGFIELD'S adoption of the 2020 Rate and Fee Schedule and the 2020 Rate and Fee Policies do not in any manner restrict, limit, or control either Gretna's, Springfield's, Sarpy County's or Papillion's sole authority to own, operate, maintain, design, construct, extend, and collect revenue from their Existing Sewer Systems located within the Gretna Sewer Service Area, Springfield Sewer Service Area, Sarpy Sewer Service Area, and Papillion Sewer Service Area, respectively, pursuant to the separate interlocal agreements by the Agency and Gretna and Springfield and as otherwise set forth in Agency Resolution 2019-004 dated June 26, 2019 and the sewer systems therein that are not connected to the Agency's System.

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 20th day of October, 2020.

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

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 15. Council Member Swenson introduced Resolution 2020-37 and moved its adoption. Council Member Murtha 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
2020-37**

BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska as follows:

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson, Inc. wish to enter into Master Agreement Work Order No. 3 through which Olsson shall provide engineering services for the Platteview Road Asphalt Overlay Project; and

WHEREAS, engineering services include project management, preparation of civil construction documents, bidding services, and construction administration and observation; and

WHEREAS, the project is scheduled to begin November 1, 2020, with a completion date of July 31, 2021; and

WHEREAS, compensation for lump sum services shall be \$8,400 and construction administration and observation services shall not exceed \$5,000.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Master Agreement Work Order No. 3 attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

City Council Member Swenson moved the adoption of said resolution.
City Council Member Murtha seconded the motion.

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 16. Council Member Swenson introduced Resolution 2020-38 and moved its adoption. Council Member Herzog 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
2020-38**

BE IT RESOLVED by the Mayor and City Council of the City of Springfield, Nebraska as follows:

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson, Inc. wish to enter into Master Agreement Work Order No. 4 through which Olsson shall provide engineering services for the Main Street Asphalt, Curb and Gutter Project; and

WHEREAS, engineering services include project management, utility relocation coordination, topographic survey, asphalt pavement cores, preparation of civil construction documents, and bidding services; and

WHEREAS, construction administration and observation services are not included in this work order, but a new work order for these services will be submitted upon completion of final design; and

WHEREAS, services rendered under this agreement are scheduled to begin November 1, 2020, and be complete March 31, 2021; and

WHEREAS, compensation for the described services shall be \$39,500.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Master Agreement Work Order No. 4 attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 20TH DAY OF OCTOBER, 2020.

City Council Member Swenson moved the adoption of said resolution.

City Council Member Herzog seconded the motion.

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 17. Council reviewed bids from Mack Bros. Groundskeeping and Empire Netting & Fence for the replacement of the baseball field backstop and netting system at City Park. Staff noted that a request for financial contribution has been made to the school district as per the interlocal agreement outlining cost sharing for ball field improvements. The School Board will consider the request at a future meeting. Motion by Swenson, seconded by Craney, to approve the bid from Mack Bros. Groundskeeping in the amount of \$29,450 for the replacement of the backstop and netting system at the Buffalo Park baseball field and to work with the School District as per the interlocal agreement for field usage. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 18. Motion by Swenson, seconded by Herzog, to move agenda item 18, regarding property acquisition for the new well project, into executive session. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Swenson reported that he spoke with Rick Lee regarding the mechanical issue at the sewer plant.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. Murtha reported that street repairs are likely done for the year. The street department will focus on sealing cracks and patching potholes. Crushed asphalt was put down in some alleys and on Spruce Street between 3rd and 6th Streets.

Agenda Item 4. No Department Report from Craney.

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

Agenda Item 6. No additional city staff reports.

Executive Session

Motion by Swenson, seconded by Herzog, to enter into executive session at 7:36 p.m. for the purpose of real estate negotiations and potential litigation. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Motion by Swenson, seconded by Craney, to leave executive session at 8:00 p.m. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Swenson, seconded by Craney, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:00 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 October 20, 2020; 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