



CITY COUNCIL AGENDA

Tuesday, February 16, 2021 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the February 2, 2021 Council Meeting
2. Approve Treasurer's Report
3. Approve ratification of all actions identified in the minutes taken by the City of Springfield City Council during meetings held on December 15, 2020, January 5 and January 19, 2021, by video / telephone conferencing, pursuant to Gov. Ricketts' Executive Orders No. 20-36

REGULAR AGENDA

1. SYAA 12U Baseball Team – Request to waive Community Building rental fee every Sunday in February and March for baseball practice from 2:00-3:30 p.m.
2. Springfield Pines Phase 2 (Gene Graves, developer, and Joseph Foley, developer's engineer) – Discuss proposed development and alternative sewer solution
3. Sarpy County Agricultural Society (Fair Board) – Dispute water billing charge
4. Consider approval of **Resolution 2021-4** entering into a COVID-19 License and Management Agreement with the Springfield Youth Athletic Association, Inc. for use of City Park and Buffalo Park for the youth baseball and softball programs
5. Consider approval of **Resolution 2021-5** entering into the COVID-19 License and Management Agreement with Springfield Platteview Community Schools for use of Buffalo Park for the boys' baseball program

6. Consider approval of **Resolution 2021-6** authorizing the purchase of property legally described as a portion of Outlot A, Southern Sarpy Acres located in the Southwest Quarter of Section 13 and composed of a portion of the Northwest Quarter, Township 13, Range 11, East of the 6th P.M., Sarpy County, consisting of 2.95 acres, more or less, from the Springfield Cemetery Association
7. Discuss ownership issue of Lot 7A1, Grand Square Addition to the City of Springfield - Sarpy County Agricultural Society thought they owned this property; however, the City of Springfield is still the owner of title

DEPARTMENT REPORTS

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

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

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock p.m. at City Hall on Tuesday, February 16, 2021. 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 \$1,458,972.01 in cash assets; Prestige Treasury-\$205,599.56; Prestige Bond-\$956,107.95; Keno Community Betterment-\$235,431.72; Keno Progressive

Jackpot-\$50,000.00; Water Deposit Savings-\$4,205.39; Refundable Deposit Savings-\$1,227.82; Water Tower Savings-\$208,080.55; Sewer Restricted-\$211,233.24; Water Capital Facilities Fees-\$72,564.16; Sewer Capital Facilities Fees-\$188,017.25; City Sales Tax-\$3,284,149.97; Money Mark Library Bricks-\$3,970.02; Government Securities-\$116,099.61; Library Savings-\$11,630.70; Time Certificates as follows: Bond-\$79,547.10; Tower-\$59,489.30; Water-\$130,417.75; Library Bricks-\$22,001.88; Library Restricted-\$41,683.77; Cash Receipts-\$208,783.92; Cash Disbursements-\$114,120.69.

Regular Agenda

Agenda Item 1. Motion by Swenson, seconded by Craney, to waive the Community Building rental fee for SYAA 12U Baseball Team practices with the understanding that any paid renter with at least two weeks booking notice shall supersede the SYAA's use of the building every Sunday afternoon from 2:00-3:30 p.m. beginning February 28 and continuing through March for baseball practice. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 2. Gene Graves, developer of Springfield Pines Phase 1, reviewed his plan to develop Phase 2. He provided Council with a draft layout showing multi-family to the northwest and single-family residential to the east. Graves indicated that the west half would be completed first. Grading could begin this summer with lots being sold next year. Since the city's sewer system is at capacity and the South Sarpy Wastewater Agency will not be online until 2024, Graves is requesting the city allow him to construct a temporary sewer solution. Josh Seal, developer engineer with Foley Engineer, 3803 N. 153rd Street, Omaha, Nebraska, 68116, reviewed the mechanics of the temporary sewer solution. Sewage storage tanks would be located underground and then discharged appropriately. Seal noted that his team visited with NDEE about required limits and other regulations. Graves reported that ideally the temporary sewer would discharge into the city's storm water system on the northeast side of town near the Pit Stop. Alternatively, they could run an outfall source north and discharge further upstream. Graves pointed to examples of temporary and package plants being used throughout the Midwest, including local systems at Nebraska Crossing, Hawaiian Village and Beaver Lake. Council expressed their intent that Graves would be required to hook up to the new Sewer Agency system once it was made available. Said arrangement could be outlined in the subdivision agreement. Swenson asked how the temporary sewer solution would be operated. Graves noted that he would contract with People's Services for maintenance. Graves also reported that he has a 400 acre site at 72nd and Capehart Road, within the Springfield Platteview School District, that Papillion is allowing them to use a temporary sewer solution. He shared an email from Adam Flanagan, Vice-President of Kuehl Capital, outlining the financial impact the subdivision would have on the city and the difference in waiting three years to develop. Council requested additional time to research and investigate this proposed sewer alternative.

Agenda Item 3. Members of the Sarpy County Agricultural Society including President Jim Jansen, Vice-President Dwayne Lange, Secretary Mike Rudolph, and Treasurer Chad Heinert were present to dispute the February 15 water billing read of 186,000 gallons of water and subsequent charge to their account. Swenson explained that if the meter malfunctions it will under report usage. He also gave examples of other disputes the city has received over the years in which the property owner swears they don't have a leak or problem and then find out they indeed do have a leak causing the high usage. Herzog asked if they checked their toilets and all internal and external pipes. Rick Lee, Water Operator, informed the Council that he spoke with the SYAA wrestling coach about this issue and he said the urinals keep running. Lee further stated he has no explanation for the high read and has since re-read the meter five times since February 1. Swenson shared pictures of an outside faucet on the 4-H building with a broken valve. He noted that a hose could easily be hooked up by someone. Lange thought the faucet was shut off in the utility room, but will check the line to be sure. He can't say that someone didn't turn it on.

Herzog asked if they had brought in a plumber to investigate. Lee noted that there has to be a leak somewhere. No further discussion.

Agenda Item 4. Council Member Swenson introduced Resolution 2021-4 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
2021-4**

**Resolution to enter into a License and Management Agreement with the
Springfield Youth Athletic Association, Inc. for use of City Park and Buffalo Park
for the Youth Baseball and Softball Programs**

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation (hereinafter “City”), and Springfield Youth Athletic Association, Inc. (hereinafter “SYAA”), wish to enter into a License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities; and

WHEREAS, City owns park property that includes a playing field, court or other grounds suitable for sports and other recreational activities, and may include associated improvements and structures; and

WHEREAS, SYAA is involved in organizing youth team sports or other recreational activities in the City; and

WHEREAS, City recognizes the additional requirements associated with operating the property as a result of the ongoing COVID-19 and novel coronavirus situation and is not able to ensure that operation of the property during all practices, games, and other events follows the current applicable rules for safe operation; and

WHEREAS, SYAA desires to utilize City property for youth team sports and is willing to enter into this License in order to manage the property in accordance with the applicable rules for safe operation; and

WHEREAS, City desires to enter into this License whereby SYAA shall license and manage the property subject to the terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the License and Management Agreement with the Springfield Youth Athletic Association, Inc. for use of City Park and Buffalo Park for the Youth Baseball and Softball Programs attached hereto as Exhibit “A”.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY, 2021.

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

Record of Vote:

Ayes: Swenson, Herzog, Murtha, Craney
Nays: None
Abstain: None
Absent: None

Resolution adopted, signed and billed as adopted.

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

Agenda Item 5. Council Member Swenson introduced Resolution 2021-5 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
2021-5**

**Resolution to enter into a License and Management Agreement with Springfield Platteview
Community Schools for use of Buffalo Park for the Boys' Baseball Program**

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation (hereinafter "City"), and Springfield Platteview Community Schools, a Political Subdivision of the State of Nebraska (hereinafter "SPCS"), wish to enter into a License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities; and

WHEREAS, City owns park property that includes a playing field, court or other grounds suitable for sports and other recreational activities, and may include associated improvements and structures; and

WHEREAS, SPCS is involved in organizing the boys' baseball program; and

WHEREAS, City recognizes the additional requirements associated with operating the property as a result of the ongoing COVID-19 and novel coronavirus situation and is not able to ensure that operation of the property during all practices, games, and other events follows the current applicable rules for safe operation; and

WHEREAS, SPCS desires to utilize City property for the boys' baseball program and is willing to enter into this License in order to manage the property in accordance with the applicable rules for safe operation; and

WHEREAS, City desires to enter into this License whereby SYAA shall license and manage the property subject to the terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the License and Management Agreement with Springfield

Platteview Community Schools for use of Buffalo Park for the Boys' Baseball Program attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY, 2021.

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

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 6. Council Member Swenson introduced Resolution 2021-6 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
2021-6**

**RESOLUTION AUTHORIZING PURCHASE OF PROPERTY AND PERMANENT EASEMENT FROM
SPRINGFIELD CEMETERY ASSOCIATION AND AUTHORIZING MAYOR TO SIGN CONTRACT DOCUMENTS**

WHEREAS, the City of Springfield, a Municipal Corporation, desires to purchase property, legally described in attached Exhibit "A" *Land Acquisition Legal Description*, from the Springfield Cemetery Association in the amount of \$207,789.00; and

WHEREAS, the City of Springfield, desires to purchase a Permanent Easement Deed, legally described in attached Exhibit "B" *Permanent Easement Legal Description*, from the Springfield Cemetery Association in the amount of \$4,850.00; and

NOW, THEREFORE, BE IT RESOLVED BY the Governing Body of the City of Springfield, Nebraska, that the Mayor of the City of Springfield is hereby authorized to execute the Property Acquisition Contract and Permanent Easement Contract, as well as all other contract and closing documents pertaining to the City of Springfield's purchase of property and permanent easement from the Springfield Cemetery Association for the combined total of \$212,639.00.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY, 2021.

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

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 7. Pat Sullivan, Sarpy County Agricultural Society Attorney with Adams & Sullivan, 1246 Golden Gate Drive, Papillion, Nebraska, spoke on behalf of the Ag Society. Sullivan referenced the city and Ag Society's exchange of property back in 2008/2009 during which the city acquired the vacant lot west of the Community Building and the Ag Society acquired the fairground properties previously owned by the city and leased to the Ag Society. Unfortunately, Lot 7A1 was not included in that real estate transfer. This parcel was not included at that time because the Ag Society thought they already owned this property and the Sarpy County Assessor even listed the Ag Society as the owner. Council requested additional time to review this situation and obtain more information. Motion by Swenson, seconded by Craney, to table agenda item 7, regarding the ownership issue of Lot 7A1, Grand Square Addition, until the March 2, 2021, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report from Swenson.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. Murtha reported that Kent Maystrick is working on a list of sidewalk repairs for this year.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. No additional city staff reports.

Adjournment

Motion by Herzog, seconded by Swenson, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:20 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 February 16, 2021; 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.

Andie Ledenbach
Assistant City Clerk