



**CITY COUNCIL AGENDA - REVISED**

Tuesday, June 2, 2020 at 7:00 p.m.  
Springfield City Hall  
170 North 3<sup>rd</sup> Street

**Pursuant to the Governor’s Executive Order No. 20-003, this meeting will be held by video/telephone conference. Members of the public may attend this meeting electronically or telephonically:**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83668492341?pwd=aTg2dXk0aTVleWxCNmdTZFY3WjZndz09>

**Meeting ID: 836 6849 2341**

**Password: 935371**

Dial by your location 1-253-215-8782 or 1-301-715-8592

**CALL TO ORDER**

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room or is available online at:  
[https://nebraskalegislature.gov/laws/display\\_html.php?begin\\_section=84-1407&end\\_section=84-1414](https://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414)
- 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 May 19, 2020 Council Meeting
2. Approve Claims and Payroll

**REGULAR AGENDA**

1. Sarpy County Sheriff’s Monthly Service Report
2. Proclaim Sunday, June 7, 2020, as National Cancer Survivor Day in the City of Springfield

3. Consider approval of **Resolution 2020-19** regarding the use of municipal property for sports or other recreational activities
4. Consider approval of **Resolution 2020-20** entering 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 program
5. Consider approval of **Resolution 2020-21** entering into a License and Management Agreement with the Springfield Baseball Association, Inc. for the use of Buffalo Park for the youth legion baseball program
6. **Tabled May 19, 2020.** Consider approval of **Resolution 2020-16** temporarily closing city-owned ball fields at City Park and Buffalo Park
7. Discuss operation of splash pad
8. Discuss operation of Community Building
9. Consider a request from Springfield Pines to amend the Subdivision Agreement to change the style of perimeter fencing – *Item Withdrawn by Springfield Pines*
10. Consider approval of purchase of new tables and chairs for the Community Building
11. Discuss Jean Latham’s annual review and consider a proposed merit increase
12. Discuss Barb Henninger’s annual review and consider a proposed merit increase
13. Consider approval of **Resolution 2020-22** granting authority to the Mayor to declare an emergency within the city whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, or acts of God, including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of the city
14. Consider approval of **Ordinance No. 1029** AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REGARDING GRANTING POWERS TO THE MAYOR TO MAKE DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO ADOPT CHAPTER 1 ADMINISTRATIVE, ARTICLE 1 ELECTED OFFICIALS, SECTION 1-101.01 CITY MAYOR; DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

#### **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**

Pursuant to the Governor’s Executive Order No. 20-003, 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, June 2, 2020, via video / telephone conference using Zoom. 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 Swenson, seconded by Herzog, to approve the Consent Agenda. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Claims Payable:

Check #	Account ID	Account Description	Debit Amount	Name
<b>General</b>				
43159	6084-10-10	Aflac	140.68	Aflac
43162	7045-10-10	Prof Svcs-Tech Support	595.00	American Legal Publishing
43162	7260-10-10	Printing	3,493.00	American Legal Publishing
43219	6084-10-10	Aflac	13.20	Ameritas Life Insurance
43128	6080-10-10	Health Insurance	2,032.05	BlueCross BlueShield
43170	9316-10-10	COVID	104.99	Builder's Supply
43126	6080-10-10	Health Insurance	134.00	Delta Dental
43177	9316-10-10	COVID	16.03	First National Bank
43177	7205-10-10	Subscriptions	159.87	First National Bank
43180	9040-10-10	Tools & Misc Equip	19.00	Home Depot
43180	9316-10-10	COVID	42.98	Home Depot
43181	7030-10-10	Prof Svcs-Planning	1,430.00	JEO Consulting Group

43220	8140-10-10	R&M Equip	132.79	Konica Minolta Business Solutions
43183	8140-10-10	R&M Equip	180.98	Konica Minolta Premier Finance
43186	9316-10-10	COVID	89.19	Menards
43191	7320-10-10	Natural Gas	42.40	MUD
43221	7330-10-10	Telephone	126.40	NT&T
43194	7010-10-10	Prof Svcs-Engineer	435.38	Olsson Associates
43196	7310-10-10	Electricity	241.99	OPPD
43198	7205-10-10	Subscriptions	97.55	Papillion Times
43129	6080-10-10	Health Insurance	88.50	Principal Financial
43203	7046-10-10	Prof Svcs-Building Inspector	9,885.59	Sarpy County Building Inspector
43204	7060-10-10	Animal Control	403.00	Sarpy County Fiscal Administrator
43158	7040-10-10	Prof Svcs-Other	10.00	Sarpy County Register of Deeds
43205	7050-10-10	Law Contract	9,103.00	Sarpy County Treasurer
43208	9316-10-10	COVID	881.50	Seidler & Seidler
43208	7020-10-10	Prof Svcs-Legal	901.15	Seidler & Seidler
43211	9316-10-10	COVID	71.00	Southern Carlson
43212	9316-10-10	COVID	4.79	Springfield Ace Hardware
43212	8130-10-10	R&M Building	13.99	Springfield Ace Hardware
43213	7250-10-10	Publication Costs	253.21	Suburban Newspaper
43216	7280-10-10	Laundry	130.30	Walkers Uniform Rental
<b>Total</b>			<b>31,273.51</b>	
<b>Sales Tax</b>				
43194	9171-15-10	City Park	1,013.02	Olsson Associates
43208	9171-15-10	City Park	130.00	Seidler & Seidler
43213	9171-15-10	City Park	106.96	Suburban Newspaper
<b>Total</b>			<b>1,249.98</b>	
<b>Library</b>				
43161	8060-20-10	Books	317.15	Amazon/SYNCB
43219	6084-20-10	Aflac	26.40	Ameritas Life Insurance
43165	8060-20-10	Books	116.52	Baker & Taylor
43128	6080-20-10	Health Insurance	1,273.37	BlueCross BlueShield
43170	9316-20-10	COVID	104.98	Builder's Supply
43171	7455-20-10	IP Address	55.00	Charter Communications
43171	7455-20-10	IP Address	55.00	Charter Communications
43126	6080-20-10	Health Insurance	67.50	Delta Dental
43176	8130-20-10	R&M Building	6.96	Ferguson Enterprises
43180	9316-20-10	COVID	42.98	Home Depot
43184	9316-20-10	COVID	36.39	Manzer, Constance
43186	9316-20-10	COVID	89.19	Menards
43188	8060-20-10	Books	162.56	MicroMarketing
43189	8060-20-10	Books	245.35	MidAmerica Books
43191	7320-20-10	Natural Gas	54.86	MUD
43221	7330-20-10	Telephone	50.00	NT&T
43196	7310-20-10	Electricity	137.42	OPPD
43199	8060-20-10	Books	431.88	Penworthy
43201	7340-20-10	Waste Disposal	19.00	Premier Waste Solutions
43129	6080-20-10	Health Insurance	105.99	Principal Financial
43206	7480-20-10	Janitorial	250.00	Schmieder, Marcie
43207	9316-20-10	COVID	6.38	Seiber, Sally

43210	8060-20-10	Books	240.32	Smart Apple Media
43211	9316-20-10	COVID	71.00	Southern Carlson
43212	9316-20-10	COVID	4.80	Springfield Ace Hardware
43212	8130-20-10	R&M Building	17.76	Springfield Ace Hardware
43218	8060-20-10	Books	10.00	Woman's Day
<b>Total</b>			<b>3,998.76</b>	
<b>Library Restricted</b>				
43166	7205-21-10	Subscription	1,100.00	Biblionix
43168	8070-21-10	Library Supplies	54.97	Brodart Co.
43172	8070-21-10	Library Supplies	67.20	Collaborative Summer Library Program
43173	7045-21-10	Prof Svcs-Tech Support	40.00	Egis Technologies
43202	8075-21-10	Program Fees	125.00	Quinn, Jeff
<b>Total</b>				
<b>Park</b>				
43159	6084-30-10	Aflac	52.52	Aflac
43160	8160-30-10	R&M Grounds	573.50	All Flags
43128	6080-30-10	Health Insurance	1,223.52	BlueCross BlueShield
43169	8120-30-10	Fuel	343.94	BRP Investments
43170	8130-30-10	R&M Building	69.99	Builder's Supply Co.
43126	6080-30-10	Health Insurance	100.25	Delta Dental
43175	8160-30-10	R&M Grounds	737.20	Farmers Union Coop
43179	8160-30-10	R&M Grounds	1,841.88	Harm's Concrete
43180	8130-30-10	R&M Building	24.97	Home Depot
43180	8130-30-10	R&M Building	33.42	Home Depot
43180	8160-30-10	R&M Grounds	99.96	Home Depot
43186	8160-30-10	R&M Grounds	42.95	Menards
43196	7310-30-10	Electricity	341.67	OPPD
43201	7340-30-10	Waste Disposal	111.00	Premier Waste Solutions
43129	6080-30-10	Health Insurance	26.89	Principal Financial
43209	8160-30-10	R&M Grounds	139.58	Sherwin Williams
43212	8140-30-10	R&M Equip	4.57	Springfield Ace Hardware
43212	8130-30-10	R&M Building	73.79	Springfield Ace Hardware
43212	8160-30-10	R&M Grounds	169.59	Springfield Ace Hardware
43214	8030-30-10	Supplies	36.98	Ty's Outdoor Power & Service
43214	8140-30-10	R&M Equip	50.18	Ty's Outdoor Power & Service
43216	7290-30-10	Uniform Allowance	28.85	Walkers Uniform Rental
43217	8100-30-10	Sand & Gravel	23.42	Western Sand & Gravel
<b>Total</b>			<b>6,150.62</b>	
<b>Community Building</b>				
43174	7480-40-10	Janitorial	230.00	Executive Janitorial Corporation
43191	7320-40-10	Natural Gas	75.02	MUD
43196	7310-40-10	Electricity	72.17	OPPD
43201	7340-40-10	Waste Disposal	42.00	Premier Waste Solutions
43216	7280-40-10	Laundry	190.20	Walkers Uniform Rental
<b>Total</b>			<b>609.39</b>	
<b>Water</b>				
43159	6084-50-20	Aflac	56.16	Aflac

43219	6084-50-20	Aflac	22.95	Ameritas Life Insurance
43128	6080-50-20	Health Insurance	1,750.69	BlueCross BlueShield
43169	8120-50-20	Fuel	73.86	BRP Investments
43126	6080-50-20	Health Insurance	85.73	Delta Dental
43190	7420-50-20	Testing	58.52	Midwest Laboratories
43192	8150-50-20	R&M Vehicle	24.05	Mill Creek Auto Parts
43193	7420-50-20	Testing-	36.00	NE Public Health Environmental Lab
43221	7330-50-20	Telephone	180.70	NT&T
43194	9201-50-20	Wellhead Protection Plan	18,656.04	Olsson Associates
43195	7430-50-20	Digger's Hotline	47.31	One Call Concepts
43196	7310-50-20	Electricity	1,055.12	OPPD
43129	6080-50-20	Health Insurance	88.51	Principal Financial
43215	7330-50-20	Telephone	16.01	Verizon Wireless
43216	7290-50-20	Uniform Allowance	28.85	Walkers Uniform Rental
<b>Total</b>			<b>22,180.50</b>	
<b>Sewer</b>				
43159	6084-60-30	Aflac	55.38	Aflac
43219	6084-60-30	Aflac	9.75	Ameritas Life Insurance
43128	6080-60-30	Health Insurance	1,076.78	BlueCross BlueShield
43169	8030-60-30	Supplies	4.59	BRP Investments
43169	8120-60-30	Fuel	40.96	BRP Investments
43126	6080-60-30	Health Insurance	67.50	Delta Dental
43178	7290-60-30	Uniforms Allowance	85.00	Haney Shoe Store
43190	7420-60-30	Testing	470.00	Midwest Laboratories
43196	7310-60-30	Electricity	2,173.24	OPPD
43129	6080-60-30	Health Insurance	62.35	Principal Financial
43212	8160-60-30	R&M Grounds	23.99	Springfield Ace Hardware
43215	7330-60-30	Telephone	16.01	Verizon Wireless
43216	7290-60-30	Uniforms Allowance	28.85	Walkers Uniform Rental
<b>Total</b>			<b>4,114.40</b>	
<b>Street</b>				
43159	6084-70-40	Aflac	26.26	Aflac
43163	8215-70-40	R&M Streets & Alleys	595.00	Asphalt & Concrete Materials
43164	8150-70-40	R&M Vehicle	60.00	B&B Garage
43128	6080-70-40	Health Insurance	1,903.36	BlueCross BlueShield
43167	8200-70-40	Miscellaneous	106.00	Bolter, Pauline
43169	8120-70-40	Fuel	297.03	BRP Investments
43171	7455-70-40	Internet	200.96	Charter Communications
43126	6080-70-40	Health Insurance	50.62	Delta Dental
43178	7290-70-40	Uniform Allowance	84.99	Haney Shoe Store
43180	9040-70-40	Tools & Misc Equip	66.35	Home Depot
43182	8215-70-40	R&M Streets & Alleys	2,000.00	Kildow Construction
43185	8030-70-40	Supplies	23.88	Menards
43185	9040-70-40	Tools & Misc Equip	53.98	Menards
43187	8225-70-40	R&M Street Signs&Posts	76.09	Michael Todd & Company
43187	8030-70-40	Supplies	359.71	Michael Todd & Company
43192	8030-70-40	Supplies	41.94	Mill Creek Auto Parts
43191	7320-70-40	Natural Gas	112.40	MUD
43221	7330-70-40	Telephone	57.24	NT&T

43194	9202-70-40	Drainage Improvements	4,875.00	Olsson Associates
43197	7310-70-40	Electricity	149.22	OPPD
43196	7310-70-40	Electricity	3,248.19	OPPD
43200	8140-70-40	R&M Equip	90.00	Pomp's Tire Service
43201	7340-70-40	Waste Disposal	42.00	Premier Waste Solutions
43129	6080-70-40	Health Insurance	80.21	Principal Financial
43212	8140-70-40	R&M Equip	6.91	Springfield Ace Hardware
43212	8130-70-40	R&M Building	28.77	Springfield Ace Hardware
43212	8030-70-40	Supplies	51.35	Springfield Ace Hardware
43215	7330-70-40	Telephone	16.01	Verizon Wireless
43216	7290-70-40	Uniform Allowance	43.30	Walkers Uniform Rental
<b>Total</b>			<b>14,746.77</b>	
		Payroll	50,199.33	
		VOYA Retirement ER	3,828.40	
		Medical Reimbursement	409.99	
		Water Deposit Refunds	911.89	

### **Regular Agenda**

**Agenda Item 1.** Council reviewed the Sarpy County Sheriff's monthly service report.

**Agenda Item 2.** Motion by Murtha, seconded by Craney, to proclaim Sunday, June 7, 2020, as National Cancer Survivor Day in the City of Springfield. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 3.** Craney reviewed his concerns for opening city-owned ball fields, including enforcement of state and local health directive measures (DHMs). Shane Ehrke, Jason Jones and Travis Riley with SYAA and Chad Metzger and Jim Lynam with SBA addressed Craney's concerns and noted that both organizations would be following the guidelines imposed by the Governor for baseball practices and games. Council discussed whether or not to open the restroom facilities for use by the baseball teams. They considered alternatives such as renting portable restroom facilities or not offering restrooms at all. SYAA and SBA members reviewed restroom cleaning procedures they have put into place. Craney noted that he would like the concession stands to remain closed. Both SYAA and SBA said that they plan to open the concession stands as per the Governor's guidelines. Mayor Roseland and Murtha noted they were okay with prepackaged items. Craney expressed concern with procedures to switch teams at the end of games. He would like to have exact start and end times for games to help transition teams on the field. Metzger said that the dugouts and equipment will be sanitized between games. Players must remain in their vehicles in the parking lot until current teams are off the field and out of the park area. Jones and Metzger thanked the Mayor, Council and city staff for all of the work done on this item.

Council Member Swenson introduced **Resolution 2020-19** and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, Herzog, Murtha, Craney. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

### **RESOLUTION 2020-19**

**COVID-19: Resolution of the Springfield City Council Regarding Use  
of Municipal Property for Sports or Other Recreational Activities**

A Resolution of Springfield, Nebraska, Regarding the Risk of Exposure to COVID-19 Through the Use of Municipal Property for Sports or Recreational Activities.

**Recitals**

WHEREAS, the novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization, is extremely contagious, and is believed to spread mainly from person-to-person contact; and

WHEREAS, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska, and this state of emergency remains in effect; and

WHEREAS, directed health measures are in effect for every County in the State of Nebraska through May 31, 2020, and are likely to be extended by the Governor in some form for most or all Counties after May 31, 2020; and

WHEREAS, on May 21, 2020, the Governor announced that the directed health measure prohibiting all organized team sports, youth and adult, would be relaxed by the State of Nebraska beginning June 1, 2020, in order to permit the planned reopening of certain adult and/or youth team sports; and

WHEREAS, a copy of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* is attached to this Resolution and incorporated herein as part of these Recitals; and

WHEREAS, it is anticipated that future guidance from the State of Nebraska will permit additional team sports and other recreational activities; and

WHEREAS, players, coaches, officials, and others who participate in such games, practices, or other recreational activities, and spectators who attend such activities risk the dangers of illness, disease, medical complications, injury or death, caused by or related to COVID-19, by voluntarily entering the municipal property and/or facilities on which such activities take place, by watching such activities, and by participating or authorizing the participation of a minor, in such games, practices, or other recreational activities; and

WHEREAS, it is the intent of the City of Springfield to permit the resumption of adult and/or youth team sports and other recreational activities on municipal property and/or facilities, in accordance with the directed health measures and other laws and guidance issued by the State of Nebraska, including, but not limited to, the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines* and such further laws and guidance that may be issued in the future, provided that every individual, organization, or group sponsoring such activities, and all participants and spectators, fully assume the health risks associated with these activities, including the inherent risk now present in any such activities as a result of the presence of COVID-19 in the State of Nebraska, and provided that participants in such activities sign an agreement that releases the City of Springfield, its elected and appointed officials and



employees, and all other participants in adult and/or youth team sports or other recreational activities from liability associated with exposure to COVID-19 in the course of such activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Springfield, Nebraska that any individual, organization or group sponsoring adult and/or youth team sports or other recreational activities that wishes to use the playing or practice fields, courts, grounds, and/or other facilities of the City of Springfield for games, practices, or other recreational activities will be required to enter into the *COVID-19: License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities* attached hereto. These License Agreements will be maintained by the Municipal Clerk and shall constitute an addendum to any other contract, license agreement, lease, or agreement allowing the use of the municipal property and/or facilities of the City of Springfield by the same individual, organization, or group.

BE IT FURTHER RESOLVED that, in order to enter the playing or practice fields, courts, grounds, and/or other facilities of the City of Springfield to participate in games, practices, or other recreational activities, all players, coaches, umpires, officials, concession stand workers, restroom attendants, parent volunteers assisting with dugout management and other participants must sign the agreement titled *COVID-19: Participants Agreement for Sports or Other Recreational Activities* as attached hereto. Each team wishing to participate on or use the municipal property and/or facilities of the City of Springfield must provide copies of signed *Agreements* for all participants affiliated with the team, together with a roster containing a complete list of the names of all players, coaches, umpires, officials, concession stand workers, restroom attendants, parent volunteers assisting with dugout management and others affiliated with the team. Copies of these documents must be provided to the Licensee of the *License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities* prior to participant's involvement and shall be maintained by Licensee. Upon request, copies of these documents must be made available to the City of Springfield.

BE IT FURTHER RESOLVED that, for the avoidance of doubt as to the risk assumed by participants and spectators, in order to encourage compliance with directed health measures and guidelines, and in order to promote public safety, the applicable provisions of the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, shall be posted on all practice and playing fields, courts, grounds, and/or other facilities where adult and/or youth practices and/or games or other recreational activities occur. If the *June 1<sup>st</sup> Statewide Sports Reopening Guidelines*, are subsequently modified or updated, the applicable provisions of the modified or updated guidelines shall be posted in the same manner.

BE IT FURTHER RESOLVED that all participants and spectators shall comply with all federal, state and local laws and regulations, all directed health measures and guidelines, and all security policies or procedures established by the City of Springfield relating to COVID-19 or other safety or hygiene precautions while present on municipal property and/or facilities, understanding that the City of Springfield may elect to deny entrance to its playing or practice fields, courts, grounds, and/or other facilities to any non-complying participant or spectator, or to require a non-complying participant or spectator to leave the premises at any time.

BE IT FURTHER RESOLVED that officials and employees of the City of Springfield are authorized to execute the directives set forth in this Resolution.

RESOLVED this 2<sup>nd</sup> day of June, 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

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

**Agenda Item 4.** Council Member Swenson introduced **Resolution 2020-20** 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  
2020-20**

**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 Program**

**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 Program attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 2<sup>nd</sup> DAY OF JUNE, 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

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 2020-21** and moved its adoption. Council Member Craney seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Swenson, 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  
2020-21**

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

**WHEREAS**, the City of Springfield, Nebraska, a Municipal Corporation (hereinafter "City"), and Springfield Baseball Association, Inc. (hereinafter "SBA"), 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**, SBA 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,** SBA 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 SBA 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 Baseball Association, Inc. for use of Buffalo Park for the Youth Baseball Program attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 2<sup>nd</sup> DAY OF JUNE, 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

Resolution adopted, signed and billed as adopted.

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

**Agenda Item 6.** No action was taken on Resolution 2020-16.

**Agenda Item 7.** Council considered whether or not to turn on the splash pad in light of the COVID-19 health pandemic. Council reviewed a survey completed by area Sarpy cities relating to the status of all public facilities. Council agreed to keep the splash pad closed for the time being and continue to review this matter at future Council meetings. Motion by Swenson, seconded by Craney, to table agenda item 7, regarding operation of the splash pad, until the June 16, 2020, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 8.** Council considered operation of the Community Building as it pertains to the COVID-19 health pandemic. Mayor Roseland expressed concern with renters following state and local directive health measures (DHMs). City Attorney, Bill Seidler, Jr., noted that we are in uncharted territory and

that there is always some level of risk with rental properties. He posed the question as to how the city would manage the facility to ensure renters followed the guidelines. Craney expressed concern with proper cleaning after rentals. Council considered making renters hire an off duty officer to enforce DHMs. They also discussed adding a cleaning fee onto rentals. Council agreed to keep the Community Building closed for the time being and continue to review this matter at future Council meetings. Motion by Swenson, seconded by Murtha, to table agenda item 8, regarding operation of the Community Building, until the June 16, 2020, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 9.** This item was withdrawn by the Springfield Pines developer.

**Agenda Item 10.** Motion by Swenson, seconded by Herzog, to table agenda item 10, regarding the purchase of new tables and chairs for the Community Building, until the June 16, 2020, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 11.** Motion by Swenson, seconded by Craney, to approve a 3% annual merit increase to Jean Latham, part-time library assistant. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 12.** Motion by Swenson, seconded by Murtha, to table agenda item 12, regarding Barb Henninger's annual review and proposed merit increase, until the June 16, 2020, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

**Agenda Item 13.** Swenson noted that this authority cannot be applied haphazardly. It must be used judicially. Council Member Swenson introduced **Resolution 2020-22** 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  
2020-22**

**Resolution granting authority to the Mayor to declare an emergency**

**WHEREAS**, the City of Springfield, Nebraska by and through its City Council hereby authorizes the Mayor to have the following temporary authority, until such time as a full ordinance related to these matters can be adopted:

1. The Mayor shall have the authority to declare an emergency within the City whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, or acts of God, including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of the City.
2. The Mayor is hereby authorized, if s/he finds that the City or any part thereof is suffering or is in imminent danger of suffering civil disturbance, disorder, riot or other

occurrence which will seriously and substantially endanger the health, safety and property of the citizens, to declare a state of emergency.

3. Whenever, in the judgment of the Mayor, or, in the event of his/her inability to act, the Council President, an emergency exists within the City, s/he shall have power to impose by proclamation any regulations necessary to preserve the peace and order of the city.
4. After proclamation of an emergency, or any order thereunder, the Mayor or other person authorized to do so under this article shall forthwith provide for notice thereof to be given to members of the Council, and any state or other local agencies are required under Nebraska Law.

**WHEREAS**, whenever a state of emergency has been declared as provided for herein the following is authorized for a period of 72-hours. Any orders after 72-hours shall be approved by the City Council.

1. The Sarpy County Sheriff may issue an order prohibiting or limiting the number of persons who may gather or congregate upon the public highways, public streets, or public sidewalks, or in any outdoor place, except persons who are awaiting transportation, engaging in recreational activities at a usual and customary place, or peaceably entering or leaving buildings.
2. The Sarpy County Sheriff may establish a curfew limiting the hours when persons may go upon or travel the public streets.
3. The Mayor or his/her designee may require the closing of cocktail lounges, taverns and bars and prohibit the sale or service of alcoholic beverages in any hotel, restaurant, club or other establishment, and require the closing of all other business establishments.
4. The Mayor may prohibit or restrict the sale of gasoline or other inflammable liquids.
5. The Mayor may prohibit the sale, carrying or possession on the public street or public sidewalks, or in any public park or square, of weapons including, but not limited to, firearms, bows and arrows, air rifles, slingshots, knives, razors or missiles of any kind.
6. The Mayor, his/her designee, or the Sarpy County Sheriff may do any and all things and take such measures as are necessary to preserve the health, safety, and property of the citizens of this community.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA**, that the above measures are authorized when a state of emergency is declared.

ADOPTED AND APPROVED this 2<sup>nd</sup> day of June, 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

Resolution adopted, signed and billed as adopted.

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

**Agenda Item 14.** Council Member Swenson introduced **Ordinance No. 1029** entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REGARDING GRANTING POWERS TO THE MAYOR TO MAKE DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO ADOPT CHAPTER 1 ADMINISTRATIVE, ARTICLE 1 ELECTED OFFICIALS, SECTION 1-101.01 CITY MAYOR; DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member 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. 1029 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. 1029**

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, REGARDING GRANTING POWERS TO THE MAYOR TO MAKE DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO ADOPT CHAPTER 1 ADMINISTRATIVE, ARTICLE 1 ELECTED OFFICIALS, SECTION 1-101.01 CITY MAYOR; DECLARATIONS OF EMERGENCY AND RESTRICTIONS OF ACTIVITIES; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. Chapter 1, Article 1, Section 1-101.01 of the Springfield Municipal Code is adopted to read as follows:

**§1-101.01 City Mayor; Declarations of Emergency and Restrictions of Activities.** The Mayor shall have the authority to declare an emergency within the City whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, or acts of God, including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of the City. Pursuant to Nebraska Revised Statute §81-829.50, the Mayor has the ability to declare an emergency. This Ordinance grants the Mayor, his/her designee, and the Sarpy County Sheriff, as the law enforcement agency within the City, powers to restrict activities after the declaration of an emergency. Said orders shall only be in effect for seventy-two (72) hours. Any extension required after 72-hours will require council approval.

1. The Mayor is hereby authorized, if he/she finds that the City or any part thereof is suffering or is in imminent danger of suffering civil disturbance, disorder, riot or other occurrence which will seriously and substantially endanger the health, safety and property of the citizens, to declare a state of emergency.
3. Whenever, in the judgment of the Mayor, or, in the event of his/her inability to act, the Council President, an emergency exists within the City, he/she shall have power to impose by proclamation any regulations necessary to preserve the peace and order of the City.
4. After proclamation of an emergency, or any order thereunder, the Mayor or other person authorized to do so under this Section shall forthwith provide for notice thereof to be given to members of the Council, and any state or other local agencies are required under Nebraska Law.
5. The Sarpy County Sheriff may issue an order prohibiting or limiting the number of persons who may gather or congregate upon the public highways, public streets, or public sidewalks, or in any outdoor place, except persons who are awaiting transportation, engaging in recreational activities at a usual and customary place, or peaceably entering or leaving buildings.
6. The Sarpy County Sheriff may establish a curfew limiting the hours when persons may go upon or travel the public streets.
7. The Mayor or his/her designee may require the closing of cocktail lounges, taverns and bars and prohibit the sale or service of alcoholic beverages in any hotel, restaurant, club or other establishment, and require the closing of all other business establishments.
8. The Mayor may prohibit or restrict the sale of gasoline or other inflammable liquids.
9. The Mayor may prohibit the sale, carrying or possession on the public street or public sidewalks, or in any public park or square, of weapons including, but not limited to, firearms, bows and arrows, air rifles, slingshots, knives, razors or missiles of any kind.
10. The Mayor, his/her designee, or the Sarpy County Sheriff may do any and all things and take such measures as are necessary to preserve the health, safety, and property of the citizens of this community.

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

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

Passed and approved this 2<sup>nd</sup> day of June, 2020.



Robert Roseland, Mayor  
SEAL  
Kathleen Gottsch, City Clerk

### **Department Reports**

**Agenda Item 1.** No Department Report from Swenson.

**Agenda Item 2.** Herzog reported that the Community Building is still closed and the Library continues to offer curbside services.

**Agenda Item 3.** Murtha reported that the maintenance department is filling potholes, working on the salt bay, and designing the sidewalk extension from the parking lot on Main Street to downtown.

**Agenda Item 4.** Craney complimented Sterling Lambries, parks department, on providing good input for park projects.

**Agenda Item 5.** Mayor Roseland said that he appreciates the strength of the Council and all the work the Council and city staff is doing during his difficult time.

**Agenda Item 6.** No other city staff reports.

### **Adjournment**

Motion by Swenson, seconded by Craney, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:25 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 June 2, 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