



## CITY COUNCIL AGENDA

Tuesday, May 5, 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/82946440599?pwd=c25vVG54ZXRKKzRwL1AreGJWM2Rhdz09>

**Meeting ID: 829 4644 0599**

**Password: 485236**

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 April 21, 2020 Council Meeting
2. Approve Claims and Payroll
3. Waive Springfield Municipal Code §10-710 and approve fireworks stand licenses for:
  - a. Kracklin Kirks Fireworks – Railroad Avenue & Main Street
  - b. Wild Willy's Fireworks, LLC – 750 Park Drive
  - c. Williams Enterprises, LLC – Railroad Avenue & Main Street

4. Approve Springfield Memorial Library's pandemic reopening plan status to Level 4 in order to provide curb side services
5. Approve revised bid from Titan Machinery in the amount of \$3,175.00 for the annual rental of the Case SV280 skid steer

### REGULAR AGENDA

1. Sarpy County Sheriff's Monthly Service Report
2. Conduct three **Public Hearings** to consider the following items a through c associated with the applications filed by DAMMM Land, LLC, applicant, and RTR Development, LLC, owner, requesting the following items (a thru c) all on property legally described as the North ½ of the Northeast ¼ of Section 23, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska; and generally located on the southwest corner of Hwy 50 and Platteview Road:
  - (a) Amendment to the City of Springfield's Comprehensive Plan changing the future land use designation from Highway Commercial and Business Park to Highway Commercial and Industrial.
  - (b) Zone Change from Agricultural Residential to Business Highway and Light Industrial.
  - (c) Preliminary Plat (Lots 1-6 and Outlots A and B, Springfield Commerce).
3. Consider approval of **Ordinance No. 1027** AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM HIGHWAY COMMERCIAL AND BUSINESS PARK TO HIGHWAY COMMERCIAL ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
4. Consider approval of **Ordinance No. 1028** AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO BUSINESS HIGHWAY ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND LIGHT INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
5. Consider approval of **Resolution 2020-13** approving the Preliminary Plat of Lots 1-6 and Outlots A and B, Springfield Commerce
6. Chris Pitschmann, 800 Maple Street – Request city to remove stop signs at the intersection of 8<sup>th</sup> Avenue and Maple Street

**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, May 5, 2020, via video / telephone conference using Zoom. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Kacie Murtha, Dan Craney. Dan Craney arrived at 7:18 p.m. 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. NAYS: None. ABSENT: Craney. Motion carried.

**Claims Payable:**

Check #	Account ID	Account Description	Debit Amount	Name
<b>General</b>				
43044	6084-10-10	Aflac	140.68	Aflac
43109	6084-10-10	Aflac	13.20	Ameritas Life Insurance
43049	7260-10-10	Printing	231.31	Bear Graphics
43008	6080-10-10	Health Insurance	2,032.05	BlueCross BlueShield

43007	6080-10-10	Health Insurance	134.00	Delta Dental
43062	7205-10-10	Subscriptions	106.99	First National Bank
43062	7045-10-10	Prof Svcs-Tech Support	16.03	First National Bank
43062	8140-10-10	R&M Equip	425.95	First National Bank
43064	7240-10-10	Mileage	182.06	Gottsch, Kathleen
43066	8030-10-10	Supplies	29.89	Home Depot
43068	7030-10-10	Prof Svcs-Planning	990.00	JEO Consulting Group
43069	8140-10-10	R&M Equip	38.82	Konica Minolta Business Solutions
43070	8140-10-10	R&M Equip	180.98	Konica Minolta Premier Finance
43077	7320-10-10	Natural Gas	53.55	MUD
43107	7330-10-10	Telephone	130.42	NT&T
43083	8010-10-10	Office Supplies	60.12	Office Depot
43084	7010-10-10	Prof Svcs-Engineer	1,290.16	Olsson Associates
43086	7310-10-10	Electricity	268.65	OPPD
43087	7025-10-10	Prof Svcs-CPA	17,400.00	Ortmeier, Ric CPA
43089	8030-10-10	Supplies	11.54	Petty Cash
43089	7230-10-10	Postage/Shipping	34.25	Petty Cash
43022	6080-10-10	Health Insurance	88.50	Principal Financial
43092	7046-10-10	Prof Svcs-Building Inspector	85.00	Sarpy County Building Inspector
43093	7060-10-10	Animal Control	403.00	Sarpy County Fiscal Administrator
43094	7050-10-10	Law Contract	9,103.00	Sarpy County Treasurer
43096	7020-10-10	Prof Svcs-Legal	2,155.00	Seidler & Seidler
43098	9040-10-10	Tools & Misc Equip	17.99	Springfield Ace Hardware
43098	8160-10-10	R&M Grounds	34.93	Springfield Ace Hardware
43098	8130-10-10	R&M Building	63.53	Springfield Ace Hardware
43099	7441-10-10	Liquor License School Fund	400.00	Springfield Platteview Community School
43100	7250-10-10	Publication Costs	405.86	Suburban Newspaper
43103	7230-10-10	Postage/Shipping	240.00	US Postal Service
43106	7280-10-10	Laundry	104.24	Walkers Uniform Rental
<b>Total</b>			<b>36,871.70</b>	
<b>Sales Tax</b>				
43045	9171-15-10	City Park	3,009.00	All Flags
43084	9171-15-10	City Park	4,425.00	Olsson Associates
43084	9169-15-10	North Park (SCTRA)	5,755.00	Olsson Associates
<b>Total</b>			<b>13,189.00</b>	
<b>Library</b>				
43046	8060-20-10	Books	451.60	Amazon/SYNCB
43109	6084-20-10	Aflac	26.40	Ameritas Life Insurance
43048	8060-20-10	Books	84.10	Baker & Taylor
43008	6080-20-10	Health Insurance	1,273.37	BlueCross BlueShield
43054	7455-20-10	IP Address	55.00	Charter Communications
43007	6080-20-10	Health Insurance	67.50	Delta Dental
43058	8060-20-10	Books	297.73	Educational Development Corporation
43074	8060-20-10	Books	39.99	MicroMarketing
43077	7320-20-10	Natural Gas	80.99	MUD
43107	7330-20-10	Telephone	50.00	NT&T
43086	7310-20-10	Electricity	166.26	OPPD
43088	8060-20-10	Books	460.86	Perma-Bound Books
43090	7340-20-10	Waste Disposal	19.00	Premier Waste Solutions

43022	6080-20-10	Health Insurance	105.99	Principal Financial
43095	7480-20-10	Janitorial	200.00	Schmieder, Marcie
<b>Total</b>			<b>3,378.79</b>	
<b>Library Restricted</b>				
43046	8070-21-10	Library Supplies	98.53	Amazon/SYNCB
43063	8060-21-10	Books	64.41	Cengage Learning/Gale
43108	8160-21-10	R& M Grounds	3,832.50	Dakota Fence and Deck
43056	8070-21-10	Library Supplies	121.08	Demco
43059	7045-21-10	Prof Svcs-Tech Support	40.00	Egis Technologies
43091	8070-21-10	Library Supplies	55.30	Quill Corporation
<b>Total</b>			<b>4,211.82</b>	
<b>Park</b>				
43044	6084-30-10	Aflac	52.52	Aflac
43008	6080-30-10	Health Insurance	1,223.52	BlueCross BlueShield
43050	8120-30-10	Fuel	156.93	BRP Investments
43051	8160-30-10	R&M Grounds	375.00	Carlson Lawn Care & Sprinklers
43007	6080-30-10	Health Insurance	100.25	Delta Dental
43057	7350-30-10	Rental	32.14	Eagle Services
43061	8160-30-10	R&M Grounds	494.00	Farmers Union Coop
43067	8160-30-10	R&M Grounds	360.00	Hughes Mulch Products
43071	8130-30-10	R&M Building	942.50	Langfeldt Overhead Door
43073	8160-30-10	R&M Grounds	42.95	Menards
43086	7310-30-10	Electricity	457.64	OPPD
43090	7340-30-10	Waste Disposal	111.00	Premier Waste Solutions
43022	6080-30-10	Health Insurance	26.89	Principal Financial
43097	8160-30-10	R&M Grounds	1,259.52	Silex Group
43098	8160-30-10	R&M Grounds	24.99	Springfield Ace Hardware
43098	8130-30-10	R&M Building	32.34	Springfield Ace Hardware
43111	8140-30-10	R&M Equip	412.49	Ty's Outdoor Power & Service
43102	8160-30-10	R&M Grounds	234.50	United Seeds
43106	7290-30-10	Uniform Allowance	23.08	Walkers Uniform Rental
<b>Total</b>			<b>6,362.26</b>	
<b>Community Building</b>				
43060	7480-40-10	Janitorial	230.00	Executive Janitorial Corporation
43077	7320-40-10	Natural Gas	129.17	MUD
43086	7310-40-10	Electricity	90.74	OPPD
43090	7340-40-10	Waste Disposal	42.00	Premier Waste Solutions
43106	7280-40-10	Laundry	152.16	Walkers Uniform Rental
<b>Total</b>			<b>644.07</b>	
<b>Water</b>				
43044	6084-50-20	Aflac	56.16	Aflac
43109	6084-50-20	Aflac	22.95	Ameritas Life Insurance
43008	6080-50-20	Health Insurance	1,750.69	BlueCross BlueShield
43050	8120-50-20	Fuel	135.48	BRP Investments
43007	6080-50-20	Health Insurance	85.73	Delta Dental
43065	9040-50-20	Tools & Misc Equip	1,967.53	Hawkins
43075	7420-50-20	Testing	58.52	Midwest Laboratories

43078	8030-50-20	Supplies	73.85	Municipal Supply
43081	7420-50-20	Testing	432.00	NE Public Health Environmental Lab
43082	8140-50-20	R&M Equip	655.00	NMC Exchange
43107	7330-50-20	Telephone	180.70	NT&T
43084	9090-50-20	New Well	2,274.98	Olsson Associates
43085	7430-50-20	Digger's Hotline	72.28	One Call Concepts
43086	7310-50-20	Electricity	1,070.76	OPPD
43022	6080-50-20	Health Insurance	88.51	Principal Financial
43072	7260-50-20	Printing	277.45	Storey Kenworthy/Matt Parrott
43105	7330-50-20	Telephone	16.01	Verizon Wireless
43106	7290-50-20	Uniform Allowance	26.08	Walkers Uniform Rental
<b>Total</b>			<b>9,244.68</b>	
<b>Sewer</b>				
43044	6084-60-30	Aflac	55.38	Aflac
43109	6084-60-30	Aflac	9.75	Ameritas Life Insurance
43008	6080-60-30	Health Insurance	1,076.78	BlueCross BlueShield
43050	8120-60-30	Fuel	36.00	BRP Investments
43007	6080-60-30	Health Insurance	67.50	Delta Dental
43075	7420-60-30	Testing	402.50	Midwest Laboratories
43082	8140-60-30	R&M Equip	717.00	NMC Exchange
43086	7310-60-30	Electricity	2,683.40	OPPD
43022	6080-60-30	Health Insurance	62.35	Principal Financial
43096	7020-60-30	Prof Svcs-Legal	125.00	Seidler & Seidler
43072	7260-60-30	Printing	277.45	Storey Kenworthy/Matt Parrott
43105	7330-60-30	Telephone	16.01	Verizon Wireless
43106	7290-60-30	Uniforms Allowance	23.08	Walkers Uniform Rental
<b>Total</b>			<b>5,552.20</b>	
<b>Street</b>				
43044	6084-70-40	Aflac	26.26	Aflac
43047	8140-70-40	R&M Equip	2,362.85	Aspen Equipment
43008	6080-70-40	Health Insurance	1,903.36	BlueCross BlueShield
43050	8120-70-40	Fuel	540.25	BRP Investments
43052	9060-70-40	Building	114.00	Carroll Construction Supply
43053	8150-70-40	R&M Vehicle	1,510.19	Chad's Auto Repair
43054	7455-70-40	Internet	103.98	Charter Communications
43110	9060-70-40	Building	1,527.50	Consolidated Concrete
43007	6080-70-40	Health Insurance	50.62	Delta Dental
43112	9060-70-40	Building	2,408.76	Harm's Concrete
43079	8140-70-40	R&M Equip	50.47	John Deere Financial
43073	9060-70-40	Building	2,346.69	Menards
43080	8030-70-40	Supplies	31.30	Mill Creek Auto Parts
43080	8140-70-40	R&M Equip	560.05	Mill Creek Auto Parts
43076	9084-70-40	Sidewalk Repair	1,050.00	Mixan Mudjacking
43076	8090-70-40	Asphalt & Concrete	2,500.00	Mixan Mudjacking
43077	7320-70-40	Natural Gas	208.45	MUD
43107	7330-70-40	Telephone	57.24	NT&T
43084	9202-70-40	Drainage Improvements	8,222.74	Olsson Associates
43086	7310-70-40	Electricity	3,267.21	OPPD
43090	7340-70-40	Waste Disposal	42.00	Premier Waste Solutions

43022	6080-70-40	Health Insurance	80.21	Principal Financial
43098	9040-70-40	Tools & Misc Equip	5.99	Springfield Ace Hardware
43098	9060-70-40	Building	15.18	Springfield Ace Hardware
43098	8140-70-40	R&M Equip	49.13	Springfield Ace Hardware
43098	8030-70-40	Supplies	92.86	Springfield Ace Hardware
43098	8130-70-40	R&M Building	144.24	Springfield Ace Hardware
43101	8140-70-40	R&M Equip	1,072.53	Titan Machinery
43101	9015-70-40	Equipment Rental	3,175.00	Titan Machinery
43102	8160-70-40	R&M Grounds	234.50	United Seeds
43104	7270-70-40	Insurance	375.00	USI Insurance Services
43105	7330-70-40	Telephone	16.01	Verizon Wireless
43106	7290-70-40	Uniform Allowance	34.64	Walkers Uniform Rental
<b>Total</b>			<b>34,179.21</b>	
		Payroll	50,401.23	
		VOYA Retirement ER	3,948.44	
		Medical Reimbursement	1,450.26	
		Water Deposit Refunds	1,850.78	

**Regular Agenda**

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

**Agenda Item 2.** A Public Hearing of the Springfield City Council was opened at 7:10 p.m. to consider the following items a through c associated with the applications filed by DAMMM Land, LLC, applicant, and RTR Development, LLC, owner, requesting the following items (a thru c) all on property legally described as the North ½ of the Northeast ¼ of Section 23, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska; and generally located on the southwest corner of Hwy 50 and Platteview Road: (a) Amendment to the City of Springfield’s Comprehensive Plan changing the future land use designation from Highway Commercial and Business Park to Highway Commercial and Industrial; (b) Zone Change from Agricultural Residential to Business Highway and Light Industrial; and (c) Preliminary Plat (Lots 1-6 and Outlots A and B, Springfield Commerce). Council reviewed the staff report and comments provided by city professional staff. No one from the public spoke in favor of or in opposition to the application. Motion by Swenson, seconded by Murtha, to close the public hearing. AYES: Swenson, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried. Public hearing ended at 7:13 p.m.

**Agenda Item 3.** Council Member Swenson introduced **Ordinance No. 1027** entitled:

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM HIGHWAY COMMERCIAL AND BUSINESS PARK TO HIGHWAY COMMERCIAL ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; 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. The following voted NAY: None. The

following were ABSENT: Craney. 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. 1027 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Herzog, Murtha. The following voted NAY: None. The following were ABSENT: Craney. 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. 1027**

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM HIGHWAY COMMERCIAL AND BUSINESS PARK TO HIGHWAY COMMERCIAL ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; 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. APPLICATION. An application was filed by DAMMM Land, LLC, applicant, and RTR Development, LLC, owner, requesting a change of future land use designation from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, said property legally described as the North ½ of the Northeast ¼ of Section 23, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska; and generally located on the southwest corner of Highway 50 and Platteview Road.

Section 2. APPROVAL TO CHANGE FUTURE LAND USE DESIGNATION FROM HIGHWAY COMMERCIAL AND BUSINESS PARK TO HIGHWAY COMMERCIAL ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE. On April 14, 2020, the Springfield Planning Commission conducted a public hearing on the matter of changing the future land use designation from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, and reported to the City Council that it recommended approval of the land use change. On May 5, 2020, the City Council opened a public hearing on said proposed changes and found and determined that the future land use change from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, was advisable. The City Council further found and determined that public hearings were duly held and notices were duly given. The City Council hereby approves said proposed change in future land use designation from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, contingent upon the final plat for Springfield Commerce being recorded

with the Sarpy County Register of Deeds and the applicant closing on the real estate transaction with property owner.

Section 3. 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 5<sup>TH</sup> DAY OF MAY, 2020.

Robert, Roseland, Mayor

(SEAL)

Attest: Kathleen Gottsch, City Clerk

**Agenda Item 4.** Council Member Swenson introduced **Ordinance No. 1028** entitled:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO BUSINESS HIGHWAY ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND LIGHT INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; 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, Murtha. The following voted NAY: Herzog. The following were ABSENT: Craney. 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. 1028 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Swenson, Murtha. The following voted NAY: Herzog. The following were ABSENT: Craney. 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. 1028**

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO BUSINESS HIGHWAY ON LOTS 2 AND 3 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE, AND LIGHT INDUSTRIAL ON LOTS 1, 4, 5 AND 6, SPRINGFIELD COMMERCE, SAID PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD; 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. APPLICATION. An application was filed by DAMMM Land, LLC, applicant, and RTR Development, LLC, owner, requesting a change of zoning classification from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, said property legally described as the North ½ of the Northeast ¼ of Section 23, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska; and generally located on the southwest corner of Highway 50 and Platteview Road.

Section 2. APPROVAL TO CHANGE THE ZONING CLASSIFICATION. On April 14, 2020, the Springfield Planning Commission conducted a public hearing on the matter of changing the zoning classification from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, said property legally described as the North ½ of the Northeast ¼ of Section 23, Township 13 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, and generally located on the southwest corner of Highway 50 and Platteview Road, and reported to the City Council that it recommended approval of the zoning classification change, subject to identified conditions. On May 5, 2020, the City Council held a public hearing on said proposed change and found and determined that the zoning classification change from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce was advisable and in conformance with the comprehensive plan. The City Council further found and determined that public hearings were duly held and notices were duly given. The City Council hereby approves said proposed change of zoning classification from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, contingent upon the final plat being recorded with the Sarpy County Register of Deeds and the applicant closing on the real estate transaction with property owner and subject to identified conditions as follows:

1. Rezoning shall include a Highway Corridor Overlay Designation as shown on the current zoning map.
2. Development on the rezoned property will be subject to the design guidelines of the Highway Corridor Overlay District.
3. Property shall be platted prior to issuance of a building permit.

Section 3. 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 5<sup>TH</sup> DAY OF MAY, 2020.

Robert, Roseland, Mayor  
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Craney arrived at 7:18 p.m.

**Agenda Item 5.** Council Member Swenson introduced **Resolution 2020-13** 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, Murtha, Craney. The following voted NAY: Herzog. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION  
2020-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A PRELIMINARY PLAT (LOTS 1-6 AND OUTLOTS A AND B, SPRINGFIELD COMMERCE) OF A SUBDIVISION LOCATED IN THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; AND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF HIGHWAY 50 AND PLATTEVIEW ROAD.

WHEREAS, DAMMM Land, LLC, applicant, and RTR Development, LLC, owner, of the above described property have made application for approval of a preliminary plat for proposed Springfield Commerce; and

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

WHEREAS, the Springfield Planning Commission held a public hearing on April 14, 2020, regarding the application and has made a recommendation of approval to the City Council of the preliminary plat for Springfield Commerce, subject to the resolution of items specified in the City Planner's staff report as it meets the general requirements of the zoning ordinance and subdivision regulations; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on May 5, 2020, and is agreeable to the approval of the preliminary plat for Springfield Commerce, contingent upon (1) final approval of a comprehensive plan amendment changing the future land use designation from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, (2) final approval of the change of zoning classification from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, and (4) the final plat being recorded with the Sarpy County Register of Deeds and the applicant closing on the real estate transaction with property owners.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves the preliminary plat of Lots 1-6 and Outlots A and B, Springfield Commerce, contingent upon (1) final approval of a comprehensive plan amendment changing the future land use designation from Highway Commercial and Business Park to Highway Commercial on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, (2) final approval of the change of zoning classification from Agriculture Residential to Business Highway on Lots 2 and 3 and Outlots A and B, Springfield Commerce, and Light Industrial on Lots 1, 4, 5 and 6, Springfield Commerce, and (4) the final plat being recorded with the Sarpy County Register of Deeds and the applicant closing on the real estate transaction with property owners.

PASSED AND APPROVED THIS 5<sup>TH</sup> DAY OF MAY, 2020.

City Council Member Roy Swenson moved the adoption of said resolution.

City Council Member Kacie Murtha seconded the motion.

Record of Vote:

Ayes: Swenson, Murtha, Craney

Nays: Herzog

Abstain: None

Absent: None

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

**Agenda Item 6.** Chris Pitschmann, 800 Maple Street, informed the Council that he has observed vehicles not stopping at the three-way intersection of 8<sup>th</sup> Avenue and Maple Street. He is concerned with the amount of children in the neighborhood, crossing streets, that a child will think a car will stop at the stop sign but the car will not stop and the child will get hit. He noted that vehicles are stopping at the stop sign on 8<sup>th</sup> Avenue as cars come up to Maple Street. The largest offenders are those that live in the neighborhood. Kent Maystrick, Street Commissioner, recommended the city leave the three-way stop as is for safety reasons. He is concerned that Maple Street will become a speed way through the neighborhood. Swenson asked staff to contact the sheriff's department to increase enforcement in the area. Flags will also be placed on the stop signs for visibility. City staff will see if anything else can be done to improve vehicles stopping at this intersection.

### **Department Reports**

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

**Agenda Item 2.** Herzog reported that the Community Building is still closed. The library will begin curb side services later this month.

**Agenda Item 3.** Murtha reported that concrete work is finished at the salt and sand bay. Concrete pads were poured for the Buffalo Park dumpster and two areas behind the dugouts at City Park. The maintenance department is prepping for crack and potholes repair.

**Agenda Item 4.** No Department Report from Craney.

**Agenda Item 5.** Mayor Roseland reported that he is participating in weekly conference calls with the Governor.

**Agenda Item 6.** Kathleen Gottsch, City Administrator, informed the Council about the proposed senior cruise and fireworks event on May 13. Council determined that the fireworks would not be permitted at the Sarpy County Fairgrounds due to local health regulations and enforcement issues with social distancing. Gottsch will inform the organizers that fireworks are not permitted at the fairgrounds. She will also advise that no streets will be closed for the "cruise." The group will have to follow social

distancing requirements and residents cannot congregate along the street as they would typically for a parade.

**Adjournment**

Motion by Swenson, seconded by Craney, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 7:52 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 May 5, 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