



CITY COUNCIL AGENDA

Tuesday, November 17, 2020 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room.
- Roll call – Roy Swenson, Mike Herzog, Mayor Bob Roseland, Kacie Murtha, Dan Craney
- Pledge of Allegiance

CONSENT AGENDA

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

1. Approve Minutes of the November 3, 2020 Council Meeting
2. Approve Treasurer’s Report
3. Approve payment of invoice from Brite Ideas Decorating in the amount of \$3,729.97 for one-half of the cost of Christmas decorations to be installed at the Urban Park (total cost includes payment for decorations, installation, removal and storage)
4. Approve invoice from Brite Ideas Decorating in the amount of \$10,187.50 for one-half of the cost of a 20’ LED Sierra Panel Christmas tree to be installed at Urban Park in November 2021 (one-half to be paid in January 2021 and one-half to be paid in November 2021 at installation)

REGULAR AGENDA

1. Josh Charvat, Sarpy County Economic Development Corp. – Present 3rd Quarter Report
2. Boy Scout Troop 711 – Request to waive the Community Building rental fee for the Boy Scout’s lock-in event scheduled for December 11-13
3. Conduct a Public Hearing to consider amendments to Section 5.05 AR Agriculture Residential District of the Springfield Zoning Ordinance adding Alternative Energy Production and Construction Batch Plants to Permitted Conditional Uses

4. Consider approval of **Ordinance No. 1055** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.05 “AGRICULTURE RESIDENTIAL OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO ADD ALTERNATIVE ENERGY PRODUCTION AS A PERMITTED CONDITIONAL USE; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
5. Consider approval of **Ordinance No. 1056** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.05 “AGRICULTURE RESIDENTIAL OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO ADD CONSTRUCTION BATCH PLANT AS A PERMITTED CONDITIONAL USE; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
6. Consider approval of Highway Corridor Overlay District Design Review for Raven Northbrook development on the southwest corner of Hwy 50 and Capehart Road
7. Consider return of Community Building rental fee to Lindsay Obal for a canceled event due to the increase in COVID-19 cases and the Governor’s Directive Health Measures
8. Consider approval of **Resolution 2020-40** entering into a Maintenance Agreement Renewal with the Nebraska Department of Roads for the period January 1, 2021 to December 31, 2021
9. Consider approval of proposal from Valuation Services in the amount of \$2,500.00 for preparation of an appraisal of the city’s wastewater treatment plant property
10. Consider extending the open period for the city compost and tree limb piles
11. Discuss property acquisition for new well project

DEPARTMENT REPORTS

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

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

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock p.m. on Tuesday, November 17, 2020, at City Hall. Present were Mayor Bob Roseland; Council Members: Roy Swenson, Michael Herzog, Kacie Murtha, Dan Craney. Notice of this meeting was given in advance by posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

Motion by Herzog, seconded by Swenson, to approve the Consent Agenda. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

The City Clerk reported a balance on hand of \$2,847,013.27 in cash assets; Prestige Treasury-\$205,573.65; Prestige Bond-\$950,371.26; Keno Community Betterment-\$216,373.03; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,204.97; Refundable Deposit Savings-\$1,227.70; Water Tower Savings-\$196,790.43; Sewer Restricted-\$200,012.68; Water Capital Facilities Fees-\$70,555.29; Sewer Capital Facilities Fees-\$182,394.33; City Sales Tax-\$3,111,413.23; Money Mark Library Bricks-\$3,969.62; Government Securities-\$116,034.23; Library Savings-\$11,629.53; Time Certificates as follows: Bond-\$79,513.27; Tower-\$59,489.30; Water-\$130,111.65; Library Bricks-\$21,982.49; Library Restricted-\$41,605.97; Cash Receipts-\$1,494,798.82; Cash Disbursements-\$354,718.13.

Regular Agenda

Agenda Item 1. Josh Charvat, Sarpy County Economic Development Corp., reviewed the 3rd quarter report. Charvat reviewed building permit data, unemployment figures, landed projects and business interactions. He noted that Papillion Foods and Amazon will be large employers at the corner of Hwy 50 and 370. Charvat discussed transit opportunities for the area.

Agenda Item 2. Motion by Swenson, seconded by Craney, to waive the Community Building rental fee for Boy Scout Troop 711's lock-in event scheduled for December 11-13, 2020. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 3. A Public Hearing of the Springfield City Council was opened at 7:14 p.m. to consider amendments to Section 5.05 AR Agriculture Residential District of the Springfield Zoning Ordinance adding Alternative Energy Production and Construction Batch Plants to Permitted Conditional Uses. Staff reviewed the amendments, as well as the text amendment application received from Ready Mix Concrete. The construction batch plant will be for concrete not asphalt. No one from the public spoke in favor of or in opposition to the application. Motion by Swenson, seconded by Herzog, to close the public hearing. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public hearing ended at 7:17 p.m.

Agenda Item 4. Council Member Swenson introduced Ordinance No. 1055 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.05 "AGRICULTURE RESIDENTIAL OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO ADD ALTERNATIVE ENERGY PRODUCTION AS A PERMITTED CONDITIONAL USE; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Swenson, Herzog, Murtha, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Swenson moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1055 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. 1055

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.05 "AGRICULTURE RESIDENTIAL OVERLAY DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO ADD ALTERNATIVE ENERGY PRODUCTION AS A PERMITTED CONDITIONAL USE; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On November 10, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.05 of the zoning ordinance adding Alternative Energy Production as a permitted conditional use and reported a recommendation of approval to the City Council. On November 17, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.05 is hereby amended as follows:

Section 5.05 AR Agriculture Residential District

- C. Permitted Conditional Uses
 - 1. Cell/telecommunication towers
 - 2. Airport

3. Private and commercial kennels and facilities for raising, breeding, and boarding of dogs, and other small animals; provided all buildings and facilities are at least 100 feet from any property line, and 300 feet from any residential zoning district
4. Extraction and processing of rock, gravel, sand, clay, and dirt
5. Temporary trailer
6. Commercial recreational areas including facilities for fishing, shooting, hunting, auto racing, cycle clubs, bridal clubs, etc.
7. Commercial camping areas
8. Publicly owned and operated buildings and facilities such as community centers, auditoriums, libraries, museums, and privately owned non-commercial museums and historic areas
9. Hospitals, nursing homes, and eleemosynary institutions
10. Billboards
11. Signs
12. Private barns, and associated livestock, for not more than one (1) animal for the first acre of land, and one (1) additional animal for every two (2) additional acres of land
13. Planned Development District
14. Satellite dish antennas that conform to the supplementary regulations of this Ordinance
15. Child care home
16. Licensed Recreational Vehicle Storage- Out of Doors and/or Within an Enclosed Building
17. Unlicensed Recreational vehicle Storage – Within and Enclosed Building
18. Bed and Breakfast
19. Concrete recycling and distribution plant
20. **Alternative Energy Production**

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

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

PASSED AND APPROVED THIS 17TH DAY OF NOVEMBER, 2020.

Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 5. Motion by Herzog, seconded by Swenson, to table agenda item 5, regarding approval of Ordinance No. 1056, until the December 1, 2020, Council meeting. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 6. Council reviewed the site plan, building elevations, landscaping plan, lighting plan and signage plan submitted by Raven Northbrook as required by the Highway Corridor Overlay District. Council also reviewed the design review report completed by Marvin Larson with JEO. Larson found all items to be compliant with the intent of the overlay district. Motion by Swenson, seconded by Murtha, to approve the Highway Corridor Overlay District Design Review for the Raven Northbrook development on the southwest corner of Hwy 50 and Capehart Road. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 7. Motion by Herzog, seconded by Swenson, to return the Community Building rental fee to Lindsay Obal for a canceled event due to the increase in COVID-19 cases and the Governor’s Directive Health Measures. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 8. Council Member Swenson introduced Resolution 2020-40 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. The following voted NAY: Craney. 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
2020-40**

Nebraska Department of Transportation Maintenance Agreement Renewal

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

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and the State of Nebraska Department of Roads, wish to enter into Maintenance Agreement No. 126 Renewal for the purpose of performing surface maintenance and snow removal along Highway 50 lane miles within the Corporate Limits of the City of Springfield; and

WHEREAS, the Agreement shall be for the period January 1, 2021, thru December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into Maintenance Agreement No. 126 Renewal attached hereto as Exhibit “A”.

Introduced and Passed this 17th day of November, 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
Nays: Craney
Abstain: None
Absent: None

Resolution adopted, signed and billed as adopted.

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

Agenda Item 9. Motion by Swenson, seconded by Murtha, to approve the proposal from Valuation Services in the amount of \$2,500.00 for preparation of an appraisal of the city’s wastewater treatment plant property. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 10. Swenson recommended the city leave the compost and tree limb piles open until the end of the year to give residents more time to clean up their properties since the weather has been nice and many people are working from home. Motion by Murtha, seconded by Swenson, to keep the city's compost and tree limb piles open until December 31, 2020. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 11. Motion by Swenson, seconded by Herzog, to move agenda item 11, regarding property acquisition for new well project, into executive session. 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 the maintenance department has been filling potholes. The street sweeper is scheduled to be in town later this week. Snow equipment is ready for winter weather. The concrete pile from street tear outs will be hauled off site soon.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. Mayor Roseland reported that he has a meeting with a construction company on Wednesday to discuss future growth. He also plans to meet with the new Mayor of Gretna.

Agenda Item 6. No additional city staff reports.

Executive Session

Motion by Swenson, seconded by Herzog, to enter into executive session at 7:40 p.m. for the purpose of real estate negotiations. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Motion by Swenson, seconded by Craney, to leave executive session at 7:58 p.m. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Herzog, seconded by Swenson, to adjourn. AYES: Swenson, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 7:59 p.m. Motion carried.

I, the undersigned, City Clerk for the City of Springfield, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on November 17, 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