



CITY COUNCIL AGENDA

Tuesday, June 6, 2023 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the May 16, 2023, Council Meeting
2. Approve Claims and Payroll

REGULAR AGENDA

1. Sarpy County Sheriff's Monthly Service Report
2. Mike Rooks, Executive Director – Grow Sarpy's 1st Quarter Report
3. Consider approval of the following **Ordinance Nos. 1131 thru 1141** as they are part of the 2022 legislative update:
 - a. Ordinance No. 1131 Amend §1-804 Fiscal Management; Adopted Budget Statement; Filing; Certification of Amount of Tax
 - b. Ordinance No. 1132 Amend §6-115 Animals; Abandonment, Neglect, and Mistreatment
 - c. Ordinance No. 1133 Adopt §6-340 Misdemeanors; Criminal Trespass
 - d. Ordinance No. 1134 Adopt §1-512 Meetings; Minutes
 - e. Ordinance No. 1135 Amend §1-821 Fiscal Management; Property Tax Levy; Maximum; Authority to Exceed
 - f. Ordinance No. 1136 Amend §1-822 Fiscal Management; Property Tax Request; Increase by More than Allowable Growth Percentage; Procedure for Setting
 - g. Ordinance No. 1137 Amend §1-802 Fiscal Management; Proposed Budget Statement; Contents; Availability; Correction
 - h. Ordinance No. 1138 Amend §1-803 Fiscal Management; Proposed Budget Statement; Hearing; Adoption; Certification of Tax Amount

- i. Ordinance No. 1139 Amend §1-714 Elections; Recall Procedure
 - j. Ordinance No. 1140 Amend §8-103 Municipal Property; Sale and Conveyance; Real Property
 - k. Ordinance No. 1141 Amend §1-704 Elections; Special Elections
4. Consider approval of **Resolution 2023-12** entering into a contract amendment with Olsson for engineering services associated with the construction of the Buffalo Park restroom facility and shade structure and Urban Park shade structure
 5. Consider approval of Highway Corridor Overlay District Design Review for Tractor Supply, Lot 3, Springfield Commerce
 6. Consider approval of Corridor Overlay District Design Review for MADDAD's warehouse building on Lot 6, Springfield Commerce
 7. **Continued Discussion.** Discuss increased use of golf carts and ATVs in town and on city trails
 8. Consider proposals for a new cleaning service for City Hall
 9. Consider approval of BlueCross BlueShield employee health insurance renewal
 10. Offer employment to a candidate for the part-time summer library aide position and approve a wage
 11. Offer employment to a candidate for seasonal part-time maintenance laborer and set a wage
 12. Approve \$1.00/hour pay increase for Kelly Shemek, City Clerk, for completing year one of the Nebraska Municipal Clerk Institute
 13. Discuss Barb Henninger's annual review and consider a proposed merit increase
 14. Discuss Jean Latham's annual review and consider a proposed merit increase

DEPARTMENT REPORTS

1. Water & Sewer Department – Mike Neitzel
2. Library & Community Building – Michael Herzog
3. Parks Department – Kacie Murtha
4. Street 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

Mayor Roseland wanted to let everyone know that our community lost a great man this week, Larry Nolte. Larry worked for the city for many years and was a face known to our community. We will all miss Larry so much and want to provide support for his family.

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, June 6, 2023, at City Hall. Present were Mayor Bob Roseland; Council Members: Mike Neitzel, Michael Herzog, Kacie Murtha. Absent: 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 Neitzel, to approve the Consent Agenda. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Dan Craney. Motion carried.

Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
General				
47091	7260-10-10	Printing-Gen	288.38	Bear Graphics
47093	8130-10-10	R&M Building-Gen	960.00	Blankman Services
47145	7455-10-10	Internet-Gen	137.97	Charter Communications
47099	7045-10-10	Prof Svcs-Tech Support-Gen	1,002.00	Core Technologies, Inc
47104	7480-10-10	Janitorial-Gen	240.00	Executive Janitorial Corporation
47106	7045-10-10	Prof Svcs-Tech Support-Gen	17.11	First National Bank of Omaha
47106	7180-10-10	Education-Gen	130.00	First National Bank of Omaha
47106	7205-10-10	Subscriptions-Gen	147.70	First National Bank of Omaha
47106	7330-10-10	Telephone-Gen	290.76	First National Bank of Omaha
47106	7230-10-10	Postage/Shipping-Gen	628.65	First National Bank of Omaha
47107	9010-10-10	Office Equipment-Gen	88.42	Five Points Bank
47107	8140-10-10	R&M Equipment-Gen	126.29	Five Points Bank
47112	8030-10-10	Supplies-Gen	44.95	Home Depot Credit Services
47115	8010-10-10	Office Supplies-Gen	40.65	J.P. Cooke Company
47114	7030-10-10	Prof Svcs-Planning-Gen	587.50	JEO Consulting Group, Inc.
47118	7185-10-10	Lodging-Gen	238.00	Marcus Lincoln Hotel LLC
47119	8030-10-10	Supplies-Gen	16.99	Menards
47120	6080-10-10	Health Insurance-Gen	284.16	Metropolitan Life Insurance Co
47124	7320-10-10	Natural Gas-General	47.50	Metropolitan Utilities District
47130	7010-10-10	Prof Svcs-Engineer-Gen	1,563.12	Olsson
47132	7310-10-10	Electricity-Gen	232.43	OPPD
47135	7047-10-10	Prof Svcs-Watersheed Fees-Gen	14,000.00	Papio-Missouri River NRD
47134	7047-10-10	Prof Svcs-Watersheed Fees-Gen	60,916.96	Papio-Missouri River NRD
47139	7046-10-10	Prof Svcs-Building Inspector	1,523.67	Sarpy County Building Inspector
47140	7060-10-10	Animal Control-Gen	403.00	Sarpy County Fiscal Administrator
47141	7050-10-10	Law Contract-Gen	9,771.00	Sarpy County Treasurer
47143	7020-10-10	Prof Svcs-Legal-Gen	969.00	Seidler & Seidler, P.C.

47147	8130-10-10	R&M Building-Gen	17.99	Springfield Ace Hardware
47147	8030-10-10	Supplies-Gen	78.71	Springfield Ace Hardware
47148	7441-10-10	Liquor License School Fund-Gen	300.00	Springfield Platteview Community School
47151	7270-10-10	Insurance-Gen	284.32	Travelers
47155	7270-10-10	Insurance-Gen	3,172.38	USI Insurance Services LLC
47158	7280-10-10	Laundry-Gen	143.81	Walkers Uniform Rental
47133	7340-10-10	Waste Disposal-Gen	58.36	Waste Connections of Nebraska, Inc
Total			98,751.78	
Sales Tax				
47114	9173-15-10	City Hall-Sales Tax	1,925.00	JEO Consulting Group, Inc.
Total			1,925.00	
Library				
47089	8060-20-10	Books/Videos/Maps-Lib	1,343.24	Amazon Capital Services
47090	8060-20-10	Books/Videos/Maps-Lib	67.85	Baker & Taylor
47146	7455-20-10	Internet-Lib	24.04	Charter Communications
47098	8060-20-10	Books/Videos/Maps-Lib	52.44	Consumer Reports
47099	7330-20-10	Telephone-Lib	50.00	Core Technologies, Inc
47100	8060-20-10	Books/Videos/Maps-Lib	52.85	Diamond Lake Books
47111	8060-20-10	Books/Videos/Maps-Lib	35.00	History Nebraska
47103	8060-20-10	Books/Videos/Maps-Lib	165.91	Lerner Publishing Group
47116	8060-20-10	Books/Videos/Maps-Lib	193.91	Lerner Publishing Group Inc
47142	7480-20-10	Janitorial-Lib	300.00	Marcie Schmieder
47120	6080-20-10	Health Insurance-Lib	52.68	Metropolitan Life Insurance Co
47124	7320-20-10	Natural Gas-Lib	49.04	Metropolitan Utilities District
47122	8060-20-10	Books/Videos/Maps-Lib	39.99	MicroMarketing, LLC
47132	7310-20-10	Electricity-Lib	175.12	OPPD
47136	8060-20-10	Books/Videos/Maps-Lib	18.00	Pioneer Woman
47144	8060-20-10	Books/Videos/Maps-Lib	29.00	Smithsonian
47149	8060-20-10	Books/Videos/Maps-Lib	25.98	Taste of Home
47088	9062-20-10	Security System-Lib	80.00	The ADT Security Corporation
47151	7270-20-10	Insurance-Lib	124.18	Travelers
47155	7270-20-10	Insurance-Lib	1,385.63	USI Insurance Services LLC
47133	7340-20-10	Waste Disposal-Lib	34.71	Waste Connections of Nebraska, Inc
			4,299.57	
Library Restricted				
47089	8060-21-10	Books/Videos/Maps-Lib Rest	355.48	Amazon Capital Services
47108	8060-21-10	Books/Videos/Maps-Lib Rest	101.21	Cengage Learning Inc/Gale
47097	8060-21-10	Books/Videos/Maps-Lib Rest	91.68	Center Point Large Print
47107	9010-21-10	Office Equipment Lib Rest	93.51	Five Points Bank
47122	8060-21-10	Books/Videos/Maps-Lib Rest	38.64	MicroMarketing, LLC
47156	7350-21-10	Rental-Lib Rest	94.00	Postmaster
Total			774.52	
Park				
47092	8130-30-10	R&M Building-Park	945.00	Big Red Lighting & Electrical Inc.
47117	8160-30-10	R&M Grounds-Park	135.00	Derek McMillin
47102	7350-30-10	Rental-Park	440.00	Eagle Services
47105	8130-30-10	R&M Building-Park	739.54	Ferguson Enterprises, Inc.
47113	8160-30-10	R&M Grounds-Park	44.00	Hughes Mulch Products
47120	6080-30-10	Health Insurance-Park	52.68	Metropolitan Life Insurance Co
47121	8160-30-10	R&M Grounds-Park	79.26	Michael Todd & Company

47125	9177-30-10	Splash Park-Park	1,212.10	Municipal Supply
47132	7310-30-10	Electricity-Park	670.24	OPPD
47147	8140-30-10	R&M Equipment-Park	3.99	Springfield Ace Hardware
47147	8130-30-10	R&M Building-Park	37.99	Springfield Ace Hardware
47151	7270-30-10	Insurance-Park	183.01	Travelers
47153	8140-30-10	R&M Equipment-Park	196.80	Ty's Outdoor Power & Service
47153	9040-30-10	Tools & Misc Equip-Parks	223.67	Ty's Outdoor Power & Service
47154	7270-30-10	Insurance-Park	5.00	USI Insurance Services LLC
47155	7270-30-10	Insurance-Park	2,041.98	USI Insurance Services LLC
47133	7340-30-10	Waste Disposal-Park	201.34	Waste Connections of Nebraska, Inc
Total			7,211.60	
Community Building				
47145	7455-40-10	Internet-Community Bldg	72.98	Charter Communications
47104	7480-40-10	Janitorial-Community Building	230.00	Executive Janitorial Corporation
47095	9400-40-10	Refund-Community Bldg	100.00	Jody Buskirk
47119	8030-40-10	Supplies-Community Bldg	53.57	Menards
47124	7320-40-10	Natural Gas-Community Bldg	126.17	Metropolitan Utilities District
47132	7310-40-10	Electricity-Community Bldg	108.83	OPPD
47147	8130-40-10	R&M Building-Community Bldg	16.14	Springfield Ace Hardware
47147	8030-40-10	Supplies-Community Bldg	48.52	Springfield Ace Hardware
47151	7270-40-10	Insurance-Community Bldg	96.41	Travelers
47155	7270-40-10	Insurance-Community Bldg	1,075.68	USI Insurance Services LLC
47158	7280-40-10	Laundry-Community Bldg	208.24	Walkers Uniform Rental
47133	7340-40-10	Waste Disposal-Community Bldg	76.37	Waste Connections of Nebraska, Inc
Total			2,212.91	
Water				
47106	7230-50-20	Postage/Shipping-Water	628.65	First National Bank of Omaha
47114	9155-50-20	GIS-Water	3,016.87	JEO Consulting Group, Inc.
47120	6080-50-20	Health Insurance-Water	83.44	Metropolitan Life Insurance Co
47123	7420-50-20	Testing-Water	65.06	Midwest Laboratories
47125	8030-50-20	Supplies-Water	670.19	Municipal Supply
47127	7470-50-20	Bond Payment-Water	3,404.46	NE Dept of Environment and Energy
47159	7330-50-20	Telephone-Water	150.66	Nebraska Technology & Telecommunication
47128	7420-50-20	Testing-Water	514.00	NE Public Health Environmental Lab
47130	9090-50-20	New Well-Water	7,662.58	Olsson
47131	7430-50-20	Digger's Hotline-Water	67.34	One Call Concepts, Inc.
47132	7310-50-20	Electricity-Water	1,209.48	OPPD
47151	7270-50-20	Insurance-Water	303.92	Travelers
47180	7230-50-20	Postage/Shipping-Water	198.48	US Postal Service
47155	7270-50-20	Insurance-Water	3,391.15	USI Insurance Services LLC
47157	7330-50-20	Telephone-Water	12.86	Verizon Wireless
Total			21,379.14	
Sewer				
47106	7230-60-30	Postage/Shipping-Sewer	628.65	First National Bank of Omaha
47114	9155-60-30	GIS-Sewer	3,016.88	JEO Consulting Group, Inc.
47120	6080-60-30	Health Insurance-Sewer	109.78	Metropolitan Life Insurance Co
47123	7420-60-30	Testing-Sewer	542.14	Midwest Laboratories
47132	7310-60-30	Electricity-Sewer	2,446.87	OPPD
47147	8030-60-30	Supplies-Sewer	26.58	Springfield Ace Hardware
47151	7270-60-30	Insurance-Sewer	228.76	Travelers
47180	7230-60-30	Postage/Shipping-Sewer	198.48	US Postal Service

47155	7270-60-30	Insurance-Sewer	2,552.48	USI Insurance Services LLC
47157	7330-60-30	Telephone-Sewer	12.87	Verizon Wireless
Total			9,763.49	
Street				
47096	9040-70-40	Tools & Misc Equip-Street	260.45	Carroll Construction Supply
47096	8030-70-40	Supplies-Street	643.25	Carroll Construction Supply
47145	7455-70-40	Internet-Street	107.98	Charter Communications
47094	9040-70-40	Tools & Misc Equip-Street	6,216.98	Clark Equipment
47101	8140-70-40	R&M Equipment-Street	15.00	Dultmeier Sales
47109	8140-70-40	R&M Equipment-Street	54.04	Grainger
47110	8090-70-40	Asphalt & Concrete-Street	17,796.00	Harm's Concrete
47112	9040-70-40	Tools & Misc Equip-Street	498.00	Home Depot Credit Services
47114	9155-70-40	GIS-Street	1,090.00	JEO Consulting Group, Inc.
47119	8140-70-40	R&M Equipment-Street	5.19	Menards
47119	8030-70-40	Supplies-Street	39.86	Menards
47119	9040-70-40	Tools & Misc Equip-Street	40.96	Menards
47120	6080-70-40	Health Insurance-Street	131.70	Metropolitan Life Insurance Co
47124	7320-70-40	Natural Gas-Street	140.25	Metropolitan Utilities District
47121	8225-70-40	R&M Street Signs&Posts-Street	2,064.39	Michael Todd & Company
47126	8030-70-40	Supplies-Street	183.08	Mill Creek Auto Parts
47159	7330-70-40	Telephone-Street	234.26	Nebraska Technology & Telecommunication
47132	7310-70-40	Electricity-Street	2,599.63	OPPD
47137	8140-70-40	R&M Equipment-Street	196.55	Pomp's Tire Service
47138	8150-70-40	R&M Vehicle-Street	157.30	Quality Auto Repair & Towing
47147	8030-70-40	Supplies-Street	25.17	Springfield Ace Hardware
47147	9040-70-40	Tools & Misc Equip-Street	191.73	Springfield Ace Hardware
47150	8225-70-40	R&M Street Signs&Posts-Street	22.73	Tractor Supply Co.
47151	7270-70-40	Insurance-Street	413.40	Travelers
47152	8090-70-40	Asphalt & Concrete-Street	9,150.00	Travis Moore Construction
47154	7270-70-40	Insurance-Street	5.00	USI Insurance Services LLC
47155	7270-70-40	Insurance-Street	4,612.70	USI Insurance Services LLC
47157	7330-70-40	Telephone-Street	40.01	Verizon Wireless
47158	7290-70-40	Uniform Allowance-Street	20.52	Walkers Uniform Rental
47133	7340-70-40	Waste Disposal-Street	63.64	Waste Connections of Nebraska, Inc
Total			47,019.77	
Keno				
47129	9174-80-70	Keno CB Project	1,560.00	KNSM Enterprises, LLC
Total			1,560.00	
		Water Deposit Refunds	600.00	
		Payroll	71,101.56	
		VOYA Retirement ER	7,358.04	
		Medical Reimbursement	305.16	

Agenda Item 1. Sgt. Montgomery with the Sarpy County Sheriff's Department reviewed the monthly service report. Sgt. Montgomery reported that extra deputies will be in town for Springfield Days this coming weekend.

Agenda Item 2. Mike Rooks, Executive Director of Grow Sarpy, reviewed the 1st Quarter Report. Rooks reported that Grow Sarpy's land use plan was reviewed and found to not be as accurate as they hoped it would be, so it will be scrapped for now. Sarpy County has nine new projects of which one fell through,

and there are sixteen new and bigger than normal projects. Rooks reported that we need to look at workforce housing. Sarpy County is in need of senior living facilities for an aging population that no longer wants the maintenance of a larger home. The Good Life Bill (LB 727) passed which will bring a lot more retailers to the Gretna area. There is a lot of movement throughout all of Sarpy County.

Agenda Item 3. Council Member Neitzel introduced Ordinance Nos. 1131 thru 1141 as they are part of the 2022 legislative update and moved that the statutory rule requiring readings on three different days be suspended. Council Member Herzog seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Neitzel, 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 ordinances. Said ordinances were then read by title and thereafter Council Member Neitzel moved for final passage of the ordinance, which motion was seconded by Council Member Murtha. The Mayor then stated the question “Shall Ordinance Nos. 1131 thru 1141 be passed and adopted?” Upon roll call vote, the following Council Members voted AYE: Neitzel, Herzog, Murtha. The following voted NAY: None. The following were ABSENT: Craney. The passage and adoption of said ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted and the Mayor in the presence of the Council signed and approved the ordinances and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinances to be published or posted as required by law and as provided therein. True, correct and complete copies of said ordinances are as follows:

ORDINANCE NO. 1131

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO ADOPTED BUDGET STATEMENTS, THEIR FILING AND THE CERTIFICATION OF THE AMOUNT OF TAX; TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1–804 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 8, Section 1–804 of the Springfield Municipal Code is amended to read as follows:

§1-804 FISCAL MANAGEMENT; ADOPTED BUDGET STATEMENT; FILING; CERTIFICATION OF AMOUNT OF TAX.

(A) (1) After publication and hearing on the proposed budget statement and within the time prescribed by law, the City Council shall file with and certify to the levying board or boards on or before September 30 of each year or September 30 of the final year of a biennial period and file with the Auditor of Public Accounts a copy of the adopted budget statement which complies with Neb. RS 13-518 to 13-522, together with the amount of the tax required to fund the adopted budget, setting out separately:

(a) The amount to be levied for the payment of principal or interest on bonds issued or authorized to be issued by the City Council or the legal voters of the political subdivision; and

(b) The amount to be levied for all other purposes.

(2) Proof of publication shall be attached to the statements.

(B) If the prime rate published by the Federal Reserve Board is ten percent (10%) or more at the time of the filing and certification required under this subsection, the City Council, in certifying the amount required, may make allowance for delinquent taxes not exceeding five percent (5%) of the amount required plus the actual percentage of delinquent taxes for the preceding tax year or biennial period and for the amount of estimated tax loss from any pending or anticipated litigation which involves taxation and in which tax collections have been or can be withheld or escrowed by court order. For purposes of this section, anticipated litigation shall be limited to the anticipation of an action being filed by a taxpayer who or which filed a similar action for the preceding year or biennial period which is still pending. Except for such allowances, the City Council shall not certify an amount of tax more than one percent (1%) greater or lesser than the amount determined under Neb. RS 13-505.

(C) The City Council shall use the certified taxable values as provided by the County Assessor pursuant to Neb. RS 13-509 for the current year in setting or certifying the levy. The City Council may designate one of its members to perform any duty or responsibility required of the Council by this section.
(Neb. RS 13-508)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1132

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO ANIMAL ABANDONMENT, NEGLECT, AND MISTREATMENT; TO AMEND CHAPTER 6, ARTICLE 1, SECTION 6-115 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 6, Article 1, Section §6-115 of the Springfield Municipal Code is amended to read as follows:

§6-115 ANIMALS; ABANDONMENT, NEGLECT, AND MISTREATMENT.

(A) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON. To leave any animal in one's care, whether as owner or custodian, for any length of time without making effective provision for its food, water, or other care as is reasonably necessary for the animal's health.

ANIMAL. Any vertebrate member of the animal kingdom. ANIMAL does not include an uncaptured wild creature or a livestock animal as defined in this section.

BOVINE. A cow, an ox, or a bison.

CRUELLY MISTREAT. To knowingly and intentionally kill, maim, disfigure, torture, beat, mutilate, burn, scald, or otherwise inflict harm upon any animal.

CRUELLY NEGLECT. To fail to provide any animal in one's care, whether as owner or custodian, with food, water, or other care as is reasonably necessary for the animal's health.

HUMANE KILLING. The destruction of an animal by a method which causes the animal a minimum of pain and suffering.

LAW ENFORCEMENT OFFICER. Any member of the Nebraska State Patrol, any county or deputy sheriff, any member of the police force of the city or any other city or village, or any other public official authorized by the city or any other city or village to enforce state or local animal control laws, rules, regulations, or ordinances. LAW ENFORCEMENT OFFICER also includes a special investigator appointed as a deputy state sheriff as authorized pursuant to Neb. RS 81-201 while acting within the authority of the Director of Agriculture.

LIVESTOCK ANIMAL. Any bovine, equine, swine, sheep, goats, domesticated cervine animals, ratite birds, or poultry.

OWNER OR CUSTODIAN. Any person owning, keeping, possessing, harboring, or knowingly permitting an animal to remain on or about any premises owned or occupied by such person.

POLICE ANIMAL. A horse or dog owned or controlled by the state or any county, city, or village for the purpose of assisting a law enforcement officer in the performance of his or her official enforcement duties.

(Neb. RS 28-1008)

(B) *Enforcement powers; immunity.*

(1) A law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry upon private property to inspect, care for, or impound the animal.

(2) It shall be the duty of a law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated to make prompt investigation of such violation. A law enforcement officer may, in lieu of making an arrest, issue a citation to the owner or custodian as prescribed in Neb. RS 29-422 to 29-429.

(3) Any law enforcement officer acting under this section shall not be liable for damage to property if such damage is not the result of the officer's negligence.

(Neb. RS 28-1012)

(C) *Violation.*

(1) A person who intentionally, knowingly, or recklessly abandons, cruelly neglects, or cruelly mistreats an animal is guilty of an offense.

(2) A person commits harassment of a police animal if he or she knowingly and intentionally teases or harasses a police animal in order to distract, agitate, or harm the police animal for the purpose of preventing such animal from performing its legitimate official duties.
(Neb. RS 28-1009)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1133

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO CRIMINAL TRESPASS; TO ADOPT CHAPTER 6, ARTICLE 3, SECTION 6-340 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 6, Article 3, Section 6-340 of the Springfield Municipal Code is adopted to read as follows:

§6-340 MISDEMEANORS; CRIMINAL TRESPASS.

(A) A person commits first degree criminal trespass if:

(1) He or she enters or secretly remains in any building or occupied structure, or any separately secured or occupied portion thereof, knowing that he or she is not licensed or privileged to do so; or

(2) He or she enters or remains in or on a public power infrastructure facility knowing that he or she does not have the consent of a person who has the right to give consent to be in or on the facility.

(B) First degree criminal trespass is a Class I misdemeanor.

(C) For purposes of this section, PUBLIC POWER INFRASTRUCTURE FACILITY means a power plant, an electrical station or substation, or any other facility which is used by a public power supplier as defined in Neb. RS 70-2103 to support the generation, transmission, or distribution of electricity and which is surrounded by a fence or is otherwise enclosed.
(Neb. RS 28-520)

(D) (1) A person commits second degree criminal trespass if, knowing that he or she is not licensed or privileged to do so, to enter or remain in any place as to which notice against trespass is given by:

(a) Actual communication to the actor; or

(b) Posting in a manner prescribed by law or reasonably likely to come to the attention of intruders; or

(c) Fencing or other enclosure manifestly designed to exclude intruders, except as otherwise provided in division (A) of this section.

(2) A person commits second degree criminal trespass if, knowing that he or she is not licensed or privileged to do so, he or she intentionally causes an electronic device, such as an unmanned aircraft, to enter into, upon, or above the property of another, including such property owned by such person and leased or rented to another, with the intent to observe another person without his or her consent in a place of solitude or seclusion.

(3) For purposes of this section, unmanned aircraft means an aircraft, including an aircraft commonly known as a drone, which is operated without the possibility of direct human intervention from within or on the aircraft.

(4) Second degree criminal trespass is a Class III misdemeanor, except as provided for in division (D)(3)(5) of this section.

(5) Second degree criminal trespass is a Class II misdemeanor if the offender defies an order to leave personally communicated to him or her by the owner of the premises or other authorized person.
(Neb. RS 28-521)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1134

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO MINUTES; TO ADOPT CHAPTER 1, ARTICLE 5, SECTIONS 1-512 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 5, Section 1-512 of the Springfield Municipal Code is adopted to read as follows:

§1-512 MEETINGS; MINUTES.

(A) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(B) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(C) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten (10) working days or prior to the next convened meeting, whichever occurs earlier, except that the city may have an additional ten (10) working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(Neb. RS 84-1413)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1135

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO PROPERTY TAX LEVIES; TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1-821 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 8, Section 1-821 of the Springfield Municipal Code is amended to read as follows:

§1-821 FISCAL MANAGEMENT; PROPERTY TAX LEVY; MAXIMUM; AUTHORITY TO EXCEED.

(A) Property tax levies for the support of the city for fiscal years beginning on or after July 1, 1998, shall be limited to the amounts set forth in this division (A), except as provided in division (C). The city may levy a maximum levy of \$0.45 per \$100 of taxable valuation of property subject to the levy plus an additional \$0.05 per \$100 of taxable valuation to provide financing for the city's share of revenue required under an agreement or agreements executed pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act. The maximum levy shall include amounts levied to pay for sums to support a library pursuant to Neb. RS 51-201, museum pursuant to Neb. RS 51-501, visiting community nurse, home health nurse, or home health agency pursuant to Neb. RS 71-1637, or statue, memorial, or monument pursuant to Neb. RS 80-202. Property tax levies for judgments, except judgments or orders from the Commission of Industrial Relations, obtained against the city which require or obligate the city to pay that judgment, to the extent the judgment is not paid by liability insurance coverage of the city, for preexisting lease-purchase contracts approved prior to July 1, 1998, for bonded indebtedness approved according to law and secured by a levy on property, and for payments by a public airport to retire interest-free loans from the Division of Aeronautics in lieu of bonded indebtedness at a lower cost to the public airport are not included in the levy limits established by this division (A). The limitations on tax levies provided in this division (A) are to include all other general or special levies provided by law. Notwithstanding other provisions of law, the only exceptions to the limits in this division (A) are those provided by or authorized by this section. Tax levies in excess of the limitations in this section shall be considered unauthorized levies under Neb. RS 77-1606 unless approved under division (C). (Neb. RS 77-3442)

(B) (1) All city airport authorities established under the Cities Airport Authorities Act, community redevelopment authorities established under the Community Development Law, and off-street parking districts established under the Offstreet Parking District Act may be allocated property taxes as authorized by law which are authorized by the city and are counted in the municipal levy limit provided by division (A), except that such limitation shall not apply to property tax levies for preexisting lease-purchase contracts approved prior to July 1, 1998, for bonded indebtedness approved according to law and secured by a levy on property, and for payments by a public airport to retire interest-free loans from the Division of Aeronautics in lieu of bonded indebtedness at a lower cost to the public airport. For off-street parking districts established under the Offstreet Parking District Act, the tax shall be counted in the allocation by the city proportionately, by dividing the total taxable valuation of the taxable property within the district by the total taxable valuation of the taxable property within the city multiplied by the levy of the district. The City Council shall review and approve or disapprove the levy request of the political subdivisions subject to this division (B). The City Council may approve all or a portion of the levy request and may approve a levy request that would allow a levy greater than that permitted by law. The levy allocated by the city may be exceeded as provided in division (C).

(2) On or before August 1, all political subdivisions subject to city levy authority under this division (B) shall submit a preliminary request for levy allocation to the City Council. The preliminary request of the political subdivision shall be in the form of a resolution adopted by a majority vote of members present of the political subdivision's governing body. The failure of a political subdivision to make a preliminary request shall preclude that political subdivision from using procedures set forth in Neb. RS 77-3444 to exceed the final levy allocation as determined in this division (B).

(3) (a) The City Council shall:

1. Adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to its political subdivisions; and

2. Forward a copy of that resolution to the chairperson of the governing body of each of its political subdivisions.

(b) No final levy allocation shall be changed after September 1 except by agreement between both the City Council and the governing body of the political subdivision whose final levy allocation is at issue.

(Neb. RS 77-3443)

(C) (1) The city may exceed the limits provided in division (A) by an amount not to exceed a maximum levy approved by a majority of registered voters voting on the issue in a primary, general, or special election at which the issue is placed before the registered voters. A vote to exceed the limits must be approved prior to October 10 of the fiscal year which is to be the first to exceed the limits.

(2) The City Council may call for the submission of the issue to the voters:

(a) By passing a resolution calling for exceeding the limits by a vote of at least two-thirds (2/3) of the members of the City Council and delivering a copy of the resolution to the County Clerk or Election Commissioner of every county which contains all or part of the city; or

(b) Upon receipt of a petition by the County Clerk or Election Commissioner of every county containing all or part of the city requesting an election signed by at least five percent (5%) of the registered voters residing in the city.

(3) The resolution or petition shall include the amount of levy which would be imposed in excess of the limits provided in division (A) and the duration of the excess levy authority. The excess levy authority shall not have a duration greater than five (5) years. Any resolution or petition calling for a special election shall be filed with the County Clerk or Election Commissioner on or before the fifth Friday prior to the election, and the time of publication and providing a copy of the notice of election required in Neb. RS 32-802 shall be no later than twenty (20) days prior to the election.

(4) The County Clerk or Election Commissioner shall place the issue on the ballot at an election as called for in the resolution or petition which is at least thirty-one (31) days after receipt of the resolution or petition. The election shall be held pursuant to the Election Act. For petitions filed with the County Clerk or Election Commissioner on or after May 1, 1998, the petition shall be in the form as provided in Neb. RS 32-628 through 32-631.

(5) Any excess levy authority approved under this division (C) shall terminate pursuant to its terms, on a vote of the City Council to terminate the authority to levy more than the limits, at the end of the fourth fiscal year following the first year in which the levy exceeded the limit, or as provided in division (C)(8), whichever is earliest.

(6) The City Council may pass no more than one (1) resolution calling for an election pursuant to this division (C) during any one (1) calendar year. Only one (1) election may be held in any one (1) calendar year pursuant to a petition initiated under this division (C). The ballot question may include any terms and conditions set forth in the resolution or petition and shall include the language specified in Neb. RS 77-3444.

(7) If a majority of the votes cast upon the ballot question are in favor of the tax, the County Board shall authorize a tax in excess of the limits in division (A), but the tax shall not exceed the amount stated in the ballot question. If a majority of those voting on the ballot question are opposed to the tax, the City Council shall not impose the tax.

(8) (a) The city may rescind or modify a previously approved excess levy authority prior to its expiration by a majority of registered voters voting on the issue in a primary, general, or special election at which the issue is placed before the registered voters. A vote to rescind or modify must be approved prior to October 10 of the fiscal year for which it is to be effective.

(b) The City Council may call for the submission of the issue to the voters:

1. By passing a resolution calling for the rescission or modification by a vote of at least two-thirds (2/3) of the members of the City Council and delivering a copy of the resolution to the County Clerk or Election Commissioner of every county which contains all or part of the city; or

2. Upon receipt of a petition by the County Clerk or Election Commissioner of every county containing all or part of the city requesting an election signed by at least five percent (5%) of the registered voters residing in the city.

(c) The resolution or petition shall include the amount and the duration of the previously approved excess levy authority and a statement that either the excess levy authority will be rescinded or the excess levy authority will be modified. If the excess levy authority will be modified, the amount and duration of the modification shall be stated. The modification shall not have a duration greater than 5 years. The County Clerk or Election Commissioner shall place the issue on the ballot at an election as called for in the resolution or petition which is at least thirty-one (31) days after receipt of the resolution or petition, and the time of publication and providing a copy of the notice of election required in Neb. RS 32-802 shall be no later than twenty (20) days prior to the election. The election shall be held pursuant to the Election Act.

(Neb. RS 77-3444)

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 6th day of June, 2023.

Robert Roseland, Mayor

(SEAL)

Kelly Shemek, City Clerk

ORDINANCE NO. 1136

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO PROPERTY TAX REQUESTS FOR AN INCREASE MORE THAN THE ALLOWABLE GROWTH PERCENTAGE; TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1-822 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 8, Section 1-822 of the Springfield Municipal Code is amended to read as follows:

§1-822 FISCAL MANAGEMENT; PROPERTY TAX REQUEST; INCREASE BY MORE THAN ALLOWABLE GROWTH PERCENTAGE; PROCEDURE FOR SETTING.

(A) For purposes of this section, *POLITICAL SUBDIVISION* means any county, city, school district, or community college.

(B) If any political subdivision seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision may do so if:

(1) A public hearing is held and notice of such hearing is provided in compliance with division (C) of this section; and

(2) The governing body of such political subdivision passes a resolution or an ordinance that complies with division (D) of this section.

(C) (1) Each political subdivision within a county that seeks to increase its property tax request by more than the allowable growth percentage shall participate in a joint public hearing. Each such political subdivision shall designate one representative to attend the joint public hearing on behalf of the political subdivision. If a political subdivision includes area in more than one county, the political subdivision shall be deemed to be within the county in which the political subdivision's principal headquarters are located. At such hearing, there shall be no items on the agenda other than discussion on each political subdivision's intent to increase its property tax request by more than the allowable growth percentage.

(2) The joint public hearing shall be held on or after September 17 and prior to September 29 and before any of the participating political subdivisions file their adopted budget statement pursuant to Neb. RS 13-508.

(3) The joint public hearing shall be held after 6:00 p.m. local time on the relevant date.

(4) The joint public hearing shall be organized by the county clerk or his or her designee. At the joint public hearing, the representative of each political subdivision shall give a brief presentation on the political subdivision's intent to increase its property tax request by more than the allowable growth percentage and the effect of such request on the political subdivision's budget. The presentation shall include:

(a) The name of the political subdivision;

(b) The amount of the property tax request; and

(c) The following statements:

1. The total assessed value of property differs from last year's total assessed value by ___ percent;

2. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$___ per \$100 of assessed value;

3. The City of Springfield, Nebraska proposes to adopt a property tax request that will cause its tax rate to be \$___ per \$100 of assessed value;

4. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Springfield, Nebraska will exceed last year's by percent; and

5. To obtain more information regarding the increase in the property tax request, citizens may contact the City of Springfield, Nebraska at (*telephone number and email address of political subdivision*).

(5) Any member of the public shall be allowed to speak at the joint public hearing and shall be given a reasonable amount of time to do so.

(6) Notice of the joint public hearing shall be provided:

(a) By sending a postcard to all affected property taxpayers. The postcard shall be sent to the name and address to which the property tax statement is mailed;

(b) By posting notice of the hearing on the home page of the relevant county's website, except that this requirement shall only apply if the county has a population of more than 25,000 inhabitants; and

(c) By publishing notice of the hearing in a legal newspaper in or of general circulation in the relevant county.

(7) Each political subdivision that participates in the joint public hearing shall send the information prescribed in subdivision (C)(8) of this section to the county clerk by September 5. The county clerk shall transmit the information to the county assessor no later than September 10. The county clerk shall notify each participating political subdivision of the date, time, and location of the joint public hearing. The county assessor shall send the information required to be included on the postcards pursuant to subdivision (C)(8) of this section to a printing service designated by the county board. The initial cost for printing the postcards shall be paid from the county general fund. Such postcards shall be mailed at least seven (7) calendar days before the joint public hearing. The cost of creating and mailing the postcards, including staff time, materials, and postage, shall be charged proportionately to the political subdivisions participating in the joint public hearing based on the total number of parcels in each participating political subdivision.

(8) The postcard sent under this subsection and the notice posted on the county's website, if required under subdivision (C)(6)(b) of this section, and published in the newspaper shall include the date, time, and location for the joint public hearing, a listing of and telephone number for each political subdivision that will be participating in the joint public hearing, and the amount of each participating political subdivision's property tax request. The postcard shall also contain the following information:

(a) The following words in capitalized type at the top of the postcard:
NOTICE OF PROPOSED TAX INCREASE;

(b) The name of the county that will hold the joint public hearing, which shall appear directly underneath the capitalized words described in subdivision (C)(8)(a) of this section;

(c) The following statement: The following political subdivisions are proposing a revenue increase which would result in an overall increase in property taxes in (insert current tax year). THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE. This notice contains estimates of the tax on your property as a result of this revenue increase. These estimates are calculated on the basis of the proposed (insert current tax year) data. The actual tax on your property may vary from these estimates.

(d) The parcel number for the property;

(e) The name of the property owner and the address of the property;

(f) The property's assessed value in the previous tax year;

(g) The amount of property taxes due in the previous tax year for each participating political subdivision;

(h) The property's assessed value for the current tax year;

(i) The amount of property taxes due for the current tax year for each participating political subdivision;

(j) The change in the amount of property taxes due for each participating political subdivision from the previous tax year to the current tax year; and

(k) The following statement: To obtain more information regarding the tax increase, citizens may contact the political subdivision at the telephone number provided in this notice.

(D) After the joint public hearing required in subsection (C) of this section, the governing body of each participating political subdivision shall pass an ordinance or resolution to set such political subdivision's property tax request. If the political subdivision is increasing its property tax request over the amount from the prior year, including any increase in excess of the allowable growth percentage, then such ordinance or resolution shall include, but not be limited to, the following information:

(1) The name of the political subdivision;

(2) The amount of the property tax request;

(3) The following statements:

(a) The total assessed value of property differs from last year's total assessed value by _____ percent;

(b) The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$_____ per \$100 of assessed value;

(c) The City of Springfield, Nebraska proposes to adopt a property tax request that will cause its tax rate to be \$__ per \$100 of assessed value; and

(d) Based on the proposed property tax request and changes in other revenue, the total operating budget of City of Springfield, Nebraska will exceed last year's by _____ percent; and

(4) The record vote of the governing body in passing such resolution or ordinance.

(E) Any resolution or ordinance setting a property tax request under this section shall be certified and forwarded to the county clerk on or before October 15 of the year for which the tax request is to apply.

(F) The county clerk, or his or her designee, shall prepare a report which shall include (a) the names of the representatives of the political subdivisions participating in the joint public hearing and (b) the name and address of each individual who spoke at the joint public hearing, unless the address requirement is waived to protect the security of the individual, and the name of any organization represented by each such individual. Such report shall be delivered to the political subdivisions participating in the joint public hearing within ten days after such hearing.
(Neb. RS 77-1633)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1137

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO PROPOSED BUDGET STATEMENTS; TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1-802 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 8, Section 1-802 of the Springfield Municipal Code is amended to read as follows:

§1-802 FISCAL MANAGEMENT; PROPOSED BUDGET STATEMENT; CONTENTS; AVAILABILITY; CORRECTION.

(A) The City Council shall annually or biennially prepare a proposed budget statement on forms prescribed and furnished by the Auditor of Public Accounts. The proposed budget statement shall be made available to the public prior to publication of the notice of the hearing on the proposed budget statement pursuant to Neb. Rev. Stat §13-506. A proposed budget statement shall contain the following information, except as provided by state law:

(1) For the immediately preceding fiscal year or biennial period, the revenue from all sources, including motor vehicle taxes, other than revenue received from personal and real property taxation, allocated to the funds and separately stated as to each such source: the unencumbered cash balance at the beginning and end of the year or biennial period; the amount received by taxation of personal and real property; and the amount of actual expenditures;

(2) For the current fiscal year or biennial period, actual and estimated revenue from all sources, including motor vehicle taxes, allocated to the funds and separately stated as to each such source: the actual unencumbered cash balance available at the beginning of the year or biennial period; the amount received from personal and real property taxation; and the amount of actual and estimated expenditures, whichever is applicable. This statement shall contain the cash reserve for each fiscal year or biennial period and shall note whether or not the reserve is encumbered. The cash reserve projections shall be based upon the actual experience of prior years or biennial periods. The cash reserve shall not exceed fifty percent (50%) of the total budget adopted exclusive of capital outlay items;

(3) For the immediately ensuing fiscal year or biennial period, an estimate of revenue from all sources, including motor vehicle taxes, other than revenue to be received from taxation of personal and real property, separately stated as to each such source: the actual or estimated unencumbered cash balances, whichever is applicable, to be available at the beginning of the year or biennial period; the amounts proposed to be expended during the year or biennial period; and the amount of cash reserve, based on actual experience of prior years or biennial period, which cash reserve shall not exceed fifty percent (50%) of the total budget adopted exclusive of capital outlay items;

(4) A statement setting out separately the amount sought to be raised from the levy of a tax on the taxable value of real property:

(a) For the purpose of paying the principal or interest on bonds issued or authorized to be issued by the City Council or the legal voters of the political subdivision; and

(b) For all other purposes.

(5) A uniform summary of the proposed budget statement, including each proprietary function fund included in a separate proprietary budget statement prepared pursuant to the Municipal Proprietary Function Act, and a grand total of all funds maintained by the City Council; and

(6) A list of the proprietary functions which are not included in the budget statement. These proprietary functions shall have a separate budget statement which is approved by the City Council as provided in the Municipal Proprietary Function Act.

(B) The actual or estimated unencumbered cash balance required to be included in the budget statement by this section shall include deposits and investments of the city as well as any funds held by the County Treasurer for the city and shall be accurately stated on the proposed budget statement.

(C) The city shall correct any material errors in the budget statement detected by the Auditor of Public Accounts or by other sources.
(Neb. RS 13-504)

(D) The estimated expenditures plus the required cash reserve for the ensuing fiscal year or biennial period less all estimated and actual unencumbered balances at the beginning of the year or biennial period and less the estimated income from all sources, including motor vehicle taxes, other than taxation of personal and real property shall equal the amount to be received from taxes, and that amount shall be shown on the proposed budget statement pursuant to this section. The amount to be raised from taxation of personal and real property, as determined above, plus the estimated revenue from other sources, including motor vehicle taxes, and the unencumbered balances shall equal the estimated expenditures, plus the necessary required cash reserve, for the ensuing year or biennial period.
(Neb. RS 13-505)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1138

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO PROPOSED BUDGET STATEMENTS, THEIR HEARING AND ADOPTION AND THE CERTIFICATION OF THE TAX AMOUNT; TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1-803 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 8, Section 1-803 of the Springfield Municipal Code is amended to read as follows:

§1-803 FISCAL MANAGEMENT; PROPOSED BUDGET STATEMENT; HEARING; ADOPTION; CERTIFICATION OF TAX AMOUNT.

(A) The City Council shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time. Notice of the place and time of the hearing, together with a summary of the proposed budget statement, shall be published at least four (4) calendar days prior to the date set for hearing in a newspaper of general circulation within the village's jurisdiction. For purposes of such notice, the four (4) calendar days shall include the day of publication

but not the day of hearing. When the total operating budget, not including reserves, does not exceed ten thousand dollars (\$10,000) per year or twenty thousand dollars (\$20,000) per biennial period, the proposed budget summary may be posted at the City Council's principal headquarters. At such hearing, the governing body shall make at least three (3) copies of the proposed budget statement available to the public and shall make a presentation outlining key provisions of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the governing body at the hearing and shall be given a reasonable amount of time to do so.

(B) After the hearing, the proposed budget statement shall be adopted, or amended and adopted as amended, and a written record shall be kept of the hearing. The amount to be received from personal and real property taxation shall be certified to the levying board after the proposed budget statement is adopted or is amended and adopted as amended. The certification of the amount to be received from personal and real property taxation shall specify separately the amount to be applied to the payment of principal or interest on bonds issued or authorized to be issued by the City Council or the legal voters of the political subdivision and the amount to be received for all other purposes.

(C) If the adopted budget statement reflects a change from that shown in the published proposed budget statement, a summary of the changes shall be published within twenty (20) calendar days after its adoption in the manner provided in this section, but without provision for hearing, setting forth the items changed and the reasons for the changes.

(D) Upon approval by the City Council, the budget shall be filed with the Auditor of Public Accounts. The Auditor may review the budget for errors in mathematics, improper accounting, and noncompliance with the Nebraska Budget Act or Neb. RS 13-518 to 13-522. If the Auditor detects such errors, he or she shall immediately notify the City Council of such errors. The City Council shall correct any such error as provided in Neb. RS 13-506. Warrants for the payment of expenditures provided in the budget adopted under this section shall be valid notwithstanding any errors or noncompliance for which the Auditor has notified the City Council.

(Neb. RS 13-506)

(E) When a levy increase has been authorized by vote of the electors, the adopted budget statement shall indicate the amount of the levy increase.

(Neb. RS 13-507)

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 6th day of June, 2023.

Robert Roseland, Mayor

(SEAL)

Kelly Shemek, City Clerk

ORDINANCE NO. 1139

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO RECALL PROCEDURE; TO AMEND CHAPTER 1, ARTICLE 7, SECTION 1-714 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 7, Section 1-714 of the Springfield Municipal Code is amended to read as follows:

§1-714 ELECTIONS; RECALL PROCEDURE.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

FILING CLERK. The Election Commissioner or County Clerk.

(Neb. RS 32-1301)

(B) (1) The Mayor, any member of the City Council, and any other elected official of the city may be removed from office by recall pursuant to this section.

(2) The recall procedure and special election provisions of this section shall apply to members of the City Council who are elected by ward. Only registered voters of such member's ward may sign a recall petition or vote at the recall election. The recall election shall be held within the member's ward. When a member of the City Council is nominated by ward in the primary election and elected at large in the general election, the recall provisions shall apply to the registered voters at the general election.

(Neb. RS 32-1302)

(C) (1) A petition demanding that the question of removing the Mayor, a member of the City Council, or any other elected official be submitted to the registered voters shall be signed by registered voters equal in number to at least thirty-five percent (35%) of the total vote cast for that office in the last general election, except that for City Council office for which more than one (1) candidate is chosen, the petition shall be signed by registered voters equal in number to at least thirty-five percent (35%) of the number of votes cast for the person receiving the most votes for such office in the last general election. The signatures shall be affixed to petition papers and shall be considered part of the petition.

(2) Petition circulators shall conform to the requirements of Neb. RS 32-629 and 32-630.

(3) The petition papers shall be procured from the filing clerk. Prior to the issuance of such petition papers, a recall petition filing form shall be signed and filed with the filing clerk by at least 1 registered voter. Such voter or voters shall be deemed to be the principal circulator or circulators of the recall petition. The filing form shall state the name and office of the official sought to be removed, shall include in concise language of sixty (60) words or less the reason or reasons for which recall is sought, and shall request that the filing clerk issue initial petition papers to the principal circulator for circulation. The filing clerk shall notify the official sought to be removed by any method specified in Neb.

RS 25-505.01 or, if notification cannot be made with reasonable diligence by any of the methods specified in Neb. RS 25-505.01, by leaving a copy of the filing form at the official's usual place of residence and mailing a copy by first-class mail to the official's last-known address. If the official chooses, he or she may submit a defense statement in concise language of sixty words or less for inclusion on the petition. Any such defense statement shall be submitted to the filing clerk within twenty days after the official receives the copy of the filing form. The filing clerk shall prepare the petition papers within five business days after receipt of the defense statement. The principal circulator or circulators shall gather the petition papers within twenty (20) days after being notified by the filing clerk that the petition papers are available. The filing clerk shall notify the principal circulator or circulators that the necessary signatures must be gathered within thirty (30) days from the date of issuing the petitions.

(4) The filing clerk, upon issuing the initial petition papers or any subsequent petition papers, shall enter in a record, to be kept in his or her office, the name of the principal circulator or circulators to whom the papers were issued, the date of issuance, and the number of papers issued. The filing clerk shall certify on the papers the name of the principal circulator or circulators to whom the papers were issued and the date they were issued. No petition paper shall be accepted as part of the petition unless it bears such certificate. The principal circulator or circulators who check out petitions from the filing clerk may distribute such petitions to persons who may act as circulators of such petitions.

(5) Petition signers shall conform to the requirements of Neb. RS 32-629 and 32-630. Each signer of a recall petition shall be a registered voter and qualified by his or her place of residence to vote for the office in question.

(Neb. RS 32-1303)

(D) Each petition paper shall conform to the requirements of Neb. RS 32-1304.

(E) (1) The principal circulator or circulators shall file, as one instrument, all petition papers comprising a recall petition for signature verification with the filing clerk within thirty (30) days after the filing clerk issues the initial petition papers to the principal circulator or circulators as provided in division (C) of this section.

(2) Within fifteen (15) business days after the filing of the petition, the filing clerk shall ascertain whether or not the petition is signed by the requisite number of registered voters. No new signatures may be added after the initial filing of the petition papers. No signatures may be removed unless the filing clerk receives an affidavit signed by the person requesting his or her signature be removed before the petitions are filed with the filing clerk for signature verification. If the petition is found to be sufficient, the filing clerk shall attach to the petition a certificate showing the result of such examination. If the requisite number of signatures has not been gathered, the filing clerk shall file the petition in his or her office without prejudice to the filing of a new petition for the same purpose.

(Neb. RS 32-1305)

(F) (1) If the recall petition is found to be sufficient, the filing clerk shall notify the official whose removal is sought and the City Council that sufficient signatures have been gathered. Notification of the official sought to be removed may be by any method specified in Neb. RS 25-505.01 or, if notification cannot be made with reasonable diligence by any of the methods specified in Neb. RS 25-505.01, by leaving such notice at the official's usual place of residence and mailing a copy by first-class mail to the official's last-known address.

(2) The City Council shall, within twenty-one (21) days after receipt of the notification from the filing clerk pursuant to division (F)(1) of this section, order an election. The date of the election shall be the first available date that complies with Neb. RS 32-405 and that can be certified to the election commissioner or county clerk at least fifty (50) days prior to the election, except that if any other election is to be held in the city within ninety (90) days after such notification, the City Council shall provide for the holding of the recall election on the same day.

(3) All resignations shall be tendered as provided in Neb. RS 32-562. If the official whose removal is sought resigns before the recall election is held, the City Council may cancel the recall election if the City Council notifies the election commissioner or county clerk of the cancellation on or before the fourth Thursday prior to the election, otherwise the recall election shall be held as scheduled.

(4) If a filing clerk is subject to a recall election, the Secretary of State shall conduct the recall election.
(Neb. RS 32-1306)

(G) The form of the official ballot at a recall election held pursuant to division (F) of this section shall conform to the requirements of Neb. RS 32-1307.

(H) (1) If a majority of the votes cast at a recall election are against the removal of the official named on the ballot or the election results in a tie, the official shall continue in office for the remainder of his or her term but may be subject to further recall attempts as provided in division (I) of this section.

(2) If a majority of the votes cast at a recall election are for the removal of the official named on the ballot, he or she shall, regardless of any technical defects in the recall petition, be deemed removed from office unless a recount is ordered. If the official is deemed removed, the removal shall result in a vacancy in the office which shall be filled as otherwise provided in this section and Neb. RS 32-567 to 32-570 and 32-574.

(3) If the election results show a margin of votes equal to one percent (1%) or less between the removal or retention of the official in question, the Secretary of State, Election Commissioner, or County Clerk shall order a recount of the votes cast unless the official named on the ballot files a written statement with the filing clerk that he or she does not want a recount.

(4) If there are vacancies in the offices of one-half (1/2) or more of the members of the City Council or any other governing body at one time due to the recall of such members, a special election to fill such vacancies shall be conducted as expeditiously as possible by the Secretary of State, Election Commissioner, or County Clerk.

(5) No official who is removed at a recall election or who resigns after the initiation of the recall process shall be appointed to fill the vacancy resulting from his or her removal or the removal of any other member of the same governing body during the remainder of his or her term of office.
(Neb. RS 32-1308)

(I) No recall petition filing form shall be filed against an elected official within twelve (12) months after a recall election has failed to remove him or her from office or within six (6) months after the beginning of his or her term of office or within six (6) months prior to the incumbent filing deadline for the office.

(Neb. RS 32-1309)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1140

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO THE SALE AND CONVEYANCE OF REAL PROPERTY; TO AMEND CHAPTER 8, ARTICLE 1, SECTION 8-103 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 8, Article 1, Section 8-103 of the Springfield Municipal Code is amended to read as follows:

§8-103 MUNICIPAL PROPERTY; SALE AND CONVEYANCE; REAL PROPERTY.

(A) Except as provided in division (G) of this section, the power of the city to convey any real property owned by it, including land used for park purposes and public squares, except real property used in the operation of public utilities, shall be exercised by resolution, directing the sale at public auction or by sealed bid of that property and the manner and terms of such sales, except that the property shall not be sold at public auction or by sealed bid when:

- (1) The property is being sold in compliance with the requirements of federal or state grants or programs;
- (2) The property is being conveyed to another public agency; or
- (3) The property consists of streets and alleys.

(B) The City Council may establish a minimum price for real property at which bidding shall begin or shall serve as a minimum for a sealed bid.

(C) After the passage of the resolution directing the sale, notice of all proposed sales of property described in division (A) of this section and the terms of such sales shall be published once each week for three consecutive weeks in a legal newspaper published in or of general circulation in the (city).

(D) (1) If within thirty (30) days after the third publication of the notice a remonstrance petition against the sale:

(a) Conforms to Neb. RS 32-628,

(b) Is signed by registered voters of the city equal in number to thirty percent (30%) of the registered voters of the city voting at the last regular city election held therein, and

(c) Is filed with the City Council, that property shall not then, nor within one year thereafter, be sold. If the date for filing the petition falls upon a Saturday, Sunday, or legal holiday, the signatures shall be collected within the thirty (30) day period, but the filing shall be considered timely if filed or postmarked on or before the next business day.

(2) Upon the receipt of the remonstrance, the City Council, with the aid and assistance of the Election Commissioner or County Clerk, shall determine the validity and sufficiency of signatures on the petition. The City Council shall deliver the petition to the Election Commissioner or County Clerk by hand carrier, by use of law enforcement officials, or by certified mail, return receipt requested.

(3) Upon receipt of the petition, the Election Commissioner or County Clerk shall issue to the City Council a written receipt that the petition is in the custody of the Election Commissioner or County Clerk. The Election Commissioner or County Clerk shall compare the signature of each person signing the petition with the voter registration records to determine if each signer was a registered voter on or before the date on which the petition was filed with the City Council. The Election Commissioner or County Clerk shall also compare the signer's printed name, street and number or voting precinct, and city or post office address with the voter registration records to determine whether the signer was a registered voter. The signature and address shall be presumed to be valid only if the Election Commissioner or County Clerk determines that the printed name, street and number or voting precinct, and city or post office address match the registration records and that the registration was received on or before the date on which the petition was filed with the City Council. The determinations of the Election Commissioner or County Clerk may be rebutted by any credible evidence which the City Council finds sufficient. The express purpose of the comparison of names and addresses with the voter registration records, in addition to helping to determine the validity of the petition, the sufficiency of the petition, and the qualifications of the signer, shall be to prevent fraud, deception, and misrepresentation in the petition process.

(4) Upon completion of the comparison of names and addresses with the voter registration records, the Election Commissioner or County Clerk shall prepare in writing a certification under seal setting forth the name and address of each signer found not to be a registered voter and the signature page number and line number where the name is found, and if the reason for the invalidity of the signature or address is other than the nonregistration of the signer, the Election Commissioner or County Clerk shall set forth the reason for the invalidity of the signature. If the Election Commissioner or County Clerk determines that a signer has affixed his or her signature more than once to the remonstrance and that only one person is registered by that name, the Election Commissioner or County Clerk shall prepare in writing a certification under seal setting forth the name of the duplicate signature and shall count only the earliest dated signature.

(5) The Election Commissioner or County Clerk shall certify to the City Council the number of valid signatures necessary to constitute a valid remonstrance. The Election Commissioner or County Clerk shall deliver the remonstrance and the certifications to the City Council within forty (40)

days after the receipt of the remonstrance from the City Council. The delivery shall be by hand carrier, by use of law enforcement officials, or by certified mail, return receipt requested. Not more than twenty (20) signatures on one (1) signature page shall be counted.

(6) The City Council shall, within thirty (30) days after the receipt of the remonstrance and certifications from the Election Commissioner or County Clerk, hold a public hearing to review the remonstrance and certifications and receive testimony regarding them. The City Council shall, following the hearing, vote on whether or not the remonstrance is valid and shall uphold the remonstrance if sufficient valid signatures have been received.

(E) Real estate now owned or hereafter owned by the city may be conveyed without consideration to the state for state armory sites or, if acquired for state armory sites, shall be conveyed strictly in accordance with the conditions of Neb. RS 18-1001 through 18-1006.

(F) Following passage of the resolution directing a sale, publishing of the notice of the proposed sale, and passing of the thirty (30) day right-of-remonstrance period, the property shall then be sold. The sale shall be confirmed by passage of an ordinance stating the name of the purchaser and terms of the sale.

(Neb. RS 17-503)

(G) Divisions (A) through (F) of this section shall not apply to the sale of real property if the authorizing resolution directs the sale of real property, the total fair market value of which is less than five thousand dollars (\$5,000). Following passage of the resolution directing the sale of the property, notice of the sale shall be posted in three prominent places within the city for a period of not less than seven days prior to the sale of the property. The notice shall give a general description of the property offered for sale and state the terms and conditions of sale. Confirmation of the sale by passage of an ordinance may be required.

(Neb. RS 17-503.01)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

ORDINANCE NO. 1141

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA RELATING TO SPECIAL ELECTIONS; TO AMEND CHAPTER 1, ARTICLE 7, SECTION 1-704 OF THE SPRINGFIELD MUNICIPAL CODE; 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. That Chapter 1, Article 7, Section 1-704 of the Springfield Municipal Code is amended to read as follows:

§1-704 ELECTIONS; SPECIAL ELECTIONS.

(A) (1) Except as provided in Neb. RS 77-3444, any issue to be submitted to the registered voters at a special election by the city shall be certified by the City Clerk to the Election Commissioner or County Clerk on or before the eighth (8th) Friday prior to the election. A special election may be held by mail as provided in Neb. RS 32-952 through 32-959. Any other special election under this section shall be subject to division (B) of this section.

(2) In lieu of submitting the issue at a special election, the city may submit the issue at a statewide primary or general election or at any scheduled county election, except that no such issue shall be submitted at a statewide election or scheduled county election unless the issue to be submitted has been certified by the City Clerk to the Election Commissioner or County Clerk by March 1 for the primary election and by September 1 for the general election.

(3) After the Election Commissioner or County Clerk has received the certification of the issue to be submitted, he or she shall be responsible for all matters relating to the submission of the issue to the registered voters, except that the City Clerk shall be responsible for the publication or posting of any required special notice of the submission of the issue other than the notice required to be given of the statewide election issues. The Election Commissioner or County Clerk shall prepare the ballots and issue ballots for early voting and shall also conduct the submission of the issue, including the receiving and counting of ballots on the issue. The election returns shall be made to the Election Commissioner or County Clerk. The ballots shall be counted and canvassed at the same time and in the same manner as the other ballots. Upon completion of the canvass of the vote by the County Canvassing Board, the Election Commissioner or County Clerk shall certify the election results to the City Council. The canvass by the County Canvassing Board shall have the same force and effect as if made by the City Council.

(B) (1) A city that has submitted an issue for a special election under subdivision (A)(1) of this section may cancel the special election if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the political subdivision canceling the special election on or before the fourth Thursday prior to the election. No cancellation shall be effective after such date. If a special election is canceled in such manner, the city shall be responsible for the costs incurred that are related to the canceled election. Such costs shall include all chargeable costs as provided in section Neb. RS 32-1202 associated with preparing for and conducting a special election.

(b) A city that has submitted an issue at a statewide primary or general election or at any scheduled county election under subdivision (A)(2) of this section may withdraw the issue from the ballot if the Secretary of State, Election Commissioner, or County Clerk receives a resolution adopted by the city withdrawing the issue from the ballot no later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election. No withdrawal shall be effective after such date. Any issue withdrawn in this manner shall not be printed on the ballot.
(Neb. RS 32-559)

(C) Any special election under the Election Act shall be held on the first Tuesday following the second Monday of the selected month unless otherwise specifically provided. No special election shall be held under the Election Act in April, May, June, October, November, or December of an even-

numbered year unless it is held in conjunction with the statewide primary or general election. No special election shall be held under the Election Act in September of an even-numbered year except for a special election by a political subdivision pursuant to Neb. RS 13-519 or Neb. RS 77-3444 to approve a property tax levy or exceed a property tax levy limitation.
(Neb. RS 32-405)

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 6th day of June, 2023.

Robert Roseland, Mayor
(SEAL)
Kelly Shemek, City Clerk

Agenda Item 4. Motion by Murtha, seconded by Neitzel, to table agenda item 4, regarding Resolution 2023-12 entering into a contract amendment with Olsson for engineering services associated with the construction of the Buffalo Park restroom facility and shade structure and Urban Park shade structure, until the June 20, 2023, Council meeting. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 5. Motion by Herzog, seconded by Neitzel, to table agenda item 5, regarding approval of the Highway Corridor Overlay District Design Review for Tractor Supply, Lot 3, Springfield Commerce until the June 20, 2023, Council meeting. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 6. Motion by Herzog, seconded by Neitzel, to table agenda item 6, regarding approval of the Corridor Overlay District Design Review for MADDAD's warehouse building on Lot 6, Springfield Commerce, until the June 20, 2023, Council meeting. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 7. Council discussed the potential operation of golf carts on city streets. Herzog reported that he continues to see more ATV, golf carts, and even dirt bikes around town since school is now out, and even have seen them down off Highway 50 which is not allowed. Sgt. Montgomery reported that the Sarpy County Sheriff Department is focusing on enforcing the greatest danger, which are the younger kids under 16 years old operating these golf carts and ATV's. Sgt. Montgomery explained that there seems to be some miscommunication on UTV's versus golf carts which are clearly not the same. Golf carts lack any lights, horn, or safety equipment and many who drive UTV's do not even have the proper safety gear required such as a flag, triangle, lights, or horn. Council agreed that, along with the Sarpy County Sheriff's Department, we also need to educate people and send letters to the parents of these young kids who are driving golf carts or UTV's around town illegally.

Agenda Item 8. Andie Ledenbach, Assistant City Clerk/Utility Billing Clerk, spoke to five references of 5Tool Restoration and Cleaning Service and received rave reviews all with a rating of 10+ stars. Motion by Murtha, seconded by Herzog, to approve the bid from 5Tool Restoration and Cleaning Service for the

cleaning of Springfield City Hall. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 9. Motion by Herzog, seconded by Murtha, to approve the BlueCross BlueShield Health Insurance Renewal with a 2.55% premium increase. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 10. Motion by Herzog, seconded by Neitzel, to offer employment to Macy Czech for part-time summer help at the library at the rate of \$12.00 per hour. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 11. Motion by Herzog, seconded by Neitzel, to offer employment to Carter Shemek for seasonal part-time maintenance laborer at the rate of \$15.00 per hour. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 12. Motion by Murtha, seconded by Neitzel, to approve a \$1.00/ hour pay increase to Kelly Shemek, City Clerk, for completing year one of the Nebraska Municipal Clerk Institute. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Items 13 and 14. Motion by Neitzel, seconded by Herzog, to move agenda items 13 and 14, regarding Barb Henninger's and Jean Latham's annual reviews and proposed merit increases, into executive session. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Department Reports

Agenda Item 1. Neitzel reported that Heath Shemek, Sewer/Water Operator, informed him of a water leak on N. 3rd Street will be fixed soon. The maintenance staff is busy pouring concrete.

Agenda Item 2. Herzog reported that the Community Building is busy with rentals and the library is busy with the summer reading program.

Agenda Item 3. Murtha reported that the splash pad is open, and there was a post on Facebook to remind the community to try to keep the sand off of the splash pad. Tyler Holdorf, Parks Director, plans to work with other city staff to get the new swing set installed at City Park within the next week or two.

Agenda Item 4. No report from Craney.

Agenda Item 5. Mayor Roseland reported that legislation passed last week giving the Sarpy County and Cities Wastewater Agency \$10 Million towards sewer improvements. Mayor Roseland met with the Sarpy County Times as they are doing an article on Springfield's growth and businesses.

Agenda Item 6. Gottsch reported that Springfield Days is this coming weekend so we look forward to seeing everyone there. Gottsch requested Council provide her with any budget items for FY2023/2024. She noted that we are currently in a burn ban and the city lot has had a large amount of commercial tree dumping which has made our pile very large. Gottsch inquired what Council would like to do. Murtha thinks we should close the city dumping area until we are able to get a burn permit and get the pile burned down. City staff will post the closing on the city Facebook page that the dump area is closed until further notice, and the maintenance staff will put up signs at the site. Gottsch also reported that she heard back from Kurt Schanou with SSAP and he said the board was open to discussion about the city acquiring the soccer complex; however, the SSAP Board is not interested in donating the land to the

city. She noted that Schanou told her that SSAP has interest from Omaha area soccer clubs and other organizations that are willing to give SSAP an offer on the land, but they would be willing to sell this land to the city at a reduced cost. Council was disappointed to hear this response but requested SSAP provide them with a dollar amount.

Executive Session

Motion by Herzog, seconded by Neitzel, to enter into executive session at 7:59 p.m. for the purpose of personnel matters. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Motion by Murtha, seconded by Neitzel, to leave executive session at 8:13 p.m. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Motion by Neitzel, seconded by Herzog, to promote Barb Henninger to Deputy Treasurer/Building Permit Tech/Community Building Rental Coordinator and give her a 4.5% annual merit increase. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Motion by Herzog, seconded by Murtha, to approve \$.50/hour merit increase to Jean Latham, Library Assistant. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Adjournment

Motion by Herzog, seconded by Murtha, to adjourn. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Meeting adjourned at 8:15 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 6, 2023; 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.

Kelly Shemek
City Clerk

