



CITY COUNCIL AGENDA

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

CALL TO ORDER

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

CONSENT AGENDA

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

1. Approve Minutes of the July 20, 2021 Council Meeting
2. Approve Claims and Payroll
3. Consider request from HDR Engineering, on behalf of the Sarpy County and Cities Wastewater Agency, to waive the fee for a floodplain development permit

REGULAR AGENDA

1. Sarpy County Sheriff's Monthly Service Report
2. Ben Cohoon, Pink Gorilla Events – Discuss Market to Market Relay scheduled for Saturday, September 25, 2021; request street closures
3. Consider an Application for a Special Designated Liquor License submitted by The Blind Pig LLC for a beer garden in the downtown parking area of 168 Main Street, on Saturday, August 28, 2021, from 11:00 a.m. to 12:00 a.m.; consider a request to block off the sidewalk and five parking stalls in the downtown district for the beer garden
4. Conduct three **Public Hearings** associated with the applications filed by the City of Springfield requesting the following items (i thru iii) all on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138th Street and Pflug Road:

- (i) comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts; and
- (ii) zone change from Agriculture Residential to Rural Arts and Tourism; and
- (iii) amendment to Section 5.06 RT Rural Arts and Tourism District of the Springfield Zoning Ordinance to revise subsections A and G to allow a minimum lot area of 2 acres within the Corridor Overlay District and a minimum lot area of 5 acres outside of the Corridor Overlay District; to revise subsection D to state “Permitted Accessory Uses” instead of “Permitted Conditional Uses”; to allow special event venues as a permitted conditional use; and to revise subsection H to note that all other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit

5. Consider approval of **Ordinance No. 1069** AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL TO RURAL ARTS ON TAX LOT 37A1A2 24-13-11 (THE SOUTHERN PORTION OF SAID LOT IN THE PFLUG ROAD CORRIDOR); TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

6. Consider approval of **Ordinance No. 1070** AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO RURAL ARTS AND TOURISM ON TAX LOT 37A1A2 24-13-11 (THE SOUTHERN PORTION OF SAID LOT IN THE PFLUG ROAD CORRIDOR); TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

7. Consider approval of **Ordinance No. 1071** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.06 “RT RURAL ARTS AND TOURISM DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO REVISE SUBSECTIONS A AND G TO ALLOW A MINIMUM LOT AREA OF 2 ACRES WITHIN THE CORRIDOR OVERLAY DISTRICT AND A MINIMUM LOT AREA OF 5 ACRES OUTSIDE OF THE CORRIDOR OVERLAY DISTRICT; TO REVISE SUBSECTION D TO STATE “PERMITTED ACCESSORY USES” INSTEAD OF “PERMITTED CONDITIONAL USES”; TO ALLOW SPECIAL EVENT VENUES AS A PERMITTED CONDITIONAL USE; TO REVISE SUBSECTION H TO NOTE THAT ALL OTHER PROVISIONS OF THE ZONING ORDINANCE SHALL APPLY UNLESS OTHERWISE PERMITTED BY THE CONDITIONAL USE PERMIT; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

8. Conduct a **Public Hearing** to consider a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6th P.M. Sarpy County, Nebraska, generally located at 17017 S. 138th Street

9. Consider approval of **Resolution 2021-20** APPROVING A CONDITIONAL USE PERMIT FOR VESELI, APPLICANT, AND KEYES ENTERPRISES, PROPERTY OWNER, TO OPERATE A SPECIAL EVENT VENUE ON PROPERTY ZONED RURAL ARTS AND TOURISM DISTRICT AND LEGALLY DESCRIBED AS TAX

LOT 11, SECTION 25, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND GENERALLY LOCATED AT 17017 SOUTH 138TH STREET, SPRINGFIELD, NEBRASKA

10. Conduct a **Public Hearing** to consider an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35' to 25'
11. Consider approval of **Ordinance No. 1072** AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.09 "R87 SINGLE-FAMILY RESIDENTIAL DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO DECREASE THE FRONT YARD SETBACK FOR A SINGLE-FAMILY DWELLING FROM 35' TO 25'; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
12. Consider bid from Omaha Door and Window in the amount of \$3,672.21 for new steel storage room doors and frames in the basement of the Community Building
13. Consider bid from Kildow Construction in the amount of \$1,500 to raise up three hydrants
14. Consider bids from Brs Construction and Kildow Construction for the construction of two offices and one storage room at City Hall
15. Consider bid from Omaha Paving Company for asphalt repairs on 5th Avenue and South 2nd Street
16. Discuss Andie Ledenbach's annual review and consider a proposed merit increase

DEPARTMENT REPORTS

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

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

ADJOURNMENT

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock p.m. on Tuesday, August 3, 2021, at City Hall. Present were Mayor Bob Roseland; Council Members: Mike Neitzel, Michael Herzog, Kacie Murtha, Dan Craney. Notice of this meeting was given in advance by

posting in three public places, one of the designated methods of giving notice. Notice of this meeting was given in advance to the Mayor and all Council Members and a copy of their receipt of notice is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

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

Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
General				
44691	6084-10-10	Aflac-Gen	140.68	Aflac
44693	6084-10-10	Aflac-Gen	13.70	Ameritas Life Insurance
44653	6080-10-10	Health Insurance	2,540.78	BlueCross BlueShield
44699	9010-10-10	Office Equipment-Gen	409.50	Core Technologies
44651	6080-10-10	Health Insurance	134.00	Delta Dental
44702	7480-10-10	Janitorial-Gen	200.00	Executive Janitorial Corporation
44703	7330-10-10	Telephone-Gen	139.86	First National Bank
44703	9316-10-10	COVID-General	16.03	First National Bank
44703	7230-10-10	Postage/Shipping-Gen	145.00	First National Bank
44704	8140-10-10	R&M Equipment-Gen	126.29	Five Points Bank
44708	7030-10-10	Prof Svcs-Planning-Gen	856.00	JEO Consulting Group
44711	7200-10-10	Dues-Gen	4,729.00	League of Nebraska Municipalities
44719	7270-10-10	Insurance-Gen	1,661.57	Miller Monroe Farrell Insurance
44747	7320-10-10	Natural Gas-General	42.00	MUD
44723	7200-10-10	Dues-Gen	35.00	Nebraska Clerk Institute (UNO)
44727	7010-10-10	Prof Svcs-Engineer-Gen	121.25	Olsson
44730	7310-10-10	Electricity-Gen	296.47	OPPD
44668	6080-10-10	Health Insurance	108.96	Principal Financial
44736	7046-10-10	Prof Svcs-Building Inspector	14,097.86	Sarpy County Building Inspector
44737	7060-10-10	Animal Control-Gen	408.03	Sarpy County Fiscal Administrator
44745	7040-10-10	Prof Svcs-Other-Gen	28.00	Sarpy County Register of Deeds
44738	7050-10-10	Law Contract-Gen	9,431.00	Sarpy County Treasurer
44740	7020-10-10	Prof Svcs-Legal-Gen	1,678.50	Seidler & Seidler
44698	7455-10-10	Internet-Gen	97.97	Spectrum
44744	7280-10-10	Laundry-Gen	99.15	Walkers Uniform Rental
Total			37,556.60	
Sales Tax				
44706	9174-15-10	Street-Sales Tax	5,633.00	Harm's Concrete
Total			5,633.00	

Library				
44692	8060-20-10	Books/Videos/Maps-Lib	379.31	Amazon/SYNCB
44693	6084-20-10	Aflac-Lib	24.90	Ameritas Life Insurance
44694	8060-20-10	Books/Videos/Maps-Lib	117.14	Baker & Taylor
44653	6080-20-10	Health Insurance	1,550.49	BlueCross BlueShield
44651	6080-20-10	Health Insurance	67.50	Delta Dental
44717	8060-20-10	Books/Videos/Maps-Lib	65.78	MicroMarketing
44719	7270-20-10	Insurance-Lib	725.74	Miller Monroe Farrell Insurance
44747	7320-20-10	Natural Gas-Lib	39.37	MUD
44746	7330-20-10	Telephone-Lib	57.12	NT&T
44730	7310-20-10	Electricity-Lib	325.24	OPPD
44731	7340-20-10	Waste Disposal-Lib	20.00	Papillion Sanitation
44732	8060-20-10	Books/Videos/Maps-Lib	90.41	Perma-Bound Books
44668	6080-20-10	Health Insurance	144.63	Principal Financial
44739	7480-20-10	Janitorial-Lib	200.00	Schmieder, Marcie
Total			3,807.63	
Library Restricted				
44705	8060-21-10	Books/Videos/Maps-Lib Rest	89.15	Cengage Learning/Gale
44697	8060-21-10	Books/Videos/Maps-Lib Rest	89.28	Center Point Large Print
44701	8070-21-10	Library Supplies-Lib Rest	79.53	Eakes Office Solutions
44704	9010-21-10	Office Equipment Lib Rest	93.51	Five Points Bank
44717	8060-21-10	Books/Videos/Maps-Lib Rest	71.73	MicroMarketing
44728	8075-21-10	Program Fees-Lib Rest	650.00	OSP
44735	8070-21-10	Library Supplies-Lib Rest	38.53	Quill
44743	8130-21-10	R&M Building-Lib Rest	9,879.50	Vonrentzel Van & Storage
Total			10,991.23	
Park				
44691	6084-30-10	Aflac-Park	52.52	Aflac
44695	8140-30-10	R&M Equipment-Park	520.50	B&B Garage
44653	6080-30-10	Health Insurance	1,020.23	BlueCross BlueShield
44726	9040-30-10	Tools & Misc Equip-Parks	72.99	BlueTarp Financial
44696	8120-30-10	Fuel-Park	515.00	BRP Investments
44651	6080-30-10	Health Insurance	100.25	Delta Dental
44700	7350-30-10	Rental-Park	415.00	Eagle Services
44703	8130-30-10	R&M Building-Park	49.98	First National Bank
44748	8160-30-10	R&M Grounds-Park	1,900.00	Gretna Welding
44707	8030-30-10	Supplies-Park	88.18	Home Depot
44709	8160-30-10	R&M Grounds-Park	169.98	Lanoha Nurseries
44719	7270-30-10	Insurance-Park	1,069.52	Miller Monroe Farrell Insurance
44724	8160-30-10	R&M Grounds-Park	208.00	NE Statewide Arboretum
44730	7310-30-10	Electricity-Park	767.05	OPPD
44731	7340-30-10	Waste Disposal-Park	116.00	Papillion Sanitation
44668	6080-30-10	Health Insurance	31.02	Principal Financial
44741	8160-30-10	R&M Grounds-Park	143.76	Springfield Ace Hardware

Total			7,239.98	
Community Building				
44702	7480-40-10	Janitorial-Community Building	230.00	Executive Janitorial Corporation
44713	4950-40-10	Rent-Community Building	75.00	Mangen, Rosemary
44719	7270-40-10	Insurance-Community Bldg	563.41	Miller Monroe Farrell Insurance
44747	7320-40-10	Natural Gas-Community Bldg	34.97	MUD
44730	7310-40-10	Electricity-Community Bldg	389.38	OPPD
44731	7340-40-10	Waste Disposal-Community Bldg	44.00	Papillion Sanitation
44744	7280-40-10	Laundry-Community Bldg	146.97	Walkers Uniform Rental
Total			1,483.73	
Water				
44691	6084-50-20	Aflac-Water	56.16	Aflac
44693	6084-50-20	Aflac-Water	22.45	Ameritas Life Insurance
44653	6080-50-20	Health Insurance	2,249.79	BlueCross BlueShield
44696	8120-50-20	Fuel-Water	254.79	BRP Investments
44651	6080-50-20	Health Insurance	85.72	Delta Dental
44712	7200-50-20	Dues-Water	678.00	League of Nebraska Municipalities
44718	7420-50-20	Testing-Water	58.52	Midwest Laboratories
44719	7270-50-20	Insurance-Water	1,776.16	Miller Monroe Farrell Insurance
44720	8030-50-20	Supplies-Water	1,457.99	Municipal Supply
44722	7420-50-20	Testing-Water	36.00	NE Public Health Environmental Lab
44746	7330-50-20	Telephone-Water	204.71	NT&T
44729	7430-50-20	Digger's Hotline-Water	73.86	One Call Concepts
44730	7310-50-20	Electricity-Water	1,661.99	OPPD
44668	6080-50-20	Health Insurance	115.12	Principal Financial
44742	7330-50-20	Telephone-Water	16.68	Verizon Wireless
Total			8,747.94	
Sewer				
44691	6084-60-30	Aflac-Sewer	55.38	Aflac
44693	6084-60-30	Aflac-Sewer	11.25	Ameritas Life Insurance
44653	6080-60-30	Health Insurance	1,330.38	BlueCross BlueShield
44696	8030-60-30	Supplies-Sewer	4.89	BRP Investments
44696	8120-60-30	Fuel-Sewer	138.09	BRP Investments
44651	6080-60-30	Health Insurance	67.51	Delta Dental
44710	8140-60-30	R&M Equipment-Sewer	628.00	Layne Christensen Company
44718	7420-60-30	Testing-Sewer	217.50	Midwest Laboratories
44721	8140-60-30	R&M Equipment-Sewer	16.53	Mill Creek Auto Parts
44719	7270-60-30	Insurance-Sewer	1,336.90	Miller Monroe Farrell Insurance
44720	8030-60-30	Supplies-Sewer	14.00	Municipal Supply
44727	7010-60-30	Prof Svcs-Engineer-Sewer	950.35	Olsson
44730	7310-60-30	Electricity-Sewer	2,876.46	OPPD
44668	6080-60-30	Health Insurance	79.52	Principal Financial
44740	7020-60-30	Prof Svcs-Legal-Sewer	1,025.00	Seidler & Seidler
44741	8030-60-30	Supplies-Sewer	17.94	Springfield Ace Hardware

44741	8140-60-30	R&M Equipment-Sewer	92.93	Springfield Ace Hardware
44742	7330-60-30	Telephone-Sewer	16.68	Verizon Wireless
Total			8,879.31	
Street				
44691	6084-70-40	Aflac-Street	26.26	Aflac
44653	6080-70-40	Health Insurance	2,406.90	BlueCross BlueShield
44726	9040-70-40	Tools & Misc Equip-Street	91.50	BlueTarp Financial
44696	8120-70-40	Fuel-Street	834.76	BRP Investments
44651	6080-70-40	Health Insurance	50.62	Delta Dental
44707	9040-70-40	Tools & Misc Equip-Street	49.95	Home Depot
44749	8040-70-40	Safety Supplies-Street	53.50	Libra Industries
44714	8030-70-40	Supplies-Street	2.38	Menards
44715	9040-70-40	Tools & Misc Equip-Street	37.19	Menards
44716	8225-70-40	R&M Street Signs&Posts-Street	204.06	Michael Todd & Company
44716	8030-70-40	Supplies-Street	266.40	Michael Todd & Company
44716	8140-70-40	R&M Equipment-Street	314.43	Michael Todd & Company
44719	7270-70-40	Insurance-Street	2,415.95	Miller Monroe Farrell Insurance
44747	7320-70-40	Natural Gas-Street	84.15	MUD
44725	8140-70-40	R&M Equipment-Street	1,904.20	NMC Exchange
44746	7330-70-40	Telephone-Street	128.94	NT&T
44727	9202-70-40	Drainage Improvements	988.82	Olsson
44730	7340-70-40	Waste Disposal-Street	3,292.58	OPPD
44731	7340-70-40	Waste Disposal-Street	44.00	Papillion Sanitation
44733	8140-70-40	R&M Equipment-Street	1,728.81	Pomp's Tire Service
44734	8140-70-40	R&M Equipment-Street	896.45	Powerplan
44668	6080-70-40	Health Insurance	97.36	Principal Financial
44698	7455-70-40	Internet-Street	107.98	Spectrum
44741	9040-70-40	Tools & Misc Equip-Street	18.37	Springfield Ace Hardware
44741	8030-70-40	Supplies-Street	95.72	Springfield Ace Hardware
44742	7330-70-40	Telephone-Street	16.67	Verizon Wireless
44744	7290-70-40	Uniform Allowance-Street	17.24	Walkers Uniform Rental
Total			16,175.19	
		Water Deposit Refunds	1,696.83	
		Payroll	56,146.93	
		VOYA Retirement ER	4,227.90	
		Medical Reimbursement	1,842.23	

Regular Agenda

Agenda Item 1. Lt. Matt Core presented the Sarpy County Sheriff's Monthly Service Report. He said the department is gearing up for fair week. Lt. Core noted that the department has had a problem with their computer system relating to parking tickets, but they are working to address it. He also commented that they are dealing with a few fireworks complaints.

Agenda Item 2. Ben Cohoon, Pink Gorilla Events, reviewed the route for runners and drivers for the Market to Market Relay scheduled for Saturday, September 25, 2021. He said that runners will be

coming through the site between 7:15 a.m. and 1:15 p.m. They will be hiring a sheriff for the crossing at Main Street and Railroad Avenue. Motion by Murtha, seconded by Craney, to close Railroad Avenue from south of Main Street to Spruce Street on Saturday, September 25, 2021, for the Market to Market Relay. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 3. Motion by Herzog, seconded by Craney, to move agenda item 3 until further down the agenda in order to give the applicant time to arrive. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Nikki Cardin, applicant and owner of The Blind Pig, said that she would like to have a beer garden in the parking spaces at the front of her business on Main Street for a poker run scheduled for Saturday, August 28. She is requesting to block off five parking spaces for the seating area. The Blind Pig is the first and last stop for the event. Mayor Roseland inquired if Cardin had talked with adjacent business owners. Cardin said she had not done so, but planned to visit with them the next day. Herzog expressed concern with the lack of parking spaces affecting other businesses. Cardin suggested having her customers park in the Community Building parking lot and walk up to the bar. Murtha expressed concern about only using snow fence to outline the beer garden area. Craney said he was worried about beer crossing over the fence. Cardin said that double fence is only required for non-profits. The bar will have someone at the door checking IDs for 21 and over. Craney said he was not comfortable with the event lasting until 12:00 a.m. so he recommended the beer garden close at 10:00 p.m. He also recommended Cardin visit with the sheriff about having an officer on duty. City Attorney, Bill Seidler, Jr., recommended the city have some type of lease agreement with The Blind Pig to cover the terms and conditions of occupying the street. Motion by Murtha, seconded by Herzog, to approve the Special Designated Liquor License submitted by The Blind Pig, LLC, for a beer garden in the downtown parking area of 168 Main Street on Saturday, August 28, 2021, from 11:00 a.m. until 10:00 p.m. and to block off the sidewalk and five parking stalls in the downtown district in the front of the business, all contingent upon the following: (1) the beer garden shuts down at 10:00 p.m., (2) the applicant must ask all adjacent property owners if they are okay with the decrease in parking stalls, (3) the applicant shall provide the City of Springfield with a proper insurance certificate, and (4) applicant and city shall enter into a lease agreement outlining the terms for occupying the city street/right-of-way. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 4. A Public Hearing of the Springfield City Council was opened at 7:23 p.m. to consider applications filed by the City of Springfield requesting the following items (i thru iii) on property legally described as Tax Lot 37A1A2 24-13-11 (the southern portion of said lot in the Pflug Road corridor); Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska for (1) a comprehensive plan amendment changing the future land use designation from Rural Residential to Rural Arts, (2) a zone change from Agricultural Residential to Rural Arts and Tourism, and (3) an amendment to Section 5.06 of the RT Rural Arts and Tourism District. Staff reviewed the proposed changes. No one from the public spoke in favor of or in opposition to the proposed amendments. After all those wishing to speak were offered an opportunity to be heard, the Mayor recommended the hearing be closed. Motion by Craney, seconded by Herzog, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:30 p.m.

Agenda Item 5. Council Member Murtha introduced Ordinance No. 1069 entitled:

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL TO RURAL ARTS ON THE SOUTHERN PORTION OF TAX LOT 37A1A2 24-13-11 LOCATED IN THE PFLUG ROAD CORRIDOR; TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B

25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member 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, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Murtha moved for final passage of the ordinance, which motion was seconded by Council Member Herzog. The Mayor then stated the question "Shall Ordinance No. 1069 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1069

AN ORDINANCE TO CHANGE THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL TO RURAL ARTS ON THE SOUTHERN PORTION OF TAX LOT 37A1A2 24-13-11 LOCATED IN THE PFLUG ROAD CORRIDOR; TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. APPLICATION. An application was filed by the City of Springfield, Nebraska, applicant, requesting a change of future land use designation from Rural Residential to Rural Arts on the southern portion of Tax Lot 37A1A2 24-13-11 located in the Pflug Road corridor; Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138th Street and Pflug Road.

Section 2. APPROVAL TO CHANGE THE FUTURE LAND USE DESIGNATION FROM RURAL RESIDENTIAL TO RURAL ARTS ON THE SOUTHERN PORTION OF TAX LOT 37A1A2 24-13-11 LOCATED IN THE PFLUG ROAD CORRIDOR; TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA. On July 13, 2021, the Springfield Planning Commission conducted a public hearing on the matter of changing the future land use designation from Rural Residential to Rural Arts and reported to the City Council that it recommended approval of the land use change. On August 3, 2021, the City Council opened a public hearing on said proposed changes and found and determined that the future land use change from Rural Residential to Rural Arts was advisable. The City Council further found and determined that public hearings were duly held and notices were duly given. The City Council hereby approves said proposed change in future land use designation from Rural Residential to Rural Arts on the southern portion of Tax Lot 37A1A2 24-13-11 located in the Pflug Road Corridor; Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot

9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska.

Section 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2021.

Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 6. Council Member Murtha introduced Ordinance No. 1070 entitled:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO RURAL ARTS AND TOURISM ON TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Murtha moved for final passage of the ordinance, with the removal of the southern portion of Tax Lot 37A1A2, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1070 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1070

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO RURAL ARTS AND TOURISM ON TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA; THESE PARCELS ARE GENERALLY LOCATED IN THE VICINITY OF 138TH STREET AND PFLUG ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. APPLICATION. An application was filed by the City of Springfield, Nebraska, applicant, requesting a change of zoning classification from Agriculture Residential to Rural Arts and Tourism on Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-

11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska; these parcels are generally located in the vicinity of 138th Street and Pflug Road.

Section 2. APPROVAL TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO RURAL ARTS AND TOURISM ON TAX LOT 7 25-13-11; TAX LOT 6 25-13-11; TAX LOT 9A1 25-13-11; TAX LOT 9A2 25-13-11; TAX LOT 9B 25-13-11; TAX LOT 10 25-13-11; TAX LOT 11 25-13-11; TAX LOT 12A 25-13-11; TAX LOT 12B 25-13-11; ALL IN SARPY COUNTY, NEBRASKA. On July 13, 2021, the Springfield Planning Commission conducted a public hearing on the matter of changing the zoning classification from Agriculture Residential to Rural Arts and Tourism and reported to the City Council that it recommended approval of the land use change. On August 3, 2021, the City Council opened a public hearing on said proposed changes and found and determined that the zoning classification from Agriculture Residential to Rural Arts and Tourism was advisable and in compliance with the Springfield Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices were duly given. The City Council hereby approves said proposed change in zoning classification from Agriculture Residential to Rural Arts and Tourism on Tax Lot 7 25-13-11; Tax Lot 6 25-13-11; Tax Lot 9A1 25-13-11; Tax Lot 9A2 25-13-11; Tax Lot 9B 25-13-11; Tax Lot 10 25-13-11; Tax Lot 11 25-13-11; Tax Lot 12A 25-13-11; Tax Lot 12B 25-13-11; all in Sarpy County, Nebraska.

Section 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2021.

Robert Roseland, Mayor

(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 7. Council Member Murtha introduced Ordinance No. 1071 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.06 "RT RURAL ARTS AND TOURISM DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO REVISE SUBSECTIONS A AND G TO ALLOW A MINIMUM LOT AREA OF 2 ACRES WITHIN THE CORRIDOR OVERLAY DISTRICT AND A MINIMUM LOT AREA OF 5 ACRES OUTSIDE OF THE CORRIDOR OVERLAY DISTRICT; TO REVISE SUBSECTION D TO STATE "PERMITTED ACCESSORY USES" INSTEAD OF "PERMITTED CONDITIONAL USES"; TO ALLOW SPECIAL EVENT VENUES AS A PERMITTED CONDITIONAL USE; TO REVISE SUBSECTION H TO NOTE THAT ALL OTHER PROVISIONS OF THE ZONING ORDINANCE SHALL APPLY UNLESS OTHERWISE PERMITTED BY THE CONDITIONAL USE PERMIT; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Craney seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Murtha moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1071 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk

attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1071

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.06 “RT RURAL ARTS AND TOURISM DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO REVISE SUBSECTIONS A AND G TO ALLOW A MINIMUM LOT AREA OF 2 ACRES WITHIN THE CORRIDOR OVERLAY DISTRICT AND A MINIMUM LOT AREA OF 5 ACRES OUTSIDE OF THE CORRIDOR OVERLAY DISTRICT; TO REVISE SUBSECTION D TO STATE “PERMITTED ACCESSORY USES” INSTEAD OF “PERMITTED CONDITIONAL USES”; TO ALLOW SPECIAL EVENT VENUES AS A PERMITTED CONDITIONAL USE; TO REVISE SUBSECTION H TO NOTE THAT ALL OTHER PROVISIONS OF THE ZONING ORDINANCE SHALL APPLY UNLESS OTHERWISE PERMITTED BY THE CONDITIONAL USE PERMIT; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On July 13, 2021, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.06 of the zoning ordinance and reported a recommendation of approval to the City Council. On August 3, 2021, the City Council held a public hearing on said proposed amendments to the zoning ordinance and found and determined that said proposed amendments to the zoning ordinance are advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendments to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.06 is hereby amended as follows:

Section 5.06 RT Rural Arts/Tourism District

- A. *Intent.* Provides for agriculture; low-density residential development; resident operated commercial operations related to arts, crafts, and tourism; and limited commercial operations. Minimum lot area of 2 acres within the Corridor Overlay District and minimum lot area of 5 acres outside of the Corridor Overlay District.
- B. *Purpose*
 - 1. To create opportunities for residential and commercial operations that promote: tourism, education, cultural awareness, artistry, and recreation in Springfield.
 - 2. To expand business and job opportunities, and encourage development of residential and commercial buildings.
 - 3. To encourage adaptive reuse of existing buildings and farmsteads in the area.
- C. *Permitted Uses*
 - 1. Agricultural farms, truck gardens, green houses, pasture, plant nurseries, orchards, grain storage facilities, and the usual agricultural farm buildings and structures
 - 2. Single-family dwellings
 - 3. Roadside stands offering for sale agriculture products produced on the premises

4. Church, seminary and convent, including residences for pastors and teachers
5. Public and parochial school; college
6. Publicly owned and operated buildings and facilities such as community, centers, auditoriums, libraries, and museums
7. Fire Station
8. Public parks and recreation areas, playgrounds, forest and conservation areas, including commercial uses and campgrounds under franchise of the County or State government agencies
9. Private recreation areas and facilities, including lakes, ponds, country clubs, golf courses, and swimming pools
10. Public utility distribution systems, substations, terminal facilities, and reservoirs
11. Railroads
12. Irrigation facilities
13. Florists
14. Home occupations subject to Section 8.07

D. Permitted ~~Conditional~~Accessory Uses (Permitted without conditional use if site is the primary residence of the operator)

1. Antiques – restoration and sale of antiques and collectibles
2. Artist and photographic studios
3. Artist Supply shops
4. Antique shops
5. Bicycle shops
6. Handicraft shops, such as jewelry, stained glass, woven rugs, candle making and ceramics
7. Weaving
8. Boutiques
9. Candle making
10. Cartoon animation
11. Ceramics and pottery production
12. Costume designing
13. Dance and drama studio, not including any dance activities requiring a license
14. Fine arts gallery
15. Glass – The hand production of glass crystal, art novelties and the assembly of stained art glass
16. Musical instruments
17. Picture mounting and framing
18. Shoe and footwear manufacturing
19. Silkscreen processing
20. Textile weaving
21. Toy manufacturing
22. Woodcarving
23. Writing, professional studio
24. Block printing
25. Jewelry production
26. Metal engraving
27. Ornamental iron
28. Printing and publishing
29. Taxidermy
30. Watch making

- 31. Winery and micro-brewery/pub
- 32. Bed and Breakfast

E. *Permitted Conditional Uses*

- 1. Restaurants, including delicatessens, tearooms, and eating-places
- 2. Bed and Breakfasts
- 3. Radio and television transmitter
- 4. Airport
- 5. Publicly owned and operated buildings and facilities such as community centers, auditoriums, libraries, museums, and privately owned non-commercial museums and historic areas
- 5.6. Special event venues
- 6.7. Billboards
- 7.8. Horse stables
- 8.9. Signs
- 9.10. Private barns, and associated livestock, for not more than (2) animals for the first acre of land, and (1) additional animal for every (2) additional acres of land
- 10.11. Planned Development District
- 11.12. Satellite dish antennas that conform to the supplementary regulations of this Ordinance
- 13. Outdoor Storage Containers, limited to two containers per business and subject to Section 8.18

F. *Accessory Uses*

- 1. Buildings and uses customarily incidental to the permitted and conditional uses
- 2. Temporary buildings and uses incidental to construction work or in the event of an emergency as determined by the Board which shall be removed upon the completion or abandonment of the construction work
- 3. Private swimming pool, tennis courts, and other recreational facilities in conjunction with the permitted use

G. *Height and Area Requirements*

		Lot	Lot	Front	Side	Street	Rear	Maximum
		Area	Width	Yard	Yard	Side	Yard	Height
Single-Family Dwelling	w/in Corridor Overlay District	2 acres	100	35 ft.	15 ft.	25 ft.	25 ft.	3 stories or 40 ft.
Single-Family Dwelling	outside of Corridor Overlay District	<u>5 acres</u>	<u>300</u>	<u>50 ft.</u>	<u>20 ft.</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>3 stories or 40 ft.</u>
Other Permitted Uses	w/in Corridor Overlay District*	2 acres	100	35 ft.	15 ft.	25 ft.	25 ft.	65 ft.
Other Permitted Uses	outside of Corridor Overlay District*	<u>5 acres</u>	<u>300</u>	<u>50 ft.</u>	<u>20 ft.</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>65 ft.</u>
Accessory Buildings**		---	---	50 ft.	10 ft.	25 ft.	5 ft.	30 ft.

*Agricultural uses are exempt from maximum height requirements.

**Including provisions listed in Section 4.14 pertaining to Accessory Building and Uses

H. *Other Applicable Provisions*

1. All permitted or conditional uses must adhere to parking requirements of Article 7, even if the primary use is residential.
2. Maximum of (3) three employees, unrelated or not living on the premises, are allowed where the operation is a permitted use because it is the primary residence of the operator. Where a conditional use permit is required, the maximum number of employees may be restricted.
3. Only one building for living purposes shall be permitted on one zoned lot, except as may be otherwise provided herein.
4. Private wells subject to review in Article 6 may be authorized where the following additional standards are met:
 - a. All wells must meet Nebraska Department of Health and Human Services and Department of Environmental Quality standards for quality, design, and operation.
 - b. No well shall be allowed within 1,000 feet of an existing or designated municipal well site.
 - c. The proposed location shall not create a negative impact on adjacent properties.
 - d. Authorized permits shall be reviewed for renewal on an annual basis and shall be discontinued when city water services are adjacent to the property of right-of-way contiguous to the property.
5. Screening of mechanical units, materials or equipment stored outdoors, and activities, which are not readily found or conducted on a residence or farm, is required. Screening shall consist of a predominately opaque barrier such as a berm, fence, or evergreen vegetation, so that the mechanical units, stored items, or activities cannot be viewed from a public roadway or adjacent property. _____

6. All other provisions of the Zoning Ordinance shall apply unless otherwise permitted by the Conditional Use Permit.

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

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

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2021.

Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 8. A Public Hearing of the Springfield City Council was opened at 7:36 p.m. to consider a conditional use permit application submitted by Veseli, applicant, and Keyes Enterprises, owner, for a special event venue located at Tax Lot 11, Section 25, Township 13, Range 11, East of the 6th P.M. Sarpy County, Nebraska, generally located at 17017 S. 138th Street. Staff reviewed the application and proposed conditional use permit agreement. Clayton Salberg, applicant, spoke in favor of the application. No one else from the public spoke in favor of or in opposition to the conditional use permit. After all those wishing to speak were offered an opportunity to be heard, the Mayor recommended the hearing be closed. Motion by Murtha, seconded by Craney, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:36 p.m.

Agenda Item 9. Council Member Murtha introduced the following resolution and moved its adoption. Council Member Craney seconded the motion for the adoption of the resolution and on roll call the following Council Members voted in favor of said motion: Neitzel, Herzog, Murtha, Craney. The following voted against the same: None. The Mayor declared the motion carried and the resolution adopted. A true, correct, and complete copy of said resolution is as follows:

**RESOLUTION
2021-20**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA APPROVING A CONDITIONAL USE PERMIT FOR VESELI, APPLICANT, AND KEYES ENTERPRISES, PROPERTY OWNER, TO OPERATE A SPECIAL EVENT VENUE ON PROPERTY ZONED RURAL ARTS AND TOURISM DISTRICT AND LEGALLY DESCRIBED AS TAX LOT 11, SECTION 25, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND GENERALLY LOCATED AT 17017 SOUTH 138TH STREET, SPRINGFIELD, NEBRASKA.

WHEREAS, the owner and applicant of the above described property have made application for approval of a conditional use permit to operate a special event venue on property zoned Rural Arts and Tourism District; and

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

WHEREAS, the Springfield Planning Commission held a public hearing on July 13, 2021, regarding the application and has made a recommendation of approval to the City Council for the conditional use permit; and

WHEREAS, the City Council of the City of Springfield held a public hearing regarding such application on August 3, 2021, and is agreeable to the conditional use permit, subject to certain conditions and agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Springfield hereby approves and issues the conditional use permit to Veseli, applicant, and Keyes Enterprises, property owner, to operate a special event venue on property zoned Rural Arts and Tourism District and legally described as Tax Lot 11, Section 25, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, subject to certain conditions and

agreements as set forth in the conditional use permit agreement attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2021.

Ayes: Neitzel, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 10. A Public Hearing of the Springfield City Council was opened at 7:38 p.m. to consider an application filed by the City of Springfield to amend Section 5.09 R87 Single-Family Residential District of the Springfield Zoning Ordinance to decrease the front yard setback for a single-family dwelling from 35' to 25'. No one from the public spoke in favor of or in opposition to the conditional use permit. After all those wishing to speak were offered an opportunity to be heard, the Mayor recommended the hearing be closed. Motion by Murtha, seconded by Craney, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:41 p.m.

Agenda Item 11. Council Member Murtha introduced Ordinance No. 1072 entitled:

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.09 "R87 SINGLE-FAMILY RESIDENTIAL DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO DECREASE THE FRONT YARD SETBACK FOR A SINGLE-FAMILY DWELLING FROM 35' TO 25'; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

and moved that the statutory rule requiring reading on three different days be suspended. Council Member 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, Craney. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Murtha moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1072 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1072

AN ORDINANCE TO AMEND ARTICLE 5 "ZONING DISTRICTS", SECTION 5.09 "R87 SINGLE-FAMILY RESIDENTIAL DISTRICT" OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA TO DECREASE THE FRONT YARD SETBACK FOR A SINGLE-FAMILY DWELLING FROM 35' TO 25'; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Section 1. Approval of Amendment to Zoning Ordinance. On July 13, 2021, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 5.09 of the zoning ordinance decreasing the front yard setback for a single-family dwelling from 35' to 25' and reported a recommendation of approval to the City Council. On August 3, 2021, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 5.09 is hereby amended as follows:

Section 5.09 R87 Single-Family Residential District

- A. *Intent.* Provides for single-family residential uses; minimum lot area of 8,700 square feet.

- B. *Permitted Uses*
 - 1. Single-family dwellings
 - 2. Public and parochial schools
 - 3. Churches, seminary and convent, including residences for pastors, teachers, and students
 - 4. Publicly owned and operated parks, forest preserves, playgrounds, fire stations, community centers, libraries, and auditoriums
 - 5. Universities, colleges, high schools, junior high schools, and elementary schools
 - 6. Private recreation areas such as country clubs, golf courses, lakes, common areas, and swimming pools
 - 7. Home occupations, subject to Section 8.07 of these regulations.

- C. *Permitted Conditional Uses*
 - 1. Planned Development District
 - 2. Hospitals, nursing homes, rest homes, sanatoriums, convalescent homes, or other similar institutions
 - 3. Public utility and services uses, substations, distribution centers, regulator stations, pumping stations, treatment facilities, storage, equipment buildings, garages, towers, or similar public service uses
 - 4. Signs
 - 5. Residential renovation for all single-family dwellings built before 1973
 - 6. Satellite dish antennas that conform to the supplementary regulations of this Ordinance
 - 7. Child care home
 - 8. Self-sustaining communication towers of no more than 100 feet in height on public property

- D. *Accessory Uses*
 - 1. Buildings and uses customarily incidental to permitted use

2. Temporary buildings and uses incidental to construction work which shall be removed upon the completion or abandonment of the construction work
3. Private swimming pool, tennis court, and other recreational facilities in conjunction with a residence

E. *Height and Area Requirements*

	Sq. Ft. <u>Area</u>	Lot <u>Width</u>	Front <u>Yard</u>	Side <u>Yard</u>	Street <u>Side Yard</u> <u>Rear Yard</u>		Maximum <u>Height</u>
Single-family Dwelling	8,700	66'	325'	7'	25'	25'	2 ½ stories
Other Permitted Uses	8,700	66'	25'	10'	25'	25'	65'
Accessory Buildings*	---	---	50'	5'	25'	3'	15'

*Including provisions listed in Section 4.14 pertaining to Accessory Building and Uses

1. A one (1) or one and one-half (1 ½) story single-family house with slab on grade or with no basement shall contain at least 1,200 square feet of floor area on one level exclusive of garages and other attached accessory floor area; a split-level or multi-level single-family house shall contain at least 1,200 square feet as the total sum of the nearest floor levels separated by not more than five (5) vertical feet, provided that the floor level or levels nearest the grade or ground line used for living purposes shall contain at least 500 square feet, exclusive of garages and other accessory floor area; and a two (2) or two and one-half (2 ½) story single-family house with or without a split-entry shall contain at least 1,000 square feet of floor area on the lower story, if more than 50% of the space is finished and used for living purposes, all exclusive of garages and other attached accessory floor area.
2. A lot used for single-family dwelling purposes, and that is not connected to an approved public sanitary sewer system and an approved water system, shall have a minimum lot area of 20,000 square feet.

F. *Other Applicable Provisions*

1. Only one (1) building for living purposes shall be permitted on one (1) zoning lot, except as may be otherwise provided herein.

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

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

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2021.

Approved: Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 12. Motion by Craney, seconded by Herzog, to approve the bid from Omaha Door and Window in the amount of \$3,672.21 for new steel storage room doors and frames in the basement of the Community Building. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 13. Motion by Herzog, seconded by Neitzel, to approve the bid from Kildow Construction in the amount of \$1,500.00 to raise up three fire hydrants. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 14. Motion by Herzog, seconded by Murtha, to approve the bid from Brs Construction in the amount of \$23,175.00 for the construction of two office spaces and one storage room at City Hall, plus return airs in both office spaces. AYES: Herzog, Murtha, Craney. NAYS: Neitzel. Motion carried.

Agenda Item 15. Motion by Herzog, seconded by Murtha, to approve the bid from Omaha Paving Company in the amount of \$25,959.00 for asphalt repairs on 5th Avenue and South 2nd Street. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 16. Council discussed Andie Ledenbach's annual review and considered a proposed merit increase. Motion by Neitzel, seconded by Herzog, to approve a 5% annual merit increase to Andie Ledenbach, Assistant City Clerk/Utility Billing Clerk. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. Neitzel reported that he met with Heath Shemek, sewer operator, and exchanged phone numbers.

Agenda Item 2. Herzog reported that the library board considered changes to after school procedures due to COVID. He said the library is considering replacement of the HVAC system.

Agenda Item 3. Murtha reported that the railing at Buffalo Park will be installed soon. The maintenance department is busy sprucing up town for the fair. She met with Rick Lee to discuss water meters and toured the water tower site. Neitzel noted that he would really like to see the basketball court at City Park redone this next year.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. No additional city staff reports.

Adjournment

Motion by Herzog, seconded by Craney, to adjourn. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:03 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 August 3, 2021; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said

meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kathleen Gottsch, City Clerk