



CITY COUNCIL AGENDA

Tuesday, January 16, 2024 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

RESIGNATION OF CURRENT CITY CLERK & APPOINTMENT OF NEW CITY CLERK

1. Accept Kelly Shemek's resignation as City Clerk effective January 15, 2024
2. Appoint Barb Henninger as City Clerk effective January 16, 2024
3. Approve **Resolution 2024-2** appointing city officials
4. City Attorney, Bill Seidler, Jr., swears in new City Clerk, Barb Henninger

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 January 2, 2024, Council Meeting
2. Approve Claims
3. Treasurer's Report
4. Approve Pay Application No. 15 to Judds Bros. Construction in the amount of \$54,648.75 for construction services rendered on the New Well Project
5. Consider approval of a Special Designated Liquor License to St. Joseph's Catholic Church for their fundraising events on February 23, March 1, March 15, and March 22, 2024, from 5:00 p.m. to 7:30 p.m. at St. Joseph's Catholic Church Parish Hall, 100 S. 9th Street, Springfield

REGULAR AGENDA

1. Conduct a Public Hearing for an application filed by the City of Springfield to amend Section 5.21 HCO Highway Corridor Overlay District of the Springfield Zoning Ordinance to revise subsection D Permitted and Conditional Permitted Uses by adding the following language, “(20) automobile sales shall be limited to one automobile sales use per 2,640 feet (1/2 mile) not including public right-of-way in the measurement, Note: auto sales and service includes boats and trailers”
2. Consider approval of **Ordinance No. 1149** AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
3. Conduct a Public Hearing for an application submitted by Hawkins Construction Company, applicant, City of Springfield, owner, and Sarpy County & Cities Wastewater Agency, agent, for the use of an LED floodlight to illuminate the Sarpy County & Cities Wastewater Agency’s lift station #3 monument sign located on Tax Lot 3B and part of Tax Lot 3A1, Section 25, Township 13, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 17311 Highway 50, Springfield, Nebraska
4. Consider approval of **Resolution 2024-3** entering into a First Amendment to Ground Lease Agreement with the Sarpy County & Cities Wastewater Agency to include new terms regarding the Wastewater Agency’s construction of a monument sign on the leased premises
5. Consider approval of **Resolution 2024-4** entering into a Conditional Use Permit Agreement with the Sarpy County & Cities Wastewater Agency for the purpose of using indirect lighting on a monument sign based upon the criteria prescribed in the Springfield Zoning Ordinance
6. Consider golf car regulations
7. Consider a wage increase for Barb Henninger for her new role as the City Clerk
8. Discuss staffing changes at City Hall and consider job duties for a new hire

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

MINUTES

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:04 p.m. on Tuesday, January 16, 2024, 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.

Resignation of current City Clerk & appointment of new City Clerk

Item 1. Motion by Herzog, seconded by Neitzel, to accept the resignation of Kelly Shemek as City Clerk effective January 15, 2024. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Item 2. Motion by Herzog, seconded by Neitzel, to appoint Barb Henninger as City Clerk effective January 16, 2024. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Item 3. Council Member Herzog introduced the following resolution and moved its adoption. Council Member Neitzel 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 2024-2

Appoint City Officials

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

that the Mayor of the City of Springfield, Nebraska, with the consent of the City Council, appoints the following persons to act as the municipal clerk, municipal treasurer, municipal engineer, municipal attorney, municipal street commissioner, municipal street superintendent, municipal maintenance superintendent, municipal fiscal agent, municipal auditor, municipal building inspector, and municipal electrical inspector, who shall hold their offices from January 16, 2024, until the first regular meeting in December 2024 unless sooner removed by the Mayor with approval of the City Council as per Springfield Municipal Code.

1. City Clerk: Barbara Henninger
2. City Treasurer: Kathleen R. Gottsch
3. Municipal Engineer: Olsson
4. Municipal Attorney: William E. Seidler, Jr.
5. Municipal Street Commissioner: Bryan Cherry
6. Municipal Street Superintendent: Justin Stark, Olsson, License No. 1534, Class A, By Contract

7. Municipal Maintenance Superintendent: Heath Shemek (Water & Sewer)
8. Municipal Fiscal Agents: Ameritas, Piper Sandler & Co.
9. Municipal Auditor: Ric Ortmeier, CPA
10. Municipal Building Inspector: Sarpy County Building Department
11. Municipal Electrical Inspector: Sarpy County Building Department

Introduced and Passed this 16th day of January, 2024.

City Council Member Herzog moved the adoption of said resolution.
 City Council Member Neitzel seconded the motion.

Record of Vote:

Ayes: Neitzel, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Administrator

Item 4. City Attorney, Bill Seidler, Jr., swore in Barb Henninger as the new City Clerk. Henninger recited and signed the Oath of Office.

Consent Agenda

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

Payment Type	GL Account	Account Description	Debit Amount	Vendor Name
General				
EFTPS	6080-10-10	Health Insurance	2,961.29	Blue Cross Blue Shield
47962	8140-10-10	R&M Equip	181.08	Eakes Office Solutions
47964	7040-10-10	Prof Serv - Other	550.00	Midwest Right of Way
EFTPS	7272-10-10	Insurance	319.35	Travelers
EFTPS	7272-10-10	Insurance	708.88	USI
		Total	4,720.60	
Library				
EFTPS	6080-20-10	Health Insurance	492.16	Blue Cross Blue Shield
EFTPS	7272-20-10	Insurance	139.48	Travelers
EFTPS	7272-20-10	Insurance	309.62	USI
		Total	941.26	
Park				
EFTPS	6080-30-10	Health Insurance	505.06	Blue Cross Blue Shield
EFTPS	7272-30-10	Insurance	205.56	Travelers
EFTPS	7270-30-10	Insurance	456.29	USI

		Total	1,166.91	
Community Building				
EFTPS	7272-40-10	Insurance	108.29	Travelers
EFTPS	7272-40-10	Insurance	240.37	USI
		Total	348.66	
Water				
EFTPS	6080-50-20	Health Insurance	1,690.54	Blue Cross Blue Shield
47963	9155-50-20	GIS	275.00	ESRI
47965	7330-50-20	Telephone	237.55	NT&T
47931	9090-50-20	New Well	58,708.00	OPPD
EFTPS	7272-50-20	Insurance	341.37	Travelers
EFTPS	7272-50-20	Insurance	757.76	USI
		Total	62,010.22	
Sewer				
EFTPS	6080-60-30	Health Insurance	1,690.53	Blue Cross Blue Shield
47963	9155-60-30	GIS	275.00	ESRI
EFTPS	7272-60-30	Insurance	256.95	Travelers
EFTPS	7272-60-30	Insurance	570.36	USI
		Total	2,792.84	
Street				
EFTPS	6080-70-40	Health Insurance	2,643.87	Blue Cross Blue Shield
47965	7330-70-40	Telephone	158.24	NT&T
EFTPS	7272-70-40	Insurance	464.34	Travelers
EFTPS	7272-70-40	Insurance	1,030.72	USI
		Total	4,297.17	

The City Treasurer reported a balance on hand of \$3,231,167.66 in cash assets; Prestige Treasury-\$207,708.83; Prestige Bond-\$1,236,833.72; Keno Community Betterment-\$468,628.44; Keno Progressive Jackpot-\$50,000.00; Water Deposit Savings-\$4,232.83; Refundable Deposit Savings-\$1,235.81; Water Tower Savings-\$331,083.63; Sewer Restricted-\$334,896.64; Water Capital Facilities Fees-\$172,595.30; Sewer Capital Facilities Fees-\$1,135,665.94; City Sales Tax-\$9,056,486.93; Money Market Library Bricks-\$977.09; Government Securities-\$120,752.54; Library Savings-\$1,644.89; ASIP Pinnacle-\$1,981,152.62; Time Certificates as follows: Bond-\$80,792.70; Tower-\$60,304.77; Water-\$132,596.54; Library Restricted-\$33,677.70; Cash Receipts-\$261,489.29; Cash Disbursements-\$251,974.46.

Regular Agenda

Agenda Item 1. A Public Hearing of the Springfield City Council was opened at 7:10 p.m. to consider an application filed by the City of Springfield to amend Section 5.21 HCO Highway Corridor Overlay District of the Springfield Zoning Ordinance to revise subsection D Permitted and Conditional Permitted Uses by adding the following language, “(20) automobile sales shall be limited to one automobile sales use per 2,640 feet (1/2 mile) not including public right-of-way in the measurement, Note: auto sales and service includes boats and trailers”. No one from the public spoke in favor of or in opposition to the conditional use permit. Kathleen Gottsch, City Administrator, explained concerns in the number of requests City Hall has received for used car dealerships wanting to locate along the Hwy 50 corridor. We currently have 5 dealerships in town. Jeff Ray, City Planner with JEO, and City staff recommended amending the

ordinance by either (1) adding automobile sales to the list of specific uses not allowed or (2) limiting automobile sales per 2,640 ft (1/2 mile) of each other not including public right-of-way in the measurement. This item was presented to the Planning Commission with the amendment to the zoning ordinance limiting the number of automobile sales locations per 2,640 ft (1/2 mile) and the Commission recommended approval of the revision. Herzog wanted clarification of what auto services included. Gottsch referred to Ordinance No. 873, Article 2: Definitions – Automobile Services. Neitzel voiced his concerns regarding the type of business that would be interested in conducting business along the Hwy 50 corridor and if this would restrict the property value as a viable business. After all those wishing to speak were offered an opportunity to be heard, the Mayor recommended the hearing be closed. Motion by Herzog, seconded by Murtha, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:24 p.m.

Agenda item 2. Council Member Murtha introduced Ordinance No. 1149

AN ORDINANCE TO AMEND ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.21 “HCO HIGHWAY CORRIDOR OVERLAY DISTRICT” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; 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: Murtha, Craney. The following voted NAY: Neitzel. The following voted to Abstain: Herzog.

Gottsch pointed out that with Herzog voting to abstain they are unable to suspend the statutory rule to waive the reading on three different days. Gottsch read the first reading of Ordinance No. 1149. Second reading to be Tuesday, February 6, 2024, and the third reading to be Tuesday, February 20, 2024.

Agenda Item 3. A Public Hearing of the Springfield City Council was opened at 7:35 p.m. to consider an application submitted by Hawkins Construction Company, applicant, City of Springfield, owner, and Sarpy County & Cities Wastewater Agency, agent, for the use of an LED floodlight to illuminate the Sarpy County & Cities Wastewater Agency’s lift station #3 monument sign located on Tax Lot 3B and part of Tax Lot 3A1, Section 25, Township 13, Range 11 East of the 6th P.M., Sarpy County, Nebraska, generally located at 17311 Highway 50, Springfield, Nebraska. Jeff Thompson, Project Engineer with Sarpy County & Cities Wastewater Agency, 1210 Golden Gate Dr., Papillion, NE 68046, stated that the ground lease agreement did not include signage. Thompson presented the proposed sign for the SCCWWA using an LED floodlight to illuminate the monument sign. The agency will contact NDOT to obtain a permit required for signage along the Highway. 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 Herzog, seconded by Neitzel, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing closed at 7:40 p.m.

Agenda Items 4 and 5. Motion by Herzog, seconded by Neitzel, to table agenda items 4 and 5, regarding the approval of **Resolution 2024-3** entering into a First Amendment to Ground Lease Agreement with the Sarpy County & Cities Wastewater Agency to include new terms regarding the Wastewater Agency’s construction of a monument sign on the leased premises and Resolution 2024-4 entering into a Conditional Use Permit Agreement with the Sarpy County & Cities Wastewater Agency for the purpose of using indirect lighting on a monument sign based upon the criteria prescribed in the Springfield Zoning Ordinance, until the February 6, 2024, Council meeting. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 6. Council reviewed general requirements to structure an ordinance for golf car regulations. Council directed staff to prepare an ordinance for golf car regulations that matches Sarpy County's ordinance and to restrict golf cars on Platteview Road, Pflug Road and 132nd Street.

Agenda Item 7. Motion by Herzog, seconded by Neitzel, to move agenda item 7, regarding a wage increase for Barb Henninger for her new role as the City Clerk, into executive session. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 8. Council considered staffing changes and job duties for new hires at City Hall.

Department Reports

Agenda Item 1. Neitzel reported that Heath Shemek, water/sewer operator, is in the process of getting the F550 back to working order. The crew has done a great job of snow removal.

Agenda Item 2. Herzog reported the library has been closed for a few days because of the snow.

Agenda Item 3. Murtha reported that with recent personnel changes maintenance staff has been stepping up to get the snow removal done and are doing a great job.

Agenda Item 4. No department report from Craney.

Agenda Item 5. No department report from Mayor Roseland.

Agenda Item 6. Gottsch reported that she has attended meetings with Apogee who is interested in developing an apartment complex in town. JEO has submitted a proposal along with Confluence to update our comp plan. Gottsch is also working on personnel tasks.

Executive Session

Motion by Neitzel, seconded by Herzog, to enter into executive session at 8:20 p.m. for the purpose of personal discussion. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Motion by Herzog, seconded by Murtha, to leave executive session at 8:26 p.m. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Motion by Murtha, seconded by Neitzel, to approve a \$2.00/hour merit increase to Barb Henninger, City Clerk/ Deputy Treasurer/ Building Permit Tech/ Community Building Rental Coordinator. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Adjournment

Motion by Herzog, seconded by Murtha, to adjourn. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:28 p.m. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. 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 January 16, 2024; 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.

Barb Henninger
City Clerk