

CITY COUNCIL AGENDA

Tuesday, January 4, 2022 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 December 21, 2021 Council Meeting
- 2. Approve Claims and Payroll

REGULAR AGENDA

- 1. Sarpy County Sheriff's Monthly Service Report
- 2. Consider approval of the Certificate of Compliance for Maintenance Agreement No. 126 for roadway surface maintenance completed by the Nebraska Department of Roads in 2021
- 3. Conduct a **Public Hearing** to consider an application filed by BHI Investment Company requesting a zone change from Agriculture Residential to Highway Business on property legally described as Lot 2, Springfield Business Park, Sarpy County, Nebraska, generally located on the northwest corner of Hwy 50 and Meredythe Plaza, Springfield, Nebraska
- 4. Consider approval of **Ordinance No. 1099** AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO HIGHWAY BUSINESS ON LOT 2, SPRINGFIELD BUSINESS PARK; SARPY COUNTY, NEBRASKA; GENERALLY LOCATED ON THE NORTHWEST CORNER OF HIGHWAY 50 AND MEREDYTHE PLAZA, SPRINGFIELD, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF
- Continued Discussion. Justin and Laura Huscroft, owners of 13248 Birchwood Plaza/Lot 5 Prairie Toehold – Discuss elimination of 60' access easement on the south side of Lot 5, Prairie Toehold

- 6. Consider bids for skid steer lease/purchase
- 7. Consider bids for purchase of new utility vehicle

DEPARTMENT REPORTS

- 1. Sewer Department Mike Neitzel
- 2. Library & Community Building Michael Herzog
- 3. Water & 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 7:00 o'clock p.m. on Tuesday, January 4, 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 Neitzel, to approve the Consent Agenda. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Claims and Payroll:

Check #	Account ID	Account Description	Debit Amount	Name
General				
45230	6084-10-10	Aflac-Gen	140.68	Aflac
45282	6084-10-10	Aflac-Gen	13.70	Ameritas Life Insurance
45207	6080-10-10	Health Insurance-Gen	2,540.78	BlueCross BlueShield
45239	7045-10-10	Prof Svcs-Tech Support-Gen	566.50	Core Technologies

45239	9010-10-10	Office Equipment-Gen	2,020.50	Core Technologies
45210	6080-10-10	Health Insurance-Gen	134.00	Delta Dental
45245	7480-10-10	Janitorial-Gen	200.00	Executive Janitorial
45246	7205-10-10	Subscriptions-Gen	5.00	First National Bank
45246	7045-10-10	Prof Svcs-Tech Support-Gen	16.03	First National Bank
45246	7330-10-10	Telephone-Gen	149.45	First National Bank
45247	8140-10-10	R&M Equipment-Gen	126.29	Five Points Bank
45250	7240-10-10	Mileage-Gen	23.52	Henninger, Barb
45251	8030-10-10	Supplies-Gen	51.95	Home Depot
45251	8130-10-10	R&M Building-Gen	59.97	Home Depot
45252	7030-10-10	Prof Svcs-Planning-Gen	618.75	JEO Consulting Group
45258	7320-10-10	Natural Gas-General	66.82	MUD
45280	8010-10-10	Office Supplies-Gen	202.17	Office Depot
45265	7010-10-10	Prof Svcs-Engineer-Gen	161.67	Olsson
45266	7310-10-10	Electricity-Gen	265.57	OPPD
45268	8130-10-10	R&M Building-Gen	6.84	Petty Cash
45268	8010-10-10	Office Supplies-Gen	12.99	Petty Cash
45268	7230-10-10	Postage/Shipping-Gen	13.42	Petty Cash
45209	6080-10-10	Health Insurance-Gen	123.44	Principal Financial
45270	7046-10-10	Prof Svcs-Building Inspector	7,503.00	Sarpy County Building Inspector
45271	7050-10-10	Law Contract-Gen	9,771.00	Sarpy County Treasurer
45273	7020-10-10	Prof Svcs-Legal-Gen	1,124.50	Seidler & Seidler
45274	7200-10-10	Dues-Gen	10.00	Southeast Clerk's Association
45238	7455-10-10	Internet-Gen	97.97	Spectrum
45275	8130-10-10	R&M Building-Gen	17.98	Springfield Ace Hardware
45275	8030-10-10	Supplies-Gen	73.10	Springfield Ace Hardware
45279	7280-10-10	Laundry-Gen	103.12	Walkers Uniform Rental
Total			26,220.71	
Sales Tax				
45246	9089-15-10	Community Events-Sales Tax	96.38	First National Bank
45268	9089-15-10	Community Events-Sales Tax	10.70	Petty Cash
Total			107.08	
Library	0000.00.40		00.00	
45231	8060-20-10	Books/Videos/Maps-Lib	602.88	Amazon/SYNCB
45282	6084-20-10	Aflac-Lib	26.90	Ameritas Life Insurance
45233	8060-20-10	Books/Videos/Maps-Lib	98.53	Baker & Taylor
45207	6080-20-10	Health Insurance-Lib	1,550.49	BlueCross BlueShield
45210	6080-20-10	Health Insurance-Lib	67.50	Delta Dental
45249	8060-20-10	Books/Videos/Maps-Lib	86.96	Gardner Media
45251	8130-20-10	R&M Building-Lib	23.47	Home Depot
45244	8060-20-10	Books/Videos/Maps-Lib	127.44	Lerner Publishing Group
45256	8060-20-10 7320-20-10	Books/Videos/Maps-Lib	148.78	MicroMarketing MUD
45258		Natural Gas-Lib Books/Videos/Maps-Lib	194.67	
45262	8060-20-10		25.00	Nebraska Life Magazine
45281	7330-20-10	Telephone-Lib	55.33	NT&T OPPD
45266	7310-20-10	Electricity-Lib	178.45	
45209	6080-20-10	Health Insurance-Lib Janitorial-Lib	144.63	Principal Financial
45272	7480-20-10		200.00	Schmieder, Marcie
		Waste Disposal-Lib	20.00	Waste Connections of Nebraska
45267	7340-20-10		2 554 00	
Total	7340-20-10		3,551.03	
Total	7340-20-10		3,551.03	
			3,551.03	
Total Library	8070-21-10 8070-21-10	Library Supplies-Lib Rest Library Supplies-Lib Rest	3,551.03 174.37 60.39	Amazon/SYNCB Brodart Co.

Sewer		1		
45230	6084-60-30	Aflac-Sewer	55.38	Aflac
45282	6084-60-30	Aflac-Sewer	10.25	Ameritas Life Insurance
45207	6080-60-30	Health Insurance-Sewer	1,330.38	BlueCross BlueShield
45236	8120-60-30	Fuel-Sewer	411.84	BRP Investments
45210	6080-60-30	Health Insurance-Sewer	67.50	Delta Dental
45257	7420-60-30	Testing-Sewer	184.50	Midwest Laboratories
45261	8150-60-30	R&M Vehicle-Sewer	7.02	Mill Creek Auto Parts
45259	8140-60-30	R&M Equipment-Sewer	320.20	Municipal Service & Supply
45280	8010-60-30	Office Supplies-Sewer	6.49	Office Depot
45265	7010-60-30	Prof Svcs-Engineer-Sewer	1,201.56	Olsson
45266	7310-60-30	Electricity-Sewer	2,611.92	OPPD
45268	7230-60-30	Postage/Shipping-Sewer	2.00	Petty Cash
45209	6080-60-30	Health Insurance-Sewer	79.52	Principal Financial
45273	7020-60-30	Prof Svcs-Legal-Sewer	12.50	Seidler & Seidler
45296	7230-60-30	Postage/Shipping-Sewer	157.40	US Postal Service
45278	7330-60-30	Telephone-Sewer	26.30	Verizon Wireless
Total			6,484.76	
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Street				
45230	6084-70-40	Aflac-Street	26.26	Aflac
45234	8225-70-40	R&M Street Signs&Posts-Street	435.07	Barco Municipal Products
45207	6080-70-40	Health Insurance-Street	2,406.90	BlueCross BlueShield
45236	8120-70-40	Fuel-Street	805.27	BRP Investments
45210	6080-70-40	Health Insurance-Street	50.62	Delta Dental
45251	9040-70-40	Tools & Misc Equip-Street	219.00	Home Depot
45254	8030-70-40	Supplies-Street	47.88	Menards
45254	9040-70-40	Tools & Misc Equip-Street	128.55	Menards
45255	8140-70-40	R&M Equipment-Street	44.85	Michael Todd & Company
45255	8225-70-40	R&M Street Signs&Posts-Street	681.81	Michael Todd & Company
45261	8030-70-40	Supplies-Street	22.47	Mill Creek Auto Parts
45261	8140-70-40	R&M Equipment-Street	100.55	Mill Creek Auto Parts
45258	7320-70-40	Natural Gas-Street	632.31	MUD
45281	7330-70-40	Telephone-Street	125.16	NT&T
45280	8010-70-40	Office Supplies-Street	6.49	Office Depot
45265	9083-70-40	Main Street Paving	6,812.53	Olsson
45266	7340-70-40	Waste Disposal-Street	2,284.59	OPPD
45268	7230-70-40	Postage/Shipping-Street	2.92	Petty Cash
45269	8140-70-40	R&M Equipment-Street	53.50	Pomp's Tire Service
45209	6080-70-40	Health Insurance-Street	95.96	Principal Financial
45238	7455-70-40	Internet-Street	107.98	Spectrum
45275	8030-70-40	Supplies-Street	21.92	Springfield Ace Hardware
45275	9040-70-40	Tools & Misc Equip-Street	205.10	Springfield Ace Hardware
45277	9015-70-40	Equipment Rental-Street	1,709.61	Titan Machinery
45278	7330-70-40	Telephone-Street	26.30	Verizon Wireless
45279	7290-70-40	Uniform Allowance-Street	17.68	Walkers Uniform Rental
45267	7340-70-40	Waste Disposal-Street	44.00	Waste Connections of Nebraska
Total			17,115.28	
		Water Deposit Refunds	1,155.74	
		Payroll	54,612.94	
		VOYA Retirement ER	4,020.66	
		Medical Reimbursement	1,977.19	

Regular Agenda

Agenda Item 1. Motion by Herzog, seconded by Neitzel, to move agenda item 1, regarding the Sarpy County Sheriff's Monthly Service Report, down the agenda until an office arrives. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried. Council reviewed the Sarpy County Sheriff's monthly service report.

Agenda Item 2. Motion by Herzog, seconded by Murtha, to approve the Certificate of Compliance for Maintenance Agreement No. 126 for roadway surface maintenance completed by the Nebraska Department of Transportation in 2021. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 3. A Public Hearing of the Springfield City Council was opened at 7:01 p.m. to consider an application filed by BHI Investment Company requesting a zone change from Agriculture Residential to Highway Business on property legally described as Lot 2, Springfield Business Park, Sarpy County, Nebraska, generally located on the northwest corner of Hwy 50 and Meredythe Plaza, Springfield, Nebraska. Mark Westergard, applicant's engineer with E&A Consulting, reviewed the rezone request. He noted that Jerry Torczon, BHI Investment Company, is moving the transportation and office portions of his landscape business to this location. There will not be a public tree nursery operating on this site. No one else from the public spoke in favor of or in opposition to the proposed zone change. 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 Herzog, to close the public hearing. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried. Public Hearing closed at 7:05 p.m.

Agenda Item 4. Council Member Murtha introduced Ordinance No. 1099 entitled:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO HIGHWAY BUSINESS ON LOT 2, SPRINGFIELD BUSINESS PARK; SARPY COUNTY, NEBRASKA; GENERALLY LOCATED ON THE NORTHWEST CORNER OF HIGHWAY 50 AND MEREDYTHE PLAZA, SPRINGFIELD, NEBRASKA; 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. The following voted NAY: None. The following were ABSENT: Craney. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Murtha moved for final passage of the ordinance, which motion was seconded by Council Member Neitzel. The Mayor then stated the question "Shall Ordinance No. 1099 be passed and adopted?" Upon roll call vote, the following were ABSENT: Craney. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinance to be published or posted as required by law and as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 1099

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO HIGHWAY BUSINESS ON LOT 2, SPRINGFIELD BUSINESS PARK; SARPY COUNTY, NEBRASKA; GENERALLY LOCATED ON THE NORTHWEST CORNER OF HIGHWAY 50 AND MEREDYTHE PLAZA, SPRINGFIELD, NEBRASKA; 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 BHI Investment Company, applicant, requesting a change of zoning classification from Agriculture Residential to Highway Business on Lot 2, Springfield Business Park, Sarpy County, Nebraska; and generally located on the northwest corner of Highway 50 and Meredythe Plaza, Springfield, Nebraska.

Section 2. APPROVAL TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURE RESIDENTIAL TO HIGHWAY BUSINESS ON LOT 2, SPRINGFIELD BUSINESS PARK, SARPY COUNTY, NEBRASKA. On December 14, 2021, the Springfield Planning Commission conducted a public hearing on the matter of changing the zoning classification from Agriculture Residential to Highway Business and reported to the City Council that it recommended approval of the rezone. On January 4, 2022, the City Council opened a public hearing on said proposed changes and found and determined that the zoning classification from Agriculture Residential to Highway Business 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 Highway Business on Lot 2, Springfield Business Park, 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 4TH DAY OF JANUARY, 2022.

Robert Roseland, Mayor (SEAL) Attest: Kathleen Gottsch, City Clerk

Agenda Item 5. Laura and Justin Huscroft, owners of 13248 Birchwood Plaza (Lot 5, Prairie Toehold), attended a Council meeting for the second time to request the Council consider eliminating the 60' access easement on the south side of their property. Laura reported that she met with Bob Engberg, Springfield Volunteer Department Fire Chief, about any potential access issues for fire equipment. She said he did not have any concerns from a fire access standpoint with removing either the southern easement or the easement along 133rd Plaza. Murtha asked if Huscrofts had considered the Council's compromise to decrease the easement from 60' to 30'. Laura said the 30' decrease would not be necessary based on fire department review and would not give her the needed room for the outbuilding. She said they also couldn't attach the outbuilding to the home because it would require a foundation, walls and roof which would diminish the look of the house and be a financial burden. The proposed outbuilding is 36' x 54'. City Attorney Bill Seidler Jr. noted that this is discussion only and the Council is not entering into any type of oral contract with Huscrofts regarding the outbuilding. If owners desire to proceed, they do so at their own risk. A replat, subdivision agreement amendment and revised easements would be required to change anything. Herzog reminded the owners that these easements were required for future increased density, not just fire access. Justin said that they were told by the developer that the setback was only 5' from this property line. Laura said their proposed location of the

outbuilding is the most visually appealing. Neitzel asked if Huscrofts had explored any recourse against the developer for the misinformation. Neitzel and Herzog expressed concern that this was not an issue caused by the city, but the developer, yet Huscrofts were wanting the city to fix it the way they wanted. Herzog went on to explain that the Council is tasked with making the right decisions for the community's future and sited examples from older, larger cities that have experienced development issues from past acreage developments because no easements were ever created when the property was platted. Laura said that recourse against the developer does not get to their solution. Herzog and Neitzel are currently against a replat. Murtha was okay with compromising on the 30' solution. Laura said they still might work with an engineer and get creative with a solution. They also will consider recourse against the developer. Seidler noted that the Council cannot vote on anything tonight and recommended to stop the discussion. No action taken.

Agenda Item 6. Kathleen Gottsch, City Administrator, reviewed bids from Kubota and Bobcat for the purchase of a new skid steer. The city's lease agreement with NMC CAT expired and they have since discontinued their lease program. Due to demand, no company is offering an annual lease of this type of equipment anymore. Council considered the difference between a track machine and wheeled machine. They also considered size options. Motion by Herzog, seconded by Murtha, to authorize city staff purchase a skid steer from Bobcat for a maximum amount of \$70,000. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Motion carried.

Agenda Item 7. Council took no action on bids for a new utility vehicle due to the purchase of the skid steer.

Department Reports

Agenda Item 1. Neitzel reported that Heath Shemek, water/sewer operator, and Andie Ledenbach, Utility Billing Clerk, worked out computer issues with meter reads from the previous month. They will continue to work on meter replacements. Hentges plans to begin construction on January 17 for work on the South Sarpy Sewer system.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. Murtha reported that she spoke with Shemek about water quality concerns on Park Drive after the installation and connection of a new water main. Shemek confirmed that sometimes water tastes different near the connection of a new pipe due to chlorination procedures required to flush the connection. She also reported that the maintenance department went out and cleared streets from remaining snow.

Agenda Item 4. No Department Report from Craney.

Agenda Item 5. No Department Report from Mayor Roseland.

Agenda Item 6. Kathleen Gottsch, City Administrator, discussed the employee appreciation dinner.

<u>Adjournment</u>

Motion by Herzog, seconded by Neitzel, to adjourn. AYES: Neitzel, Herzog, Murtha. NAYS: None. ABSENT: Craney. Meeting adjourned at 8:09 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 January 4, 2022; 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