



CITY COUNCIL AGENDA

Tuesday, September 20, 2022
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

BUDGET HEARING & BUDGET SUMMARY

Tuesday, September 20, 2022
7:00 p.m.

1. Budget Discussion, in compliance with the provisions of Nebraska State Statute Sections 13-501 to 13-513, that the Governing Body will meet for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the FY22-23 proposed budget.

SPECIAL HEARING TO SET FINAL TAX REQUEST

Tuesday, September 20, 2022

This hearing will immediately follow the Budget Hearing & Budget Summary Hearing.

1. Public Hearing, in compliance with the provisions of Nebraska State Statute Section 77-1601.02, that the Governing Body will meet for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

CONSENT AGENDA

The regular Council meeting will immediately follow the Special Hearing to Set Final Tax Request. 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 September 6, 2022 Council Meeting
2. Approve Treasurer's Report
3. Approve Claims

4. Close Main Street from South 9th Street to Railroad Street and Railroad Street from Main Street to Spruce Street for the Springfield Platteview High School Homecoming Parade scheduled for Wednesday, September 28 at 7:00 p.m.; and close North 2nd Street from Main Street to the alley for food truck vendors from 5:30 p.m. to 8:00 p.m.
5. Kelli Haynes, Nurse for Springfield Platteview Community Schools – Request to waive the Community Building rental fee for a community flu shot clinic on Sunday, October 16 from 12:00 p.m. to 4:00 p.m.
6. Consider approval of **Resolution 2022-34** entering into a Master Agreement Work Order with Olsson for General Engineering Consulting Services
7. Consider approval of **Resolution 2022-35** entering into a Master Agreement Work Order with Olsson for Street Superintendent Services
8. Consider approval of **Resolution 2022-36** entering into a Master Agreement Work Order with Olsson for Bridge Inspection Services
9. Consider approval of **Resolution 2022-37** directing the sale of city property (miscellaneous library items) in “as is” condition, to the highest bidder, which bids will be opened on Monday, October 3, 2022, beginning at 10:00 a.m. at Springfield Memorial Library, 665 Main Street, Springfield, NE 68059

REGULAR AGENDA

1. Consider approval of the City Lottery Sales Outlet Location Application for new owners of The Blind Pig, LLC, 167-169 Main Street, Springfield
2. Exceed the budget lid limit by an additional 1% for the fiscal year 2022-2023
3. Consider adopting **Resolution 2022-38** to request the new property tax rate be changed from the levy rate of the prior year to the levy rate for the General Fund of 0.50 and the Bond Fund of 0.132115 for a total levy rate of 0.632115 for FY2022-2023 and to request the FY2022-2023 property tax request be set at \$831,572.65 for the General Fund and \$219,726.25 for the Bond Fund, for a total of \$1,051,298.90
4. Consider approval of **Ordinance No. 1106** to adopt the budget statement to be termed the annual appropriation bill; to appropriate sums for necessary expenses and liabilities
5. Consider approval of **Ordinance No. 1107** designating Horizon Bank of Springfield, Nebraska and Pinnacle Bank of Springfield, Nebraska as city depositories for the City of Springfield, Nebraska for the fiscal year October 1, 2022, to September 30, 2023
6. Consider approval of **Ordinance No. 1108** establishing the amount of certain fees and taxes charged by the City of Springfield for various services; including changes to water and sewer rates; repealing ordinances in conflict; and providing for an effective date

7. Consider approval of the following **Ordinance Nos. 1109 thru 1120** as they are part of the 2022 legislative update:
 - a. Ordinance No. 1109 Amend §1-203 Appointed Officials; City Clerk
 - b. Ordinance No. 1110 Amend §1-509 Meetings; Public Participation
 - c. Ordinance No. 1111 Amend §1-606 Ordinances; Reading and Passage of Ordinances, Resolutions, Orders, Bylaws
 - d. Ordinance No. 1112 Amend §1-607 Ordinances; Publication or Posting
 - e. Ordinance No. 1113 Amend §1-722 Elections; Candidate Filing Forms; Deadlines; Filing Officer
 - f. Ordinance No. 1114 Amend §1-804 Fiscal Management; Adopted Budget Statement; Filing; Certification of Amount of Tax
 - g. Ordinance No. 1115 Amend §1-822 Fiscal Management; Property Tax Request; Procedure for Setting
 - h. Ordinance No. 1116 Amend §4-303 Nuisances; Abatement Procedure
 - i. Ordinance No. 1117 Adopt §5-215 Restrictions on Direction of Travel
 - j. Ordinance No. 1118 Amend §6-326 Misdemeanors; Abandoned Automobiles
 - k. Ordinance No. 1119 Amend §6-339 Misdemeanors; Gambling
 - l. Ordinance No. 1120 Amend §10-109 Alcoholic Beverages; Licenses; City Powers and Duties
8. **Tabled September 6, 2022.** Consider bids for the purchase of new playground equipment at City Park
9. **Tabled September 6, 2022.** Consider bids for the purchase of new basketball hoops at City Park
10. Consider purchase of 2022 GMC 3500 truck in the amount of \$44,199 from Copple Chevrolet (includes \$3,500 trade-in for the 2004 and 1989 trucks); Consider purchase of a snowplow for the 2022 GMC truck in the amount of \$10,566.45 from Ty's Outdoor Power & Service
11. Consider purchase of Bobcat UV34 (gas) Utility Vehicle from Bobcat of Omaha in the amount of \$19,839.45; Consider purchase of a snowplow for the Bobcat UTV in the amount of \$5,241.44 from Ty's Outdoor Power & Service
12. Consider the purchase or lease of Aquos Board from Eakes Office Solutions for the purchase price of \$5,453 or a monthly payment of \$102.90 via a 60-month lease
13. Consider purchase of Bobcat TL619 Telehandler from Bobcat of Omaha in the amount of \$80,373.52
14. Consider purchase of NorthStart heavy-duty trailer with 600-gallon water tank from Northern Tool & Equipment in the amount of \$5,999.99
15. Consider projects for the 2023 One and Six Year Road Plan
16. Appoint Kellie Seiber as the new Library Director and consider a wage increase effective October 1, 2022

17. Amend wages for Connie Manzer, Assistant Library Director; Jean Latham, Library Aide; and Salley Seiber, Library Aide effective October 1, 2022
18. Discuss Elliott Smart's annual review and consider a proposed merit increase
19. Discuss Bryan Cherry 6-month review and consider proposed merit increase
20. Discuss Tyler Holdorf's 6-month review and consider a proposed merit increase
21. Consider COLA increase for regular full-time employees (40 hours) and regular part-time employees (30+ hours)

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, September 20, 2022, 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.

BUDGET HEARING & BUDGET SUMMARY

Tuesday, September 20, 2022

7:00 p.m.

Agenda Item 1. A Budget Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held at 7:00 o'clock p.m. at Springfield City Hall on September 20, 2022. Notice of the Budget Hearing was given in advance by publishing in the Gretna Guide & News and Sarpy County Guide & News, one of the designated methods of giving notice. The public hearing was open for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed Fiscal Year 2022-2023 budget. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: None. Motion by Herzog, seconded by Neitzel, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing ended at 7:03 p.m. No action was taken.

SPECIAL HEARING TO SET FINAL TAX REQUEST

Tuesday, September 20, 2022

This hearing immediately followed the Budget Hearing & Budget Summary Hearing.

Agenda Item 1. A Final Tax Request Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held immediately following the Budget Hearing & Budget Summary Hearing at Springfield City Hall on September 20, 2022. Notice of the Final Tax Request Hearing was given in advance by publishing in the Gretna Guide & News and Sarpy County Guide & News, one of the designated methods of giving notice. The public hearing was open for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request for Fiscal Year 2022-2023 at a different amount than the prior year tax request. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: None. Motion by Neitzel, seconded by Craney, to close the public hearing. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Public Hearing ended at 7:04 p.m. No action was taken.

Consent Agenda

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

City Clerk reported a balance on hand of \$3,333,145.69 in cash assets; Prestige Treasury-\$205,835.98; Prestige Bond-\$1,129,096.03; Keno Community Betterment-\$420,704.67; Keno Progressive Jackpot-\$50,017.86; Water Deposit Savings-\$4,209.32; Refundable Deposit Savings-\$1,228.96; Water Tower Savings-\$274,580.81; Sewer Restricted-\$277,558.91; Water Capital Facilities Fees-\$130,947.84; Sewer Capital Facilities Fees-\$675,322.37; City Sales Tax-\$5,878,321.08; Money Mark Library Bricks-\$971.67; Government Securities-\$116,127.88; Library Savings-\$1,635.77; ASIP at Pinnacle-\$1,785.186.27; Time Certificates as follows: Bond-\$79,683.16; Tower-\$59,623.07; Water-\$131,684.12; Library Restricted-\$33,400.44; Cash Receipts-\$1,189.297.16; Cash Disbursements-\$119,746.16.

Claims:

Check #	Account ID	Account Description	Debit Amount	Name
Sales Tax				
46164	9089-15-10	Community Events-Sales Tax	10,187.50	Brite Ideas Decorating
Total			10,187.50	
Park				
46173	8130-30-10	R&M Building-Park	2,199.40	Home Depot

Total			2,199.40	
General				
46168	7030-10-10	Prof Svcs-Planning-Gen	1,143.75	JEO Consulting Group
Total			1,143.75	
Water				
46169	9090-50-20	New Well-Water	5,662.13	Olsson
Total			5,662.13	
Street				
46165	8215-70-40	R&M Streets & Alleys-Street	2,250.00	Clean Sweep Commercial
46167	8090-70-40	Asphalt & Concrete-Street	17,964.56	Harm's Concrete
46170	8090-70-40	Asphalt & Concrete-Street	34,964.00	Travis Moore Construction
Total			55,178.56	
Sewer				
46166	8140-60-30	R&M Equipment-Sewer	412.00	GPM Environmental Solutions
Total			412.00	

**RESOLUTION
2022-34**

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

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson, Inc. wish to enter into a Master Agreement Work Order through which Olsson shall provide general engineering consulting services; and

WHEREAS, services under this agreement shall be on a time and expense basis not to exceed \$5,000; and

WHEREAS, services under this Agreement shall be performed from January 1, 2023, through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Master Agreement Work Order for general engineering consulting services attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2022.

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

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

**RESOLUTION
2022-35**

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

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson, Inc. wish to enter into a Master Agreement Work Order through which Olsson shall provide City Street Superintendent services following the guidance and requirements of the Nebraska Board of Public Roads Classifications and Standards (NBCS); and

WHEREAS, services under this agreement shall be on a time and expense basis not to exceed \$3,000; and

WHEREAS, services under this Agreement shall be performed from January 1, 2023, through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Master Agreement Work Order attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2022.

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

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

**RESOLUTION
2022-36**

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

WHEREAS, the City of Springfield, Nebraska, a Municipal Corporation, and Olsson, Inc. wish to enter into a Master Agreement Work Order through which Olsson shall provide bridge inspection services for the following three bridges: Main Street 9C007701604P), Platteview Road (C007711640), and Fairview Road (C007711420); and

WHEREAS, services under this agreement shall be on a time and expense basis not to exceed \$1,500; and

WHEREAS, field inspection services shall be completed by the end of November 2022 with final submittals within thirty (30) days of inspection.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Master Agreement Work Order attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2022.

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

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

RESOLUTION 2022-37

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

WHEREAS, the City of Springfield, Nebraska is the owner of personal property described in Exhibit "A" attached hereto; and

WHEREAS, the Springfield City Council hereby directs the sale of the property, in "as is" condition, to the highest bidder, which bids will be opened on Monday, October 3, 2022, beginning at 10:00 a.m. at Springfield Memorial Library, 665 Main Street, Springfield, NE 68059.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska, by a majority vote that:

1. The Mayor and the City Council of the City of Springfield, Nebraska, or its designee, for and on its behalf, has the authority to sell to the highest responsible bidder the aforementioned personal property described in Exhibit "A"; and

2. The proceeds of the sale of the personal property described in Exhibit "A" shall be placed in the fund of the Municipality from which it was purchased; and
3. The following passage of this resolution shall be posted in three (3) prominent places within the city for a period of not less than seven (7) days prior to the sale of the property.

Introduced and Passed this 20th day of September, 2022.

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

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

EXHIBIT "A"

City property to be sold to the highest bidder, which bids will be received at auction on Monday, October 3, 2022, beginning at 10:00 a.m. at Springfield Memorial Library, 665 Main Street, Springfield, NE 68059.

(Number Available) Description

- (15) Dell/ HP desktop towers
- (11) Dell monitors
- (1) HP laptop
- (4) All-In-One printers (print/copy/fax)
 1. Dell2155cdn Color/B &W
 2. Xerox WorkCentre 3345 Black & White
 3. Brother MFC 8910DW Black & White
 4. Canon MFC4150 Black & White
- (1) JVC Visual Presenter AV-P720
- (1) Art Waxer XL
- (2) Chairs, stacking, tan molded
- (1) Wenzel Screen House (tent)
- (1) Ceiling fan
- (1) Humidifier (broken)
- (1) Outdoor display sign letters and case
- (1) Hanging backpack holder
- (1) Security safe

Regular Agenda

Agenda Item 1. The new owners for The Blind Pig, LLC, 167-169 Main Street, requested this item be withdrawn from the agenda until they have completed the City Lottery Sales Outlet Location Application. No action taken.

Agenda Item 2. Motion by Herzog, seconded by Neitzel, to exceed the budget lid limit by an additional 1% for the fiscal year 2022-2023. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 3. Council Member Murtha introduced the following resolution and moved its adoption. Council Member Herzog 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
2022-38**

FINAL TAX LEVY

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for the purposes of the levy set by the County Board of Equalization, unless the Governing Body of the City of Springfield passes by majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of Springfield that the property tax request for the current year be a different amount than the property tax request for the prior year; therefore, the Springfield City Council requests the new property tax rate be changed from the levy rate of the prior year to the levy rate for the General Fund of 0.50 and the Bond Fund of 0.132115 for a total levy rate of 0.632115 for Fiscal Year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, SARPY COUNTY, STATE OF NEBRASKA, THAT:

1. The 2022-2023 property tax request be set at \$831,572.65 for the General Fund and \$219,726.25 for the Bond Fund, for a total of \$1,051,298.90.
2. The total assessed value of property differs from last year's total assessed value by 33% (total assessed value in 2021-2022 of \$125,130,669 and total assessed value in 2022-2023 of \$166,314,375.).
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.503287 per \$100 of assess value.
4. The City of Springfield's property tax rate for last fiscal year 2021-2022 was \$0.668931 per \$100 of assessed value.
5. The City of Springfield proposes to adopt a property tax request that will cause its tax rate to be \$0.632115 per \$100 of assessed value (General Fund of 0.50 and Bond Fund of 0.132115) for Fiscal Year 2022-2023.
6. Based on the proposed property tax request and changes in other revenue, the total operating

- budget of the City of Springfield will be less than last year's by -6%.
7. The vote on this resolution shall be recorded on this resolution.
 8. A copy of this resolution be certified and forwarded to the Sarpy County Clerk and filed with the Auditor of Public Accounts in accordance with applicable law.

Passed and approved this 20th day of September, 2022.

City Council Member Murtha moved the adoption of said resolution.

City Council Member Herzog seconded the motion.

Record of Vote:

Ayes: Neitzel, Herzog, Murtha, Craney

Nays: None

Abstain: None

Absent: None

Approved: Robert Roseland, Mayor

SEAL

Attest: Kathleen Gottsch, City Clerk

Agenda Item 4. Council Member Neitzel introduced Ordinance No. 1106 entitled:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Murtha seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: 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. 1106 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. 1106

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2022, through September 30, 2023. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Springfield. The total disbursements and transfers for 2022-2023 is \$7,301,106.00. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska and the County Clerk of Sarpy County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 3. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 20th day of September, 2022.

Robert Roseland, Mayor

(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 5. Council Member Murtha introduced Ordinance No. 1107 entitled:

AN ORDINANCE DESIGNATING HORIZON BANK OF SPRINGFIELD AND PINNACLE BANK OF SPRINGFIELD, NEBRASKA AS CITY DEPOSITORIES FOR THE CITY OF SPRINGFIELD, NEBRASKA FOR THE FISCAL YEAR OCTOBER 1, 2022, TO SEPTEMBER 30, 2023

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 Herzog. The Mayor then stated the question "Shall Ordinance No. 1107 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. 1107

AN ORDINANCE DESIGNATING HORIZON BANK OF SPRINGFIELD AND PINNACLE BANK OF SPRINGFIELD, NEBRASKA AS CITY DEPOSITORIES FOR THE CITY OF SPRINGFIELD, NEBRASKA FOR THE FISCAL YEAR OCTOBER 1, 2022, TO SEPTEMBER 30, 2023.

SECTION 1. Horizon Bank and Pinnacle Bank are hereby designated and retained as the official City Depositories for the City of Springfield, Nebraska for the fiscal year October 1, 2022, to September 30, 2023.

SECTION 2. That any other Ordinance and section passed and approved prior to the passage, approval, and publication of this Ordinance and in conflict with its provisions, is hereby repealed.

SECTION 3. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 6. Council Member Herzog introduced Ordinance No. 1108 entitled:

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Neitzel 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 Herzog moved for final passage of the ordinance, which motion was seconded by Council Member Craney. The Mayor then stated the question "Shall Ordinance No. 1108 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. 1108

AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF SPRINGFIELD FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, LIBRARY, OCCUPATION LICENSING, PET LICENSING, WATER AND SEWER USE RATES, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS OF

THE CITY OF SPRINGFIELD; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1.

MASTER FEE SCHEDULE

ANIMAL CONTROL

All fees listed in this section are collected by the contracted Animal Control Authority, currently the Nebraska Humane Society. The Animal Control Authority sets and collects fees for the following: Impoundment (including a per day boarding fee), Veterinary Expenses, Euthanasia Expenses and Removal Costs.

1. Dog & Cat Licenses
 - a. Spayed or Neutered: \$5.00 annually
 - b. Intact: \$15.00 annually
 - c. License Handling/Issuance Fee: \$5.00 per license
- *No dog and cat license fees will be charged for senior citizens (65 or older) who own a spayed or neutered dog or cat.
2. Pot-Belly Pig License: \$35.00 annually
License Handling/Issuance Fee: \$5.00 per license
 3. Fine for not being licensed by March 15: Double licensing fee
 4. Impound fees (excluding the per day boarding fee):
 - a. Altered Dog, Cat or Pot-Belly Pig:
\$35.00 first redemption
\$70.00 second redemption within 24 months of the first redemption
\$140.00 third redemption within 24 months of the first redemption
+\$50.00 for subsequent redemptions
 - b. Unaltered Dog or Cat:
\$100.00 first redemption
\$300.00 second redemption within 24 months of the first redemption
\$600.00 third redemption or any subsequent redemption within 24 months of the first redemption
 - c. Reimbursement for animals sterilized and micro-chipped within 90 days of the date of redemption:
\$65.00 first redemption
\$230.00 second redemption
\$460.00 third redemption
 5. Boarding Fee: \$16.00 daily
 6. Rabies Quarantine Fee \$16.00 daily

BUILDING SERVICES

The City of Springfield contracts with the Sarpy County Building Inspector for inspection services. Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the city shall charge and collect a fee. Building Permit Fees are based on Project Valuation calculated using the per square foot construction costs in the attached Sarpy County Building Valuation Data Table or Contractor’s Valuation, whichever is greater. Please also refer to the Sarpy County Permit Fee Schedule and Electric, Mechanical, and Plumbing Fixture Fee Tables attached.

Residential Dwelling:

Finished Area Above Grade	\$104.00 per sq. ft.
Finished Area Below Grade	\$30.00 per sq. ft.; \$35.00 w/walkout
Unfinished Above/Below	\$20.00 per sq. ft.; \$25.00 w/walkout
Attached Garage	\$25.00 per sq. ft.
Deck/Patio	\$15.00 per sq. ft.; \$25.00 per sq. ft. w/roof + elec/mech/plumb fixture fees

Residential Addition Same as new construction

Residential Basement (Below Grade) Finish \$35.00 per sq. ft.
+ elec/mech/plumb fixture fees

Residential Remodel (of existing finished space) Estimated Project Valuation
+elec/mech/plumb fixture fees

Residential Garage Addition (Attached or Detached) / Pole Barn \$25.00 per sq. ft.

Residential Plumbing Permit \$30.00 ~~base~~-issuance fee + fixture fee

Residential Mechanical Permit \$30.00 ~~base~~-issuance fee + fixture fee

Residential Electric Permit:

New Construction \$30.00 issuance fee + \$.04 per sq. ft. + \$30 Temp Pole; \$30 Pre-Connect

Remodel \$30.00 issuance fee + fixture fee

Deck Greater of Estimated Cost or \$15.00 per sq. ft.; or \$25.00 per sq. ft. w/roof

Sheds \$510.00 per sq. ft.

Fences \$510.00 per lineal foot

Swimming Pools:

Above Ground \$30.00

Below Ground Estimated Project Valuation
+ elec/mech/plumb fixture fee

Spas	\$30.00 + elec/mech/plumb fixture fee
Lawn Sprinkler System:	
In addition to new construction permit	\$3035.00
As a separate permit	\$4250.00
Commercial Building:	
Permit Fee is based on Project Valuation calculated on a per square foot construction cost based on Occupant Use and Construction Type in the 2012 Building Valuation Data Table or Contractor's Valuation, whichever is greater. Refer to the Sarpy County Building Valuation Data Table and Fee Schedule attached.	
Commercial Addition	Same as new construction
Commercial Remodel	2012 ICC BVD Schedule
Commercial Electrical	\$30.00 base fee + fixture fee
Residential Plan Review and Processing Fee	Based on Permit Valuation \$0-\$624.99 = 8% of permit value \$625.00-\$2,499.99 = \$50.00 \$2,500.00 and above = \$100.00
Commercial Plan Review Fee	Greater of \$100 or 25% of Permit Fee whichever is greater External Review: Cost + 25%
Revised Plan Review (copy of stamped plan)	
Residential	\$50.00
Commercial	\$100.00
Change of Occupancy	\$100.00 + applicable building permit fees
Grading Permit:	
Less than 10 acres	\$500.00
10 acres or more	\$1,000.00
*Sites less than 1 acre do not require grading permit.	
Building Relocation / Moving Permit fees	\$100.00 + applicable building permit fees
Demolition Permit:	
Accessory structure less than 1,200 sq. ft.	\$50.00
Single-Family Dwelling	\$100.00
Commercial Structure	\$250.00
Park Capital Facilities Fee	\$200.00
*applied to all new construction residential and commercial permits	

Septic Permit	\$100.00
Well Permit:	
New Well	\$100.00
Repair	\$50.00
Decommission	\$50.00
Curb Cut (New Opening; does not include curb grind):	
Fee	\$50.00 (covers inspection services)
Deposit (refundable upon final inspection)	\$125.00
Street Opening	\$10.00 per sq. ft., \$600.00 minimum
Sign Permit	\$.30 per sq. ft., \$40.00 minimum
Penalty Fee for No Permit	Triple permit fee
Expired Building Permit Renewal	One-half of new building permit fee
Refund Policy	80% of permit fee
Re-Inspection Fee (assessed upon third and any subsequent re-inspect)	\$60.00
Inspection Fee outside of normal business hours (two hour minimum)	\$60.00
Inspections for which no fee is specifically indicated (minimum charge – 1 hour)	\$50.00 per hour

CITY FACILITIES RENTAL

1. Community Building
 - a. Hourly
 - \$~~10~~15.00 residents and business owners within corporate limits
 - \$~~25~~30.00 non-residents
 - 4 hour maximum rental period
 - b. Daily (entire building)
 - \$~~75~~100.00 residents and business owners within corporate limits
 - \$~~300~~325.00 non-residents
 - c. Daily (gym or basement only)
 - \$~~150~~175.00 non-residents
 - d. Deposit
 - \$150.00 (refundable)
2. Library Meeting Room
 - a. Daily
 - \$25.00
 - b. Deposit
 - \$150.00 (refundable)

ELECTION SERVICES

- | | | |
|----|--------------------------------------|---------------------|
| 1. | Election Filing Fees (See Ordinance) | 1% of annual salary |
|----|--------------------------------------|---------------------|

LIBRARY SERVICES

- | | | |
|----|---------------------------|------------------|
| 1. | Damaged & Lost | |
| | a. Books | Replacement Cost |
| | b. Magazines | Replacement Cost |
| | c. Audio Tapes | Replacement Cost |
| | d. Videos | Replacement Cost |
| 2. | Fines | |
| | a. Books and Magazines | \$.10 per day |
| | b. Audio Books | \$.10 per day |
| | c. Videos/DVDs | \$1.00 per day |
| | d. Home Projector Kit | \$5.00 per day |
| | e. Yard Games | \$1.00 per day |
| | f. Cake Pans | \$.10 per day |
| 3. | Inter-Library Loan | \$2.00 |
| 4. | Non-resident Library Card | \$35.00 annually |

MISCELLANEOUS

- | | | |
|----|--|---|
| 1. | Copy of City Map | \$3.00 |
| 2. | Fee for Returned Checks (NSF) | \$30.00 |
| 3. | Handicap Parking Permit (State Statute) | No charge |
| 4. | Property Cleanup Service Fees (including but not limited to mowing/lawn service, snow removal and tree trimming) | \$300.00 per hour per city employee (not prorated) |
| | Lien for Property Cleanup Services | Amount owed for services rendered plus applicable lien recording and releasing fees |
| 5. | Request for Records (State Statute) | \$5.00 per half hour over 4 hours, plus copy costs |

OCCUPATION FEES / FRANCHISE FEES / IN LIEU OF TAXES

(State Statute requires these fees be set by Ordinance)

- | | | |
|----|------------------------|------------------|
| 1. | Advertising Bench | |
| | a. Application | \$10.00 |
| | b. Renewal application | \$10.00 |
| 2. | Billiards, Pool Tables | \$10.00 annually |

3.	Electric Companies	\$0 annually
4.	Fire Insurance Companies (State Statute)	\$5.00 annually
5.	Fireworks Stands	
	a. June 25 – July 4 Selling Period	\$2,500.00
	b. December 29 – 31 Selling Period	\$500.00
	c. Deposit	\$500.00 (refundable)
6.	Franchise Fees/In Lieu of Taxes	
	a. Electricity	5% of gross revenues
	b. Gas (State Statute §14-2139)	2% of gross revenues
	c. Cable Television (State Statute sets ceiling)	3% of gross revenues
7.	Liquor Establishments	
	a. Class A – Beer On Sale Only	\$150.00
	b. Class B – Beer Off Sale Only	\$150.00
	c. Class C – All Alcoholic Liquor On & Off Sale	\$500.00
	d. Class D – All Alcoholic Liquor Off Sale Only	\$300.00
	e. Class I – All Alcoholic Liquor On Sale Only	\$375.00
	f. Class L – Craft Brewery (Brew Pub)	\$375.00
	g. Class W – Wholesale Beer	\$750.00
	h. Class X – Wholesale Liquor	\$1,125.00
	i. Class Y – Farm Winery	\$375.00
	j. Class K – Catering	\$150.00
8.	Mechanical Amusement Devices	\$10.00 annually
9.	Sexually Oriented Business	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00
10.	Special Liquor Licenses	\$50.00 per day plus State Fee \$500.00 deposit (refundable)
11.	Tattoo Parlor	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00
12.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
13.	Tobacco License (State Statute)	\$10.00 annually
14.	Mobile Home Park	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$10.00 per pad

- 15. Vendor/Hawker/Peddler
 - a. Annually \$150.00 per person
 - b. Per day \$50.00 per person

PLANNING SERVICES

- 1. Administrative Plat (lot split/consolidation) \$300.00
- 2. Annexation Requests \$100.00 plus professional Services costs (legal, engineering, planning, and administration)
- 3. Arterial Street Improvement Policy Fees
 - a. For all new agricultural construction, including single family dwellings and buildings for uses permitted in the Agricultural Residential District, a fee of 0.75% of the building permit valuation shall be charged at the time the building permit is issued.
 - b. For all new residential construction, including single family dwellings, town homes, and duplexes, a fee of 0.75% of the building permit valuation shall be charged at the time the building permit is issued.
 - c. For new mobile home pads, a fee in the amount of \$1,000.00 per unit shall be charged when the site is permitted.
 - d. For new multi-family residential construction, a fee in the amount of \$5,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.
 - e. For new civic, public facility, office and commercial use type construction, as defined in the City of Springfield Zoning Code, a fee in the amount of \$5,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.
 - f. For new industrial construction, a fee in the amount of \$1,000.00 per development acre shall be charged one-half upon approval and execution of final plat and one-half at the time the building permit is issued or at the time agreed to by the Springfield City Council in an approved developer or subdivision agreement.
- 4. Board of Adjustment / Variance Request \$250.00
- 5. Connection-Capital Facilities Fees*
 - a. Sewer Connection-Capital Facilities Fees

City of Springfield Connection Fees:

Residential - Single Family	\$3,500.00 per unit
Residential - Duplex	\$3,500.00 per unit
Residential – Mobile Home	\$3,500.00 per unit
Residential - Multi Family	\$2,980.00 per unit
Commercial/Industrial	\$17,500.00 per acre

Sarpy County and Cities Wastewater Agency Connection Fees:

Property Use	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
Single-family Residential lots located in the Urban Reserve Zone (“URZ”) ¹ consisting of three acres or less, and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations	\$4,181.62 per parcel/ tract/lot	\$4,307.48 per parcel/ tract/lot	\$4,437.14 per parcel/ tract/lot	\$4,570.70 per parcel/ tract/lot	\$4,707.36 per parcel/ tract/lot
Single-family Residential parcel/tract/lots located in the URZ consisting of twenty acres or more, and approved for development through applicable Member large-lot or similar type zoning and/or subdivision regulations	\$4,181.62 per parcel/ tract/lot	\$4,307.48 per parcel/ tract/lot	\$4,437.14 per parcel/ tract/lot	\$4,570.70 per parcel/ tract/lot	\$4,707.36 per parcel/ tract/lot
All other Residential uses that do not fall within the residential uses described in the two rows immediately above	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Commercial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Industrial	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre
Civic	\$20,906.06 per acre	\$21,533.25 per acre	\$22,179.24 per acre	\$22,844.62 per acre	\$23,529.96 per acre

*Single-family residential lots located in the URZ consisting of (i) three acres or less and approved for development through applicable Member build-through or similar type zoning and/or subdivision regulations, or (ii) twenty acres or more and approved for development through applicable Member large lot or similar type zoning and/or subdivision regulations shall pay a flat connection fee in accordance with the schedule above.

¹ As defined pursuant to the Agency's Growth Management Plan initially adopted by the Agency on June 26, 2019 pursuant to Resolution No. 2019-004, as amended from time to time.

b. Water Connection-Capital Facilities Fees

Residential - Single Family	\$750.00 per unit
Residential - Duplex	\$750.00 per unit
Residential - Multi Family	\$500.00 per unit
Residential - Park or Common Area	\$250.00 per acre
Commercial/Industrial	\$1,500.00 per acre

*Refer to Springfield Municipal Codes §3-105.03 and §3-209.03 for applicability and payment due date.

6.	Comprehensive Plan Amendment	\$500.00
7.	Conditional Use Permit (1 acre or less)	\$300.00
8.	Conditional Use Permit (over 1 acre)	\$500.00
9.	Conditional Use Permit Amendment / Renewals	\$150.00
10.	Conditional Use Permit Annual Fee	\$30.00
11.	County Filing Fees (if filed by City)	\$50.00 plus actual costs
12.	Design Review Fee (applicable to zoning districts with overlay design standards)	\$250.00 or 20% of building permit fee, whichever is greater
13.	Final Plat	\$500.00 plus \$10.00 for each lot
14.	Flood Plain Development Permit	\$500.00
15.	Park and Open Space Fee Cash in Lieu of Land Fee	.04 acres per unit at Final Plat \$30,000.00 per acre*
*This fee applies to residential development only. Calculated on the basis of each dwelling unit constituting .04 acres. In satisfaction of a subdivider's required dedication of land for parks, playgrounds, trails or recreational uses per City Subdivision Regulations and/or the subdivider's required in lieu of fee, the City may, in its discretion, accept in whole or in part, the cost of park/recreational improvements installed and paid for by the subdivider, such as pedestrian/bike trail improvements, trees, and other park/recreational improvements as set forth in a City approved park/recreational improvement plan incorporated into a subdivision agreement. Such dedications, in lieu of fee payment, or accepted park/recreational improvements are to be made or paid by the subdivider and shall not be made, paid or reimbursed by a sanitary improvement district.		
16.	Preliminary Plat	\$750.00 plus \$10.00 per lot
	a. Revised Preliminary	\$250.00
17.	Replat	\$750.00 plus \$10.00 per lot

- 18. Site Plan Review (amount added to building permit, as necessary) \$150.00 less than 1 acre
\$300.00 1-5 acres
\$500.00 over 5 acres
- 19. Subdivision Agreement \$250.00 Amendment Request
\$750.00 Rescission and Replacement of a Previously Recorded Agreement
- 19. Tax Increment Finance Project Fee 1 ½ % of project cost to be Tax Increment Financed
- 20. Vacation of Plat \$150.00
- 21. Vacation of Public Right-of-Way \$150.00
- 22. Watershed Fees

Fee Category	FY 2020 July 1, 2019 – June 30, 2020	FY 2021 July 1, 2020 – June 30, 2021	FY 2022 July 1, 2021 – June 30, 2022	FY2023 July 1, 2022 – June 30, 2023	FY2024 July 1, 2023 – June 30, 2024
Single Family Residential per dwelling unit (also includes low-density multi-family up to 4-plexes)	\$931	\$954	\$978	\$1,002	\$1,027
High-Density Multi-Family Residential per gross acre (beyond 4-plexes)	\$4,095	\$4,197	\$4,302	\$4,410	\$4,520
Commercial/Industrial/Institutional per gross acre	\$4,963	\$5,087	\$5,214	\$5,345	\$5,478

- 23. Zoning Map Amendment \$400.00 (\$200.00 refundable if denied by Council)
- 24. Zoning / Subdivision Regulations Text Amendment \$500.00

POLICE SERVICES

- 1. Parking Violations
 - a. 1st offense \$10.00
 - b. Subsequent offenses \$20.00

SEWER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

- 1. Sewer Connection/Tap Fee
 - Residential
 - a. ¾" \$300.00
 - b. 1" \$400.00

c.	1 ½"	\$425.00
d.	2"	\$450.00
e.	3"	\$500.00
f.	4"	\$600.00
g.	6"	\$800.00
h.	8"	\$1,000.00
i.	10"	\$1,200.00
j.	12"	\$1,400.00

Commercial/Industrial

a.	¾"	\$450.00
b.	1"	\$600.00
c.	1 ½"	\$650.00
d.	2"	\$675.00
e.	3"	\$750.00
f.	4"	\$850.00
g.	6"	\$1,050.00
h.	8"	\$1,250.00
i.	10"	\$1,450.00
j.	12"	\$1,650.00

Out of City 150% of fee

2. Sewer Use Rates

City of Springfield Sewer User Rates

\$~~3031~~.00 per month plus \$~~23~~.50 per 1,000 gallons of usage, calculated annually based upon water consumption for the months of December, January and February (*January, February and March billing*)

Sarpy County and Cities Wastewater Agency Rate and Fee Schedule

USER RATES (per 1,000 gallons²)

Property Use	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
Residential	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Commercial/Civic	\$8.82	\$9.26	\$9.73	\$10.21	\$10.72
Industrial	\$13.23	\$13.89	\$14.59	\$15.32	\$16.09

¹The User Rates will be computed based on the water consumption calculated and billed by each Member's water service provider. The Members' calculation of water consumption may be based on actual consumption, average consumption or a combination thereof.

3. Utility Deposit (includes water and sewer) \$150.00

WATER UTILITY FEES

(State Statute requires these fees be set by Ordinance)

1. Water Connection/Tap Fee

Residential

a.	¾"	\$300.00
b.	1"	\$400.00
c.	1 ½"	\$425.00
d.	2"	\$450.00
e.	3"	\$500.00
f.	4"	\$600.00
g.	6"	\$800.00
h.	8"	\$1,000.00
i.	10"	\$1,200.00
j.	12"	\$1,400.00

Commercial/Industrial

a.	¾"	\$450.00
b.	1"	\$600.00
c.	1 ½"	\$650.00
d.	2"	\$675.00
e.	3"	\$750.00
f.	4"	\$850.00
g.	6"	\$1,050.00
h.	8"	\$1,250.00
i.	10"	\$1,450.00
j.	12"	\$1,650.00

Out of City 150% of fee

2. Water Meter Fee

a.	¾"	\$330.00
b.	1"	\$390.00
c.	1 ½"	City's actual cost
d.	Non-listed Meters	City's actual cost

3. Water Re-connection

a.	Water emergency – 1 st violation	\$50.00
b.	Water emergency – 2 nd violation	\$200.00
c.	Water emergency – 3 rd violation	\$300.00
d.	By request of owner – during business hours	\$30.00
	after business hours	\$60.00
e.	For non-payment or other violation–during business hours	\$40.00
	after business hours	\$80.00

4. Water Use Rates

~~\$32-~~6233.60 per month for

		2,000 gallons, \$3. 26 <u>36</u> per 1,000 gallons of usage thereafter
5.	Non-service area customer	\$25 for each 500 gallon (does not include SIDs governed by_Developer Agreement)
6.	Non-working/Non-readable Meter	\$50.00 per month + minimum water/sewer bill

Section 2. Fees not listed in the previous section are still valid and applicable as noted in their documents of origin.

Section 3. This ordinance does not prohibit the development and implementation of additional fees.

Section 4. For fees which are required to be adopted by State Statute, this ordinance serves as an affirmation and shall not override the governing statute.

Section 5. Any City official is hereby authorized and directed to refuse service to anyone who refuses to pay the fee established for that service.

Section 6. No fee shall be waived or refunded without approval of the Springfield City Council.

Section 7. The City of Springfield shall have the right to charge, in addition to the above fees, any overtime costs incurred in connection with the service.

Section 8. This ordinance shall be in full force and effect from and after its passage, approval and publication or posting as required by law.

Section 9. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and Approved this 20th day of September, 2022.

Robert Roseland, Mayor
(SEAL)

Attest: Kathleen Gottsch, City Clerk

Agenda Item 7. Council Member Murtha introduced Ordinance Nos. 1109 thru 1120 as they are part of the 2022 legislative update and moved that the statutory rule requiring readings on three different days be suspended. Council Member 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 ordinances. Said ordinances were 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 Nos. 1109 thru 1120 be passed and adopted?” Upon roll call vote, the

following Council Members voted AYE: Herzog, Neitzel, Murtha, Craney. The following voted NAY: None. The passage and adoption of said ordinances having been concurred in by a majority of all members of the Council, the Mayor declared the ordinances adopted and the Mayor in the presence of the Council signed and approved the ordinances and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the ordinances to be published or posted as required by law and as provided therein. True, correct and complete copies of said ordinances are as follows:

ORDINANCE NO. 1109

AN ORDINANCE RELATING TO THE CITY CLERK TO AMEND CHAPTER 1, ARTICLE 2, SECTION 1-203 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 2, Section 1-203 of the Springfield Municipal Code is amended to read as follows regarding duties of the City Clerk:

§1-203 APPOINTED OFFICIALS; CITY CLERK.

(A) The City Clerk shall have the custody of all laws and ordinances and shall keep a correct journal of the proceedings of the City Council. After the period of time specified by the State Records Administrator pursuant to the Records Management Act, the Clerk may transfer the journal of the proceedings of the City Council to the State Archives of the Nebraska State Historical Society for permanent preservation. The Clerk shall also perform such other duties as may be required by the ordinances of the city. If the Clerk is acting as the Treasurer, he or she shall also comply with the requirements of § 31.05(A)(3).

(Neb. RS 17-605)

(B) (1) It shall be the duty of the Clerk to prepare and publish the official proceedings of the City Council within 30 days after any meeting of the Council. The publication shall be in a newspaper of general circulation in the city, shall set forth a statement of the proceedings of the meeting, and shall also include the amount of each claim allowed, the purpose of the claim, and the name of the claimant, except that the aggregate amount of all payroll claims may be included as one item. Between July 15 and August 15 of each year, the employee job titles and the current annual, monthly, or hourly salaries corresponding to such job titles shall be published. Each job title published shall be descriptive and indicative of the duties and functions of the position. The charge for the publication shall not exceed the rates provided for in Neb. RS 23-122.

(Neb. RS 19-1102)

(2) Publication under division (B)(1) shall be made in one legal newspaper of general circulation in the city. If no legal newspaper is published in the city, then the publication shall be made in one legal newspaper published or of general circulation within the county in which the city is located. The cost of publication shall be paid out of the general funds of the city.

(Neb. RS 19-1103)

(C) The Clerk shall dispose of or destroy city public records when the records have been determined to be of no further legal, administrative, fiscal, or historical value by the State Records Administrator pursuant to the Records Management Act. This shall not apply to the minutes of the Clerk and the permanent ordinance and resolution books, or any other record classified as permanent by the State Records Administrator.

(Neb. RS 18-1701)

(D) (1) The Clerk shall permit any person to examine and copy the public records in the Clerk's custody, and may charge a fee for providing copies of a public record, as provided in Neb. RS 84-712 through 84-712.09.

(2) The Clerk may charge a reasonable fee for certified copies of any record in his or her office as set by resolution of the City Council.

(E) The Clerk shall permit no records, public papers, or other documents of the city kept and preserved in his or her office to be taken therefrom, except by such officers of the city as may be entitled to the use of the same, but only upon their leaving a receipt therefor, and except pursuant to Neb. RS 84-712(2). He or she shall keep all the records of his or her office, including a record of all licenses issued by him or her, in a blank book with a proper index. He or she shall include as part of his or her records all petitions under which the City Council shall order public work to be done at the expense of the property fronting thereon, together with references to all resolutions and ordinances relating to the same. He or she shall endorse the date and hour of filing upon every paper or document so filed in his or her office. All such filings made by him or her shall be properly docketed. Included in his or her records shall be all standard codes, amendments thereto, and other documents incorporated by reference and arranged in triplicate in a manner convenient for reference. He or she shall keep an accurate and complete account of the appropriation of the several funds and draw, sign, and attest all warrants ordered for the payment of money on the particular fund from which the same is payable. At the end of each month, he or she shall then make a report of the amounts appropriated to the various funds and the amount of the warrants drawn thereon.

(F) The Clerk shall deliver all warrants, ordinances, and resolutions under his or her charge to the (Mayor) for his or her signature. He or she shall also deliver to officers, employees, and committees all resolutions and communications which are directed at such officers, employees, or committees. With the seal of the city, he or she shall duly attest the Mayor's signature to all ordinances, deeds, and papers required to be attested to when ordered to do so by the City Council.

(G) The Clerk shall issue and sign all licenses, permits, and occupation tax receipts authorized by law and required by the city ordinances. He or she shall collect all occupation taxes and license money, except where some other city officer is specifically charged with that duty. He or she shall keep a register of all licenses granted in the city and the purpose for which they have been issued.

(H) The Clerk shall keep in a book with a proper index, copies of all notices required to be published or posted by the Clerk by order of the City Council or under the ordinances of the city. To each of the file copies of the notices shall be attached the printer's affidavit of publication, if the notices are required to be published, or the Clerk's certificate under seal where the same are required to be posted only.

(I) The Clerk shall receive all objections to creation of paving districts and other street improvements. He or she shall receive the claims of any person against the city, and in the event that the claim is disallowed in part or in whole, the Clerk shall notify the claimant or his or her agent or attorney by letter within 5 days after the disallowance, and the Clerk shall then prepare transcripts on appeals of any disallowance of a claim in all proper cases.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1110

AN ORDINANCE RELATING TO PUBLIC PARTICIPATION AT MEETINGS OF PUBLIC BODIES TO AMEND CHAPTER 1, ARTICLE 5, SECTION 1-509 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SPRINGFIELD, NEBRASKA:

Section 1. That Chapter 1, Article 5, Section 1-509 of the Springfield Municipal Code is amended to read as follows regarding public participation:

§1-509 MEETINGS; PUBLIC PARTICIPATION.

(A) Subject to this subchapter and the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to Neb. RS 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(B) It shall not be a violation of division (A) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(C) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall

require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(D) No public body shall, for the purpose of circumventing this subchapter or the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(E) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(F) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if, a member entity of the public body is located outside of this state and the other requirements of Neb. RS 84-1412 are met.

(G) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(H) Public bodies shall make available at the meeting, for examination and copying by members of the public, at least 1 copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least 1 current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

(Neb. RS 84-1412)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

Robert Roseland, Mayor

(SEAL)

Kathleen Gottsch, City Clerk

ORDINANCE NO. 1111

AN ORDINANCE RELATING TO THE READING AND PASSAGE OF ORDINANCES TO AMEND CHAPTER 1, ARTICLE 6, SECTION 1-606 OF THE SPRINGFIELD MUNICIPAL CODE, RESOLUTIONS, ORDERS, AND BYLAWS; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 6, Section 1-606 of the Springfield Municipal Code is amended to read as follows regarding waiver of the three (3) readings of the ordinance adopting the new election district boundary map by a three-fourths (3/4) vote of the City Council:

§1-606 ORDINANCES; READING AND PASSAGE OF ORDINANCES, RESOLUTIONS, ORDERS, BYLAWS.

(A) (1) All ordinances and resolutions or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all members elected to the City Council. The Mayor may vote when his or her vote would provide the additional vote required to attain the number of votes equal to a majority of the number of members elected to the Council, and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council.

(2) Ordinances of a general or permanent nature shall be read by title on three different days unless three-fourths (3/4) of the City Council vote to suspend this requirement. Such requirement shall not be suspended for any ordinance for the annexation of territory, or the redrawing of boundaries for city council election districts or wards, or as otherwise provided in Neb. RS 17-614(3) or as otherwise provided by law.

(3) In case this requirement is suspended, the ordinance shall be read by title and then moved for final passage.

(4) Three-fourths (3/4) of the City Council may require a reading of any such ordinance in full before enactment under either procedure set out in this section.
(Neb. RS 17-614)

(B) On the passage or adoption of every bylaw or ordinance, and every resolution or order to enter into a contract by the City Council, the yeas and nays shall be called and recorded. To pass or adopt any bylaw, ordinance, or any such resolution or order, a concurrence of a majority of the whole number of members elected to the City Council shall be required. All appointments of the officers by the City Council shall be made viva voce, and the concurrence of a like majority shall be required, and the names of those, and for whom they voted, on the vote resulting in an appointment, shall be recorded. The requirements of a roll call or viva voce vote shall be satisfied by a city which utilizes an electronic voting device which allows the yeas and nays of each member of the City Council to be readily seen by the public.
(Neb. RS 17-616)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1112

AN ORDINANCE RELATING TO PUBLISHING ORDINANCES IN ELECTRONIC FORM TO AMEND CHAPTER 1, ARTICLE 6, SECTION 1-607 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 6, Section 1-607 of the Springfield Municipal Code is amended to read as follows regarding publishing ordinances in electronic form:

§1-607 ORDINANCES; PUBLICATION OR POSTING.

All ordinances of a general nature shall, before they take effect, be published within 15 days after they are passed:

(1) In legal newspaper in or of general circulation in the city or, if no paper is published in the (city), then by posting a written or printed copy in each of three (3) public places in the city; or

(2) In book, or pamphlet, or electronic form.
(Neb. RS 17-613)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1113

AN ORDINANCE RELATING TO CANDIDATE FILING FORMS AND FILING DEADLINES TO AMEND CHAPTER 1, ARTICLE 7, SECTION 1-722 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 7, Section 1-722 of the Springfield Municipal Code is amended to read as follows regarding the filing period for candidates to appear on a primary ballot:

§1-722 ELECTIONS; CANDIDATE FILING FORMS; DEADLINES; FILING OFFICER.

(A) Any candidate may place his or her name on the general election ballot by filing a candidate filing form prescribed by the Secretary of State as provided in division (B). If a candidate is an incumbent of an elective office, the filing period for filing the candidate filing form shall be between January 5 and February 15 prior to the date of the primary election. No incumbent who resigns from elective office prior to the expiration of his or her term shall file for any office after February 15 of that election year. All other candidates shall file for office between January 5 and March 1 prior to the date of the general election.
(Neb. RS 32-606)

(B) Candidate filing forms shall be filed in the office of the Election Commissioner or County Clerk.
(Neb. RS 32-607)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1114

AN ORDINANCE RELATING TO THE ADOPTED BUDGET STATEMENT AND CHANGING CERTAIN DATES RELATING TO TAX LEVIES TO AMEND CHAPTER 1, ARTICLE 8, SECTION 804 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 8, Section 804 of the Springfield Municipal Code is amended to read as follows regarding filing adopted budget statements:

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

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

- (a) The amount to be levied for the payment of principal or interest on bonds issued by the City Council; and
 - (b) The amount to be levied for all other purposes.
- (2) Proof of publication shall be attached to the statements.

(B) If the prime rate published by the Federal Reserve Board is ten percent (10%) or more at the time of the filing and certification required under this subsection, the City Council, in certifying the amount required, may make allowance for delinquent taxes not exceeding five percent (5%) of the amount required plus the actual percentage of delinquent taxes for the preceding tax year or biennial period and for the amount of estimated tax loss from any pending or anticipated litigation which involves taxation and in which tax collections have been or can be withheld or escrowed by court order. For purposes of this section, anticipated litigation shall be limited to the anticipation of an action being filed by a taxpayer who or which filed a similar action for the preceding year or biennial period which is still pending. Except for such allowances, the City Council shall not certify an amount of tax more than one percent (1%) greater or lesser than the amount determined under Neb. RS 13-508.

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

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1115

AN ORDINANCE RELATING TO PROPERTY TAX REQUESTS AND THE PROCEDURE FOR SETTING THEM TO AMEND CHAPTER 1, ARTICLE 8, SECTION 1-822 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 1, Article 8, Section 1-822 of the Springfield Municipal code is amended to read as follows regarding property tax requests and the procedure for setting them:

§1-822 FISCAL MANAGEMENT; PROPERTY TAX REQUEST; PROCEDURE FOR SETTING.

(A) If the annual assessment of property would result in an increase in the total property taxes levied by a county, municipality, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the city's property tax request for the current year shall be no more than its property tax request in the prior year, and the (city)'s rate of levy for the current year shall be decreased accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The City Council shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) of this section. If the City Council seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so after holding the public hearing required in division (C) of this section and by passing a resolution or ordinance that complies with division (D) of this section. If any county, city, school district, or community college seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. RS 77-1633 in lieu of the requirements in divisions (C) and (D) of this section.

(B) If the annual assessment of property would result in no change or a decrease in the total property taxes levied by a county, city, village, school district, learning community, sanitary and improvement district, natural resources district, educational service unit, or community college, as determined using the previous year's rate of levy, the city's property tax request for the current year shall be no more than its property tax request in the prior year, and the City Council's rate of levy for the current year shall be adjusted accordingly when such rate is set by the County Board of Equalization pursuant to Neb. RS 77-1601. The City Council shall pass a resolution or ordinance to set the amount of its property tax request after holding the public hearing required in division (C) of this section. If the City Council seeks to set its property tax request at an amount that exceeds its property tax request in the prior year, it may do so after holding the public hearing required in division (C) of this section and by passing a resolution or ordinance that complies with division (D) of this section. If any county, city, school district, or community college seeks to increase its property tax request by more than the allowable growth percentage, such political subdivision shall comply with the requirements of Neb. RS 77-1633 in lieu of the requirements in divisions (C) and (D) of this section.

(C) The resolution or ordinance required under this section shall only be passed after a special public hearing called for the purpose is held and after notice is published in a newspaper of general circulation in the area of the (city) at least four (4) calendar days prior to the hearing. For purposes of such notice, the four (4) calendar days shall include the day of publication but not the day of hearing. If the city's total operating budget, not including reserves, does not exceed \$10,000 per year or \$20,000 per biennial period, the notice may be posted at the City Council's principal headquarters.

(D) The hearing notice shall contain the following information:

(1) The certified taxable valuation under Neb. RS 13-509 for the prior year, the certified taxable valuation under Neb. RS 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year;

(2) The dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request;

(3) The property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation;

(4) The proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request;

(5) The percentage increase or decrease in the property tax rate from the prior year to the current year; and

(6) The percentage increase or decrease in the total operating budget from the prior year to the current year.

(E) Any resolution or ordinance setting a city's property tax request under Neb. RS 77-1632 at an amount that exceeds the city's property tax request in the prior year shall include, but not be limited to, the following information:

(1) The name of the city;

(2) The amount of the property tax request;

(3) The following statements:

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

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

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

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

(4) The record vote of the City Council in passing such resolution or ordinance.

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

(G) Any tax levy which is not in compliance with this section and Neb. RS 77-1601 shall be construed as an unauthorized levy under Neb. RS 77-1606.
(Neb. RS 77-1632)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1116

AN ORDINANCE RELATING TO NUISANCE ABATEMENT WITHIN THE CORPORATE LIMITS OR EXTRATERRITORIAL ZONING JURISDICTION OF THE MUNICIPALITY; TO AMEND CHAPTER 4, ARTICLE 3, SECTION 4-303 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 4, Article 3, Section 4-303 of the Springfield Municipal Code is amended to read as follows:

§4-303 NUISANCES; ABATEMENT PROCEDURE.

(A) The owner or occupant of any real estate within the corporate limits or extraterritorial zoning jurisdiction of the Municipality shall keep such real estate free of nuisances. Except to the extent that conflicting procedures are otherwise provided, the procedures in this section shall apply to abatement of nuisances.

(B) Upon determination by the Board of Health or designated official that the owner or occupant of any such real estate has failed to keep the real estate free of nuisances, notice to abate and remove such nuisance and notice of the right to a hearing before the governing body and the manner in which it may be requested shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or by certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the municipality or by conspicuously posting the notice on the real estate upon which the nuisance is to be abated and removed. The notice shall describe the condition as found by the Board of Health or designated official and state that the condition has been declared a nuisance and must be remedied at once.

(C) If within five (5) days after receipt of such notice or publication or posting, whichever is applicable, the owner or occupant of the real estate does not request a hearing with the Municipality or fails to comply with the order to abate and remove the nuisance, the Board of Health shall certify its findings to the governing body. If, after consideration of the evidence submitted by the Board of Health or designated official, the governing body finds that the condition is a nuisance and the owner or occupant has not requested a hearing and has not abated or removed the nuisance, the Municipality may have such work done and assess the costs of such work pursuant to paragraph (E) of this section.

(D) If within five (5) days after receipt of such notice or publication or posting, whichever is applicable, the owner or occupant requests in writing a hearing with the governing body, the governing body shall fix a time and place at which a hearing will be held. Notice of the hearing shall be given by personal service or certified mail and require the owner or occupant to appear before the governing

body to show cause why such condition should not be found to be a nuisance and remedied. The notice shall be given not less than seven (7) nor more than fourteen (14) days before the time of the hearing. Upon the date fixed for the hearing and pursuant to the notice, the governing body shall hear all objections made by the owner or occupant and shall hear evidence submitted by the Board of Health or designated official. If after consideration of all the evidence, the governing body finds that the condition is a nuisance, it shall, by resolution, order and direct the owner or occupant to remedy the nuisance at once. If the owner or occupant refuses or neglects to promptly comply with the order to abate and remove the nuisance, the governing body may have such work done.

(E) The costs and expenses of any such work shall be paid by the owner. If unpaid for two (2) months after such work is done, the Municipality shall levy and assess the costs and expenses of the work upon the real estate so benefitted as a special assessment in the same manner as other special assessments for improvements are levied and assessed.

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1117

AN ORDINANCE RELATING TO RESTRICTIONS ON DIRECTION OF TRAVEL; TO ADOPT SPRINGFIELD MUNICIPAL CODE CHAPTER 5, ARTICLE 2, SECTION 5-215; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Springfield Municipal Code Chapter 5, Article 2, Section 5-215 is adopted to read as follows regarding restrictions on direction of travel:

§5-215 RESTRICTIONS ON DIRECTION OF TRAVEL.

(A) The City Council with respect to highways under its jurisdiction may designate any highway, roadway, part of a roadway, or specific lanes upon which vehicular traffic shall proceed in one direction at all times or at such times as shall be indicated by traffic control devices.

(B) Except for emergency vehicles, no vehicle shall be operated, backed, pushed, or otherwise caused to move in a direction which is opposite to the direction designated by competent authority on any deceleration lane, acceleration lane, access ramp, shoulder, or roadway.

(C) A vehicle which passes around a roundabout shall be driven only to the right of the central island while on the circulatory roadway in such roundabout.
(Neb. RS 60-6,138)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

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

ORDINANCE NO. 1118

AN ORDINANCE RELATING TO ABANDONED VEHICLES; TO AMEND CHAPTER 6, ARTICLE 3, SECTION 6-326 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 6, Article 3, Section 6-326 of the Springfield Municipal Code is amended to read as follows regarding abandoned vehicles:

§6-326 MISDEMEANORS; ABANDONED AUTOMOBILES.

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

ABANDONED VEHICLE.

(a) A motor vehicle is an ***ABANDONED VEHICLE***:

(i) If left unattended, with no license plates or valid In Transit stickers issued pursuant to the Motor Vehicle Registration Act affixed thereto, for more than six (6) hours on any public property;

(ii) If left unattended for more than twenty-four (24) hours on any public property, except a portion thereof on which parking is legally permitted;

(iii) If left unattended for more than forty-eight (48) hours, after the parking of such vehicle has become illegal, if left on a portion of any public property on which parking is legally permitted;

(iv) If left unattended for more than seven (7) days on private property if left initially without permission of the owner, or after permission of the owner is terminated;

(v) If left for more than thirty (30) days in the custody of a (city) law enforcement agency after the agency has sent a letter to the last-registered owner and lienholder under division (D) of this section; or

(vi) If removed from private property by the (city) pursuant to a (city) ordinance or this code.

(b) An all-terrain vehicle or minibike is an **ABANDONED VEHICLE**:

(i) If left unattended for more than twenty-four (24) hours on any public property, except a portion thereof on which parking is legally permitted;

(ii) If left unattended for more than forty-eight (48) hours, after the parking of such vehicle has become illegal, if left on a portion of any public property on which parking is legally permitted;

(iii) If left unattended for more than seven (7) days on private property if left initially without permission of the owner, or after permission of the owner is terminated;

(iv) If left for more than thirty (30) days in the custody of a city law enforcement agency after the agency has sent a letter to the last-registered owner and lienholder under division (D) of this section; or

(v) If removed from private property by the city pursuant to a city ordinance or this code.

(c) A **MOBILE HOME** is an abandoned vehicle if left in place on private property for more than thirty (30) days after a local governmental unit, pursuant to an ordinance or resolution, has sent a certified letter to each of the last-registered owners and posted a notice on the mobile home, stating that the mobile home is subject to sale or auction or vesting of title as set forth in Neb. RS 60-1903.

(d) No motor vehicle subject to forfeiture under Neb. RS 28-431 shall be an **ABANDONED VEHICLE** under this section.

MOBILE HOME. A movable or portable dwelling constructed to be towed on its own chassis, connected to utilities, and designed with or without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit, and shall include a manufactured home as defined in Neb. RS 71-4603. **MOBILE HOME** does not include a mobile home or manufactured home for which an affidavit of affixture has been recorded pursuant to Neb. RS 60-169.

PRIVATE PROPERTY. Any privately owned property which is not included within the definition of public property.

PUBLIC PROPERTY. Any public right-of-way, street, highway, alley, or park or other state, county, or city-owned property.
(Neb. RS 60-1901)

(B) If an abandoned vehicle, at the time of abandonment, has no license plates of the current year or valid In Transit stickers issued pursuant to Neb. RS 60-376 affixed and is of a wholesale value, taking into consideration the condition of the vehicle, of \$500 or less, title shall immediately vest in the city. Any certificate of title issued under this division to the city shall be issued at no cost to the city.
(Neb. RS 60-1902)

(C) (1) Except for vehicles governed by division (B) of this section, the city shall make an inquiry concerning the last-registered owner of such vehicle as follows:

(a) Abandoned vehicle with license plates affixed, to the jurisdiction which issued such license plates; or

(b) Abandoned vehicle with no license plates affixed, to the Department of Motor Vehicles.

(2) The city shall notify the last-registered owner, if any, and any lienholder, if any, within fifteen (15) business days that the vehicle in question has been determined to be an abandoned vehicle and that, if unclaimed, either:

(a) It will be sold or will be offered at public auction after 5 days from the date such notice was mailed; or

(b) Title will vest in the city thirty (30) days after the date such notice was mailed.

(3) If the agency described in division (C)(1)(a) or (b) of this section also notifies the city that a lien or mortgage exists, such notice shall also be sent to the lienholder or mortgagee. Any person claiming such vehicle shall be required to pay the cost of removal and storage of such vehicle.

(4) Title to an abandoned vehicle, if unclaimed, shall vest in the (city):

(a) Five (5) days after the date the notice is mailed if the vehicle will be sold or offered at public auction under division (C)(2)(a) of this section;

(b) Thirty (30) days after the date the notice is mailed if the (city) will retain the vehicle; or

(c) If the last-registered owner cannot be ascertained, when notice of such fact is received.

(5) After title to the abandoned vehicle vests pursuant to division (C)(4) of this section, the city may retain for use, sell, or auction the abandoned vehicle. If the city has determined that the vehicle should be retained for use, the city shall, at the same time that the notice, if any, is

mailed, publish in a newspaper of general circulation in the jurisdiction an announcement that the city intends to retain the abandoned vehicle for its use and that title will vest in the city thirty (30) days after the publication.

(Neb. RS 60-1903)

(D) (1) If a city law enforcement agency has custody of a motor vehicle for investigatory purposes and has no further need to keep it in custody, it shall send a certified letter to each of the last-registered owners, if any, and lienholders, if any, within fifteen (15) calendar days stating that the vehicle is in the custody of the law enforcement agency, that the vehicle is no longer needed for law enforcement purposes, and that after thirty (30) days the agency will dispose of the vehicle.

(2) This division shall not apply to motor vehicles subject to forfeiture under Neb. RS 28-431.

(3) No storage fees shall be assessed against the registered owner of a motor vehicle held in custody for investigatory purposes under this division (D) unless the registered owner or the person in possession of the vehicle when it is taken into custody is charged with a felony or misdemeanor related to the offense for which the law enforcement agency took the vehicle into custody. If a registered owner or the person in possession of the vehicle when it is taken into custody is charged with a felony or misdemeanor but is not convicted, the registered owner shall be entitled to a refund of the storage fees.

(Neb. RS 60-1903.01)

(E) (1) A law enforcement agency is authorized to remove an abandoned or trespassing vehicle from private property upon the request of the private property owner on whose property the vehicle is located and upon information indicating that the vehicle is an abandoned or trespassing vehicle. After removal, the law enforcement agency with custody of the vehicle shall follow the procedures in Neb. RS 60-1902 and 60-1903.

(2) A law enforcement agency is authorized to contact a private towing service in order to remove an abandoned or trespassing vehicle from private property upon the request of the private property owner on whose property the vehicle is located and upon information indicating that the vehicle is an abandoned or trespassing vehicle. A vehicle towed away under this subsection is subject to Neb. RS 52-601.01 to 52-605 and 60-2410 by the private towing service which towed the vehicle.

(3) A private property owner is authorized to remove or cause the removal of an abandoned or trespassing vehicle from such property and may contact a private towing service for such removal. A private towing service that tows the vehicle shall notify, within twenty-four (24) hours, the designated law enforcement agency in the jurisdiction from which the vehicle is removed and provide the registration plate number, the vehicle identification number, if available, the make, model, and color of the vehicle, and the name of the private towing service and the location, if applicable, where the private towing service is storing the vehicle. A vehicle towed away under this subsection is subject to Neb. RS 52-601.01 to 52-605 and 60-2410 by the private towing service that towed the vehicle.

(4) For purposes of this section, a trespassing vehicle is a vehicle that is parked without permission on private property that is not typically made available for public parking.

(Neb. RS 60-1903.02)

(F) If a state agency caused an abandoned vehicle described in division (A)(a)(5) or (A)(b)(4) of this section to be removed from public property in this city, the state agency shall be entitled to custody of the vehicle. If a state agency caused an abandoned vehicle described in division (A)(a)(1), (2), (3), or (4) or (A)(b)(1), (2), or (3) of this section to be removed from public property in this (city), the state agency shall deliver the vehicle to the city which shall have custody.
(Neb. RS 60-1904)

(G) Any proceeds from the sale of an abandoned vehicle in the city's custody less any expenses incurred by the city shall be held by the city without interest, for the benefit of the owner or lienholders of such vehicle for a period of two (2) years. If not claimed within such two (2) year period, the proceeds shall be paid into the general fund of the city.
(Neb. RS 60-1905)

(H) Neither the owner, owner's agent, owner's employee, lessee, nor occupant of the premises from which any abandoned vehicle is removed, nor the city, shall be liable for any loss or damage to such vehicle which occurs during its removal or while in the possession of the city or its contractual agent, while in the possession of a private towing service, or as a result of any subsequent disposition.
(Neb. RS 60-1906)

(I) No person shall cause any vehicle to be an abandoned vehicle as described in division (A)(a)(1), (2), (3), or (4) or (A)(b)(1), (2), or (3) of this section.
(Neb. RS 60-1907)

(J) No person other than one authorized by the city or appropriate state agency shall destroy, deface, or remove any part of a vehicle which is left unattended on a highway or other public place without license plates affixed or which is abandoned. Anyone violating this division shall be guilty of an offense.
(Neb. RS 60-1908)

(K) The last-registered owner of an abandoned vehicle shall be liable to the city for the costs of removal and storage of such vehicle.
(Neb. RS 60-1909)

(L) Any person violating the provisions of this section shall be guilty of an offense.
(Neb. RS 60-1911)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

Robert Roseland, Mayor

(SEAL)

Kathleen Gottsch, City Clerk

ORDINANCE NO. 1119

AN ORDINANCE RELATING TO GAMBLING AND SUCH OPERATIONS WITHIN LICENSED RACETRACKS; TO AMEND CHAPTER 6, ARTICLE 3, SECTION 6-339 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 6, Article 3, Section 6-339 of the Springfield Municipal Code is amended to read as follows regarding gambling:

§6-339 MISDEMEANORS; GAMBLING.

(A) For the purpose of this section, the definitions found in Neb. RS 28-1101 shall be used.

(B) A person commits the offense of promoting gambling if he or she knowingly:

(1) Advances or profits from any unlawful gambling activity by:

(a) Engaging in bookmaking;

(b) Receiving, in connection with any unlawful gambling scheme or enterprise, any amount of money played in the scheme or enterprise in any one day; or

(c) Betting something of value in an amount of \$500 or more with one or more persons in one day; or
(Neb. RS 28-1102 and 28-1103)

(2) Participates in unlawful gambling as a player by betting less than \$500 in any one day.
(Neb. RS 28-1104)

(C) (1) A person commits the offense of possession of a gambling device if he or she manufactures, sells, transports, places, possesses, or conducts or negotiates any transaction affecting or designed to affect ownership, custody, or use of any gambling device, knowing that it shall be used in the advancement of unlawful gambling activity.

(2) The owner or operator of a retail establishment who is not a manufacturer, distributor, or seller of mechanical amusement devices as defined under the Mechanical Amusement Device Tax Act, shall have an affirmative defense to possession of a gambling device described in division (C)(1) of this section if the device bears an unexpired mechanical amusement device decal as required by such Act. However, such affirmative defense may be overcome if the owner or operator had actual knowledge that operation of the device constituted unlawful gambling activity at any time such device was operated on the premises of the retail establishment.

(3) Notwithstanding any other provisions of this division, any mechanical game or device classified by the federal government as an illegal gambling device and requiring a federal Gambling Device Tax Stamp as required by the Internal Revenue Service in its administration of 26 U.S.C. 4461 and 4462, amended July 1, 1965, by Public Law 89-44, is hereby declared to be illegal.
(Neb. RS 28-1107)

(D) In any prosecution under this section, it shall be an affirmative defense that the writing, paper, instrument, or article possessed by the defendant was neither used nor intended to be used in the advancement of an unlawful gambling activity.
(Neb. RS 28-1108)

(E) Proof of possession of any gambling device shall be prima facie evidence of possession thereof with knowledge of its contents and character.
(Neb. RS 28-1109)

(F) It shall be no defense to a prosecution under any provision of this section relating to gambling that the gambling is conducted outside this city and is not in violation of the laws of the jurisdiction in which it is conducted.
(Neb. RS 28-1110)

(G) In addition to any other penalty, a sentencing court may order that any money, securities, negotiable instruments, firearms, conveyances, or electronic communication devices as defined in Neb. RS 28-833 or any equipment, components, peripherals, software, hardware, or accessories related to electronic communication devices, or any gambling devices be forfeited as a part of the sentence imposed if it finds by clear and convincing evidence adduced at a separate hearing in the same prosecution, conducted pursuant to Neb. RS 28-1601, that any or all such property was derived from, used, or intended to be used to facilitate a violation of this section.
(Neb. RS 28-1111)

(H) In any prosecution for an offense defined in this section, when the defendant's status as a player constitutes an excusing condition, the fact that the defendant was a player shall constitute an affirmative defense.
(Neb. RS 28-1112)

(I) Nothing in this section shall be construed to:

(1) Apply to or prohibit wagering on the results of horse races by the parimutuel or certificate method when conducted by licensees within the racetrack enclosure at licensed horse race meetings; or

(2) Prohibit or punish the conducting or participating in any bingo, lottery by the sale of pickle cards, lottery, raffle, or gift enterprise when conducted in accordance with the Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery Act, or Neb. RS 9-701; or.

(3) Apply to or prohibit the operation of games of chance, whether using a gambling device or otherwise, by authorized gaming operators within licensed racetrack enclosures or the

participation or playing of such games of chance, whether participated in or played using a gambling device or otherwise, by individuals 21 years of age or older within licensed racetrack enclosures as provided in the Nebraska Racetrack Gaming Act.

(Neb. RS 28-1113)

(J) In any prosecution under this section in which it is necessary to prove the occurrence of a sporting event, a published report of its occurrence in any daily newspaper, magazine, or other periodically printed publication of general circulation shall be admissible in evidence and shall constitute prima facie evidence of the occurrence of the event.

(Neb. RS 28-1117)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

Robert Roseland, Mayor

(SEAL)

Kathleen Gottsch, City Clerk

ORDINANCE NO. 1120

AN ORDINANCE RELATING TO LICENSES AND CITY POWERS AND DUTIES; TO AMEND CHAPTER 10, ARTICLE 1, SECTION 10-109 OF THE SPRINGFIELD MUNICIPAL CODE; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. That Chapter 10, Article 1, Section 10-109 of the Springfield Municipal Code is amended to read as follows regarding licenses and city powers and duties:

§10-109 ALCOHOLIC BEVERAGES; LICENSES; CITY POWERS AND DUTIES.

(A) The City Council is authorized to regulate by ordinance, not inconsistent with the Nebraska Liquor Control Act, the business of all retail, bottle club, craft brewery, and microdistillery licensees carried on within the corporate limits of the city.

(Neb. RS 53-134.03)

(B) During the period of forty-five (45) days after the date of receipt by mail or electronic delivery from the Nebraska Liquor Control Commission notice and a copy of an application for a new license to sell alcoholic liquor at retail, a craft brewery license, or a microdistillery license, the City Council may make and submit to the Commission recommendations relative to the granting or refusal to grant the license to the applicant.

(Neb. RS 53-131)

(C) The City Council, with respect to licenses within the corporate limits of the city, has the following powers, functions, and duties with respect to retail, bottle club, craft brewery, and microdistillery licenses:

(1) To cancel or revoke for cause retail, craft brewery, or microdistillery licenses to sell or dispense alcoholic liquor or bottle club licenses issued to persons for premises within its jurisdiction, subject to the right of appeal to the Nebraska Liquor Control Commission;

(2) To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed under the Nebraska Liquor Control Act to determine whether any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the City Council has been or is being violated, and at that time examine the premises of the licensee in connection with such determination. Any law enforcement officer who determines that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the local governing body has been or is being violated shall report such violation in writing to the Executive Director of the Commission:

(a) Within thirty (30) days after determining that such violation has occurred;

(b) Within thirty (30) days after the conclusion of an ongoing police investigation; or

(c) Within thirty (30) days after the verdict in a prosecution related to such an ongoing police investigation if the prosecuting attorney determines that reporting such violation prior to the verdict would jeopardize such prosecution, whichever is later;

(3) To receive a signed complaint from any citizen within its jurisdiction that any provision of the Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation relating to alcoholic liquor has been or is being violated and to act upon these complaints in the manner provided in the Act;

(4) To receive retail, bottle club, craft brewery, and microdistillery license fees as provided in Neb. RS 53-124 and 53-124.01 and pay the same, after the license has been delivered to the applicant, to the City Treasurer;

(5) To examine or cause to be examined any applicant or any retail, bottle club, craft brewery, or microdistillery licensee upon whom notice of cancellation or revocation has been served as provided in the Act, to examine or cause to be examined the books and records of any applicant or licensee, except as otherwise provided for bottle club licensees under state law, and to hear testimony and to take proof for its information in the performance of its duties. For purposes of obtaining any of the information desired, the City Council may authorize its agent or attorney to act on its behalf;

(6) To cancel or revoke on its own motion any license if, upon the same notice and hearing as provided in Neb. RS 53-134.04, it determines that the licensee has violated any of the provisions of the Nebraska Liquor Control Act or any valid and subsisting ordinance, resolution, rule, or regulation duly enacted, adopted, and promulgated relating to alcoholic liquor. The order of cancellation

or revocation may be appealed to the Commission within thirty (30) days after the date of the order by filing a notice of appeal with the Commission. The Commission shall handle the appeal in the manner provided for hearing on an application in Neb. RS 53-133;

(7) Upon receipt from the Commission of the notice and copy of application as provided in Neb. RS 53-131, to fix a time and place for a hearing at which the City Council shall receive evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a license. Notice of the time and place of the hearing shall be published in a legal newspaper in or of general circulation in the city, one (1) time not less than seven (7) and not more than fourteen (14) days before the time of the hearing. The notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the City Council in support of or in protest against the issuance of the license may do so at the time of the hearing. The hearing shall be held not more than forty-five (45) days after the date of receipt of the notice from the Commission, and after the hearing the City Council shall cause to be recorded in the minute record of its proceedings a resolution recommending either issuance or refusal of the license. The City Clerk shall mail to the Commission by first class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice, except that failure to comply with this provision shall not void any license issued by the Commission. If the Commission refuses to issue such a license, the cost of publication of notice shall be paid by the Commission from the security for costs; and

(8) To review and authorize an application by a retail, bottle club, craft brewery, farm winery, or microdistillery licensee for a temporary expansion of its licensed premises within the jurisdiction of the local governing body to an immediately adjacent area owned or leased by the licensee or to an immediately adjacent street, parking lot, or alley, not to exceed fifty (50) days for calendar year 2020 and, for each calendar year thereafter, not to exceed fifteen (15) days per calendar year, as provided in Neb. RS 53-123.12 and Neb. RS 53-129; and

(9) To review and authorize an application by a craft brewery, farm winery, or microdistillery licensee that holds a promotional farmers market special designated license for a permit to use such promotional farmers market special designated license to sell or dispense alcoholic liquor, which the holder is licensed to produce, at a farmers market within the jurisdiction of the local governing body as provided in section 14 of this act. The local governing body shall electronically notify the commission within five days after authorization of any permit pursuant to this subdivision.
(Neb. RS 53-134)

(D) (1) When the Nebraska Liquor Control Commission mails or delivers to the City Clerk a retail, craft brewery, or microdistillery license issued or renewed by the Commission, the Clerk shall deliver the license to the licensee upon receipt from the licensee of proof of payment of:

(a) The license fee if by the terms of Neb. RS 53-124 the fee is payable to the City Treasurer;

(b) Any fee for publication of notice of hearing before the City Council upon the application for the license;

(c) The fee for publication of notice of renewal, if applicable, as provided in Neb. RS 53-135.01; and

(d) Occupation taxes, if any, imposed by the city, except that Class J retail licensees shall not be subject to occupation taxes.

(2) Notwithstanding any ordinance or charter power to the contrary, the city shall not impose an occupation tax on the business of any person, firm, or corporation licensed under the Nebraska Liquor Control Act and doing business within the corporate limits of the city in any sum which exceeds two (2) times the amount of the license fee required to be paid under the Act to obtain that license.

(Neb. RS 53-132)

Section 2. Any other ordinance or code section passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 20th day of September, 2022.

Robert Roseland, Mayor

(SEAL)

Kathleen Gottsch, City Clerk

Agenda Item 8. Council reviewed bids for the purchase of a new swing set and spring rider at City Park. Motion by Murtha, seconded by Neitzel, to approve the bid from Cunningham Recreation in the amount of \$9,964.48 for the purchase of new swing sets and the bid from AAA State of Play in the amount of \$1,108.00 for the purchase of a new spring rider for City Park. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 9. Motion by Murtha, seconded by Neitzel, to approve the bid from Crouch Recreation in the amount of \$6,308.00 for the purchase of two basketball hoops for City Park. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 10. Motion by Murtha, seconded by Herzog, to approve the purchase of a 2022 GMC 3500 truck in the amount of \$44,199 from Copple Chevrolet, which includes a trade-in of \$3,500 for the 2004 and 1989 trucks, and to approve the purchase of a snowplow for the new truck in the amount of \$10,566.45 from Ty's Outdoor Power & Service. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 11. Motion by Craney, seconded by Murtha, to approve the purchase of a Bobcat UV34 gas utility vehicle from Bobcat of Omaha in the amount of \$19,839.45 and to approve the purchase of a snowplow for the UTV in the amount of \$5,241.44 from Ty's Outdoor Power & Service. AYES: Herzog, Murtha, Craney. NAYS: Neitzel. Motion carried.

Agenda Item 12. Motion by Neitzel, seconded by Murtha, to approve a 60-month lease of a Sharp 4K Ultra-HD 70" Aquos Board from Eakes Office Solutions for the monthly payment of \$102.90, and to purchase an optional rolling cart for an additional \$300. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 13. Motion by Murtha, seconded by Herzog, to approve the purchase of a Bobcat TL619 Telehandler from Bobcat of Omaha in the amount of \$80,373.52. AYES: Neitzel, Herzog, Murtha. Craney inquired as to whether or not a basket was included in the purchase price. He requested this item be further discussed and more information obtained prior to approval. Motion by Murtha, seconded by Herzog, to reconsider the purchase of a Bobcat TL619 Telehandler from Bobcat of Omaha in the amount of \$80,373.52 and table action on the purchase until the October 4, 2022, Council meeting. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 14. Council discussed the purchase of a larger water tank for the park and street departments. Motion by Neitzel, seconded by Herzog, to table agenda item 14, regarding the purchase of a NorthStar heavy-duty trailer with 600-gallon water tank, until the October 4, 2022, Council meeting. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 15. Council considered projects for the 2023 One and Six Year Road Plan. They requested that North 7th Street from Main Street to Elm Street be added to the Six Year Plan, since that section was identified as being in poor condition per the city's recent road study. A public hearing and adoption of the plan is scheduled for the October 4, 2022, Council meeting.

Agenda Item 16. Motion by Neitzel, seconded by Herzog, to appoint Kellie Seiber as the new Library Director and to increase her wage to \$25.00 per hour effective October 1, 2022. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 17. Motion by Herzog, seconded by Neitzel, to revise library staff wages effective October 1, 2022, as follows: Connie Manzer, \$23.00 per hour; Jean Latham, \$16.00 per hour; and Sally Seiber, \$15.00 per hour. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried. Craney noted that he was supportive of Connie Manzer's wage remaining at \$28.00 per hour even though she is retiring from Library Director and decreasing her hours. Council understood the reason for the change and said they would support the library board and staff's recommendation.

Agenda Item 18. Motion by Murtha, seconded by Herzog, to approve a 4% annual merit increase to Elliott Smart, Director of Equipment, Vehicles and Facilities. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 19. Motion by Craney, seconded by Herzog, to approve a \$3.00 per hour six-month merit increase to Bryan Cherry, Street Commissioner. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 20. Motion by Murtha, seconded by Neitzel, to approve a \$3.00 per hour six-month merit increase to Tyler Holdorf, Parks Director. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 21. Council reviewed cost of living allowances approved by other cities and considered market conditions. Motion by Craney, seconded by Murtha, to approve a 6% COLA increase for regular full-time and regular part-time employees. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Department Reports

Agenda Item 1. No Department Report from Neitzel.

Agenda Item 2. Herzog reported that the community building has been busy. He thanked Connie Manzer for her years of service to the library and Springfield community. He expressed gratitude that she was staying on board part-time to help with the transition.

Agenda Item 3. Murtha reported that the basketball court at City Park has been poured and the surrounding area seeded. The sprinkler system at City Park was fixed and the grass is looking great. She noted that Tyler Holdorf, Parks Director, plans to put down waterproof caulk at the splash pad.

Agenda Item 4. Craney reported that he visited with Bryan Cherry, Street Commissioner, about upcoming street repairs and tarring joints. He said Cherry plans to tar all new sections and sections done over the last three years yet this fall. Craney noted that they discussed the purchase of a new screed machine. The handmade apparatus currently being used takes a long time to prepare and can only be operated from the left side.

Agenda Item 5. Mayor Roseland reported that he participated in the Leadership Sarpy bus tour last week.

Agenda Item 6. Murtha reminded the Council of the Homecoming Parade on September 28. Kathleen Gottsch, City Administrator, provided development and project updates.

Adjournment

Motion by Herzog, seconded by Neitzel, to adjourn. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Meeting adjourned at 8:53 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 September 20, 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