

AGENDA FOR COUNCIL MEETING JANUARY 3, 2006
7:00 pm

1. Approve Minutes
2. Citizen Communication
3. Claims and Payroll
4. Sarpy County Sheriff Report
5. Department Reports/CA Report
6. Special Designated Liquor License and Request to Waive Liquor Permit Fee - Platteview Boosters, Doug Streeter.
7. Ord 697 – Limiting Fowl Within City limits (Final Reading)
8. Resolution 2006-1 - One & Six Year Plan
9. Community Building Furnace Bid
10. Community Building AC Bid
11. American Heart Association Proclamation
12. LB 496 – Credit Union Depositories
13. Executive Session
14. Executive Session Action

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock PM at City Hall on January 3, 2006. Present were Mayor Larry Goldman; Council Members: Diane Sullivan, Eric Hayes, Greg Latham, Bruce Thayer. Absent: None. Notice of the Council meeting was given in advance by posting notice in three public places, one of the designated methods of giving notice. Notice of the 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. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Agenda Item 1. Motion by Sullivan, seconded by Latham, the minutes of the December 20, 2005, regular Council Meeting be approved as presented. AYES: Latham, Sullivan, Thayer, Hayes. NAYS: None.

Agenda Item 2. There was no citizen communication.

Agenda Item 3. The City Administrator reported a balance on hand of \$96,089.00 in cash assets; \$160,783.05 Prestige Treasury; \$75,667.66 Prestige Keno Lottery; \$95,018.75 Prestige Progressive Jackpot; \$13,677.45 in Water Deposit Savings; \$1,137.56 in Refundable Deposits Savings; \$29,454.06 in Sewer Restricted; \$237,422.50 in Prestige Bond; \$23,775.32 in Money Market Library Bricks; \$54,418.43 in Water Tower

Savings; \$147,082.16 in Government Securities; and Time Certificates as follows: Bond – \$64,503.58, Tower – \$48,678.70, Water - \$103,964.48, Park - \$10,480.46, Treasury - \$500,000.00.

Supplies-Office	62.29	Office Depot
Law Contract	4,418.80	Sarpy County Treasurer
Prof. Services-Engineer	791.00	JEO Consulting Group, Inc.
Laundry	55.45	AmeriPride Linen & Apparel Services
Education	295.00	League of Nebraska Municipalities
Prof. Services-Other	450.00	American Legal Publishing Corporation
Dues	275.00	Sarpy County Economic Development Corp
Health Insurance	321.23	Assurant Health
Animal Control	281.58	Sarpy County Fiscal Administrator
Telephone	63.46	NT&T
Education	195.00	Municipal Clerk's School
Prof. Services-Planning	1,155.00	Schemmer Associates
Mileage	54.81	Sandra Powell
Mileage	3.39	Sheila Folkerts
Publications Costs	86.99	Suburban Newspaper Inc.
TOTAL GENERAL	8,509.00	

Supplies-Office	9.98	Office Depot
Janitorial	150.00	Marcie Schmieder
Health Insurance	329.36	Assurant Health
Natural Gas	251.65	Metropolitan Utilities District
Telephone	41.04	NT&T
TOTAL LIBRARY BUDGET	782.03	

Supplies	13.98	Hometown Market
Books/Videos/Maps	28.97	Doubleday Book Club
Books/Videos/Maps	39.95	Mystery Guild
Books/Videos/Maps	9.95	World Almanac Education
Dues	40.00	NE Historical Society
Dues	30.00	Constance Manzer
Books/Videos/Maps	304.85	Davidsons Title
Books/Videos/Maps	43.44	Thomson Gale
Books/Videos/Maps	41.00	A Game Sports
Books/Videos/Maps	52.38	Random House, Inc
TOTAL LIBRARY RESTRICT	604.52	

Waste Disposal Service	31.63	Papillion Sanitation
TOTAL PARK	31.63	

Laundry	55.44	AmeriPride Linen & Apparel Services
Natural Gas	1,117.17	Metropolitan Utilities District
Waste Disposal	31.62	Papillion Sanitation

**TOTAL COMMUNITY
BLDG 1,204.23**

Tools & Misc. Equipment	133.63	Municipal Supply
Supplies-Office	649.54	Office Depot
Digger's Hotline	25.83	Great Plains One-Call Service, Inc.
New Well	5,223.25	JEO Consulting Group, Inc.
Fuel	5.90	Phillips 66 Company
Testing	258.00	State of Nebraska HHS Laboratory
Hand Tools	22.47	Stander & Stander Ace Hardware
R&M Water-Commodities	195.77	Utility Equipment Company
R&M Water-Contractual	250.00	Larry Nolte Repair
Health Insurance	807.56	Assurant Health
Telephone	156.90	NT&T
Prof. Serv.Tech Support	37.50	Massman, Nelson, Reinig PC
Education	80.00	Central Community College
Education	94.00	Chuck Johnson
Insurance	162.00	Miller Monroe Co.
Prof. Serv.Tech Support	40.00	Data Technologies
Prof. Serv.Tech Support	9.60	Advanced Computer Services, Inc.

TOTAL WATER 8,151.95

Office Supplies	599.54	Office Depot
Testing	42.40	Midwest Laboratories
Fuel	49.00	Phillips 66 Company
Fire Marshall Storage	120.00	State of Nebraska Fire Marshall
R&M Sanitary Sewer-Contr	5,772.00	Utilities Service Group
Health Insurance	136.68	Assurant Health
Telephone	57.95	NT&T
Fuel	567.00	Sapp Bros. Petroleum, Inc.
Prof. Serv.Tech Support	37.50	Massman, Nelson, Reinig PC
Education	80.00	Central Community College
Education	150.00	Chuck Johnson
Insurance	162.00	Miller Monroe Co.
Prof. Serv.Tech Support	40.00	Data Technologies
Chemicals	485.00	Mid-American Research Chemical
Prof. Serv.Tech Support	9.60	Advanced Computer Services, Inc.

TOTAL SEWER 8,308.67

R&M Vehicle-Commodities	18.32	Laune Sales & Service, Inc
Fuel	415.23	Phillips 66 Company
Supplies-Shop	14.45	Springfield Drug
R&M Vehicle-Commodities	143.47	Mill Creek Auto Parts
Uniform Allowance	65.04	AmeriPride Linen & Apparel Services
Hand Tools	42.84	Stander & Stander Ace Hardware
Sand & Gravel	2,005.65	Westover Rock & Sand, Inc.
Department of Roads	1,920.00	Nebraska Department of Roads
Health Insurance	750.85	Assurant Health
Telephone	45.98	NT&T
Supplies-Other	68.74	Fastenal
Chemicals	104.26	Colonial Research Chemical Corp.
Supplies-Other	27.98	Ty's Outdoor Power & Service
R&M Vehicle-Contractual	65.95	Electronic Engineering
Natural Gas	388.47	Metropolitan Utilities District
R&M Equipment-Contractual	423.45	Curtis Dyna-Fog
TOTAL STREET	6,500.68	

Estimated Payroll \$19,784.37

Motion by Thayer, seconded by Hayes, the bills be allowed and warrants drawn on the treasury in payment of same. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 4. Lt. Monty Daganaar, Sarpy County Sheriff's Department, gave the department report.

Agenda Item 5. The City Administrator gave department reports.

Agenda Item 6. Motion by Thayer, seconded by Sullivan, to approve a Special Designated Liquor License contingent upon the applicant following all state and local statutes and regulations, for the Platteview Boosters Dance being held at the Springfield Community Building, February 11, 2006, from 6:00 PM to 12:00 AM and to waive the City license fees. AYES: Thayer, Latham, Hayes, Sullivan. NAYS: None.

Agenda Item 7. The public hearing having already been had during the December 20, 2005 Council Meeting, Councilman Thayer introduced Ordinance No. 697 without amendments.

Said ordinance was then read by title and thereafter Councilman Thayer moved for final passage of the ordinance, which motion was seconded by Councilman Latham. The Mayor then stated the question "Shall Ordinance No. 697 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Thayer, Latham, Hayes, Sullivan. 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 be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 697

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING CHAPTER 6 “POLICE REGULATIONS”, ARTICLE 1 “ANIMALS”; AMENDING SECTION 101 “ANIMALS; DEFINITIONS;” ADDING SECTION 114.01 “ANIMALS; FOWL; MAXIMUM NUMBER ALLOWED”; PROVIDING FOR AN EFFECTIVE DATE; REPEALS ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code Chapter 6, Article 1, Section 101 is amended and shall read as follows:

§6-101 ANIMALS; DEFINITIONS. For the purpose of this Article, the following terms or phrases shall have the following meanings:

Abandon shall mean to leave any animal for any length of time without making effective provision for its food, water, or other care as is reasonably necessary for the animal’s health.

Animal shall mean any vertebrate member of the animal kingdom except man. The term shall not include an uncaptured wild creature.

Animal Control Authority shall mean an entity authorized to enforce the animal control laws of the City of Springfield.

Animal Control Officer shall mean any individual employed, appointed, or authorized by an Animal Control Authority for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensing of animals, control of animals, or seizure and impoundment of animals and shall include any state or local law enforcement or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

Bearbaiting shall mean the pitting of any animal against a bear.

Cockfighting shall mean the pitting of a fowl against another fowl.

Cruelly Mistreat shall mean to knowingly and intentionally kill, maim, disfigure, torture, beat, mutilate, burn, scald, or otherwise set upon any animal.

Cruelly Neglect shall mean to fail to provide for any animal in one’s care, whether as owner or custodian, with food, water, or other care as is reasonably necessary for the animal’s health.

Dangerous Animal shall mean any animal that, according to the records of the Animal Control Authority:

- (a) Has killed or inflicted severe injury on a human being on public or private property;
- (b) Has killed a domestic animal without provocation while the offending animal was off the owner’s property; or
- (c) Has been previously determined to be a potentially dangerous animal by an Animal Control Authority and the owner has received notice of such determination and such animal again aggressively bites, attacks, or endangers the safety of humans or domestic animals. An animal shall not be defined as a dangerous animal if the threat, any injury that is not a severe injury, or the damage was sustained by a person who, at the time, was committing a willful trespass as defined in section 20-203, 28-520, or 28-

521 RS Neb. or any other tort upon the property of the owner of the animal, who was tormenting, abusing, or assaulting the animal, who has, in the past, been observed or reported to have tormented, abused, or assaulted the animal, or who was committing or attempting to commit a crime.

Dogfighting shall mean the pitting of a dog against another dog.

Domestic Animal shall mean a cat, a dog, or livestock.

Fowl shall mean common domesticated gallinaceous birds including, but not limited to ducks, geese, chickens, and pigeons.

Humane Killing shall mean the destruction of an animal by a method which causes the animal a minimum of pain and suffering.

Law Enforcement Officer shall mean any member of the Nebraska State Patrol, any county or deputy sheriff, any member of the police force of any city or village, or any other public official authorized by a city or village to enforce state or local animal control laws, rules, regulations, or ordinances.

Own, unless otherwise specified, shall mean to possess, keep, harbor, or have control of, charge of, or custody of a domestic animal. This term shall not apply to domestic animals owned by other persons which are temporarily maintained on the premises of a veterinarian or kennel operator for a period of not more than thirty days.

Owner shall mean any person, firm, corporation, organization, political subdivision, or department possessing, harboring, keeping, or having control or custody of a domestic animal or permitting a domestic animal to habitually be or remain on or be lodged or fed within such person's house, yard, or premises. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises domestic animals owned by other persons for a period of not more than thirty days.

Pitting shall mean bringing animals together in combat.

Potentially Dangerous Animal shall mean:

- (a) Any animal that when unprovoked;
 - (i) Inflicts a nonsevere injury on a human or injures a domestic animal either on public or private property, or;
 - (ii) Chases or approaches a person upon streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or;
- (b) Any specific animal with a known propensity, tendency, or disposition to attack when unprovoked, to cause injury, or to threaten the safety of humans or domestic animals.

Running at Large shall mean any domestic animal found off the premise of the owner, and not under control of the owner or a responsible person, either by leash, cord, chain, wire, rope, cage or other suitable means of physical restraint.

Severe Injury shall mean any physical injury that results in disfiguring lacerations requiring multiple sutures or cosmetic surgery or one or more broken bones or that creates a potential danger to the life or health of the victim.

Vaccination Against Rabies shall mean the inoculation of a domestic animal with a rabies vaccine as approved by the rules and regulations adopted and promulgated by the Department of Health and Human Services Regulation and Licensure.

(Ref. 54-617, 28-1004, 28-1008, 71-4401 RS Neb.) (Ord. No. 318, 3/13/90; 336, 1/8/91; 337, 1/8/91)

Section 2. Springfield Municipal Code Chapter 6, Article 1, Sections 114.01 is added and shall read as follows:

§6-114.01 ANIMALS; FOWL; MAXIMUM NUMBER ALLOWED.

It shall be unlawful for any person to own, keep or harbor at any time more than six (6) adult fowl per residential or dwelling unit in the City. For the purpose of this section, an adult fowl is a fowl that is more than four (4) months old.

Section 3. This ordinance shall take effect February 1, 2006 and be in full force from and after its passage, approval and publication or posting as required by law.

Section 4. 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 3rd day of January, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 8. Thayer offered Resolution 2006-1

RESOLUTION 2006-1

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Springfield, Nebraska and

WHEREAS, a public meeting was held on the 3rd day of January, 2006, to present this plan and there was discussion held with respect to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor & City Council of Springfield, Nebraska, that the plans and data as furnished and/or modified are hereby in all things accepted and adopted.”

Ayes 4

Nays 0

Absent 0

Approved:

Mayor

SEAL

Attest:

City Clerk

Hayes seconded the forgoing motion. The following Council Members voted AYES: Sullivan, Latham, Hayes, Thayer. NAYS: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted.

Agenda Item 9. Motion by Sullivan, seconded by Thayer, to approve a bid for the Community Building furnace replacement from Merwald in the amount of \$15,791.00. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 10. Motion by Latham, seconded by Thayer, to approve a bid for a new air conditioner in the Community Building from Merwald in the amount of \$11,916.00. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 11. Goldman read the proclamation proclaiming February 3, 2006 as “Wear Red for Women” Day. Motion by Latham, seconded by Thayer, to approve the document proclaiming February 3, 2006 as “Wear Red for Women” Day. AYES: Thayer, Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 12. Motion by Latham, seconded by Hayes, to proceed with support for LB 496. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 13. There was no executive session.

Agenda Item 14. There was no executive session action.

Motion by Thayer, seconded by Hayes, to adjourn. AYES: Thayer, Latham, Hayes, Sullivan. NAYS: None.

Meeting was adjourned at 7:20 PM.

ACKNOWLEDGMENT OF NOTICE OF MEETING

The undersigned members of the governing body of the City of Springfield, Nebraska, hereby acknowledges receipt of advance notice of meeting and the agenda for such meeting held at 7:00 o'clock P.M. on January 3, 2006.

_____ Mayor _____ Councilman

_____ Councilman _____ Councilman

_____ Councilman