

AGENDA FOR COUNCIL MEETING JANUARY 4, 2005
7:00 pm

1. Approve Minutes
2. Citizen Communication
3. Claims and Payroll
4. Sarpy County Sheriff Report
5. Department Reports/CA Report
6. Resolution 2005-1 - One & Six Year Plan (Public Hearing)
7. Ordinance 669 – Authorize Springfield Trails Regulations
8. Resolution 2005-2 – Springfield Trails Regulations
9. Tax Increment Financing Report – Bruce Thayer, Greg Latham, Sandy Powell
10. Executive Session –Negotiation
11. 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 4, 2005. 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 Thayer, seconded by Hayes, the minutes of the December 21, 2004, 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 \$147,883.03 in cash assets; \$414,587.27 Prestige Treasury; \$67,907.31 Prestige Keno Lottery; \$93,909.46 Prestige Progressive Jackpot; \$13,013.23 in Water Deposit Savings; \$2,123.00 in Refundable Deposits Savings; \$22,949.20 in Sewer Restricted; \$202,530.77 in Money Market Bond; \$23,445.79 in Money Market Library Bricks; \$47,985.67 in Water Tower Savings; \$148,519.05 in Government Securities; and Time Certificates as follows: Bond – \$63,528.90, Tower – \$47,672.37, Water - \$102,052.15, Park - \$10,287.68.

Supplies-Office	230.23	Office Depot
Law Contract	4,091.49	Sarpy County Treasurer
Professional Services-Plng	468.00	JEO

Laundry	45.33	Ameripride
Professional Services-Legal	1,085.00	Seidler & Seidler
Supplies-Other	41.01	Stander Ace Hardware
Printing	6.06	Redfield & Company
Dues	20.00	NE Municipal Clerks Association
Professional Services-Oth	50.00	Dakota Title & Escrow
Education	74.00	Sandra K. Powell
Mileage	144.64	Sandra K. Powell
Education	310.00	League of NE Municipalities
Education	85.00	League of NE Municipalities
Professional Ser. Building	134.16	Sarpy Building Inspector
Health Insurance	295.03	Fortis
Animal Control	271.70	Sarpy Fiscal Administrator
Telephone	403.41	NT&T
Education	195.00	Municipal Clerk's School
Professional Services-Plng	1,040.00	Schemmer Associates
Publications Costs	206.62	Suburban Newspaper
Misc Refunds	1,200.30	Eric Hayes
Rent	25.00	Sapringfield State bank
TOTAL GENERAL	10,421.98	

Natural Gas	169.60	MUD
Janitorial	120.00	Marcie Schmieder
Health Insurance	298.97	Fortis
TOTAL LIB BUDGET	588.57	

Books/Videos/Maps	14.48	Mystery Guild
Printing	75.00	Miller Press
Books/Videos/Maps	25.30	Eastern Library System
Books/Videos/Maps	69.00	SF Travel Publications
Books/Videos/Maps	11.45	World Almanac Education
Books/Videos/Maps	74.70	Diamond Lake Books
Education	35.00	Connie Manzer
Postage/Shipping	150.00	Connie Manzer
Books/Videos/Maps	50.85	Davidsons Title
Subscription	14.98	Reminisce
Books/Videos/Maps	20.00	Sweet Watermelon Books
TOTAL LIB. RESTR.	540.76	

Waste Disposal Service	31.92
TOTAL PARK	31.92

Papillion Sanitation

Supplies-Other	29.24
Laundry	45.34
Natural Gas	929.78
Supplies-Other	78.56
Waste Disposal	31.92
R&M Building-Commod	173.29
TOTAL AUDITORIUM	1,288.13

Hometown Market
AmeriPride
MUD
Stander Ace Hardware
Papillion Sanitation
Menards

Supplies-Office	230.23
Insurance	100.00
Supplies-Other	20.35
Testing	60.00
Hand Tools	39.30
R&M Water-Contract	96.08
Other Operating	120.00
Health Insurance	631.72
Misc. refunds	500.00
R&M Water-Contract	325.00
Deposits	50.00
Deposits	50.00
Deposits	50.00
Deposits	50.00
TOTAL WATER	2,322.68

Office Depot
Springfield Insurance Agency
B & B Pit Stop
State of NE HHS Laboratory
Stander Ace Hardware
Electric Company of Omaha
State of NE Fire Marshall
Fortis
Eric Hayes
Larry Nolte
Shane Griese
Michael Brown
Ingrid Peters
Richard Goodenberger

Office Supplies	230.24
Testing-Sewer	160.50
R&M Vehicle-Commod	64.17
Fuel	43.02
Supplies-Shop	92.99
R&M Sanitary Sewer	1,650.00
R&M Sanitary Sewer	2,250.00
Deferred Comp	354.07
Tools & Misc-Flow Meter	800.46
Supplies-Shop-	123.29
Misc. Refunds	240.00
Heavy Machinery	16,776.00
TOTAL SEWER	17,939.75

Office Depot
Midwest Laboratories
Mill Creek Auto Parts
Conoco
Stander Ace Hardware
Utilities Service Group
Utilities Service Group
Fortis
Fastenal
Tractor Supply Co.
Eric Hayes
Bennington Implement

5th Ave. Paving Project	2,032.50	JEO
R&M Vehicle-Commod	277.23	Mill Creek Auto Parts
Uniform Allowance	85.05	AmeriPride
Natural Gas	243.25	MUD
Fuel	78.53	Conoco
R&M Equipment-Commod	10.00	B & B Garage
Supplies-Shop	44.20	United Electric Supply
Health Insurance	636.71	Fortis
Publications Costs	32.75	The Journal
R&M Building-Commod	18.00	Aksarben Saw & Tool
TOTAL STREET	3,458.22	

Payroll \$19,784.37

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

Agenda Item 4. The December Sheriff's report was distributed. Russ Zeeb, Sarpy County Sheriff's Department, was present.

Agenda Item 5. The City Administrator gave department reports.

Agenda Item 6. Thayer introduced Resolution 2005-1.

RESOLUTION 2005-1

“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 4th day of January, 2005, to present this plan and there was discussion held with respect to said plan;

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

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

Agenda Item 7. Councilman Hayes introduced Ordinance No. 668.

Thayer moved that the statutory rule requiring reading on three different days be suspended. Councilman Latham seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Thayer, Hayes. 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 Councilman Hayes moved for final passage of the ordinance, which motion was seconded by Councilman Thayer. The Mayor then stated the question "Shall Ordinance No. 669 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Thayer, Hayes. 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. 669

AN ORDINANCE AMENDING CHAPTER 3 "DEPARTMENTS" OF THE SPRINGFIELD MUNICIPAL CODE, AMENDING ARTICLE 5 "PARKS" TO ADD SECTION 503 "RECREATIONAL TRAILS; REGULATION AND CONTROL"; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code §3-503 is added and shall read as follows:

PARKS; RECREATIONAL TRAILS; REGULATION AND CONTROL. The Governing Body shall have the power to enact by resolution, rules and regulations for the protection, preservation, and operation of the City's recreational trails. They may also provide suitable penalties for the violation of such rules and regulations.

(Ref. 13-304, 17-948, and 17-949 RS Neb.)

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 4th day of January, 2005.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 8. Thayer offered Resolution 2005-2.

RESOLUTION 2005-2

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

WHEREAS, the City of Springfield has developed and maintains a recreational trail system; and

WHEREAS, the City of Springfield wishes to adopt rules and regulations to govern the administration, use, operation, maintenance, and protection of the recreational trails under the City's control; and

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

1. The Rules and Regulations for the Springfield Trails System shall be as follows:

**City of Springfield
Rules and Regulations
Springfield Trails System**

Under authority of the provisions of Ref. 13-304, 17-948, and 17-949 RS Neb. the following rules and regulations are adopted by the City of Springfield to govern the administration, use, operation, maintenance, and protection of recreational trails under control of said City. The following Rules and Regulations contained hereafter shall apply, and be administered to all persons entering, using, visiting, or who are otherwise within the boundaries of the trail system controlled by the City. These Rules and Regulations are effective as of January 4, 2005.

A. DEFINITIONS

- 1) City: The City of Springfield, Sarpy County, Nebraska, a municipal corporation.
- 2) City Employee: An employee of the City of Springfield.
- 3) Council: The City Council of the City of Springfield.
- 4) General Manager: The supervisor of the parks system for the City of Springfield as designated by the City Council.
- 5) Law Enforcement Officer: Any duly credentialed local, state or federal law enforcement officer.
- 6) Recreational Trail: Areas specifically designated by Council for the purpose of walking, jogging, biking, roller skating, in-line skating, skateboarding, and cross country skiing.

- 7) Trails Area or System: All recreational trails and trail systems on land owned by, or under easement to, and/or administered by the City of Springfield.

B. RULES AND REGULATIONS

1) General Provisions:

No person shall:

- a) camp, picnic, hike, backpack, or engage in any other unauthorized activity on the recreational trail on land not designated as a camping, picnicking, hiking, backpacking, or other similar area by the City, or fail to observe the posted conditions governing use of such land, or
- b) light any type of fire, use any fireworks, smoke tobacco in any form, or leave unattended or unextinguished any fire of any type in any location within the trail system, when not permitted by the City, or
- c) bring upon, possess, graze, maintain, or allow to run at large any pet, domestic animal, or poultry in the trail system when not permitted by the City, or
- d) hunt, fish, trap, harvest fur, or use firearms, bow and arrow, or any other projectile weapon or device in the trail system when not permitted by the City, or
- e) swim, bath, boat, wade, use any flotation device, or engage in any other water-related recreational activity in the trail system when not permitted by the City, or
- f) without the permission of the City, damage, destroy, use or remove any public, real or personal property in the trail system, construct or install any privately owned structure in the trail system, or enter or remain upon all or any portion of the trail system when appropriate signs or public notices prohibiting such activity have been erected or displayed, or
- g) abandon any motor vehicle, trailer, or other conveyance in or on the trail system, or
- h) sell, trade or vend any goods, products, or commodities of any type in the trail system when not permitted by the City, or
- i) cut down, or remove in any way, any tree, shrub, bush, or plant,

2) Hours of Operation:

- a) The public may use the trails between the hours of 5:00 a.m. and 11:00 p.m.
- b) The City may establish a reasonable use schedule for all portions of a trail area and close to public use all, or any portion of a trail area, when necessary for the protection of an area for the safety and welfare of persons or property, by posting of appropriate signs.

3) Permitted Activities:

- a) The following activities are permitted on the trail system: walking, jogging, biking, roller skating, in-line skating, skateboarding, and cross country skiing.

4) Dogs, Cats and Pets

- a) Dogs, cats, and other pets are prohibited on the trail system unless they are crated, caged, or on a leash of no more than six (6) feet in length.
- b) Dogs, cats, or other pets running at large and observed in the act of killing, injuring, or molesting humans or wildlife may be disposed of by any authorized employee or law enforcement officer, in the interest of public safety and the protection of wildlife.

- c) All equestrian activity is prohibited.
- 5) Other Livestock
- a) Grazing or ranging domestic animals or poultry is prohibited.
- 6) Motorized Vehicles
- a) All motorized vehicles shall be prohibited on the trail area except wheelchairs operated by the mobility impaired, emergency vehicles and equipment, and City maintenance vehicles.
- 7) Intoxication: Consumption of Alcohol
- a) Consumption and/or possession of alcoholic beverages within the trail system owned and operated by the City is prohibited.
- 8) Disorderly Conduct
- a) Disorderly conduct, as defined in the Nebraska State Statutes, is prohibited.
- 9) Traffic (trail users)
- a) Pedestrians have the right-of-way.
 - b) Trail users shall keep to the right and walk or ride in single file, whenever practical.
 - c) Trail users shall announce their presence and their intention to pass (on the left side).
 - d) Trail users shall pull off to the side of the trail when stopped.
 - e) Trail users shall obey all posted signs.
 - f) Bikers shall slow to a safe speed when approaching or passing pedestrians.
- 10) Sanitation
- a) All garbage, papers, cans, bottles, waste materials, and rubbish of any kind must be deposited in containers designated for the disposal thereof or removed from the area.
 - b) Draining or dumping of refuse or wastes from any source within the trail system is prohibited.
 - c) Polluting or contaminating in any manner any watershed, water supplies, or water used for drinking purposes is prohibited.
 - d) Depositing any body waste in or on any portion of the trail or other public structure except into fixtures provided for that purpose is prohibited.
 - e) Using City refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property is prohibited.
- 11) Vending
- a) Vending, including mobile vendors, of various goods and services, products, and commodities is prohibited.
 - b) The sale or distribution of printed matter within the trail area without prior written authorization from the City is prohibited.
- 12) Firearms, Explosives, or Fireworks

- a) The use or possession of explosives, firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, and explosive devices of any kind, is prohibited unless in the possession of a federal, state, or local law enforcement officer, or authorized City employee. Fireworks are also prohibited without written, prior authorization by the City.

13) Standards

- a) The standards established in these regulations are in furtherance of the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values, and provide for the enhancement of the recreational values of the trail area.
- b) Use and development of property will be in conformance with applicable federal, state, and local laws, regulations, and ordinances.
- c) Development, improvement, and use of the property will not materially detract from the scenic, natural, historic, pastoral, and wildlife values of the area.
- d) All new utilities will be underground when feasible.
- e) No structures or other improvements will be constructed in or encroaching upon streambeds, banks, and floodplains of live or intermittent streams. Streambeds, banks, and floodplains will not be disturbed, except as may be necessary to construct, operate, and maintain irrigation, fisheries, utilities, roads, and similar facilities or improvements. Any such necessary encroachment will avoid impeding water flow, sedimentation of streams, or entrance of deleterious materials into streams.

14) Exceptions to Regulations

- a) Nothing in the foregoing shall be construed as prohibiting the City or their duly appointed agents or employees from the conduct of their assigned duties in the administration, maintenance, and development of areas owned or controlled by the City.
- b) In the event of natural disaster, state or national emergency, civil disorder, accident, or other situation wherein the conduct of activities otherwise permitted under these regulations may constitute a hazard to the public health, safety, or welfare, or inhibit rescue, recovery, post-disaster, or development operations, management personnel of the City are herewith specifically empowered and directed to take such measures at their disposal to preserve the public health, safety, and welfare and to expedite rescue, recovery, and operations to include the temporary suspension of any or all activities contemplated in these regulations or any area or portion of any area owned or controlled by the City and the temporary closure and/or any such area.

15) Regulations: Amendments or Changes

- a) The City reserves the right to amend or change the rules and regulations for the trail area as deemed necessary.

2. This authority shall take effect upon passage and adoption of said resolution.

Introduced and Passed January 4th, 2005.

Ayes _____

Nays _____

Abstain _____

Absent _____

Approved:

Mayor

SEAL

Attest:

City Clerk

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

Agenda Item 9. Bruce Thayer, Greg Latham and Sandy Powell reported on Tax Increment Financing.

Agenda Item 10. Council did not enter executive session.

Agenda Item 11. There was no executive session action.

Motion by Thayer, seconded by Hayes, to adjourn. AYES: Thayer, Sullivan, Hayes, Latham. NAYS: None. Meeting was adjourned at 7:27 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 4, 2005.

_____ Mayor _____ Councilman

_____ Councilman _____ Councilman

_____ Councilman