

AGENDA FOR COUNCIL MEETING FEBRUARY 15, 2005  
7:00 pm

1. Approve Minutes
2. Citizen Communication
3. Department Reports/CA Report
4. SCEDC Fourth Quarter Report - John Yochum
5. Appoint Lyn Erhart to the Springfield Library Board - Term to Expire November 2006
6. Appoint Bob Engberg to the Springfield Planning and Zoning Commission as an Alternate Member - Term to Expire June 2006.
7. Garage Sale Fundraiser for Park
8. Citywide Cleanup Day
9. Resolution 2005-3 – NDOR STP Enhancement Program Agreement
10. Resolution 2005-4 – Green Space Stewardship Initiative Agreement
11. Ordinance 670 - Multi-Family Dwelling Height
12. Ordinance 671 – Create Community Redevelopment Authority of Springfield (CRA)
13. Appoint the CRA Board
14. Engineer for Trail Project
15. Water Easement Negotiations – Sandi Shotkoski
16. Special Designated Liquor License, Platteview Boosters Dance, March 19<sup>th</sup>, Fairgrounds – Don Dalton
17. Executive Session – Negotiation
18. 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 February 15, 2005. Present were Mayor Larry Goldman; Council Members: Diane Sullivan, Greg Latham, Bruce Thayer. Absent: Eric Hayes. 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 Latham, the minutes of the February 1, 2005, regular Council Meeting be approved as presented. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 2. There was no citizen communication.

Agenda Item 3. The City Administrator gave department reports.

Agenda Item 4. John Yochum, Sarpy County Economic Development Corporation, gave the 4<sup>th</sup> quarter economic development report.

Agenda Item 5. Motion by Thayer, seconded by Latham, to approve the Mayor's appointment of Lyn Erhart to the Springfield Library Board; term to expire November 2006. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 6. Motion by Sullivan, seconded by Latham, to approve the Mayor's appointment of Bob Engberg to the Springfield Planning and Zoning Commission as an Alternate Member; term to expire June 2006. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 7. Motion by Latham, seconded by Sullivan, to allow a citywide garage sale to be held as a park fundraiser, May 7, 2005. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 8. Motion by Latham, seconded by Sullivan, to allow a citywide clean-up day on May 14, 2005, from 10 AM to 3 PM. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 9. Thayer introduced Resolution 2005-3.

#### RESOLUTION 2005-3

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

WHEREAS, the City of Springfield wishes to enter into an agreement with the State of Nebraska Department of Roads to construct a concrete trailhead south of Platteview Road and a connecting concrete pedestrian and bicycle trail which will extend north to approximately Station 15+75 of the current Nebraska Department of Roads project #STPD-50-2(126), with funds made available through STP Enhancement Program funds; and

WHEREAS, the Federal share payable shall be a maximum of eighty (80) percent of the eligible costs thereof, up to a maximum payment from federal funds of \$113,324; and

WHEREAS, the City of Springfield shall be responsible for the approximately \$28,331, which is estimated by the City to be the City's twenty (20) percent matching share of the eligible project costs; and

WHEREAS, the City of Springfield has agreed to place in its fiscal budget said amount;

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

1. the City enter into an agreement with the State of Nebraska Department of Roads for the construction of a concrete trailhead south of Platteview Road and a connecting concrete pedestrian and bicycle trail which

will extend north to approximately Station 15+75 of the current Nebraska Department of Roads project #STPD-50-2(126); and

2. this project be constructed under the designation of Project Number STPB-77(48), State Control No. 22189; and

3. the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the Mayor is hereby authorized to execute said Agreement.

Introduced and Passed February 15<sup>th</sup>, 2005.

Ayes   3  

Nays   0  

Absent   1  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

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

Agenda Item 10. Thayer introduced Resolution 2005-4.

#### RESOLUTION 2005-4

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

WHEREAS, Nebraska Lottery funds are entrusted to the Nebraska Environmental Trust who in turn works with the Nebraska Statewide Arboretum as the coordinators of the Green Space Stewardship Initiative grants; and

WHEREAS, the City of Springfield, as a recipient of said Green Space Stewardship Initiative grant, wishes to enter into an agreement with the Nebraska Statewide Arboretum for the purpose of planting trees in the Springfield Creek Trails and Recreation Area; and

WHEREAS, the Nebraska Statewide Arboretum share payable to the City shall be a maximum of seventy (70) percent of the eligible costs thereof, up to a maximum payment from Federal funds of \$12,000; and

WHEREAS, the City of Springfield shall be responsible for the approximately \$8,370, which is estimated by the City to be the City's matching share of the eligible project costs; and

WHEREAS, the City of Springfield has agreed to place in its fiscal budget said amount;

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

1. the City enter into an agreement with the Nebraska Statewide Arboretum for the purpose of planting trees in the Springfield Creek Trails and Recreation Area; and
2. the terms and conditions as contained in the Agreement with the Nebraska Statewide Arboretum are hereby approved and that the Mayor is hereby authorized to execute said Agreement.

Introduced and Passed February 15<sup>th</sup>, 2005.

Ayes   3  

Nays   0  

Absent   1  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

\_\_\_\_\_  
City Clerk

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

Agenda Item 11. Councilman Latham introduced Ordinance No. 670.

Latham moved that the statutory rule requiring reading on three different days be suspended. Councilman Thayer seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, Thayer. 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 Latham moved for final passage of the ordinance, which motion was seconded by Councilman Thayer. The Mayor then stated the question "Shall

Ordinance No. 670 be passed and adopted?” Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Thayer. 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. 670

AN ORDINANCE AMENDING ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.09 “R30 GENERAL FAMILY RESIDENTIAL DISTRICT” OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS AMENDING CERTAIN REGULATIONS CONCERNING MULTI-FAMILY DWELLING HEIGHTS; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Article 5 “Zoning Districts,” Section 5.09 “R30 General Family Residential” of the Springfield, Nebraska Zoning Regulations is amended as follows:

**Section 5.09 R30 General Family Residential District**

- A. *Intent.* Provides for multi-family residential uses; minimum lot area of 3,000 square feet per unit.
- B. *Permitted Uses:*
  - 1. Multi-family dwellings (apartments).
  - 2. Boarding, lodging, and rooming houses.
  - 3. Hospitals, sanitoriums, rest homes, nursing homes, or other similar uses.
  - 4. Private clubs, fraternities, or other similar uses.
  - 5. Churches.
  - 6. Schools and colleges.
  - 7. Public parks, playgrounds, or other public recreational uses.
  - 8. Publicly owned and operated buildings and uses.
  - 9. Condominiums (Ord 574)
  - 10. Townhouses (Ord. 575)
- C. *Permitted Conditional Uses:*
  - 1. Planned Development Districts.
  - 2. Home occupations.
  - 3. Signs.
  - 4. Single-family dwelling.
  - 5. Two-family dwellings (duplexes).
  - 6. Residential renovation for all single-family dwellings built before 1973.
  - 7. Satellite dish antennas that conform to the supplementary regulations of this Ordinance.
  - 8. Child care home.
- D. *Accessory Uses:*
  - 1. Buildings and uses customarily incidental to the permitted uses.
  - 2. Private swimming pool, tennis court and other outdoor recreational facilities in conjunction with dwellings.

3. Off-street parking lots, public and private.

E. *Height and Area Requirements:*

	<u>Lot Area</u>	<u>Unit Dwelling</u>	<u>Lot Width</u>	<u>Front Yard</u>	<u>Side Yard</u>	<u>Street Side Yard</u>	<u>Rear Yard</u>	<u>Maximum Height</u>
Single-Family Dwelling	5,000	---	50'	25'	7'	15'	25'	35' or 2 ½ stories
Two-Family Dwelling	10,000	5,000/unit	80'	25'	10'	15'	25'	35' or 2 ½ stories
Multi-Family Dwelling	10,000	3,000/unit	90'	25'	10'	15'	25'	<del>35' or 2 ½ stories</del> <u>45'</u>
Other Permitted Uses	10,000	---	80'	25'	10'	15'	25'	45' or 3 stories
Accessory Buildings	---	n/a	---	50'	5'	15'	3'	15'

1. Any residential building constructed in this zoning district shall contain at least 900 square feet of floor area on one level, or 900 square feet as the sum of two (2) adjoining floor areas, separated by not more than five (5) feet in height measured floor to floor for a single -family residential building; 750 square feet of floor area on one (1) level for each family unit in a two- (2) family residential building; 700 square feet for a one (1) bedroom unit, 800 square feet for a two (2) bedroom unit, and at least 900 for a three (3) bedroom unit in a multi-family residential building; all exclusive of garages or other attached accessory floor area.

F. *Other Applicable Provisions*

1. Only one (1) building for living purposes shall be permitted on one (1) zoned lot, except as may be otherwise provided herein.
2. Off-street parking and loading space shall be provided for all uses established in this district.

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 15<sup>th</sup> day of February 2005.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

\_\_\_\_\_  
City Administrator/Clerk

Agenda Item 12. Councilman Thayer introduced Ordinance No. 671.

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. 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 Thayer moved for final passage of the ordinance, which motion was seconded by Councilman Latham. The Mayor then stated the question "Shall Ordinance No. 671 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Thayer. 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. 671

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING CHAPTER 2 "COMMISSIONS AND BOARDS" TO INCLUDE ARTICLE 4 "COMMUNITY REDEVELOPMENT AUTHORITY"; CREATING THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF SPRINGFIELD; PROVIDING FOR MEMBERSHIP TO THE AUTHORITY; CREATING THE POSITION OF DIRECTOR OF THE AUTHORITY; PROVIDING FOR THE HANDLING OF FUNDS; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Chapter 2, Article 4 of the Springfield Municipal Code shall read as follows:

**§2-401 Community Redevelopment Authority; Creation; Authority.** There is hereby created the Community Redevelopment Authority of the City of Springfield, Nebraska. The Authority shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be made available for public inspection during regular business hours.

**§2-402 Community Redevelopment Authority; Members.** Five persons, all of whom shall be residents of the City of Springfield, shall constitute the Authority. The five members shall be selected by the Mayor and approved by the City Council. The terms of office of the members of the Authority initially appointed shall be for one year, two years, three years, four years, and five years, as designated by the Mayor in making the respective appointments. As the terms of the members of the authority expire, the Mayor, with the approval of

the City Council, shall appoint or reappoint a member of the authority for a term of five years to succeed the member whose term expires.

**§2-403 Community Redevelopment Authority; Officers.** The Authority shall select one of its members as Chairman and one as Vice-Chairman. The Authority shall select a person to serve as Director who shall be Ex Officio Secretary of the Community Redevelopment Authority.

**§2-404 Community Redevelopment Authority; Quorum.** A total of four members of the Authority shall constitute a quorum for the transaction of business. The authority shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be made available for public inspection during regular business hours.

**§2-405 Community Redevelopment Authority; Funds.** All income, revenue, profits, and other funds received by the Authority shall be deposited with the City Treasurer as Ex Officio Treasurer of such authority without commingling such money with any other money under her control and disbursed by her by check or draft only upon warrants, orders, or requisitions by the Chairman of the authority or other person authorized by the Authority, which shall state distinctly the purpose for which the same are drawn; and a permanent record shall be kept by the Authority of any such activity.

**§2-406 Community Redevelopment Authority; Limited Authority.** The Community Redevelopment Authority of the City of Springfield, Nebraska, hereafter referred to as the "CRA," shall have the powers and duties of a community redevelopment authority and shall be regulated as set forth in Sections 18-2101 to 18-2154, Nebraska Revised Statutes and amendments and supplements thereto, and the powers and duties delegated to the CRA by the Springfield City Council by ordinance, and such other duties as the City Council has or may in the future delegate to the CRA.

*(Ref. 18-2101 to 18-2154 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.

Section 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause, or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

Passed and approved this 15<sup>th</sup> day of February 2005.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

\_\_\_\_\_  
City Administrator/Clerk

Agenda Item 13. Motion by Thayer, seconded by Sullivan, to approve the Mayor's appointment of the Mayor and Council to the Community Redevelopment Authority of the City of Springfield, Nebraska. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 14. Motion by Thayer, seconded by Sullivan, to allow Kirkham Michael Consulting Engineers to proceed with the design of the Springfield Trail and Trailhead. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 15. Sandie Shotkoski, 485 S. 3<sup>rd</sup> Street, discussed a water easement on her property on Spruce Street. Motion by Latham, seconded by Thayer, to move Agenda Item 15 into Executive Session. AYES: Latham, Sullivan, Thayer. NAYS: None.

Agenda Item 16. Motion by Thayer, seconded by Latham, to approve a Special Designated Liquor License contingent upon the applicant following all state and local statutes and regulations, for a dance sponsored by the Platteview Boosters and being held at the Sarpy County Fairgrounds, March 19, 2005, from 6:00 PM to 1:00 AM. AYES: Sullivan, Latham, Thayer. NAYS: None.

Agenda Item 17. Motion by Thayer, seconded by Latham, to enter Executive Session for the purpose of negotiation discussion. AYES: Sullivan, Latham, Thayer. NAYS: None. Entered at 7:47 PM. Session ended at 8:26 PM.

Agenda Item 18. Motion by Latham, seconded by Thayer, to send a response to Sandie Shotkoski with Council's final water easement terms. AYES: Thayer, Sullivan, Latham. NAYS: None.

Motion by Latham, seconded by Thayer, to adjourn. AYES: Thayer, Sullivan, Latham. NAYS: None. Meeting was adjourned at 8:28 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 February 15, 2005.

\_\_\_\_\_ Mayor \_\_\_\_\_ Councilman

\_\_\_\_\_ Councilman \_\_\_\_\_ Councilman

\_\_\_\_\_ Councilman