

AGENDA FOR COUNCIL MEETING JULY 19, 2005  
7:00 pm

1. Approve Minutes
2. Citizen Communication
3. Department Reports/CA Report
4. Resolution 2005-9 - Amend 2004-05 Budget (Public Hearing)
5. Conditional Use Permit - 265 N. 4<sup>th</sup> Street – Dave Kildow
6. Equestrian Trailhead Parking at Street Department
7. Ordinance 679 – 2005-06 City Fee Schedule
8. Executive Session – Negotiation
9. 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 July 19, 2005. Present were Mayor Larry Goldman; Council Members: Diane Sullivan, Eric Hayes, Greg Latham. Absent: Bruce Thayer. 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 July 5, 2005, regular Council Meeting be approved as presented. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 2. Charles Harris, 16005 Hwy 50, expressed his concerns about street light placement on Highway 50.

Agenda Item 3. The City Administrator gave department reports.

Agenda Item 4. The public hearing was opened for discussion of Resolution 2005-9 amending the 2004-05 budget. No one spoke in favor or opposition of the amended budget. The public hearing was closed. Sullivan offered Resolution 2005-9.

RESOLUTION 2005-9

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

WHEREAS, Nebraska Statute 13-511 provides that Notice of Amended Budget Hearing be published in a newspaper of general circulation within the governing jurisdiction; and

WHEREAS, this Hearing is held for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed amended budget; and

WHEREAS, the purpose of amending the budget is to account for the calling and refinancing of a general obligation bond for the amount of \$460,000; and

WHEREAS, the amending of the budget does not affect the tax request for the 2004-05 fiscal year;

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

1. The Amended Budget of the City of Springfield, Nebraska for the period of October 1, 2004 through September 30, 2005 be passed and adopted; and

Introduced and Passed July 19<sup>th</sup>, 2005.

Ayes   3  

Nays   0  

Abstain   0  

Absent   1  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

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

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

Agenda Item 5. The public hearing was opened for discussion of a conditional use permit for 265 N. 4<sup>th</sup> Street to build a single family dwelling under R50 zoning. No one spoke in favor or opposition of the conditional use permit. The public hearing was closed. Motion by Sullivan, seconded by Latham, to approve a conditional use permit for 265 N. 4<sup>th</sup> Street to allow a single family dwelling to be built. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 6. Kirk and Vicki Fraser, 13809 S. 127th Street, was present to request equestrian trailhead parking at the street department location at Spruce and Railroad Street. Ted Riha, 16001 Cornish Road, spoke against the project. Sandie Shotkoski, 485 S. 3<sup>rd</sup>, suggested the Fair Grounds property along Pflug as an alternative. Charles Harris, 16005 Hwy 50, asked if there would be overnight parking. Latham suggested a parallel trail along the concrete trail from Spruce to Pflug. Motion by Sullivan, seconded Hayes, to direct City staff to work with the Equine Advisory Committee, the NRD and the area residents within a 300' radius of the Street Department location on an equestrian trailhead project. AYES: Latham, Sullivan, Hayes. NAYS: None.

Agenda Item 7. Councilman Latham introduced Ordinance No. 679.

Latham moved that the statutory rule requiring reading on three different days be suspended. Councilman Hayes seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Latham, Sullivan, 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 Latham moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 679 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, 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. 679

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, AND PET LICENSING, SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL 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.

**SERVICE PROVIDED**

**FEE**

**ANIMAL CONTROL**

- |    |                                       |                       |
|----|---------------------------------------|-----------------------|
| 1. | Dog & Cat Licenses                    |                       |
|    | a. Spayed or Neutered                 | \$7.50 annually       |
|    | b. Intact                             | \$10.00 annually      |
|    | c. License Handling fee               | Not to exceed \$10.00 |
| 2. | Fine for not being licensed by May 10 | Double licensing fee  |

3. Impound fees Actual cost

**BUILDING SERVICES**

**1. Building Permit Fee Schedule**

Before issuing a permit for the building of any new building or any alteration or remodeling of any building, the building inspector shall charge and collect a fee as follows:

<u>Valuation:</u>	<u>Fee:</u>
\$1.00 to \$700.00	\$21.00
\$701.00 to \$2,000.00	\$21.00 for the first \$500.00 plus \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$35,000.00	\$60.00 for the first \$2,000.00 plus \$13.00 for each additional \$1,000.00 or fraction thereof, to and including \$35,000.00
\$35,001.00 to \$70,000.00	\$350.00 for the first \$35,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$70,000.00
\$70,001.00 to \$140,000.00	\$575.00 for the first \$70,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$140,000.00
\$140,001.00 to \$700,000.00	\$882.00 for the first \$140,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof to and including \$700,000.00
\$700,001.00 to \$1,400,000.00	\$2,820.00 for the first \$700,000.00 plus \$4.25 for each additional \$1,000.00 or fraction thereof, to and including \$1,400,000.00
\$1,400,001.00 and up	\$4,890.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof

For the purposes of this section, valuations shall be computed based upon the “City of Springfield Building Valuations” data established from the published May-June issue of Building Standards magazine. Accessories, demolition, shoring and other non-typical construction adjustments shall coincide with building valuation adjustments.

- |    |  |                          |
|----|--|--------------------------|
| 2. | Additional Inspections   |                          |
|    | a. over and above the minimum four visits  | \$42.00 per hour         |
|    | b. outside of normal business hours<br>(minimum charge – 2 hours)  | \$42.00 per hour         |
| 3. | Inspections for which no fee is specifically indicated (minimum charge – 1 hour)                               | \$42.00 per hour         |
| 4. | Moving permit  | Same as new construction |
| 5. | Additional plan review required by changes, additions or revisions to approved plans (minimum charge – 1 hour) | \$42.00 per hour         |
| 6. | Electric Meter Inspection Only   | \$42.00                  |
| 7. | Electrical Pre-connect Fee   | \$500.00 (refundable)    |

8.	Park Capital Facilities Fee	\$200.00 per new construction
9.	Septic Tank Data Inspection Only	\$42.00
10.	Sprinkler System Fees	
	a. In addition to building permit	\$30.00
	b. As a separate permit	\$42.00
11.	Street Opening/Curb Cut	\$175.00 (\$50.00 retained for inspection costs; \$125.00 returned upon final inspection approval.)
12.	Sign Permit	\$.30 per sf, \$25.00 minimum
13.	Demolition Permit	<del>25</del> 15% of new building cost if were re-constructed
14.	Penalty Fee for No Permit	Double permit fee
15.	Expired Building Permit Renewal	One half of new building permit fee

#### **CITY FACILITIES RENTAL**

1.	Community Building	
	a. Hourly	\$20.00
	b. Daily, per level	\$100.00
	c. Deposit	\$100.00 (refundable)
2.	Library Meeting Room	
	a. Daily	\$25.00
	b. Deposit	\$100.00 (refundable)

#### **ELECTION SERVICES**

1.	Election Filing Fees (See Ordinance)	1% of annual salary
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#### **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

- |    |                           |                  |
|----|---------------------------|------------------|
| 3. | Inter-Library Loan        | \$2.00           |
| 4. | Non-resident Library Card | \$20.00 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. | Mowing                                  | \$25.00 plus contractor's rate                          |
| 5. | Request for Records                     | \$5.00 per half hour over 60 minutes<br>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. | Bingo License (State Statute)                         | \$10.00 annually        |
| 4. | Electric Companies                                    | \$0 annually            |
| 5. | Fire Insurance Companies (State Statute)              | \$5.00 annually         |
| 6. | Fireworks Stand                                       | \$2,000.00 annually     |
| 7. | Franchise fees/In Lieu of Taxes                       |                         |
|    | a. Electricity  | 5% of gross revenues    |
|    | b. Gas (State Statute §14-2139)                       | 2% of gross revenues    |
|    | c. Telephone (State Statute)                          | 0%                      |
|    | d. Cable Television<br>(State Statute sets ceiling)   | 3% of gross revenues    |
| 8. | Liquor Establishments                                 |                         |
|    | a. Clubs (Class C – Liquor by the drink)              | \$500.00 (not prorated) |
|    | b. Package Stores (Class B - beer only)               | \$50.00 (not prorated)  |
|    | c. Package Stores (Class D - beer and<br>hard liquor) | \$300.00 (not prorated) |
|    | d. Taverns (Class C – Liquor by the drink)            | \$500.00 (not prorated) |

9.	Mechanical Amusement Devices	\$10.00 annually
10.	Sexually Oriented Business	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00 annually
11.	Special Liquor Licenses	\$50.00 per day plus State Fee \$500.00 deposit (refundable)
12.	Tattoo Parlor	
	a. New Application	\$500.00 plus professional fees
	b. Annual Fee	\$500.00 annually
13.	Telephone Occupation Tax	3% of gross receipts as defined by ordinance
14.	Tobacco License (State Statute)	\$10.00 annually
15.	Mobile Home Park	
	a. New Application	\$500.00 plus professional fees
	Annual Fee	\$10.00 per pad
16.	Vendor/Hawker/Peddler	
	a. Annually	\$150.00
	b. Per day	\$50.00

### **PLANNING SERVICES**

1.	Administrative Plat (lot split/consolidation)	\$200.00
2.	Annexation Requests	\$100.00 plus professional services costs
3.	Annual Conditional/Special Use Renewal	\$30.00
4.	Board of Adjustment	\$200.00
5.	Capital Facilities Fees	Due at Final Plat Signing

#### Properties Within An SID

Residential - Single Family	\$1,000.00 per lot
Residential - Duplex	\$1,400.00 per lot
Residential - Multi Family	\$2,500.00 per acre
Commercial	\$2,800.00 per acre
Industrial	\$2,800.00 per acre
Park or Common Area	\$300.00 per acre

#### Properties Outside the City Limits, but not within an SID

Residential - Single Family	\$750.00 per lot
Residential - Duplex	\$1,000.00 per lot

Residential - Multi Family	\$2,200.00 per acre
Commercial	\$2,250.00 per acre
Industrial	\$2,250.00 per acre
Park or Common Area	\$225.00 per acre
Agriculture Land	\$250.00 per acre
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	\$150.00
10. County Filing Fees (If filed by City)	\$50.00 plus actual costs
11. Final Plat	\$500.00 plus \$5 for each lot
12. Flood Plain Development Permit	\$500.00
13. Improvements Review Fees	1% of project cost plus Professional services costs
14. Park and Open Space Fee	.04 acres per unit at Final Plat
15. Preliminary Plat	\$100.00 plus professional services costs
a. Revised Preliminary	\$250.00
16. Replat	\$100.00 plus professional services costs
17. Tax Increment Finance Project Fee	1 ½ % of project cost to be Tax Increment Financed
18. Vacation of Plat	\$150.00
19. Vacation of Public Right-of-Way	\$150.00
20. Variance	\$200.00
21. Zoning Book	\$75.00
22. Zoning Map Amendment	<u>\$400.00 (\$300 refundable if denied by Council)</u>
23. Zoning Text Amendment	\$500.00

**POLICE SERVICES**

- |    |                    |                                 |
|----|--------------------|---------------------------------|
| 1. | Parking Violations |                                 |
|    | a.                 | 1 <sup>st</sup> offense \$10.00 |
|    | b.                 | Offense \$20.00                 |

**SEWER UTILITY FEES (State Statute requires these fees be set by Ordinance)**

- |    |  |  |
|----|--|--|
| 1. | Sewer Connection/Tap Fee                   |  |
|    | <u>Residential</u>                         |  |
|    | a.   | ¾" \$300.00  |
|    | b.   | 1" \$400.00  |
|    | c.   | 1 ½" \$425.00  |
|    | d.   | 2" \$450.00  |
|    | e.   | larger connections set by council                    |
|    | <u>Commercial/Industrial</u>               |  |
|    | a.   | ¾" \$450.00  |
|    | b.   | 1" \$600.00  |
|    | c.   | 1 ½" \$650.00  |
|    | d.   | 2" \$675.00  |
|    | e.   | larger connections set by council                    |
|    | Out of City                                | 150% of fee  |
| 2. | Sewer Use Rates (Set by Ordinance)         | \$24.00 per month, \$1.00 per 1,000 gallons of usage |
| 3. | Utility Deposit (includes water and sewer) | \$100.00   |

**WATER UTILITY FEES**

- |    |                              |                                   |
|----|------------------------------|-----------------------------------|
| 1. | Water Connection/Tap Fee     |                                   |
|    | <u>Residential</u>           |                                   |
|    | a.                           | ¾" \$300.00                       |
|    | b.                           | 1" \$400.00                       |
|    | c.                           | 1 ½" \$425.00                     |
|    | d.                           | 2" \$450.00                       |
|    | e.                           | larger connections set by council |
|    | <u>Commercial/Industrial</u> |                                   |
|    | a.                           | ¾" \$450.00                       |
|    | b.                           | 1" \$600.00                       |
|    | c.                           | 1 ½" \$650.00                     |
|    | d.                           | 2" \$675.00                       |
|    | e.                           | larger connections set by council |
|    | Out of City                  | 150% of fee                       |

2.	Water Meter Fee	
a.	3/4"	\$250.00
b.	1"	\$300.00
c.	1 1/2"	\$City's actual cost
d.	Non-listed Meters	\$City's actual cost
3.	Water Re-connection	
a.	Water emergency – 1 <sup>st</sup> violation	\$50.00
b.	Water emergency – 2 <sup>nd</sup> violation	\$200.00
c.	Water emergency – 3 <sup>rd</sup> violation	\$300.00
d.	By request of owner	\$30.00
e.	For non-payment or other violation	\$30.00
4.	Water Use Rates	\$15.00 per <u>month for 2,000 gallons</u> , \$1.80 per 1,000 gallons of usage <u>thereafter</u>
5.	<u>Non-service area customer</u>	<u>\$25 for each 500 gallon (does not include SIDs governed by Developer Agreement)</u>
6.	Non-working/Non-readable Meter	\$50.00 per month

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 take effect October 1, 2005 and be in full force 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 19<sup>th</sup> day of July, 2005.

\_\_\_\_\_  
Mayor

(SEAL)

Attest:

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

Agenda Item 8. Motion by Latham, seconded by Hayes, to enter executive session for the purpose of negotiation discussion. AYES: Sullivan, Hayes, Latham. NAYS: None. Entered at 7:45 PM. Session ended at 8:05 PM.

Agenda Item 9. No executive session action was taken.

Motion by Latham, seconded by Hayes, to adjourn. AYES: Sullivan, Hayes, Latham. NAYS: None. Meeting was adjourned at 8:05 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 July 19, 2005.

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

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

\_\_\_\_\_ Councilman