

BUDGET HEARING AGENDA
CITY OF SPRINGFIELD, NEBRASKA
September 18, 2007
7:00 PM

1. Budget Discussion

A Budget Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held at 7:00 o'clock p.m. at City Hall on September 18, 2007. Present were Mayor Dorothy Richards; Council Members: Eric Hayes, Sandie Shotkoski, Diane Sullivan, Roy Swenson. Absent: None. Notice of the Budget Hearing was given in advance by publishing in the Papillion Times, 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. The public hearing was open for the hearing of the proposed 2007-2008 budget. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: None. Motion by Swenson, seconded by Hayes, to close the public hearing. The public hearing was closed. No action was taken.

SET FINAL TAX REQUEST HEARING AGENDA
CITY OF SPRINGFIELD, NEBRASKA
September 18, 2007
7:10 PM

1. Budget Discussion

A Final Tax Request Hearing of the Mayor and Council of the City of Springfield, Nebraska, was held at 7:10 o'clock p.m. at City Hall on September 18, 2007. Present were Mayor Dorothy Richards; Council Members: Eric Hayes, Sandie Shotkoski, Diane Sullivan, Roy Swenson. Absent: None. Notice of the Final Tax Request Hearing was given in advance by publishing in the Papillion Times, 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. The public hearing was open for the hearing of the proposed 2007-2008 final tax request. Those who spoke in favor: None. Those who spoke in opposition: None. Those who spoke in neutral capacity: Bruce Thayer, 660 Elm Street, Springfield, and Lois Rieschick, 795 North 5th Avenue, Springfield. Motion by Swenson, seconded by Shotkoski, to close the public hearing. The public hearing was closed. No action was taken.

AGENDA
CITY OF SPRINGFIELD, NE

September 18, 2007

*(Copies of the Nebraska Open Meeting Laws are available
on the entrance in the back of the meeting room)*

1. Approve Minutes of the September 4, 2007 Council Meeting
2. Department Reports
3. Public Hearing – Williams Enterprises’ request for a Conditional Use Permit
4. John Yochum – Sarpy County EDC 2nd Quarter Report
5. Lois Rieschick – North 5th Street overlay cracking (discussion)
6. Bruce Thayer – Youth Basketball Program use of Community Building
7. Ordinance 741 – Approve Budget, Appropriate Fund, Set Property Tax Request and Add % Increase of Restricted Funds
8. Renewal of Law Enforcement Contract with Sarpy County – Approve Police Service Contract and Resolution 2007-8
9. Apply for Transportation Enhancement Program Grant to construct Phase III of the Springfield Trail – Approve Resolution 2007-9
10. Amendment to the Contract between the City of Springfield and Olsson Associates for observation services and additional services rendered on the Springfield Business Park project – Approve Amendment to Contract and Resolution 2007-10
11. Grading observation at the Springfield Business Park project site
12. Request from Randy Sump, RTR Enterprises, Inc., to decrease the line of credit from \$460,000 to \$400,000 for the Springfield Business Park project
13. Approve Nebraska Liquor Control Commission Manager Application for Robert L. Mann in connection with American Legion 143 d/b/a American Legion Springfield 143, located at 166 South 2nd Street, Springfield
14. Kildow Construction street repair cost estimates increasing due to severity of street repairs
15. Continuing Education Agreement
16. Reappoint David Kulm as Planning Commission Chairman

17. Executive Session
18. Executive Session Action
19. Motion to Adjourn

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held immediately following the public hearings for the budget and setting of the final tax request at City Hall on September 18, 2007. Present were Mayor Dorothy Richards; Council Members: Eric Hayes, Sandie Shotkoski, Diane Sullivan, Roy Swenson. Absent: None. 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. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Agenda Item 1. Motion by Sullivan, seconded by Hayes, to approve the Minutes of the September 4, 2007, regular Council Meeting. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None.

Agenda Item 2. No Department Report from Hayes. Shotkoski reported that city employee, Larry Nolte, passed the Wastewater Treatment Facility Operator Certification Program and Test, so he now is a Class II Provisional Operator. Sullivan informed the Council that the Citizens Park Board plans on planting two more flower beds with native Nebraska flowers at the Springfield Creek Trails and Recreation Area using the Peter Kiewet Grant money the City received in October of 2006. The Park Board also plans on raising a flagpole and adding benches to the area. Todd Wortman has donated two cement benches to the park and the Park Board plans on purchasing six more. Sullivan also stated that the Park Board would like to put the large Springfield Creek Trails and Recreation Area sign that sits by the front door of City Hall at the park. She also expressed an interest in the community to have a "gazebo raising" and potluck dinner when a gazebo is ready to be put up in the new park. No Department Report from Swenson.

Agenda Item 3. A Public Hearing of the Springfield City Council was opened at 7:15 p.m. regarding Williams Enterprises' request for a Conditional Use Permit for the storage of Nebraska legal consumer fireworks in the light industrial zone. The Council reviewed the application request, a letter of approval from City Planner Chris Solberg with The Schemmer Associates, and a letter from Bruce Neemann with the Nebraska State Fire Marshal's Office. Williams indicated that he still has work to do in order for the building to comply with the fire marshal's code. Kathleen Fauver, City Clerk, stated that the Planning Commission approved the Conditional Use Permit at their September 11, 2007, meeting. The City Council unanimously found the storage of fireworks in the light industrial zone to meet all minimum requirements for the granting of a Conditional Use Permit. Motion by Hayes, seconded by Sullivan, to grant Williams Enterprises a Conditional Use Permit contingent upon the Nebraska State Fire Marshal's approval and to be renewed every twelve (12) months. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None. Motion by Hayes, seconded by Shotkoski, to close the

Public Hearing. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None. Public Hearing closed at 7:29 p.m.

Agenda Item 4. John Yochum with the Sarpy County Economic Development Corporation provided the EDC 2nd Quarter Report (April 1, 2007-June 30, 2007). Yochum highlighted the main areas of interest. He stated that Sarpy County is the fastest growing county in Nebraska. He also pointed out that a lot of new businesses are being opened offering employment opportunities.

Agenda Item 5. Lois Rieschick, 795 North 5th Avenue, Springfield, visited with the Council about the North 5th Avenue overlay cracking. Rieschick provided pictures of the cracks, as well as the names of two asphalt companies she spoke to regarding this problem and what could be done to fix it. She said that both companies told her that a sealant could be put over the cracks to prevent moisture from getting in them. She requested that the Council take a look at the street problems and take care of them. Swenson said that the City would check into this problem and try to find the best way to protect and fix the cracks.

Agenda Item 6. Bruce Thayer, 660 Elm Street, Springfield, on behalf of the SSAP and SYAA, requested that the Council waive the rental fee of the Community Building for the youth basketball programs. Thayer referenced the difference in the natural gas bills for the community building from what they were prior to the recent updates to what they currently run. Fauver prepared a spreadsheet for the Council to review highlighting the last four years' natural gas bills for the building. Thayer also commented that the SSAP and SYAA would be willing to help with new upgrades to the building. Motion by Sullivan, seconded by Shotkoski, to allow the SSAP and SYAA youth basketball program to use the Community Building for practices and games at no cost and upon a yearly review. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None.

Agenda Item 7. Council Member Hayes introduced Ordinance No. 741 entitled:

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO SET PROPERTY TAX REQUEST; TO ALLOW AN ADDITIONAL 1% INCREASE OF RESTRICTED FUNDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE

and moved the statutory rule requiring reading on three different days be suspended. Council Member Shotkoski seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Hayes, Shotkoski, Sullivan, Swenson. The following noted 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 Hayes moved for final passage of the ordinance, which motion was seconded by Council Member Sullivan. The Mayor stated the question was "Shall Ordinance No. 741 be passed and adopted?" Upon roll call vote, the following Council Members voted AYE: Hayes, Shotkoski, Sullivan, Swenson. 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 in pamphlet form as provided therein and to be posted in three public places in the City. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 741

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO SET PROPERTY TAX REQUEST; TO ALLOW AN ADDITIONAL 1% INCREASE OF RESTRICTED FUNDS; 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, 2007, through September 30, 2008. 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 2007-2008 is \$2,080,212.00. 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. That after complying with Nebraska Revised Statute 77-1601.02 providing that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Springfield passes by a majority vote a resolution or ordinance setting the tax request at a different amount, and after holding a special public hearing as required by law to hear and consider comments concerning the property tax request, it is in the best interest of the City of Springfield that the property tax request of the current year be a different amount than the property tax request for the prior year. The 2007-2008 property tax request shall be set at:

General Fund	\$294,400.00	0.461218 levy
Bond Fund	<u>\$172,600.00</u>	<u>0.261190 levy</u>
Total	\$467,000.00	0.722408 levy

Section 3. That an additional 1% increase of Restricted Funds be allowed.

Section 4. 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 5. 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 18th day of September, 2007.

Mayor

(SEAL)

Attest:

City Clerk

Motion by Hayes, seconded by Sullivan, to exceed the budget lid limit by an additional 1% for the fiscal year 2007-2008. AYES: Hayes, Hayes, Shotkoski, Sullivan, Swenson. NAYS: None. Motion carried.

Motion by Hayes, seconded by Sullivan, to adopt the budget of expenditures of \$2,080,212.00 and to request a property tax requirement of \$467,000.00 for the 2007-2008 fiscal year. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None. Motion carried.

Council Member Hayes introduced Resolution 2007-11 and moved its adoption.

**RESOLUTION
2007-11**

WHEREAS, the Mayor and City Council of the City of Springfield, Sarpy County, Nebraska, has conducted public hearings as prescribed by law and heard and considered comments concerning the propriety of the preliminary levy and the need to establish a different levy.

WHEREAS, the Mayor and the Council of the City of Springfield, Sarpy County, Nebraska, hereby finds and determines that it is in the best interest of the City that a levy be set at a different amount than that of the preliminary hearing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Springfield, Sarpy County, Nebraska, that the final levy for the fiscal year 2007-2008 is set at 0.722408 per one hundred dollars of actual valuation.

Passed and approved this 18th day of September, 2007.

Ayes 4

Nays 0

Abstain 0

Absent 0

Approved:

Mayor

SEAL

Attest:

City Clerk

Council Member Sullivan seconded the motion and upon roll call on the passage and adoption of said Resolution the following voted AYE: Hayes, Shotkoski, Sullivan, Swenson. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 8. Council Member Shotkoski introduced Resolution No. 2007-8 and moved its adoption.

RESOLUTION 2007-8

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

WHEREAS, the City of Springfield, Sarpy County, Nebraska, and the County of Sarpy, Nebraska, wish to enter into an Interlocal Agreement for the providing of police services within the Springfield, Nebraska, jurisdiction, and

WHEREAS, the City of Springfield, Sarpy County, Nebraska, is a City of the Second Class as defined by Neb. Rev. Stat. §17-101 (Reissue 1997); and

WHEREAS, pursuant to Neb. Rev. Stat. §19-3801 (Reissue 1997), “Any city of the first or second class... may, under the provisions of the Interlocal Cooperation Act, enter into a contract with the County Board of its county for police services to be provided by the County Sheriff; ... Whenever any such contract has been entered into, the Sheriff shall, in addition to his other powers and duties, have all the powers and duties of peace officers within and for the city or village so contracting;” and

WHEREAS, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, *et seq.* (Reissue 1997), the parties wish to permit local government units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors in influencing the needs and development of local communities;

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

1. The City of Springfield shall enter into an Interlocal Agreement with the County of Sarpy for the purpose of delineating responsibilities and rights in conjunction with police services within the City of Springfield jurisdiction; and
2. The Mayor of Springfield shall have the authority to sign said Interlocal Agreement in the form of attached Exhibit 1, which is incorporated by reference; and
3. This authority shall take effect upon passage and adoption of said resolution.

Introduced and Passed September 18, 2007.

Ayes 4

Nays 0

Abstain 0

Absent 0

Approved:

Mayor

SEAL

Attest:

City Clerk

Council Member Shotkoski seconded the motion and upon roll call on the passage and adoption of said Resolution the following voted AYE: Hayes, Shotkoski, Sullivan, Swenson. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 9. Council Member Sullivan introduced Resolution No. 2007-9 and moved its adoption.

RESOLUTION 2007-9

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

WHEREAS, the City of Springfield, Nebraska, proposes to apply for assistance from the Transportation Enhancement Program for the purpose of constructing the “Springfield Trail (Phase III)”;

WHEREAS, the project includes the construction of a hiking/biking trail which will begin at the Springfield Creek Trails and Recreation Area trailhead and extend south to the MoPac trail at the corner of Main Street and Railroad Street; and

WHEREAS, the City of Springfield, Nebraska, has available a minimum of 20% of the project cost, and has the financial capability to operate and maintain the completed facility in a safe and attractive manner for public use; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly announced meeting of the Springfield City Council; and

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

1. The City of Springfield applies for assistance from the Transportation Enhancement Program for the purpose of constructing the “Springfield Trail (Phase III)” project.
2. This authority shall take effect upon passage and adoption of said Resolution.

Introduced and Passed September 18, 2007.

Ayes 4

Nays 0

Abstain 0

Approved:

Absent 0

Mayor

SEAL

Attest:

City Clerk

Council Member Hayes seconded the motion and upon roll call on the passage and adoption of said Resolution the following voted AYE: Hayes, Shotkoski, Sullivan, Swenson. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 10. Brian Chaffin, Engineer with Olsson Associates, offered Amendment #3 to the original contract between the City of Springfield and Olsson Associates for services rendered on the Springfield Business Park project. Chaffin explained the two reasons for the amendment. First, construction administration and construction observation services will need to be performed. Second, additional engineering, survey and permitting services were performed that were not part of the original contract. Bill Seidler, City Attorney, reminded the Council that all costs incurred for this project will be attributed to the water, sewer and paving districts created and then the costs will be divided to each party respectively.

Council Member Shotkoski introduced Resolution No. 2007-10 and moved its adoption.

**RESOLUTION
2007-10**

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 Associates, wish to enter into Contract Amendment #3 for the purpose of including observation services and additional services rendered on the Springfield Business Park project; and

WHEREAS, the City and Olsson entered into the original Contract on October 17, 2006, Contract Amendment #1 on November 21, 2006 and Contract Amendment #2 on March 30, 2007; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into Contract Amendment #3 attached hereto as Exhibit "A".

Introduced and Passed September 18, 2007.

Ayes 4

Nays 0

Abstain 0

Absent 0

Approved:

Mayor

SEAL

Attest:

City Clerk

Council Member Hayes seconded the motion and upon roll call on the passage and adoption of said Resolution the following voted AYE: Hayes, Shotkoski, Sullivan, Swenson. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 11. Fauver reported to the Council why no one was observing the grading project at the Springfield Business Park, as per Hayes' request to research this issue. Fauver explained that Gary Sasse, City Engineer with JEO Consulting Group, told her that he was not asked to observe the project. Brian Chaffin, Engineer with Olsson Associates, stated that observation of the grading was not part of their contract. He said that the project only covers the street right-of-ways. He indicated that the personal lots on which the buildings will sit should be inspected by a building inspector or someone of that nature. Chaffin requested Fauver ask Randy Sump to submit a copy of his grading plans to Olsson Associates for their review. No action was taken.

Agenda Item 12. Council discussed Randy Sump's request to decrease the line of credit for the Springfield Business Park project from \$460,000 to \$400,000. Council agreed to leave the line of credit amount at \$460,000. No action was taken.

Agenda Item 13. Motion by Sullivan, seconded by Shotkoski, to approve the Nebraska Liquor Control Commission Manager Application for Robert L. Mann in connection with American

Legion 143 d/b/a American Legion Springfield 143, located at 166 South 2nd Street, Springfield. AYES: Hayes, Hayes, Shotkoski, Sullivan, Swenson. NAYS: None.

Agenda Item 14. Council discussed the increase in Kildow Construction's street repair cost estimates. Fauver indicated that the costs have increased due to the severity of the street repairs needed. The estimated square footage of the repairs has also increased. Hayes requested Fauver find out the additional square footage needing to be replaced. Swenson requested Fauver locate a map of 3^d Street. Swenson would like to mark the areas on 3^d Street that need repaired in order to determine the percentage of the street that needs to be replaced.

Agenda Item 15. Bill Seidler provided the Council with a memo regarding educational scholarship programs and a draft of a city policy for educational assistance. Council agreed to review the materials and discuss this matter at the next meeting. Swenson and Fauver will work together to determine some of the terms and conditions. No action was taken.

Agenda Item 16. Mayor Richards elected to reappoint David Kulm as Planning Commission Chairman. Motion by Swenson, seconded by Hayes, to approve said appointment. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None.

Fauver asked the Council whether or not the City's Parks Department is supposed to take care of and maintain Springfield Creek Trails and Recreation Area. Council agreed that the City's Parks Department is supposed to mow and spray the area. The Citizens Park Board will weed the flower beds.

Agenda Item 17. There was no executive session.

Agenda Item 18. There was no executive session action.

Agenda Item 19. Motion by Hayes, seconded by Swenson, to adjourn. AYES: Hayes, Shotkoski, Sullivan, Swenson. NAYS: None. Meeting was adjourned at 9:23 p.m.