

AGENDA FOR COUNCIL MEETING OCTOBER 17, 2006

7:00 pm

(Copies of the Nebraska Open Meetings Laws are available on the entrance table in the back of the meeting room.)

1. Approve Minutes
2. Department Reports/CA Report
3. \$50,000 Cash Jackpot (Progressive Keno) update and discussion of continuation of the game – John Hassett, Advanced Gaming
4. Initiative 421, Video Keno, and its effects on gaming in Springfield – John Hassett, Advanced Gaming
5. Discuss use and rental price of the Community Building for the SSAP youth basketball program - Don Dalton
6. Springfield Days discussion of how the City can participate with the event in the future – Don Dalton and Kelly Wills
7. Ordinance 730 – amending Article 2, Section 2.02 “Definitions” of the Springfield Zoning Regulations to include Recreational Vehicle and Recreational Vehicle Storage. (Public Hearing)
8. Ordinance 731 – amending Article 5, “Zoning Districts”, Sections 5.15 “LI-Light Industrial District” and 5.05 “AR – Agricultural Residential District” of the Springfield Zoning Regulations to allow for Recreational Vehicle Storage. (Public Hearing)
9. Conditional Use Permit for Recreational Vehicle Storage at 13702 Platteview Road – KCM Enterprises, LLC – Kevin Mitchell. (Public Hearing)
10. Ordinance 732 – amending Article 2, Section 2.02 “Definitions” of the Springfield Zoning Regulations to include Bed and Breakfast. (Public Hearing)
11. Ordinance 733 – amending Article 5 “Zoning Districts”, Sections 5.05 “AR – Agriculture Residential District, 5.08 “R50 – Two Family Residential District”, 5.09 “R30 – General Family Residential District, and 5.20 “RT – Rural Arts District” of the Springfield Zoning Regulations to allow for Bed and Breakfast. (Public Hearing)
12. Ordinance 734 – amending Article 5 “Zoning Districts”, Section 5.11 “BG” – General Business District” of the Springfield Zoning Regulations to allow for Fire Stations and other Safety Services Facilities. (Public Hearing)
13. Ordinance 735 – amending Article 5 “Zoning Districts”, Section 5.12 “BH” – Highway Business District” of the Springfield Zoning Regulations to allow for Fire Stations and other Safety Services Facilities. (Public Hearing)

14. Ordinance 736 - amending Article 5 “Zoning Districts”, Section 5.14 “I” – Industrial District” of the Springfield Zoning Regulations to allow for Fire Stations and other Safety Services Facilities. (Public Hearing)
15. Resolution 2006 -14 – Adopting amendment number 6 to the Comprehensive plan extending the Development Concept Map to include a proposed 1-mile Extraterritorial Jurisdiction. (Public Hearing)
16. Ordinance 726 – extending the Springfield 1-mile Extraterritorial Jurisdiction and rezoning of the tracts therein. (Public Hearing)
17. Ordinance 728 – Annexation of Tax Lot C1B and R3, and a portion of Platteview Road right-of-way, 13-13-11 (Final Reading)
18. Ordinance 729 - Annexation of Tax Lot C1A1 and a portion of Platteview Road right-of-way, 13-13-11 (Final Reading)
19. Authorize the Mayor to sign a Letter of Agreement for Engineering Professional Services with Olsson Associates for water, sewer, paving and storm sewer projects along Highway 50.
20. Authorize the Mayor to sign an easement across Highview Addition Lot 154A for Qwest Corporation
21. Executive Session
22. 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 October 17, 2006. Present were Mayor Larry Goldman; Council Members: Diane Sullivan, Greg Latham, Bruce Thayer, Eric Hayes. 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 Sullivan, the minutes of the October 3, 2006, regular Council Meeting be approved as presented. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 2. The City Administrator gave department reports.

Agenda Item 3. John Hassett, Advanced Gaming, presented a progress report on the \$50,000 Cash Jackpot Giveaway game. Motion by Latham seconded by Thayer, to end the current \$50,000 Cash Jackpot Giveaway keno game October 31, and start a new type of progressive game January 1, 2007. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None. Hassett will bring game options to Council for approval in December.

Agenda Item 4. John Hassett, Advanced Gaming, presented information on Initiative 421 video keno. No action was taken.

Agenda Item 5. Don Dalton, SSAP, was present to discuss the use and rental price of the Community Building for the SSAP youth basketball. Motion by Thayer, seconded by Sullivan, that the SSAP Youth Basketball will pay community building rental fees for game days, but the practice day rental fees will be waived; this fee structure will remain in effect until Council rescinds or alters the terms; the rental costs may be offset by improvements made by the SSAP organization to the Community Building and its amenities. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 6. Kelly Wills, Don Dalton, and Shanna Simonsen, Springfield Days representatives, were present to discuss how the City can participate with the event in the future. Motion by Sullivan, seconded by Thayer, to contribute \$4,250 to future Springfield Days activities on an annual basis contingent upon the City having three or more paying fireworks stands in the previous calendar year. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 7. The public hearing for Ordinance 730 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 730.

Councilman 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, Hayes, 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. 730 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 730

AN ORDINANCE AMENDING ARTICLE 2, SECTION 2.02 "DEFINITIONS" OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO INCLUDE RECREATIONAL VEHICLE AND RECREATIONAL VEHICLE STORAGE; 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 2, Section 2.02 "Definitions" of the Springfield, Nebraska Zoning Regulations is amended to read as follows:

Article 2, Section 2.02 Definitions

Recreational Vehicle shall mean a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational or sporting purposes. Recreational

vehicles include but are not limited to travel trailers, campers, motor coach homes, converted buses and trucks, boats, and boat trailers.

Recreational Vehicle Storage shall mean a location (such as a warehouse or out of doors enclosed area) to place or leave a recreational vehicle for preservation and later use.

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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 8. The public hearing for Ordinance 731 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Latham introduced Ordinance No. 731.

Councilman 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, 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 Hayes. The Mayor then stated the question "Shall Ordinance No. 731 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 731

AN ORDINANCE AMENDING ARTICLE 5 “ZONING DISTRICTS”, SECTIONS 5.15 “LI – LIGHT INDUSTRIAL DISTRICT” AND; 5.05 “AR – AGRICULTURE RESIDENTIAL DISTRICT” OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO ALLOW FOR RECREATIONAL VEHICLE STORAGE; ADD OTHER APPLICABLE PROVISIONS FOR RECREATIONAL VEHICLE STORAGE WITHIN LI AND AR DISTRICTS; 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”, of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

Section 5.15 LI Light Industrial District

B. *Permitted Uses:*

- 22. Licensed Recreational Vehicle Storage – Out of Doors and/or Within an Enclosed Building
- 23. Unlicensed Recreational Vehicle Storage – Out of Doors and/or Within an Enclosed Building

Section 2. Article 5 “Zoning Districts”, of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

Section 5.05 (AR) Agriculture Residential District

C. *Permitted Conditional Uses:*

- 17. Licensed Recreational Vehicle Storage - Out of Doors and/or Within an Enclosed Building
- 18. Unlicensed Recreational Vehicle Storage - Within an Enclosed Building

F. *Other Applicable Provisions*

- 3. a. Screening of Recreational Vehicle Storage shall be in compliance with Article 7.11 Fences, Wall, and Similar Structures

Section 3. 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 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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 9. The public hearing for a conditional use permit for recreation vehicle storage at 13702 Platteview Road was open. Kevin Mitchell, owner, made a presentation concerning the facility. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Motion by Sullivan, seconded by Hayes, to approve a conditional use permit for recreation vehicle storage at 13702 Platteview Road as per the application. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 10. The public hearing for Ordinance 732 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 732.

Councilman Sullivan 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, 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. 732 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 732

AN ORDINANCE AMENDING ARTICLE 2, SECTION 2.02 "DEFINITIONS" OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO INCLUDE BED AND BREAKFAST; 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 2, Section 2.02 "Definitions" of the Springfield, Nebraska Zoning Regulations is amended to read as follows:

Article 2, Section 2.02 Definitions

Bed and Breakfast A bed and breakfast establishment shall mean any place of lodging that provides rented rooms to ten or fewer people, that is the personal residence of the owner, that is occupied by the owner at the time of rental, and in which the only meal served to renters is breakfast. (Neb. RS 81-2,242)

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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 11. The public hearing for Ordinance 733 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 733.

Councilman Sullivan 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, Hayes, 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. 733 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 733

AN ORDINANCE AMENDING ARTICLE 5 "ZONING DISTRICTS", SECTIONS 5.05 "AR – AGRICULTURE RESIDENTIAL DISTRICT", 5.08 "R50 – TWO FAMILY RESIDENTIAL DISTRICT", 5.09 "R30 – GENERAL FAMILY RESIDENTIAL DISTRICT", 5.20 "RT – RURAL ARTS DISTRICT"; OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO ALLOW FOR BED AND BREAKFAST; 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”, of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

A Bed and Breakfast shall be allowed as a Permitted Conditional Use under the following zoning designation:

- Section 5.05 (AR) Agriculture Residential District
- Section 5.08 (R50) Two Family Residential District
- Section 5.09 (R30) General Family Residential District
- Section 5.20 (RT) RT – Rural Arts 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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 12. The public hearing for Ordinance 734 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 734.

Councilman Sullivan 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, 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. 734 be passed and adopted?” Upon roll call vote, the following Council Members voted YEA:

Latham, Sullivan, Hayes, 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. 734

AN ORDINANCE AMENDING ARTICLE 5 “ZONING DISTRICTS”, SECTION 5.11 “BG - GENERAL BUSINESS DISTRICT” OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO ALLOW FOR FIRE STATIONS AND OTHER SAFETY SERVICES FACILITIES; 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 5.11 “BG – General Business District”, of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

B. Permitted Uses:

13. Public buildings, assembly halls, auditoriums, civic centers, fire stations and other safety services facilities.

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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 13. The public hearing for Ordinance 735 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 735.

Councilman Sullivan 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, 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. 735 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 735

AN ORDINANCE AMENDING ARTICLE 5 "ZONING DISTRICTS", SECTION 5.11 "BH - HIGHWAY BUSINESS DISTRICT" OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO ALLOW FOR FIRE STATIONS AND OTHER SAFETY SERVICES FACILITIES; 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 5.11 "BH – Highway Business District", of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

B. Permitted Uses:

16. Public buildings, assembly halls, auditoriums, fire stations and other safety services facilities.

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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 14. The public hearing for Ordinance 736 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 736.

Councilman Sullivan 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, 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. 736 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 736

AN ORDINANCE AMENDING ARTICLE 5 "ZONING DISTRICTS", SECTION 5.11 "I - INDUSTRIAL DISTRICT" OF THE SPRINGFIELD, NEBRASKA ZONING REGULATIONS TO ALLOW FOR FIRE STATIONS AND OTHER SAFETY SERVICES FACILITIES; 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 5.11 "I – Industrial District", of the Springfield, Nebraska, Zoning Regulations is amended to allow the following:

B. Permitted Uses:

14. Public owned property including parks, conservation areas, recreation areas, maintenance facilities, storage facilities, fire stations and other safety services facilities.

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 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 15. Sullivan offered Resolution 2006-14.

RESOLUTION 2006-14

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

WHEREAS, the duly appointed Planning Commission of the City of Springfield, Nebraska, with the assistance of its consultants Schemmer Associates of Omaha, Nebraska, has prepared Amendment Number 6 to the Comprehensive Plan for the City of Springfield, Nebraska; and

WHEREAS, said Planning Commission has held a public hearing as required by Nebraska State Statutes, on the proposed Amended Comprehensive Plan; and

WHEREAS, the City of Springfield has given public notice as required by Nebraska State Statutes, of a public hearing on the Amended Comprehensive Plan; and

WHEREAS, the public hearing has been held pursuant to said notice, and all statements received at the hearing have been duly considered by the City Council;

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

1. Amendment Number 6 to the Comprehensive Plan for the City of Springfield, Nebraska, amending the Development Concept Map to include the proposed one-mile Extraterritorial Jurisdiction, Sarpy County, Nebraska, and hereby attached as Exhibit 1, as prepared by the Planning Commission with the assistance of consultants Schemmer Associates of Omaha, Nebraska, be adopted by the Springfield City Council as the official comprehensive plan for the City of Springfield, Nebraska.

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

Introduced and Passed 17th of October, 2006.

Ayes 4

Nays 0

Abstain 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 16. The public hearing for Ordinance 726 was open. Those speaking in favor: None. Those speaking in opposition: None. The Mayor closed the public hearing. Councilman Thayer introduced Ordinance No. 726.

Councilman Sullivan 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, 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. 726 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 726

AN ORDINANCE EXTENDING THE CITY OF SPRINGFIELD EXTRATERRITORIAL JURISDICTION AND REZONING OF THE TRACTS OF LAND WITHIN PARTS OF SECTION 11, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 10, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 12, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 13, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 14, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 15, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 18, TOWNSHIP 13 NORTH, RANGE 12 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, ALSO PARTS OF SECTION 25, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 26, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, SECTION 27, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 35, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, AND SECTION 36, TOWNSHIP 13 NORTH, RANGE 11 EAST OF THE 6th PRIME MERIDIAN, SARPY COUNTY, NEBRASKA, TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

WHEREAS, the City Council of the City of Springfield wishes to extend the boundaries of the City's extraterritorial jurisdiction as permitted under Nebraska Revised Statute § 17-1002; and

WHEREAS, the City has conducted recent annexations in accordance to section § 17-405.01 of the Nebraska State Statutes; and

WHEREAS, the Springfield Planning Commission on October 10, 2006, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943 has been given to the Boards of Education of the school district of Springfield, Nebraska; and

WHEREAS, after public hearing on October 17, 2006, the City Council found and determined the change in zoning be approved and made.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD, NEBRASKA:

SECTION 1. That the Official Zoning Map of the City of Springfield, Nebraska is hereby amended so that to extend the Extraterritorial Jurisdiction based on the recently annexed areas. The amended map, dated October 10, 2006, is attached to this Ordinance as Exhibit 1.

SECTION 2. Said boundary is delineated on the face of a map, entitled. The Official Zoning Map of the City of Springfield, Nebraska, which is attached hereto as Exhibit 1 and is hereby adopted by reference.

SECTION 3. The official copy of this ordinance and map shall be on record in the Springfield City Hall for public inspection during normal business hours.

SECTION 4. The zoning of the properties within said boundary are hereby set as Springfield AR: Agriculture Residential District, EXCEPTING THEREFROM the following lot to be zoned Springfield R100 Single Family Residential District:

Lot 1, SUNSET ESTATES as originally platted and recorded along with part of the Northwest Quarter (NW ¼) of Section 14, Township 12 North, Range 11 East of the 6th P.M. Sarpy County, Nebraska.
(Sarpy County LIN # 1311-14-NW-60523-000-1-0)

SECTION 5. All ordinances in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. That the Official Zoning Map of the City of Springfield, Nebraska as provided by Section 3.02 of the Springfield Zoning Ordinance be, and the same is hereby ordered to be changed amended and completed in accordance with this ordinance.

SECTION 7. This ordinance shall become effective upon its adoption by the City Council of the City of Springfield, Nebraska.

PASSED AND APPROVED this the 17th day of October, A.D., 2006.

MAYOR

(SEAL)

ATTEST:

CITY ADMINISTRATOR

Agenda Item 17. The public hearing having already been had during the October 3, 2006 Council Meeting, Councilman Sullivan introduced Ordinance No. 728 without amendments. Said ordinance was then read by title and thereafter Councilman Sullivan moved for final passage of the ordinance, which motion was seconded by Councilman Latham. The Mayor then stated the question "Shall Ordinance No. 728 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 728

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DETERMINATION TO ANNEX: That pursuant to Nebraska Revised Statute §17-405.01, the corporate limits of the City of Springfield, Nebraska are hereby extended and increased so as to include and embrace within the corporate limits of the City of Springfield, Nebraska the adjacent and contiguous territory which is suburban in character, described in attached Exhibit 1 hereof, and such territory is hereby annexed and declared to be a part of the City of Springfield Nebraska.

Section 2. OFFICIAL MAP AND PLAT OF ANNEXED TERRITORY: The map or plat attached to this ordinance is an accurate map of the territory annexed, and is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with the easements, avenues, streets, alleys, and lanes and the locations thereof, and such avenues or other ways are hereby dedicated to public use for the purposes designated on the map or plat.

Section 3. CERTIFICATION OF ACCURACY OF MAP: The Mayor of the City of Springfield, Nebraska is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 4. RECORDING OF MAP: This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the office of the Register of Deeds of Sarpy County, Nebraska.

Section 5. VESTING OF RIGHTS IN TERRITORY ANNEXED: On the filing and recording of the copy of this ordinance, together with the attached official map, in the office of the Register of Deeds of Sarpy County, Nebraska, the fee of all avenues, lanes, streets, highways, roads, and alleys shown in and on the map and plat shall vest in the City of Springfield, Nebraska.

Section 6. SEVERABILITY: If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE: Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the City Council, approval by the Mayor, and publication and posting as required by law.

Passed and Approved this 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 18. The public hearing having already been had during the October 3, 2006 Council Meeting, Councilman Sullivan introduced Ordinance No. 729 without amendments. Said ordinance was then read by title and thereafter Councilman Sullivan moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 729 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Latham, Sullivan, Hayes, 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. 729

AN ORDINANCE EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SPRINGFIELD, PURSUANT TO THE PROVISIONS OF NEBRASKA REVISED STATUTE §17-405.01, BY ANNEXING THERETO A CERTAIN TRACT OF LAND CONTIGUOUS TO THE PRESENT LIMITS OF THE CITY OF SPRINGFIELD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. DETERMINATION TO ANNEX: That pursuant to Nebraska Revised Statute §17-405.01, the corporate limits of the City of Springfield, Nebraska are hereby extended and increased so as to include and embrace within the corporate limits of the City of Springfield, Nebraska the adjacent and contiguous territory which is suburban in character, described in attached Exhibit 1 hereof, and such territory is hereby annexed and declared to be a part of the City of Springfield Nebraska.

Section 2. OFFICIAL MAP AND PLAT OF ANNEXED TERRITORY: The map or plat attached to this ordinance is an accurate map of the territory annexed, and is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat show the legal boundaries thereof, together with the easements, avenues, streets, alleys, and lanes and the locations thereof, and such avenues or other ways are hereby dedicated to public use for the purposes designated on the map or plat.

Section 3. CERTIFICATION OF ACCURACY OF MAP: The Mayor of the City of Springfield, Nebraska is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this ordinance.

Section 4. RECORDING OF MAP: This ordinance, with a certified copy of the official map attached hereto, shall be recorded in the office of the Register of Deeds of Sarpy County, Nebraska.

Section 5. VESTING OF RIGHTS IN TERRITORY ANNEXED: On the filing and recording of the copy of this ordinance, together with the attached official map, in the office of the Register of Deeds of Sarpy County, Nebraska, the fee of all avenues, lanes, streets, highways, roads, and alleys shown in and on the map and plat shall vest in the City of Springfield, Nebraska.

Section 6. SEVERABILITY: If any provision of this ordinance shall be held invalid, its invalidity shall not affect any other provisions of this ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE: Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public peace, health, and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the City Council, approval by the Mayor, and publication and posting as required by law.

Passed and Approved this 17th day of October, 2006.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 19. Motion by Thayer, seconded by Latham, to authorize the Mayor to sign a Letter of Agreement for Engineering Professional Services with Olsson Associates for water, sewer, paving and storm sewer projects along Highway 50. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 20. Motion by Hayes, seconded by Sullivan, to authorize the Mayor to sign an easement across Highview Addition Lot 154A for the Qwest Corporation telecommunication line. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 21. There was no executive session.

Agenda Item 22. There was no executive session action.

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

Meeting was adjourned at 8:33 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 October 17, 2006.

_____ Mayor _____ Councilman

_____ Councilman _____ Councilman

_____ Councilman