

AGENDA FOR COUNCIL MEETING OCTOBER 1, 2002

1. Approve Minutes
2. Citizen Communication
3. Claims and Payroll
4. Sarpy County Sheriff Report
5. Department Reports/CA Report
6. New Well – Dave Montague
7. Sidewalks – 6th and Elm
8. Lot 154 Park – Preliminary Project Design
9. Designate Springfield State Bank as City Depository
10. Ord. 576 – City Fees
11. Ord. 577 – Occupation Tax; Required Businesses
12. Ord. 578 – Franchise Fee; Natural Gas
13. Ord. 579 – Franchise Fee; Electricity
14. Ord. 580 – Franchise Fee; Cable Television
15. Executive Session – Negotiation
16. Executive Session Action

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at City Hall at 7:30 o'clock PM on October 1, 2002. Present were Mayor Duane Neitzel; Council Members: Dennis Gosch, Eric Hayes, Thomas Buskirk, Chad Nolte. Absent: None. Notice of this meeting was given in advance by publishing notice in The Times on September 26, 2002. 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 Nolte, seconded by Buskirk, the minutes of the September 17, 2002, regular Council Meeting be approved as presented. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 2. There was no citizen communication.

Agenda Item 3. The City Administrator reported a balance on hand of \$122,171.61 in cash assets; \$100,290.27 Prestige Treasury; \$2,768.91 in Keno Lottery; \$69,644.47 Prestige Keno Lottery; \$3,689.53 in Progressive Jackpot Reserve; \$82,301.86 Prestige Progressive Jackpot Reserve; \$11,606.88 in Water Deposit Savings; \$2,068.72 in Refundable Deposits Savings; \$179,347.68 in Money Market Bond; \$19,891.61 in Money Market

Library Bricks; \$35,258.97 in Water Tower Savings; \$139,303.96 in Government Securities; and Time Certificates as follows: Bond – \$59,954.16, Tower – \$45,427.66, Repo/Water - \$59,749.48, Water(ANB) – \$37,799.31, Hoppe-Kildow - \$6,021.90.

Education-Gen	37.00	2002 NCIP FUND
Telephone-Gen	19.54	Sprint
Education-Gen	85.00	ASPA Nebraska
R&M Grounds-Commodities-Gen	44.97	Earl May Seed & Nursery
Supplies-Office-Gen	65.82	Office Depot
Professional Services-Engr-Gen	4,140.00	JEO Consulting Group, Inc.
Professional Services-Oth-Gen	1,200.00	RIC ORTMEIER
Health Insurance-Gen	478.43	Fortis
R&M Grounds-Commodities-Gen	800.00	Springcreek Gardens
Professional Services-Oth-Gen	276.25	Massman Nelson Reinig PC
Publications Costs-Gen	56.50	The Journal
Telephone-Gen	56.76	Nebraska Technology & Telecommunication
Professional Services-Legl-Gen	616.52	Seidler & Seidler, P.C.
Laundry-Gen	28.88	AmeriPride Linen & Apparel Services
Supplies-Office-Gen	74.75	Imagistics
Digger's Hotline-Gen	26.49	Great Plain One-Call Services,
Professional Services-Oth-Gen	58.00	Lloyd J. Dowding
Publications Costs-Gen	246.86	Papillion Times
Law Contract-Gen	3,444.02	Sarpy County Treasurer
Professional Services-Oth-Gen	570.34	Sarpy County Building Inspector
R&M Equipment-Contractual-Gen	70.48	OPPD
Professional Services-Planng	660.00	RDG Crose Gardner Shukert
Supplies-Office-Gen	249.67	Stander Ace Hardware
Mileage-Gen	103.84	Sandra K. Powell
Total General	13,410.12	
(Law Enforcement, Animal Control, etc.)		
Life Insurance-Library	32.40	Fortis
Natural Gas	33.53	MUD
Telephone-Library	74.89	Nebraska Technology & Telecommunication
Total Library	140.82	
Fuel-Park	23.01	Phillips 66 Company
Waste Disposal Service-Park	183.56	Papillion Sanitation
Chemicals-Park	128.75	Farmers Union Co-op Association
R&M Equipment-Commod. Park	25.88	Stander & Stander Ace Hardware
Total Park	361.20	
Natural Gas	21.75	MUD
Laundry-Aud	28.87	AmeriPride Linen & Apparel Services
Total Auditirium	28.87	
Deposit Refunds-Water	50.00	Kevin Duff

Deposit Refunds-Water	50.00 Donald Kotszewa
Deposit Refunds-Water	50.00 James Leaverton
Deposit Refunds-Water	50.00 Great Plains Reality
Deposit Refunds-Water	50.00 John Krebs Jr.
Deposit Refunds-Water	50.00 Bob Dudley
Deposit Refunds-Water	50.00 Randall Edgerton
Deposit Refunds-Water	50.00 Rodney Frizzle
Deposit Refunds-Water	50.00 Rana Rutt
Telephone-Water	42.78 Qwest
Telephone-Water	11.84 Sprint
R&M Equip-Contractual-Water	99.24 Old Mill Lawn & Leisure
Professional Svcs - Engr-Water	720.00 JEO Consulting Group, Inc.
New Well-Water	3,515.50 JEO Consulting Group, Inc.
R&M Sanitary Sewer-Cont. Water	493.60 Shamrock Concrete Company
Testing-Water	191.68 Midwest Laboratories
Telephone-Water	169.38 Nebraska Technology & Telecommunication
R&M Water-Commodities-Water	417.63 Simmerman Electric
R&M Equip-Commodities-Water	9.49 Stander & Stander Ace Hardware
R&M Water-Commodities-Water	679.86 Municipal Supply
Total Water	6,801.00

Health Insurance-Sewer	666.25 Fortis
Telephone-Sewer	51.11 Nebraska Technology & Telecommunication
R&M Equip-Commodities-Sewer	82.79 Stander & Stander Ace Hardware
Total Sewer	800.15

Fuel-Road	108.41 Phillips 66 Company
Health Insurance-Road	679.38 Fortis
Telephone-Road	37.75 Nebraska Technology & Telecommunication
R&M Misc-Commodities-Road	176.62 Barco Municipal Products, Inc.
R&M Equipment-Contr.-Road	18.30 Pankonin's Inc.
Uniform Allowance-Road	38.96 AmeriPride Linen & Apparel Services
Laundry-Road	28.87 AmeriPride Linen & Apparel Services
Chemicals-Road	128.75 Farmers Union Co-op Association
Natural Gas	14.84 MUD
R&M Equipment-Comm. Road	1.19 Stander & Stander Ace Hardware
Total Streets	1,233.07

Total Payroll 12,505.23 Payroll

Motion by Nolte, seconded by Gosch, the bills be allowed and warrants drawn on the treasury in payment of same. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 4. Motion by Nolte, seconded by Buskirk, to move Agenda Item 4 after Agenda Item 14. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 5. Sandra Powell, City Administrator, reported September 30, 2002, Ron Allensworth, 465 Spruce, has signed a Purchase Agreement with Ed Donahoe for the purchase of the trailer court located at 465 Spruce. He has indicated that he will be making the required improvements to the court.

Powell reviewed the areas of increase from the 1999-2000 budget to the 2002-03 budget.

September 27, 2002, the Street Department hired Miracle Mudjacking Company to do various projects in Springfield. One such project was the Fire Station drive. The Fire Department rental agreement states that it will be the responsibility of the Fire Department to repair the premises. Powell asked if the Council wished her to forward this bill to them. Nolte stated that he did not wish to upset the Fire Department so did not wish to forward the expense. Gosch felt it was the Fire Department's responsibility. Buskirk asked that Powell contact them to see if they would be willing to pay the bill. Hayes concurred.

Agenda Item 6. Dave Montague, JEO Consulting Group, explained the proposed well house to be located on the water tower property on Platteview Road. Gosch asked if the location of a proposed sewage holding tank would affect future water tank placement. Montague said it would not. Chuck Johnson, Water Superintendent, stated they would require contractors to notify necessary parties when the water tower service would be interrupted. Nolte requested that the pump room be vented. Montague will add this to the plans. Buskirk stated that the State required the City to install a vent fan in the well house fluoride room at City Park. Montague was not aware of such regulations requiring this, but will inquire. He will also add a vent to the fluoride room of the new well house. Johnson explained that the new computerized system could run eight items (well monitors, lift station monitors, etc.), and eliminates the existing telephone line system. The new design has substituted a permanently mounted generator with a portable generator, due to its versatility. Montague hopes to have the plans and specification ready for Council approval for the October 15, 2002 meeting. They will then be sent to the State for approval; approximately a 60-day process. After the State's approval, the bids could be advertised in January or February of 2003, and construction may begin in spring.

Agenda Item 7. Leroy Berquist, 620 Elm, asked why he was being required to install sidewalks when other properties in Springfield did not have them. Buskirk stated that four years ago, when the Hoppe-Kildow addition was developed, it had been discussed that the sidewalks needed to be installed, but they were not. With more children walking to school in that area, Council wanted to have sidewalks available for them. Nolte felt that the City should notify all property owners with missing sidewalks or sidewalks in ill-repair, and require them to install the sidewalks. Berquist stated that he would build a sidewalk, but wished to know what the specifications were. Powell replied that the Subdivision regulations had specifications but were more designed for empty lots. Allen Post had talked with Berquist indicating that he needed to match the existing sidewalk which he will be butting into, but that he would be allowed to angle toward the street in order to run adjacent to an existing concrete manhole pad. Neitzel asked what Berquist's timeline was. Berquist stated that he would build the walk yet this year. Powell indicated that Kraig Kingston had proposed sending the City a letter stating the spring 2003 date in which he would have his new sidewalk installed. Berquist stated that he and Kingston plan to install their walks under the same contract. It was Council consensus that Powell not continue with the statutory process for sidewalk installation as requested by Council.

Agenda Item 8. Motion by Nolte, seconded by Gosch, to allow JEO Consulting Group to develop a Proposed Park Plan at the cost of \$3,000.00; to be paid from Keno funds. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 9. Motion by Gosch, seconded by Buskirk, to designate Springfield State Bank as the City Depository. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 10. Councilman Gosch introduced Ordinance No. 576.

Gosch 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: Gosch, Hayes, Buskirk, Nolte. 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 Gosch moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question “Shall Ordinance No. 576 be passed and adopted?” Upon roll call vote, the following Council Members voted YEA: Gosch, Hayes, Buskirk, Nolte. 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 ordinances is as follows:

ORDINANCE NO. 576

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

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Dog & Cat Licenses <ol style="list-style-type: none"> a. Spayed or Neutered b. Intact 2. Fine for not being licensed by May 10 3. Impound fees | <p>\$7.50 annually</p> <p>\$10.00 annually</p> <p>Double licensing fee</p> <p>Actual cost</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|

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 \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 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 (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. Additional plan review required by changes, additions or revisions to approved plans (minimum charge – 1 hour) \$42.00 per hour
5. Electric Meter Inspection Only \$42.00
6. Electrical Pre-connect Fee \$500.00 (refundable)
7. Park Capital Facilities Fee \$60.00 per new construction
8. Septic Tank Data Inspection Only \$42.00
9. Sprinkler System Fees
 - a. In addition to building permit \$27.00
 - b. As a separate permit \$42.00
10. Street Opening/Curb Cut \$175.00 (\$50.00 retained for inspection costs; \$125.00 returned upon final inspection approval.)

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|-----|--------------------------------------|-------------------------------------------------|
| 11. | Sign Permit (at time of application) | \$.30 per sf, \$25.00 minimum |
| 12. | Demolition | 25% of new building cost if were re-constructed |
| 13. | Penalty Fee for No Permit | Double permit fee |
| 14. | Expired Building Permit Renewal | One half of new building permit fee |

CITY FACILITIES RENTAL

- | | | |
|----|----------------------|-----------------------|
| 1. | Community Building | |
| | a. Hourly | \$15.00 |
| | 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 |
|----|--------------------------------------|---------------------|

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 | \$.05 per day |
| | b. Audio Books | \$.05 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) | \$25.00 |
| 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
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 |
| 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
(State Statute sets ceiling) | 3% of gross revenues |
| 8. | Liquor Establishments | |
| | a. Clubs (Class C – Liquor by the drink) | \$275.00 plus publication costs |
| | b. Package Stores (Class B - beer only) | \$50.00 plus publication costs |
| | c. Package Stores (Class D - beer and
hard liquor) | \$225.00 plus publication costs |
| | d. Taverns (Class C – Liquor by the drink) | \$275.00 plus publication costs |
| 10. | Mechanical Amusement Devices | \$10.00 annually |
| 11. | Special Liquor Licenses | \$50 per day plus State Fee
\$500 deposit (refundable) |
| 12. | Tattoo Parlor | \$200.00 annually |
| 13. | Telephone Occupation Tax | 3% of gross revenues |
| 14. | Tobacco License (State Statute) | \$10.00 annually |
| 15. | Trailer Court or Mobile Home Court (per pad) | \$10.00 annually |

16.	Vendor/Hawker/Peddler	
	a. Annually	\$150.00
	b. Per day	\$50.00

PLANNING SERVICES

1.	Administrative Plat (lot split/consolidation)	\$200
2.	Annexation Requests	\$100 plus professional services costs
3.	Annual Conditional/Special Use Renewal	\$20
4.	Board of Adjustment	\$200
5.	Comprehensive Plan Amendment	\$500
6.	Conditional Use Permit (1 acre or less)	\$300
7.	Conditional Use Permit (over 1 acre)	\$500
8.	Conditional Use Permit Amendment	\$150
9.	County Filing Fees (If filed by City)	\$50.00 plus actual costs
10.	Final Plat	\$500 plus \$5 for each lot
11.	Flood Plain Development Permit	\$500
12.	Improvements Review Fees	1% of project cost plus Professional services costs
13.	Preliminary Plat	\$100 plus professional services costs
	a. Revised Preliminary	\$250.00
14.	Replat	\$100 plus professional services costs
15.	Vacation of Plat	\$150
16.	Vacation of Public Right-of-Way	\$150
17.	Variance	\$200
18.	Zoning Book	\$60

- | | | |
|-----|-----------------------|-------|
| 19. | Zoning Map Amendment | \$400 |
| 20. | Zoning Text Amendment | \$500 |

POLICE SERVICES

- | | | |
|----|----------------------------|---------|
| 1. | Parking Violations | |
| | a. 1 st offense | \$10.00 |
| | b. Offense | \$20.00 |

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

- | | | |
|----|--------------------------------------------|------------------------------------------------------|
| 1. | Sewer Tap Fee | |
| | a. Out of City | \$360.00 |
| | b. In City | \$240.00 |
| 2. | Sewer Use Rates (Set by Ordinance) | \$15 per month, \$0.50 per
1,000 gallons of usage |
| 3. | Utility Deposit (includes water and sewer) | \$50.00 |

WATER UTILITY FEES

- | | | |
|----|------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. | Water Tap Fee | |
| | a. Out of City | \$360.00 |
| | b. In City | \$240.00 |
| 2. | Water Meter Fee | |
| | a. 3/4" | \$130.00 |
| | b. 1" | \$170.00 |
| | c. 1 1/2" | \$City's actual cost |
| | d. Non-listed Meters | \$City's actual cost |
| 3. | Water Re-connection | |
| | a. Water emergency – 1 st violation | \$50.00 |
| | b. Water emergency – 2 nd violation | \$200.00 |
| | c. Water emergency – 3 rd violation | \$300.00 |
| | d. By request of owner | \$30.00 |
| | e. For non-payment | \$30.00 |
| 4. | Water Use Rates | \$13.00 per month for the first
3,000 gallons, \$1.30 per 1,000 gallons
thereof |
| 5. | 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 and be in full force October 1, 2002.
- 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 1st day of October, 2002.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 11. Councilman Nolte introduced Ordinance No. 577. Buskirk abstained due to conflict of interest. He owns an establishment for which this ordinance applies.

Nolte 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: Gosch, Hayes, Nolte. The following voted NAY: None. The following abstained: Buskirk. 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 Nolte moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 577 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Gosch, Hayes, Nolte. The following voted NAY: None. The following abstained: Buskirk. 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 ordinances is as follows:

ORDINANCE NO. 577

AN ORDINANCE AMENDING CHAPTER 10 "BUSINESS REGULATIONS" OF THE SPRINGFIELD MUNICIPAL CODE, AMENDING SECTION 10-501 "OCCUPATION TAX; AMOUNTS"; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code §10-501 is amended to read as follows:

OCCUPATION TAX; REQUIRED BUSINESSES; AMOUNTS. For the purpose of raising revenue an occupation tax is hereby levied on the following businesses:

Advertising Bench (Annually)
Alcoholic Liquors Retailer (Annually)
Billiards or pool tables (Annually)
Fire Insurance Companies (Annually)
Fireworks Stands (Annually)
Mechanical Amusement Devices (Annually)
Special Liquor License Retailer (Per Event)
Tattoo Parlor (Annually)
Telephone Companies (Annually)
Tobacco Retailer (Annually)
Trailer Court or Mobile Home Court (Annually)
Vendor/Hawker/Peddler (Annually or Per Day)

The occupation tax due shall be established and listed in the Springfield Fees Ordinance adopted and kept current in the City Clerk's office.

(Ref. 17-525 RS Neb.)

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Section 3. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 1st day of October, 2002.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 12. Councilman Nolte introduced Ordinance No. 578.

Nolte moved that the statutory rule requiring reading on three different days be suspended. Councilman Gosch seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Gosch, Hayes, Buskirk, Nolte. 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 Nolte moved for final passage of the ordinance, which motion was seconded by Councilman Gosch. The Mayor then stated the question "Shall Ordinance No. 578 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Gosch, Hayes, Buskirk, Nolte. 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 ordinances is as follows:

ORDINANCE NO. 578

AN ORDINANCE AMENDING CHAPTER 10 "BUSINESS REGULATIONS" OF THE SPRINGFIELD MUNICIPAL CODE, ADDING SECTION 10-1201 "FRANCHISE; NATURAL GAS; FEE"; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code §10-1201 is added and shall read as follows:

FRANCHISE; NATURAL GAS; FEE. The Governing Body has granted to the Metropolitan Utilities District, the authority to construct, maintain, and operate a gas transmission, and distribution system within the Municipality. Metropolitan Utilities District shall pay to the City a franchise fee of two (2%) percent of the gross receipts from such business. Actual details of the agreement, and the present gas rates, charges, and fees are available at the Municipal Clerk's office. (*Ref. 17-528.02 RS Neb.*)

The franchise fee due shall be established and listed in the Springfield Fees Ordinance adopted and kept current in the Municipal Clerk's office.

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 1st day of October, 2002.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 13. Councilman Nolte introduced Ordinance No. 579.

Nolte 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: Gosch, Hayes, Buskirk, Nolte. The following voted NAY: None. The motion to suspend the rule 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 Nolte moved for final passage of the ordinance, which motion was seconded by Councilman Hayes. The Mayor then stated the question "Shall Ordinance No. 579 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Gosch, Hayes, Buskirk, Nolte. 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 ordinances is as follows:

ORDINANCE NO. 579

AN ORDINANCE AMENDING CHAPTER 10 "BUSINESS REGULATIONS" OF THE SPRINGFIELD MUNICIPAL CODE, ADDING SECTION 10-1202 "FRANCHISE; ELECTRICITY; FEE"; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code §10-1202 is added and shall read as follows:

FRANCHISE; ELECTRICITY; FEE. The Governing Body has granted to the Omaha Public Power District the authority to maintain and operate the light and power system in the Municipality for the purpose of furnishing electric energy to the Municipality, and fixing the charges for such services. Actual details of the agreement, and the present telephone rates, charges, and fees are available at the Municipal Clerk's office.

The franchise fee due shall be established and listed in the Springfield Fees Ordinance adopted and kept current in the Municipal Clerk's office. (*Ref. 17-528.03 RS Neb.*)

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Section 3. That any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 1st day of October, 2002.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 14. Councilman Gosch introduced Ordinance No. 580.

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

Ordinance No. 580 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Gosch, Hayes, Buskirk, Nolte. 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 ordinances is as follows:

ORDINANCE NO. 580

AN ORDINANCE AMENDING CHAPTER 10 "BUSINESS REGULATIONS" OF THE SPRINGFIELD MUNICIPAL CODE, ADDING SECTION 10-1203 "FRANCHISE; CABLE TELEVISION; FEE"; PROVIDING AN EFFECTIVE DATE, AND REPEALING ORDINANCES IN CONFLICT.

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

Section 1. Springfield Municipal Code §10-1203 is added and shall read as follows:

FRANCHISE; CABLE TELEVISION; FEE. The Governing Body has granted to Charter Communications, Inc., the authority to construct, maintain and operate a cable television system within the Municipality. Actual details of the agreement, and the present cable television rates, charges, and fees are available at the Municipal Clerk's office.

The franchise fee due shall be established and listed in the Springfield Fees Ordinance adopted and kept current in the Municipal Clerk's office.

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 1st day of October, 2002.

Mayor

(SEAL)

Attest:

City Administrator/Clerk

Agenda Item 4. The Sarpy County Sheriff was not present.

Agenda Item 15. Motion by Gosch, seconded by Buskirk, to enter Executive Session to discuss negotiations. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None. Entered at 8:46 o'clock PM. Session ended at 9:35 o'clock PM.

Agenda Item 16. No action was taken.

Motion by Gosch, seconded by Hayes, to adjourn. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None. Meeting was adjourned at 9:35 o'clock 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 7:30 o'clock P.M. on October 1, 2002.

Dated this ____ day of October, 2002.

_____ Mayor _____ Councilman
_____ Councilman _____ Councilman
_____ Councilman

AGENDA FOR COUNCIL MEETING OCTOBER 15, 2002

- 1. Approve Minutes
- 2. Citizen Communication
- 3. Department Reports/CA Report
- 4. D&TH dba Hazy's Place Class C Catering License
- 5. 6th Grade Youth Basketball - Mike Fauver
- 6. New Well – Dave Montague
- 7. Richard Baker Annual Review
- 8. MoPac Recreational Trail

9. Executive Session – Negotiation and Personnel
10. Executive Session Action

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at City Hall at 7:30 o'clock PM on October 15, 2002. Present were Mayor Duane Neitzel; Council Members: Dennis Gosch, Eric Hayes, Thomas Buskirk, Chad Nolte. Absent: None. Notice of this meeting was given in advance by publishing notice in The Times on October 10, 2002. 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 Nolte, seconded by Buskirk, the minutes of the October 1, 2002, regular Council Meeting be approved as presented. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 2. Casey Buskirk, Platteview 8th Grade Volleyball team member, presented Council with a Thank You card in appreciation of the City allowing the team to practice in the Community Building.

Mr. Charles Harris, 16005 Hwy 50, reiterated his request to have the speed limit reduced at the southern city limits. Powell explained that the State had previously performed a speed study and set the speed limit sign locations based on the study. Speed limit signs are not based on the location of the City's limits. Council asked Powell to speak to the State on the possibility of a new study.

Agenda Item 3. Powell reported on the Highway 50 widening from Springfield to the Hwy 50 and Hwy 66 junction south of Louisville. The four-lane will not impact the sewer plant. The new lanes will not extend past the existing eastern alignment in order to avoid the Pflug Road bridge.

Powell clarified recent difficulties with the Hispanic Rodeo. Problems were not a result of activities on the fairgrounds property, but a misunderstanding with the Ag Society contract.

October 30, 7:00 PM, at City Hall, County Commissioner Tim Schram will be hosting an informational meeting on a proposed Sarpy County Jail expansion.

Agenda Item 4. Motion by Nolte, seconded by Buskirk, to approve a Class C Catering License for D&TH dba Hazy's Place of 105 Main Street. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 5. Motion by Nolte, seconded by Hayes, the 6th Grade Youth Basketball be allowed to use the Community Building under Category 3, on Tuesdays from 5:30PM to 7:00 PM through February of 2003. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 6. Dave Montague, JEO Consulting, was unable to attend and will reschedule this agenda item.

Agenda Item 7. Motion by Gosch, seconded by Buskirk, to move Agenda Item 7 into Executive Session. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 8. Motion by Gosch, seconded by Nolte, to move Agenda Item 8 into Executive Session. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None.

Agenda Item 9. Motion by Gosch, seconded by Nolte, to enter Executive Session to discuss negotiations and personnel. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None. Entered at 7:47 o'clock PM. Session ended at 8:40 o'clock PM.

Agenda Item 10. It was Council Consensus that the City could not meet Richard Baker's salary needs, and to accept Richard Baker's resignation with Council's thanks for his dedicated service. Powell was directed to begin the search for a Maintenance Worker.

Motion by Nolte, seconded by Hayes, to adjourn. AYES: Gosch, Hayes, Buskirk, Nolte. NAYS: None. Meeting was adjourned at 8:41 o'clock 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 7:30 o'clock P.M. on October 15, 2002.

Dated this ____ day of October, 2002.

_____ Mayor _____ Councilman
_____ Councilman _____ Councilman
_____ Councilman