

AGENDA
CITY OF SPRINGFIELD, NE
November 6, 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 October 16, 2007 Council Meeting
2. Treasurer's Report
3. Claims & Payroll
4. Department Reports
5. Lt. Russ Zeeb – Sarpy County Sheriff Report
6. Springfield Business Park – Storm Sewer Extension
7. Brian Chaffin with Olsson Associates – Construction overview – Approve Change Order No. 1 and Certificate of Payment No. 1
8. Don Dalton with the SYAA – Discuss direction and development of ball field improvements
9. State of Nebraska Department of Roads – Approve Certificate of Compliance, approve Maintenance Agreement Renewal and accept Resolution 2007-16
10. Approve Ordinance No. 747 regarding the location of fireworks stands
11. Continuing Education Agreement – Approve Educational Assistance Policy and accept Resolution 2007-17
12. Kildow Construction street repairs – Discussion
13. Springfield Creek Trails & Recreation Area – Discuss Peter Kiewet grant money
14. Strange odor
15. Executive Session
16. Executive Session Action
17. Motion to Adjourn

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o'clock p.m. at City Hall on November 6, 2007. Present were Mayor Dorothy Richards; Council Members: Eric Hayes, Sandie Shotkoski, Diane Sullivan. Absent: Roy Swenson. 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 Hayes, seconded by Sullivan, to approve the Minutes of the October 16, 2007, regular Council Meeting. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

The City Clerk reported a balance on hand of \$309,447.36 in cash assets; Prestige Treasury - \$279,599.93; Prestige Keno Lottery - \$111,446.64; Prestige Keno Progressive Jackpot - \$64,660.84; Water Deposit Savings - \$4,094.01; Refundable Deposits Savings - \$1,173.43; Water Tower Savings - \$69,156.90; Prestige Water Bond - \$289,013.25; Sewer Restricted - \$45,470.19; Money Market Library Bricks - \$6,355.40; Government Securities - \$162,417.67; Time Certificates as follows: Bond - \$69,389.18; Tower - \$52,303.43; Water - \$111,043.84; Park - \$11,130.47; Library Bricks - \$19,318.83.

Agenda Item 2. Motion by Sullivan, seconded by Shotkoski, to accept the Treasurer's Report. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 3. Motion by Sullivan, seconded by Shotkoski, to approve claims due and payable as presented. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Line Description	Debit Amount	Name
Prof Svcs-Tech Support-Gen	1,000.40	Data Technologies
R&M Grounds-Gen	135.00	Fast Grass
Supplies-Gen	26.76	Hometown Market
Deferred Comp	891.65	ING
Prof Svcs-Engineer-Gen	375.00	JEO Consulting Group, Inc.
Prof Svcs-Legal-Gen	25.00	Mark A. Klinker
R&M Grounds-Gen	50.00	Midwest Landscaping
Insurance-Gen	887.34	Miller Monroe Co.
State W/H Oct	560.24	Nebraska Department of Revenue
Telephone-Gen	92.05	Nebraska Technology & Telecommunication
Office Supplies-Gen	129.99	Office Depot
Prof Svcs-Engineer-Gen	5,076.31	Olsson Associates
Electricity-Gen	152.81	OPPD
Petty Cash	4.28	Petty Cash
Petty Cash	32.34	Petty Cash
Prof Svcs-CPA-Gen	4,200.00	Ric Ortmeier, CPA
Animal Control-Gen	309.56	Sarpy County Fiscal Administrator
Prof Svcs-Other-Gen	15.50	Sarpy County Register of Deeds
Law Contract -Gen	5,152.31	Sarpy County Treasurer
Prof Svcs-Planning-Gen	914.55	Schemmer Associates
Prof Svcs-Legal-Gen	2,458.32	Seidler & Seidler, P.C.
Supplies-Gen	4.98	Springfield Drug
Insurance-Gen	245.00	Springfield/Louisville Insurance Agency
R&M Grounds-Gen	26.85	Stander & Stander Ace Hardware
Publication Costs-Gen	229.99	Suburban Newspapers, Inc.
Health Insurance-Gen	273.95	Time Insurance Company
R&M Grounds-Gen	116.31	Trees, Shrubs & More, Inc.
Federal W/H Payable-Gen	767.86	United States Treasury
FICA Payable- Gen	1,658.17	United States Treasury
Laundry-Gen	103.75	Walkers Uniform Rental
	25,916.27	
Electricity-Lib	154.41	OPPD
Health Insurance-Lib	477.60	Time Insurance Company
Insurance-Lib	745.88	Miller Monroe Co.

IP Address-Lib	9.99	Charter Communications
Janitorial-Lib	140.00	Marcie Schmieder
Natural Gas-Lib	17.00	Metropolitan Utilities District
R&M Building-Lib	74.00	Block Electrical
Telephone-Lib	32.06	Nebraska Technology & Telecommunication
Waste Disposal-Lib	39.00	Sterett Brothers Sanitation
	1,689.94	
Books/Videos/Maps-Lib	55.44	Amazon Credit Plan
Books/Videos/Maps-Lib Rest	23.98	Children's BOMC
Books/Videos/Maps-Lib Rest	612.07	Davidsons Title
Books/Videos/Maps-Lib Rest	48.21	Doubleday Book Club
Books/Videos/Maps-Lib Rest	25.00	Michael Frederick
Books/Videos/Maps-Lib Rest	33.27	Mystery Guild
Books/Videos/Maps-Lib Rest	46.61	Thomson Gale
Library Supplies-Lib Rest	48.08	Brodart Company
Library Supplies-Lib Rest	8.02	Hometown Market
Miscellaneous-Lib Rest	13.00	The J.P. Cook Co.
Postage/Shipping-Lib Rest	158.75	Connie Manzer
Printing-Lib Rest	100.00	Miller Press
	1,172.43	
Electricity -Park	145.24	OPPD
Fuel-Park	60.84	Conoco
Fuel-Park	60.84	Conoco
Insurance-Park	424.38	Miller Monroe Co.
R&M Equipment-Park	16.50	Aksarben Saw & Tool, Inc.
R&M Vehicle-Park	453.00	B & B Garage
Rental-Park	70.00	Eagle Services
Supplies-Park	29.16	Mill Creek Auto Parts
Supplies-Park	105.36	Stander & Stander Ace Hardware
Waste Disposal-Park	35.53	Papillion Sanitation
	1,400.85	
Electricity -Comm Bldg	54.21	OPPD
Insurance -Comm Bldg	938.78	Miller Monroe Co.
Laundry -Comm Bldg	78.95	Walkers Uniform Rental
Natural Gas-Comm Bldg	17.00	Metropolitan Utilities District
Waste Disposal-Comm Bldg	35.53	Papillion Sanitation
	1,124.47	
Petty Cash	17.73	Petty Cash
Digger's Hotline-Water	17.82	Great Plains One-Call Service, Inc.
Electricity-Water	609.72	OPPD
Fuel-Water	84.90	Conoco
Fuel-Water	84.90	Conoco
Health Insurance-Water	754.16	Time Insurance Company
Insurance-Water	932.35	Miller Monroe Co.
Licenses-Water	94.00	Nebraska Department of Health & Human S
Meter Upgrades	1,478.01	Municipal Supply
Prof Svcs-Engineer-Water	1,500.00	JEO Consulting Group, Inc.

R&M Building-Water	238.62	Menards
R&M Equip-Water	1,850.00	Inland Marine Services
R&M Equip-Water	362.72	Powerplan
R&M Equip-Water	240.60	Technical Maintenance & Service
R&M Equip-Water	479.00	Utility Equipment Company
R&M Grounds-Water	82.50	Farmers Union Coop
Supplies-Water	37.49	Mill Creek Auto Parts
Supplies-Water	50.70	Stander & Stander Ace Hardware
Telephone-Water	127.06	Nebraska Technology & Telecommunicat ion
Testing-Water	24.00	NEPublic Health Environmental Lab
Uniform Allowance-Water	76.95	Walkers Uniform Rental
	9,143.23	
Petty Cash	0.17	Petty Cash
Electricity -Sewer	1,466.94	OPPD
Fuel-Sewer	84.89	Conoco
Fuel-Sewer	84.89	Conoco
Health Insurance-Sewer	3,203.81	Time Insurance Company
Insurance -Sewer	720.16	Miller Monroe Co.
R&M Equipment -Sewer	585.20	Stander & Stander Ace Hardware
R&M Vehicle-Sewer	33.26	Mill Creek Auto Parts
Sewer Study -Sewer	1,188.53	Sarpy County Treasurer
Supplies-Sewer	35.08	Conoco
Supplies-Sewer	35.08	Conoco
Supplies-Sewer	24.99	Stander & Stander Ace Hardware
Telephone-Sewer	48.08	Nebraska Technology & Telecommunication
Testing-Sewer	68.40	Midwest Laboratories
Uniform Allowance-Sewer	39.20	Walkers Uniform Rental
	7,618.68	
Asphalt & Concrete-Street	268.70	Colonial Research Chemical Corp.
Asphalt & Concrete-Street	268.70	Colonial Research Chemical Corp.
Asphalt & Concrete-Street	759.36	Shamrock Concrete Company
Electricity -Street	2,357.44	OPPD
Fuel-Street	297.50	Conoco
Fuel-Street	297.50	Conoco
Health Insurance-Street	933.16	Time Insurance Company
Insurance -Street	1,781.11	Miller Monroe Co.
Natural Gas-Street	29.34	Metropolitan Utilities District
Park Dr.-Paving & Storm Sewer	58,538.47	L. G. Roloff Construction Co., Inc.
R&M Equipment -Street	19.80	Aksarben Saw & Tool, Inc.
R&M Equip -Street	54.03	Mower Doctor
R&M Equip -Street	362.72	Powerplan
R&M Equip -Street	765.00	Bob's Radiator Repair Co., Inc.
R&M Equip -Street	1,167.22	Watham's Repair
R&M Street Signs & Posts-Street	259.45	Barco Municipal Products, Inc.
R&M Street Signs and Posts-Street	308.75	Midwest Service & Sales Co.
R&M Streets & Alleys-Street	525.00	Vogel Traffic Services
R&M Vehicle-Street	10.00	B & B Garage
Sand & Gravel-Street	16.88	Western Sand & Gravel Co.
Sand & Gravel-Street	1,002.30	Westover Rock & Sand, Inc.
Supplies-Street	65.40	Conoco
Supplies-Street	65.40	Conoco

Supplies-Street	291.65	Mill Creek Auto Parts
Supplies-Street	23.99	Stander & Stander Ace Hardware
Telephone-Street	52.74	Nebraska Technology & Telecommunication
Tools & Misc Equip-Street	164.60	Big State Industrial Supply
Uniform Allowance-Street	76.95	Walkers Uniform Rental
	70,763.16	
Prof Svcs-Legal-Keno	325.00	Seidler & Seidler, P.C.
Street Repairs (Kildow)-Keno	5,930.00	Kildow Construction
	6,255.00	
	\$19,584.19	
	144,668.22	

Agenda Item 4. No Department Report from Hayes. No Department Report from Shotkoski. Sullivan reported that she reviewed the Springfield Municipal Code and determined that the City really needs to enforce the swimming pool ordinance next year.

Agenda Item 5. Lt. Russ Zeeb with the Sarpy County Sheriff's Office provided the Service Call Report. He informed the Council that he worked with Louie Post to help clean up a property on the south end of town. Lt. Zeeb discussed the incident at Buffalo Park on Halloween. He noted that through the help of grants the department is able to have more officers on duty for holidays and special events.

Motion by Hayes, seconded by Sullivan, to move agenda item 14 before agenda item 6. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 14. Mark Wayne, Sarpy County Administrator, provided the Council with a handout that explained the strange odor coming from the Sarpy County Landfill. Duane Brigman of the Sarpy County Landfill and Darren Konda of Thompson, Dreessen & Dorner, Inc. were both present to provide further information and answer questions. Wayne assured the Council that this problem is of high priority and that they are currently working with Thompson, Dreessen & Dorner, Inc. to address the odor. Wayne said that they are unable to exactly determine the cause of the odor, but he suggested that changes in the environment, such as the heavy amounts of rain, may be a factor. He stated that the County has installed a filter media basket with wood chip media on one manhole riser and plans to install others on the remaining manhole risers. The wood chip media provides for a growing surface for bacteria which break down landfill gas. They also plan to cover the side slopes of the landfill with soil. They will continue monitoring the problem in order to identify whether or not the control methods are proving to be effective. Seidler asked if the County had reported the odor problem to the NDEQ. Brigman said that they had discussed this issue with the state agency.

Agenda Item 6. Randy Sump of RTR Enterprises, Inc. provided the Council with information regarding his proposed 48-inch storm sewer extension located on Lot 4, Highview Addition Replat Two. This extension would allow Sump to backfill the former swale and provide a more uniformly graded Lot 4. Sump indicated that the cost of this extension would be his sole responsibility. He said that Roloff would like to complete this extension at the same time as they put in the water line, which is scheduled to begin within the next week. Sump's engineer, E&A Consulting Group, Inc. provided the City Engineer, Gary Sasse with JEO Consulting Group, the proper materials to review regarding this proposal. Sasse reviewed the documents and prior to the meeting issued a letter to the City Council stating that he accepted this proposal, but he suggested that the Council contact the City Attorney to address the legal perspectives of future maintenance, replacement and access provisions to the infrastructure. Sump had his attorney

prepare a Storm Sewer Agreement and Permanent Storm Sewer Easement for the City's Attorney, Bill Seidler, to review. Seidler indicated that there were a couple of minor changes that needed to be addressed prior to the City entering into either agreement. Motion by Sullivan, seconded by Shotkoski, to enter into the Storm Sewer Agreement and Permanent Storm Sewer Easement with RTR Enterprises, Inc. as soon as all of the exhibits and the proper paperwork are provided to the City. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 7. Brian Chaffin with Olsson Associates discussed Change Order No. 1 and the Certificate of Payment No. 1 for the Park Drive project. Chaffin indicated that he and Randy Lee, Olsson Associates on-site project supervisor, were very pleased with the current construction situation. The storm sewer and the paving of Park Drive have been completed and all tests have been completed and passed. L. G. Roloff Construction Company will next be completing the storm sewer inlets and the water line. Roloff will attempt to seed the ground yet this year, but if it does not take they will reseed next spring at no additional cost to the City. Chaffin commented that he felt that Roloff did a good job removing the trees along Park Drive and that they were very fair in their billing of this extra service. Motion by Sullivan, seconded by Hayes, to approve Change Order No. 1 in the sum of \$10,350.00 and Certificate of Payment No. 1 in the sum of \$58,538.47. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Motion by Sullivan, seconded by Hayes, to move agenda item 8 after agenda item 13. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 9. Council Member Sullivan introduced Resolution 2007-16 and moved its adoption.

**RESOLUTION
2007-16**

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 the State of Nebraska Department of Roads, wish to enter into an Agreement Renewal to Maintenance Agreement No. 126 for the purpose of performing surface maintenance, snow removal and mowing along Highway 50 lane miles within the Corporate Limits of the City of Springfield; and

WHEREAS, the Agreement Renewal shall be for the period January 1, 2008, to December 31, 2008; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Agreement Renewal to Maintenance Agreement No. 126 attached hereto as Exhibit "A".

Introduced and Passed November 6, 2007.

Ayes 3

Nays 0

Abstain 0

Absent 1

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. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 10. Council Member Shotkoski introduced Ordinance No. 747 entitled:

AN ORDINANCE OF THE CITY OF SPRINGFIELD, NEBRASKA, AMENDING CHAPTER 10 "BUSINESS REGULATIONS" OF THE SPRINGFIELD MUNICIPAL CODE, ARTICLE 7, FIREWORKS SALES. AMENDS SECTION 10-705 BY ADDING PROVISIONS FOR THE SALE OF FIREWORKS FROM A BUILDING OR STRUCTURE THAT COMPLIES WITH THE REGULATIONS OF THE STATE OF NEBRASKA, STATE FIRE MARSHAL'S OFFICE. PROVIDING AN EFFECTIVE DATE AND REPEALING ORDINANCES IN CONFLICT

and moved the statutory rule requiring reading on three different days be suspended. Council Member Hayes seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted AYE: Hayes, Shotkoski, Sullivan. 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.

Council stopped to discuss the set back requirements of a fireworks stand/booth from the nearest right-of-way line of any public right-of-way and from a permanent building structure. Council agreed that this information needed to be changed to reflect the current requested change of allowing fireworks to be sold from within a permanent building/structure that abides by the regulations of the State Fire Marshal's Office. Council agreed that this change should be made prior to adopting Ordinance No. 747. Seidler will make the changes to the Ordinance for the next meeting. Motion by Sullivan, seconded by Hayes, to table agenda item 10 until the November 20, 2007, City Council Meeting. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 11. Sullivan suggested that language in No. 3 of the Terms and Conditions section of the Policy for Education Assistance be changed from "may also be required to submit the course grade and related receipt expenses" to "are required to submit the course grade and related receipt expenses." Council agreed with this change. Sullivan also questioned the letter grade needed in order to achieve successful completion as stated in No. 4 of the Terms and Conditions section of the Policy for Education Assistance. Sullivan said that she thought the grade was supposed to be a B. Council said that they agreed at the last meeting that the grade would be a C.

Council Member Hayes introduced Resolution 2007-17 with the language change for No. 3 and moved its adoption.

**RESOLUTION
2007-17**

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, wishes to adopt a Policy for Educational Assistance for City employees; and

WHEREAS, the purpose of the Educational Assistance Program is to assist employees in their professional development and in advancing their careers with the City by encouraging voluntary academic studies that contribute to improved performance; and

WHEREAS, the Educational Assistance Program is established under Internal Revenue Code Section 127; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, by a majority vote resolved that the Policy for Education Assistance for the City of Springfield employees, a copy of which is attached hereto as Exhibit "A", shall become effective January 1, 2008, and will remain in effect until further notice of amendment or revocation.

Introduced and Passed November 6, 2007.

Ayes 3

Nays 0

Abstain 0

Absent 1

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. The following voted NAY: None. Whereupon the Mayor declared said Resolution passed and adopted.

Agenda Item 12. Kathleen Fauver, City Clerk, informed the Council that Council Member Roy Swenson discussed street repair costs with David Kildow. Kildow told Swenson that he could not lower the cost per square feet of replacement from \$12.00 to \$10.00. Fauver explained that City employees have replaced concrete at 4th Street and Valley Drive and in the 800 block of 4th Street. The City employees are currently working on replacing concrete at certain areas on North 3rd Street.

Agenda Item 13. As per the Council's request at the October 16 meeting, Fauver provided them with a financial report of the Park and Park #2 Funds including building permit park fees that were being put into Park #2, park donations received by the City, park grant monies received by the City for the nature center and MoPac Trail and Trailhead, and expenses for the nature center and MoPac Trail and Trailhead. Shotkoski said that the building permit fees should never have been put into the Park #2 Fund. Shotkoski and Mayor Richards stated that the fees were to be used by all City parks for maintenance and upkeep. Shotkoski further stated that she feels the Peter Kiewet grant money has already been spent. Mayor Richards asked if the Park Board could use the Park's foundation money for planting. Mayor Richards also noted that the Peter Kiewet grant money was never figured into the 2007-2008 budget. Hayes said that he would like to review the financial statements in further detail. Motion by Hayes, seconded by Shotkoski, to table agenda item 13 until the November 20, 2007, City Council Meeting. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 15. Motion by Hayes, seconded by Shotkoski, to enter into executive session at 8:23 p.m. for the purpose of personnel discussion. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Motion by Hayes, seconded by Shotkoski to leave executive session at 8:25 p.m. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 8. Don Dalton – President, Scott Marsden – Vice President, Mike Kalin – Treasurer, Mark Herrman – Secretary and Basketball Commissioner, and Bruce Thayer, all of the SYAA were present to discuss the direction and development of Springfield's ball fields and needed improvements. The present members asked whether or not the Council was interested in looking into updates for the ball field prior to further research being compiled by the SYAA. Marsden informed the Council that the number of children playing baseball/softball is increasing and, therefore, causing space constraints with games and practices. He also suggested that the quality of the City Park ball field does not compare to other city parks the children play at. Marsden stated that the SYAA is especially interested in improving the ball field fence, lighting and field surface. Council and SYAA members discussed ideas for improvements and how to go about making them. Mayor Richards indicated that the Council would be supportive of improvements to the City Park ball field and asked the SYAA members to compile further information and prices for the improvements. After further information is gathered, Mayor Richards asked the members to come back and update the Council.

Agenda Item 15. Motion by Hayes, seconded by Shotkoski, to enter into executive session at 9:05 p.m. for the purpose of personnel discussion. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Motion by Hayes, seconded by Sullivan, to leave executive session at 9:22 p.m. AYES: Hayes, Shotkoski, Sullivan. NAYS: None.

Agenda Item 16. There was no executive session action.

Agenda Item 17. Motion by Sullivan, seconded by Hayes, to adjourn. AYES: Hayes, Shotkoski, Sullivan. NAYS: None. Meeting was adjourned at 9:22 p.m.