

AGENDA FOR COUNCIL MEETING NOVEMBER 7, 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 of the October 17 Council meeting
2. Approve claims and payroll
3. Department Reports/City Administrator Report
4. Sarpy County Sheriff Report
5. Approve well construction project 554W18 pay application 2 to Gen-Mech Contracting Inc. in the amount of \$63,691.56
6. Approve 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts Change Order 1
7. Approve 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts pay application 3 and final for \$18,043.00
8. Accept 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts.
9. Approve trail construction pay application 2 to CYC Construction in the amount of \$13,387.78
10. Reappoint Shirley Buskirk, Patricia Iske, Joann Ostransky and Lyn Erhart to the Springfield Memorial Library Board, term to expire in 2010
11. Authorize the City Administrator to negotiate municipal boundaries between Springfield and Papillion
12. Resolution 2006-15 – amending the City of Springfield Employee Handbook Sections 101 “Nature of Employment,” 201 “Employment Categories,” and 405 “Employment Termination” preserving employees’ right to due process
13. Resolution 2006-16 - amending the City of Springfield Employee Handbook Section 307 “Sick Leave Benefits” allowing payment upon termination to harmonize with the Nebraska Wage Act
14. Executive Session
15. 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 November 7, 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 Sullivan, seconded by Hayes, the minutes of the October 17, 2006, regular Council Meeting be approved as presented. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 2. The City Administrator reported a balance on hand of \$189,869.75 in cash assets; \$83,777.58 Prestige Treasury; \$99,053.71 Prestige Keno Lottery; \$69,183.62 Prestige Progressive Jackpot; \$4,033.56 in Water Deposit Savings; \$1,150.37 in Refundable Deposits Savings; \$38,421.08 in Sewer Restricted; \$278,380.29 in Prestige Bond; \$5,978.87 in Money Market Library Bricks; \$62,353.43 in Water Tower Savings; \$153,539.39 in Government Securities; and Time Certificates as follows: Bond – \$66,574.89, Tower – \$50,262.31, Water - \$106,812.75, Park - \$10,720.80, Treasury - \$515,126.19, Library Bricks – \$18,222.77.

Federal W/H Payable	1,972.51	United States Treasury
FICA Payable	2,910.00	United States Treasury
State W/H Payable	664.58	Nebraska Department of Revenue
Supplies-Office	25.19	Office Depot
Law Contract	4,683.94	Sarpy County Treasurer
Prof. Services-Engineer	1,842.00	JEO Consulting Group, Inc.
Supplies-Office	27.13	Hometown Market
Laundry	45.37	AmeriPride Linen & Apparel Services
Prof. Services-Legal	260.75	Seidler & Seidler, P.C.
Mileage	250.98	Sandra K. Powell
Education	6.00	Sandra K. Powell
Prof. Services-Other	28.00	Sarpy County Register of Deeds
E911	589.75	Sarpy County Communications
Prof. Serv Bldg Inspector	17.50	Sarpy County Building Inspector
Health Insurance	356.10	Assurant Health
Animal Control	295.66	Sarpy County Fiscal Administrator
		Nebraska Technology &
Telephone	100.31	Telecommunication
Lodging	114.00	Ramada
Prof. Services-Planning	3,112.50	Schemmer Associates
Publications Costs	763.57	Suburban Newspaper Inc.
Insurance	922.72	Miller Monroe Co.
Deferred Comp	2,086.34	ING
<b>TOTAL GENERAL</b>	<b>21,074.90</b>	
Natural Gas	23.83	Metropolitan Utilities District
R&M Bldg-Commodities	35.88	Stander & Stander Ace Hardware
License	19.98	Charter Communications
Janitorial	105.00	Marcie Schmieder
Health Insurance	370.15	Assurant Health
Telephone	31.71	NT&T
Insurance	922.71	Miller Monroe Co.

R & M Equip- Commodities	52.00	Computers To Go
<b>TOTAL LIBRARY- BUDGET</b>	<b>1,561.26</b>	
Books/Videos/Maps	35.96	Doubleday Book Club
Books/Videos/Maps	35.00	MicroMarketing, LLC
Books/Videos/Maps	15.65	Mystery Guild
Books/Videos/Maps	95.98	Kid's Reference Company, Inc.
Education	25.00	Constance Manzer
Books/Videos/Maps	55.35	Book Planet
Printing	76.65	ASI-Modulex
Books/Videos/Maps	45.02	Thomson Gale
Books/Videos/Maps	22.50	World Reference
<b>TOTAL LIBRARY- RESTRICT</b>	<b>407.11</b>	
R&M Equipment- Commodities	29.94	Mill Creek Auto Parts
Hand Tools	34.07	Stander & Stander Ace Hardware
Supplies-Other	23.85	Stander & Stander Ace Hardware
Waste Disposal Service	33.21	Papillion Sanitation
Insurance	922.71	Miller Monroe Co.
MoPac Trail Phase II	4,176.47	Kirkham Michael
Rental	20.70	Eagle Services
<b>TOTAL PARK</b>	<b>5,240.95</b>	
Laundry	45.36	AmeriPride Linen & Apparel Services
Natural Gas	51.59	Metropolitan Utilities District
Waste Disposal	33.21	Papillion Sanitation
Insurance	922.72	Miller Monroe Co.
R&M Building- Commodities	530.89	Midwest Signs
<b>TOTAL COMMUNITY BLDG</b>	<b>1,583.77</b>	
Fire Hydrant	2,655.56	Municipal Supply
Supplies-Office	43.70	Office Depot
Digger's Hotline	43.25	Great Plains One-Call Service, Inc.
W/S Extension District	2,822.50	JEO Consulting Group, Inc.
New Well	1,311.50	JEO Consulting Group, Inc.
Testing	386.00	State of Nebraska HHS Laboratory
Fuel	136.78	Conoco

Hand Tools	12.99	Stander & Stander Ace Hardware
R&M Water-Contractual	533.00	Simmerman Electric
W/S Extension District	1,702.52	Westover Rock & Sand, Inc.
Health Insurance	903.52	Assurant Health
Telephone	271.33	NT&T
Insurance	922.71	Miller Monroe Co.
Unclaimed Property	100.00	NE State Treasurer
W/S Extension District	590.00	Thiele Geotech, Inc.
New Well	428.00	Thiele Geotech, Inc.
Deposits	100.00	Matthew Guenther
Deposits	100.00	Larry Whalen
Deposits	100.00	Kevin Sherman
Deposits	100.00	Kevin Stanosheck
Deposits	100.00	Rick Fryar
Deposits	100.00	Matthew Szymczak
Deposits	100.00	Paul Barta
<b>TOTAL WATER</b>	<b>13,563.36</b>	

Office Supplies	43.70	Office Depot
Testing	71.72	Midwest Laboratories
W/S Extension District	2,822.50	JEO Consulting Group, Inc.
Supplies-Other	2.18	B & B Pit Stop
Fuel	136.77	Conoco
R&M Bldg-Commodities	12.23	Stander & Stander Ace Hardware
W/S Extension District	1,702.51	Westover Rock & Sand, Inc.
Health Insurance	176.52	Assurant Health
Telephone	58.49	NT&T
Insurance	922.71	Miller Monroe Co.
W/S Extension District	590.00	Thiele Geotech, Inc.
<b>TOTAL SEWER</b>	<b>6,539.33</b>	

R&M Streets&Alleys- Contractual	190.03	OPPD
Supplies - Office	25.18	Office Depot
Uniform Allowance	87.08	AmeriPride Linen & Apparel Services
Natural Gas	57.26	Metropolitan Utilities District
Fuel	134.88	Conoco
Supplies-Shop	13.47	Stander & Stander Ace Hardware
R&M Equipment- Contractual	75.00	Larry Nolte Repair
Health Insurance	842.58	Assurant Health
Telephone	43.18	NT&T
Insurance	922.72	Miller Monroe Co.

Education	52.46	Allen Post
R&M Equip-Contractual	278.00	Mobile Communications
<b>TOTAL STREET</b>	<b>2,721.84</b>	

Estimated Payroll        \$22,369.01

Motion by Thayer, seconded by Latham, the bills be allowed and warrants drawn on the treasury in payment of same. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 3. The City Administrator gave department reports. Sullivan updated Council on the Sarpy County 150<sup>th</sup> Anniversary activities. Russ Zeeb, Sarpy County Ag Society Secretary and representative, informed the Council that the Sarpy County Ag Society wished to go on record that they had agreed to grant a hike/bike trail easement across their property at no cost for the easement contingent on the City moving the existing water hydrant at the city's expense should the hydrant need to be moved.

Agenda Item 4. Lt. Russ Zeeb, Sarpy County Sheriff's Department, gave the department report.

Agenda Item 5. Motion by Sullivan, seconded by Thayer, to approve well construction project 554W18 pay application 2 to Gen-Mech Contracting Inc. in the amount of \$63,691.56. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 6. Motion by Sullivan, seconded by Latham, to approve 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts Change Order 1. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 7. Motion by Sullivan, seconded by Thayer, to approve 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts pay application 3 and final for \$18,043.00. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 8. Motion by Sullivan, seconded by Latham, to accept 2006-01 1<sup>st</sup> Street Water and Sewer Extension Districts. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 9. Motion by Sullivan, seconded by Thayer, to approve trail construction pay application 2 to CYC Construction in the amount of \$13,387.78. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 10. Motion by Thayer, seconded by Latham, to approve the Mayors reappointments of Shirley Buskirk, Patricia Iske, Joann Ostransky and Lyn Erhart to the Springfield Memorial Library Board, term to expire in 2010. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 11. Motion by Thayer, seconded by Latham, to authorize the City Administrator to negotiate municipal boundaries between Springfield and Papillion. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 12. Bill Seidler, Jr., City Attorney was available for the discussion of Resolution 2006-15. Motion by Latham, seconded by Hayes, to table Resolution 2006-15 until the next meeting to allow the City Administrator to do additional research and editing with the assistance of an independent council; defining applicable employment categories and allowing due process for employees. AYES: Sullivan, Latham, Thayer, Hayes. NAYS: None.

Agenda Item 13. Sullivan offered Resolution 2006-16.

RESOLUTION 2006-16

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

WHEREAS, the City of Springfield reserves the right to establish and update personnel policies and procedures which are within their legal authority; and

WHEREAS, the Nebraska Wage payment and Collection Act provides for just compensation of benefits to employees; and

WHEREAS, due to recent Supreme Court decisions relative to benefits to an employee upon termination; and

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

1. The City of Springfield Employee Handbook Section 307 entitled "Sick Leave Benefits" shall be amended to read as follows:

The City of Springfield provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- \* Regular full-time employees
- \* Regular part-time employees

Eligible employees will accrue sick leave benefits at a rate based upon weekly hours scheduled; normally scheduled hours per week = hours per year of sick leave earned. For example: An employee scheduled for 40 hours per week receives 40 hours per year of sick leave. An employee scheduled for 30 hours per week receives 30 hours per year of sick leave. Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Paid sick leave can be used in minimum increments of one-half day. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be requested verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 10 times his/her annual sick leave benefit. If the employee's benefits reach this maximum, all additional time will be

converted to vacation time at a rate of 2 hours sick leave to 1 hour vacation. This vacation time is subject to the guidelines under "Vacation Benefits."

~~Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.~~

Upon termination of employment, employees will be paid for unused sick leave time that has been earned through the last day of work.

Note: See also Bereavement Leave and Personal Time.

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

Introduced and Passed November 7th, 2006.

Ayes   4  

Nays   0  

Abstain   0  

Absent   0  

Approved:

\_\_\_\_\_  
Mayor

SEAL

Attest:

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

Latham 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 14. There was no executive session.

Agenda Item 15. There was no executive session action.

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

Meeting was adjourned at 8:40 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 November 7, 2006.

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

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

\_\_\_\_\_ Councilman