



CITY COUNCIL AGENDA

Tuesday, November 21, 2023 at 7:00 p.m.
Springfield City Hall
170 North 3rd Street

CALL TO ORDER

- Public announcement that a copy of the Nebraska Open Meetings Law is posted in the entry to the meeting room
- Roll call
- Pledge of Allegiance

CONSENT AGENDA

1. Approve Minutes of the November 7, 2023, Council Meeting
2. Approve Claims
3. Treasurer's Report
4. Approve Change Order No. 2 adding \$46,597.70 to the total project cost of the Municipal Water Well and Improvements Project and extending the substantial completion date to 1/31/24 and final completion date to 3/13/24

REGULAR AGENDA

1. Consider approval of Highway Corridor Overlay District Design Review for National Luxury Motors at 15785 Hwy 50
2. Consider approval of a quote from Midwest ROW for preparation of an appraisal report on the soccer field complex at the northeast corner of Hwy 50 and Platteview Road
3. Consider approval of **Resolution 2023-23** entering into a Retainer Agreement with Napoli Shkolnik PLLC to prosecute any legal claim for negligence or other viable causes of action against any and all parties, individuals, and/or corporations that are found to be liable under the law for injuries and/or property damages suffered by the City of Springfield or its members arising out of the contamination of water supplies by PFAS/PFOAs, 1,4 Dioxane and other emerging hazardous contaminants
4. Consider approval of **Resolution 2023-24** entering into a Maintenance Agreement Renewal with the Nebraska Department of Transportation for the period January 1, 2024, to December 31, 2024

5. Review architectural rendering and layout for a new City Hall and Community Center and discuss next steps
6. Review design for a new electronic sign at the corner of Main and Railroad Streets and discuss next steps
7. Review draft Agreement between Springfield Baseball Association, Springfield Platteview School District and the City of Springfield regarding operation and maintenance of the baseball field at Buffalo Park
8. Consider a \$0.75 pay increase to Bryan Cherry, Street Commissioner, for earning his water license
9. Consider a \$0.75 pay increase to Tyler Holdorf, Parks Director, for earning his water license

DEPARTMENT REPORTS

1. Water & Sewer Department – Mike Neitzel
2. Library & Community Building – Michael Herzog
3. Parks Department – Kacie Murtha
4. Street Department – Dan Craney
5. Mayor’s Report – Bob Roseland
6. City Staff Reports

The Mayor and City Council reserve the right to adjourn into executive session per Section 84-1410 of the Nebraska Revised Statutes.

ADJOURNMENT

A regular meeting of the Mayor and Council of the City of Springfield, Nebraska was held at 7:00 o’clock p.m. on Tuesday, November 21, 2023, at City Hall. Present were Mayor Bob Roseland; Council Members: Mike Neitzel, Michael Herzog, Kacie Murtha, Dan Craney. 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. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public. The Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

Consent Agenda

Motion by Herzog, seconded by Neitzel, to approve the Consent Agenda. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Claims:

Check #	Account ID	Account Description	Debit Amount	Name
General				
EFTPS 11/8/23	6084-10-10	Aflac-Gen	369.42	Aflac
EFTPS 11/14/23	7270-10-10	Insurance-Gen	319.35	Nebraska Assigned Risk Pool
47769	6080-10-10	Health Insurance-Gen	146.17	PLIC - SBD Grand Island
EFTPS	7045-10-10	Prof Svcs-Tech Support-Gen	2,760.00	Sage Software
Total			3,594.94	
Library				
EFTPS 11/14/23	7270-20-10	Insurance-Lib	139.49	Nebraska Assigned Risk Pool
47769	6080-20-10	Health Insurance-Lib	100.03	PLIC - SBD Grand Island
Total			239.52	
Park				
EFTPS 11/14/23	7270-30-10	Insurance-Park	205.56	Nebraska Assigned Risk Pool
47769	6080-30-10	Health Insurance-Park	107.02	PLIC - SBD Grand Island
Total			312.58	
Community Building				
47767	8030-40-10	Supplies-Community Bldg	95.01	Menards
EFTPS 11/14/23	7270-40-10	Insurance-Community Bldg	108.29	Nebraska Assigned Risk Pool
Total			203.30	
Water				
EFTPS 11/8/23	6084-50-20	Aflac-Water	29.12	Aflac
EFTPS 11/14/23	7270-50-20	Insurance-Water	341.37	Nebraska Assigned Risk Pool
47769	6080-50-20	Health Insurance-Water	78.26	PLIC - SBD Grand Island
47768	7330-50-20	Telephone-Water	49.65	Verizon Wireless
Total			498.40	
Sewer				
EFTPS 11/8/23	6084-60-30	Aflac-Sewer	29.12	Aflac
EFTPS 11/14/23	7270-60-30	Insurance-Sewer	256.95	Nebraska Assigned Risk Pool
47769	6080-60-30	Health Insurance-Sewer	78.25	PLIC - SBD Grand Island
47768	7330-60-30	Telephone-Sewer	8.61	Verizon Wireless
Total			372.93	
Street				
EFTPS 11/14/23	7270-70-40	Insurance-Street	464.33	Nebraska Assigned Risk Pool
47769	6080-70-40	Health Insurance-Street	127.92	PLIC - SBD Grand Island
47768	7330-70-40	Telephone-Street	8.61	Verizon Wireless
Total			600.86	

City Treasurer reported a balance on hand of \$3,476,532.69 in cash assets; Prestige Treasury-\$207,708.83; Prestige Bond-\$1,355,758.97; Keno Community Betterment-\$466,147.28; Keno Progressive Jackpot-\$50,255.94; Water Deposit Savings-\$4,232.83; Refundable Deposit Savings-\$1,235.81; Water Tower Savings-\$323,093.63; Sewer Restricted-\$326,941.64; Water Capital Facilities Fees-\$172,095.30; Sewer Capital Facilities Fees-\$1,134,265.94; City Sales Tax-\$9,093,351.95; Money Mark Library Bricks-\$977.09; Government Securities-\$120,053.80; Library Savings-\$1,644.89; ASIP Pinnacle-\$1,976,211.50; Time Certificates as follows: Bond-\$80,527.07; Tower-\$60,304.77; Water-\$132,377.09; Library Restricted-\$33,631.08; Cash Receipts-\$322,675.11; Cash Disbursements-\$193,839.70.

Agenda Item 1. Motion by Neitzel, seconded by Herzog, to approve the Highway Corridor Overlay District Design Review for National Luxury Motors at 15785 Hwy 50 contingent upon the applicant meeting the following conditions: (1) employee and customer parking spaces shall be striped and marked for parking – three customer parking spaces on the south side of the building and four shared employee/customer parking spaces on the north side of the building; (2) adequate area shall be provided for customer turn around on-site on the southern portion of the site; (3) required landscaping shall be maintained with live plants and grass as illustrated; and (4) signage is not permitted on the north side of the canopy (non-street frontage or side yard) and no sign lighting is planned. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 2. Motion by Murtha, seconded by Herzog, to approve a quote from Midwest ROW in an amount not to exceed \$6,525.00 for preparation of an appraisal report on the soccer field complex at the northeast corner of Hwy 50 and Platteview Road. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 3. Bill Seidler, Jr., City Attorney, recommended this agenda item be moved into executive session since it involves litigation. Motion by Neitzel, seconded by Craney, to move agenda item 3, regarding approval of Resolution 2023-23 entering into a Retainer Agreement with Napoli Shkolnik PLLC, into executive session. AYES: Neitzel, Herzog, Murtha, Craney. NAYS: None. Motion carried.

Agenda Item 4. Council Member Herzog introduced Resolution 2023-24 and moved its adoption. Council Member Murtha seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Neitzel, Herzog, Murtha, Craney. The following voted NAY: None. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2023-24**

Nebraska Department of Transportation Maintenance Agreement Renewal

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 Maintenance Agreement No. 120 Renewal for the purpose of performing surface maintenance and snow removal along Highway 50 lane miles within the Corporate Limits of the City of Springfield; and

WHEREAS, the Agreement shall be for the period January 1, 2024, thru December 31, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into Maintenance Agreement No. 120 Renewal attached hereto as Exhibit "A".

Introduced and Passed this 21st day of November, 2023.

City Council Member Herzog moved the adoption of said resolution.
City Council Member Murtha seconded the motion.

Record of Vote:

Ayes: Neitzel, Herzog, Murtha
Nays: Craney
Abstain: None
Absent: None

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor
SEAL
Attest: Kelly Shemek, City Clerk

Mike Herzog left the Council meeting at 7:41 p.m.

Agenda Item 5. Council reviewed the architectural rendering and layout for a new City Hall and Community Center which would be located on the city owned vacant block off Main Street between 1st and 2nd Streets. Council agreed they like the beige color scheme better than the charcoal color scheme as it would blend in with the existing downtown architecture. Kathleen Gottsch, City Administrator, noted that as a wrap-up to the programming and preliminary design study phase, JEO will complete an opinion of probable cost for the new facility and provide us with final deliverables of drawings and images. They will also provide us with an opinion of probable construction cost for renovating the existing City Hall based on a cost per square foot of the building including building systems.

Agenda Item 6. Based on the color selection for the future new City Hall, Council decided to use beige brick on the new electronic sign, as well as the new logo that was approved at the November 7 Council meeting.

Agenda Item 7. Gottsch submitted a draft agreement between the city, Springfield Platteview School District, and Springfield Baseball Association (SBA) regarding the operation and maintenance of the baseball field at Buffalo Park for Council's review. Council found the agreement to be acceptable and requested Gottsch submit it to the School District and SBA for their review. Once all parties have had a chance to review the agreement, it will be presented to the individual boards for final approval.

Agenda Item 8. Motion by Craney, seconded by Murtha, to give Bryan Cherry, Street Commissioner, a \$0.75/hour pay increase for obtaining his water license. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Agenda Item 9. Motion by Murtha, seconded by Craney, to give Tyler Holdorf, Parks Director, a \$0.75/hour pay increase for obtaining his water license. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Department Reports

Agenda Item 1. Neitzel reported that the water and sewer departments are running well.

Agenda Item 2. No Department Report from Herzog.

Agenda Item 3. Murtha reported that the Making Spirits Bright tree lighting and parade had a great turnout despite the wet weather. Murtha was also delighted to do the piece that was aired on Channel 3 news in regard to the communication boards in Buffalo and City Parks.

Agenda Item 4. Craney reported that the street department is ready for the first snow.

Agenda Item 5. Mayor Roseland reported that he has been busy with Sewer Agency meetings.

Agenda Item 6. Gottsch reported that the Sewer Agency rate study is progressing. She asked Craney to meet up with Elliott Smart, Director of Buildings, Vehicles and Equipment, to discuss the sound proofing and basement floor projects Craney requested for the Community Building. Gottsch noted that we received all safety supplies. She informed the Council that the Sarpy County Board is having a meeting next week to consider golf cars.

Executive Session

Motion by Murtha, seconded by Craney, to enter into executive session at 8:07 p.m. for the purpose of litigation. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Motion by Murtha, seconded by Neitzel, to leave executive session at 8:16 p.m. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Motion carried.

Council Member Craney introduced Resolution 2023-23 and moved its adoption. Council Member Murtha seconded the foregoing motion and on roll call on the passage and adoption of said resolution, the following voted YEA: Neitzel, Murtha, Craney. The following voted NAY: None. The following were ABSENT: Herzog. Whereupon the Mayor declared said motion carried and said resolution passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION
2023-23**

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, (hereinafter "City") and Napoli Shkolnik PLLC, Attorneys at Law, (herein after "Law Firm") wish to enter into a Retainer Agreement through which Napoli Shkolnik PLLC shall act as the City's attorneys to prosecute any legal claim for negligence (or other viable causes of action) against any and all parties, individuals, and/or corporations that are found to be liable under the law for injuries and/or property damages suffered by the City and/or our members arising out of the contamination of water supplies by per- and polyfluoroalkyl and related substances (PFAS/PFOA), 1,4 Dioxane and other emerging hazardous contaminants; and

WHEREAS, the City and Law Firm agree that the Law Firm shall be paid twenty-five percent (25%) of the sum recovered, whether by suit, settlement or otherwise; and

WHEREAS, in the event of no recovery, the City shall not be obligated to pay the Law Firm a legal fee or disbursements for services rendered; and

WHEREAS, the contingency fee shall be computed on the gross recovery, resulting in a net settlement or judgment, from which all appropriate disbursements in connection with the institution and prosecution of this claim is deducted as identified in the Retainer Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Springfield, Nebraska that the Mayor is authorized to enter into the Retainer Agreement for legal services attached hereto as Exhibit "A".

PASSED AND APPROVED THIS 21ST DAY OF NOVEMBER, 2023.

City Council Member Craney moved the adoption of said resolution.
City Council Member Murtha seconded the motion.

Record of Vote:

Ayes: Neitzel, Murtha, Craney

Nays: None

Abstain: None

Absent: Herzog

Resolution adopted, signed and billed as adopted.

Approved: Robert Roseland, Mayor

SEAL

Attest: Kelly Shemek, City Clerk

Adjournment

Motion by Craney, seconded by Neitzel, to adjourn. AYES: Neitzel, Murtha, Craney. NAYS: None. ABSENT: Herzog. Meeting adjourned at 8:17 p.m. Motion carried.

I, the undersigned, City Clerk for the City of Springfield, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on November 21, 2023; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kelly Shemek
City Clerk