

CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk met in regular session in the Council Chambers, 309 Madison Avenue, Norfolk, Nebraska on the 18th day of July, 2005, beginning at 7:30 p.m.

Mayor Gordon Adams called the meeting to order. Roll call found the following Councilpersons present: Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss, and Saunders. Absent: None.

Staff members present were: City Administrator Mike Nolan, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Finance Officer Randy Gates, Fire Chief Shane Weidner, Building Official Steve Nordhues, and Records Supervisor Sue Beckman.

The Mayor presided and the City Clerk recorded the proceedings.

Notice of the meeting was given in advance thereof by publication in the Norfolk Daily News, Norfolk, Nebraska, the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and agenda is attached to the 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.

Councilwoman Kaspar-Beckman moved, seconded by Councilman Fauss to correct a typo in consent agenda Item G-3 changing the date from August 26, 2005 to August 19, 2005 and to approve the consent agenda with the correction. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilman Lange moved, seconded by Councilman Leshovsky to adopt the regular agenda as printed. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Honorable Patrick G. Rogers administered the oath of office to newly elected official Erik L. Wilson, 901 South Birch Street, as Council representative for Ward 4. Wilson replaces Wisnieski who resigned on July 5, 2005 after moving outside the city limits.

Following the swearing in of the newly appointed official, the Mayor requested roll call be taken. Roll call found the following Councilpersons present: Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss, and Saunders. Absent: None.

Councilman Wilson voiced a desire to abstain on all agenda items for this meeting.

SPECIAL PRESENTATION

The Mayor presented the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for fiscal year ending September 30, 2005 to Finance Officer Randy Gates. This is the twelfth consecutive year the City of Norfolk has received the award. The Distinguished Budget Presentation Awards Program is an international awards program for governmental budgeting established in 1984 to encourage exemplary budgeting practices. In order to receive the award, the budget document must be proficient as a policy document, a financial plan, an operations guide and a communications device.

CONSENT AGENDA

The City Council approved the minutes of the July 5, 2005 City Council meeting.

The City Council adopted Resolution No. 2005-45 approving the final plat of **College View 5th** Addition and authorizing the Mayor to sign the accompanying subdivision agreement. This seventeen lot subdivision is a continuation of the College View Subdivision continuing Sheridan

Drive to the west.

The City Council adopted Resolution No. 2005-46 approving the final plat of **Eldorado Hills 16th** Subdivision and authorizing the Mayor to sign the accompanying subdivision agreement. This five lot subdivision abuts Eldorado Hills Golf Course. Four of the lots are designated for townhouses.

The City Council adopted Resolution No. 2005-48 declaring the City's official intent under Internal Revenue Code regulations to incur indebtedness for the Elkhorn Valley **Ethanol** Drainage Project. The preliminary cost estimate for drainage in the area is \$3,000,000.

The City Council adopted Resolution No. 2005-49 declaring the City's official intent under Internal Revenue Code regulations to incur indebtedness for **Paving** District No. 490.

The City Council approved the Mayor's reappointment of Tom Dover, Jr. to serve on the Norfolk Public **Library** Advisory Board.

The City Council approved and authorized the Mayor to sign Change Order No. 1 with Penro Construction Company for the Water Main Extension to Madison County **SID #5** project. The change order results in a net increase of \$3,409.51.

The City Council approved a Special Designated Liquor License for Soda Crackers, Inc., dba **Country Kitchen**, to sell beer and wine in Country Kitchen's parking lot on Friday, August 19, 2005 for an outdoor gathering of motorcycle club members.

The City Council approved and authorized the Mayor to sign an Addendum to Letter Form Agreement with JEO Consulting Group, Inc., for engineering services for final design, bidding and construction phases of the water transmission main extension to Madison County **SID #5**. The Addendum results in an increase of \$1,900.

The City Council approved and authorized the Mayor to sign Change Order No. 1 with Western Roofing Co. for the Auditorium Roof Repair project. The change order results in a net decrease of \$762.10.

The City Council approved the Corporate Manager Application of Bree Primrose in connection with the Class D liquor license of **ABC Texaco**, Inc., dba ABC Texaco, 1220 North 1st Street.

The City Clerk was authorized to advertise for bids for a Water Division **garage**.

The City Council approved and authorized the Mayor to sign an agreement with the Northeast Nebraska Shooting Association to use the City Auditorium for its annual **gun show** on September 9, 10 and 11, 2005.

The City Council approved and authorized the Mayor to sign an agreement with Jeffrey Brian **Jones** and Carol Ann Jones for extension of **Oak Street** and Spruce Avenue over a portion of property owned by the Joneses. The agreement provides for the City to acquire property necessary for the extension of Oak Street.

The City Council approved and authorized the Mayor to sign an agreement with **Wells Fargo** Home Mortgage for the extension of Oak Street and Spruce Avenue over a portion of property owned by Jeffrey Brian **Jones** and Carol Ann Jones.

The City Council approved all bills on file in the amount of \$1,079,582.03.

REGULAR AGENDA

A public hearing was held to consider annexation of land located in the Southeast ¼ of the Northwest ¼ of Section 16, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska (west of College View and north of Briarwood Estates). Public Works Director Dennis Smith provided information to the Mayor and City Council. A financial impact study completed by Finance Officer Randy Gates indicates the **annexation** will have a positive net financial impact on the City of Norfolk.

No one appeared either in favor of or in opposition to the proposed annexation and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4813 annexing a tract of land located in the Southeast ¼ of the Northwest ¼ of Section 16, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska (west of College View and north of Briarwood Estates).

Councilwoman Kaspar-Beckman introduced Ordinance No. 4813 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO ANNEX TO SAID CITY A PART OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, MADISON COUNTY, NEBRASKA and moved that the ordinance be passed on first reading. Councilman Lange seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4813 passed on first reading only.

Public hearings were held simultaneously to consider a zoning change from R-3 (Multiple Family Residential District) to C-3 (Service Commercial District) in the 700-800 block of **Glenwood** Boulevard and a final Planned Development (P.D.) on the west side of Glenwood Boulevard at the request of **Wingate** Management Co., L.L.C. Fire Chief Shane Weidner provided information to the Mayor and City Council. Wingate Management wishes to develop storage units and townhouses on the property. Access is from Glenwood Boulevard.

On April 5, 2005, the Norfolk Planning Commission held public hearings regarding Wingate Management's requests. The City Clerk read the Planning Commission's recommendations for approval into the record.

No one appeared either in favor of or in opposition to the zoning change and final Planned Development and the Mayor declared the hearings closed.

The Mayor requested consideration of Ordinance No. 4814 approving a zoning change from R-3 (Multiple Family Residential District) to C-3 (Service Commercial District) in the 700-800 block of Glenwood Boulevard at the request of Wingate Management Co., L.L.C.

Councilman Fauss introduced Ordinance No. 4814 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilwoman Kaspar-Beckman seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4814 passed on first reading.

Councilwoman Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilman Brenneman seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilwoman Kaspar-Beckman moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Brenneman. The Mayor then stated the question "Shall Ordinance No. 4814 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4814 as required by law.

The Mayor requested consideration of Ordinance No. 4815 approving a final Planned Development (P.D.) on the west side of Glenwood Boulevard at the request of Wingate Management Co., L.L.C.

Councilman Lange introduced Ordinance No. 4815 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO DESIGNATE A PLANNED DEVELOPMENT OVERLAY DISTRICT ON PROPERTY OWNED BY WINGATE MANAGEMENT CO., L.L.C. IN THE 700-800 BLOCK OF GLENWOOD BLVD.; TO APPROVE THE FINAL PLAN; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Van Dyke seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4815 passed on first reading.

Councilman Brenneman moved that the statutory rule requiring reading on three different days be suspended. Councilman Fauss seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilman Brenneman moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Fauss. The Mayor then stated the question "Shall Ordinance No. 4815 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4815 as required by law.

A public hearing was held to consider an amendment to **Fox Ridge** Estates Planned Development located on 34th Street. The amendment is requested by Kerry and Barbara Werner. Fire Chief Shane Weidner provided information to the Mayor and City Council. The amendment realigns Prospect Avenue and provides for larger lots in the north part of the development.

On June 7, 2005, the Norfolk Planning Commission held a public hearing regarding Werner's request. The City Clerk read the Planning Commission's recommendation for approval into the record.

No one appeared either in favor of or in opposition to the Planned Development amendment and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4816 amending Fox Ridge Estates Planned Development on 34th Street north of Fox Ridge Estates, Phase 1.

Councilman Van Dyke introduced Ordinance No. 4816 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA, BY REVISING A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT PLAN; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Lange seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4816 passed on first reading.

Councilman Van Dyke moved that the statutory rule requiring reading on three different days be

suspended. Councilman Leshovsky seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilman Van Dyke moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Leshovsky. The Mayor then stated the question "Shall Ordinance No. 4816 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4816 as required by law.

A public hearing was held to consider a **zoning** change from A (Agricultural District) to R-R (Rural Residential District) on property located on North 25th Street, three quarters of a mile north of Eisenhower Avenue. The change is requested by Gerald and Paula Starkel. Building Official Steve Nordhues provided information to the Mayor and City Council. The Starkels want to subdivide the property and sell off a 10-acre parcel.

On July 6, 2005, the Norfolk Planning Commission held a public hearing regarding Starkels' request. The City Clerk read the Planning Commission's recommendation for approval into the record.

No one appeared either in favor of or in opposition to the zoning change and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4817 approving a **zoning** change from A (Agricultural District) and R-R (Rural Residential District) located on North 25th Street, three quarters of a mile north of Eisenhower Avenue at the request of Gerald and Paula **Starkel**.

Councilman Leshovsky introduced Ordinance No. 4817 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilwoman Kaspar-Beckman seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4817 passed on first reading.

Councilwoman Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilman Fauss seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilwoman Kaspar-Beckman moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Fauss. The Mayor then stated the question "Shall Ordinance No. 4817 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4817 as required by law.

Public hearings were held simultaneously to consider an amendment to the Comprehensive Plan

from agricultural to rural residential and a zoning change from A (Agricultural District) to R-R (Rural Residential District) on 80 acres of property located east of Norfolk along **Grandview** Drive. The amendment and zoning change are requested by Kurtis and Regina Krueger. Fire Chief Shane Weidner provided information to the Mayor and City Council. The Kruegers wish to develop a 20 lot subdivision of rural residential dwellings on three acre lots.

On July 6, 2005, the Norfolk Planning Commission held public hearings regarding the Kruegers' request. The City Clerk read the Planning Commission's recommendations for approval into the record.

No one else appeared either in favor of or in opposition to the amendment to the Comprehensive Plan and zoning change and the Mayor declared the hearings closed.

The Mayor requested consideration of Ordinance No. 4818 amending the Comprehensive Plan from agricultural to rural residential on 80 acres east of Norfolk along Grandview Drive.

Councilman Van Dyke introduced Ordinance No. 4818 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Brenneman seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4818 passed on first reading.

Councilwoman Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilman Fauss seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilwoman Kaspar-Beckman moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Fauss. The Mayor then stated the question "Shall Ordinance No. 4818 be passed and adopted? Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4818 as required by law.

The Mayor requested consideration of Ordinance No. 4819 approving a zoning change from A (Agricultural District) to R-R (Rural Residential District) east of Norfolk on 80 acres along **Grandview** Drive at the request of Kurtis and Regina Krueger.

Councilman Lange introduced Ordinance No. 4819 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Leshovsky seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4819 passed on first reading.

Councilman Fauss moved that the statutory rule requiring reading on three different days be suspended. Councilman Lange seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilman Fauss moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Lange. The Mayor then stated the question "Shall Ordinance No. 4819 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4819 as required by law.

A public hearing was held to consider a **zoning** change from R-1 (Single Family Residential District) to R-3 (Multiple Family Residential District) at 1507 Glenmore Road at the request of Bel Aire, L.L.C. Fire Chief Shane Weidner provided information to the Mayor and City Council. Owners of the property want to sell one of the three apartment buildings. This portion is not zoned for its use and the zoning change will bring the property into compliance.

On July 6, 2005, the Norfolk Planning Commission held a public hearing regarding **Bel Aire**, L.L.C.'s request. The City Clerk read the Planning Commission's recommendation for approval into the record.

No one appeared either in favor of or in opposition to the zoning change and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4820 approving a zoning change from R-1 (Single Family Residential District) to R-3 (Multiple Family Residential District) at 1507 Glenmore Road at the request of Bel Aire, L.L.C.

Councilman Lange introduced Ordinance No. 4820 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilwoman Kaspar-Beckman seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4820 passed on first reading.

Councilman Leshovsky moved that the statutory rule requiring reading on three different days be suspended. Councilman Van Dyke seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilman Leshovsky moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Van Dyke. The Mayor then stated the question "Shall Ordinance No. 4820 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4820 as required by law.

The Mayor requested consideration of Ordinance No. 4821 authorizing issuance of \$630,000 of **various purpose bonds** for permanent financing of Paving Districts 481, 482, 483, 484, 485, 486, 487, and 488 and Sanitary Sewer Extension District No. 245. The City Council received the engineer's certificate of completion in accordance with the contract and the plans and specifications for Sanitary Sewer Extension District No. 245. The certificate of completion was included in the agenda packet.

Finance Officer Randy Gates explained the bond proceeds pay the 2003 and 2004 bond anticipation notes issued for construction period financing for these districts.

Councilwoman Kaspar-Beckman introduced Ordinance No. 4821 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS OF THE CITY OF NORFOLK, NEBRASKA, IN THE PRINCIPAL AMOUNT OF SIX HUNDRED THIRTY THOUSAND DOLLARS (\$630,000) FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING STREETS AND INTERSECTIONS IN PAVING DISTRICT NOS. 481, 482, 483, 484, 485, 486, 487 AND 488; AND PAYING THE COST OF SEWER IMPROVEMENTS IN SANITARY SEWER EXTENSION DISTRICT NO. 245; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Fauss seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Ordinance No. 4821 passed on first reading.

Councilman Van Dyke moved that the statutory rule requiring reading on three different days be suspended. Councilman Brenneman seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilman Van Dyke moved that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance which motion was seconded by Councilman Brenneman. The Mayor then stated the question "Shall Ordinance No. 4821 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 4821 as required by law.

The Mayor requested consideration of Resolution No. 2005-41 approving the final plat of **Centre Ridge Village** First Addition at the request of Wingate Management L.L.C. This is a four lot subdivision located south of Pasewalk Avenue on the west side of Glenwood Boulevard.

Councilman Leshovsky moved for adoption of Resolution No. 2005-41 approving the final plat of Centre Ridge Village First Addition and authorizing the Mayor to sign the accompanying subdivision agreement, seconded by Councilwoman Kaspar-Beckman. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Resolution No. 2005-41 was adopted.

The Mayor requested consideration of Resolution No. 2005-42 approving the final plat of **Fox Ridge** Estates Phase II and the accompanying subdivision agreement at the request of Kerry and Barbara Werner. This is a sixteen lot subdivision.

Councilman Fauss moved for adoption of Resolution No. 2005-42 approving the final plat of Fox Ridge Estates Phase II and authorizing the Mayor to sign the accompanying subdivision agreement, seconded by Councilman Brenneman. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Resolution No. 2005-42 was adopted.

The Mayor requested consideration of Resolution No. 2005-43 approving the final plat of **Starkel's** Addition and authorizing the Mayor to sign the accompanying subdivision agreement. Starkel's Addition is located three quarters of a mile north of Eisenhower Avenue on North 25th Street. Gerald E. and Paula R. Starkel request this two-lot subdivision.

Councilman Lange moved for adoption of Resolution No. 2005-43 approving the final plat of Starkel's Addition located three quarters of a mile north of Eisenhower Avenue on North 25th Street and authorizing the Mayor to sign the accompanying subdivision agreement, seconded by Councilman Van Dyke. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Resolution No. 2005-43 was adopted.

The Mayor requested consideration of Resolution No. 2005-44 approving a **sidewalk waiver** for property located on North 25th Street, three quarters of a mile north of Eisenhower Avenue (**Starkel's** Addition) at the request of Gerald E. and Paula R. Starkel.

Councilman Brenneman moved for adoption of Resolution No. 2005-44 approving a sidewalk waiver located on North 25th Street, three quarters of a mile north of Eisenhower Avenue (Starkel's Addition) at the request of Gerald E. and Paula R. Starkel, seconded by Councilwoman Kaspar-Beckman. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Resolution No. 2005-44 was adopted.

The Mayor requested consideration of Resolution No. 2005-47 approving the submission of the question of whether the City of Norfolk issue **water park** bonds, to be paid for with property taxes, to Norfolk voters at a special election on September 13, 2005.

Councilwoman Kaspar-Beckman moved for adoption of Resolution No. 2005-47 providing for the submission of the question of whether the City of Norfolk issue water park bonds, to be paid for with property taxes, to voters of Norfolk at a special election on September 13, 2005, seconded by Councilman Leshovsky. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried. Resolution No. 2005-47 was adopted.

The Mayor requested consideration of approval to authorize the Chief of Police to sign Nebraska Crime Commission contract Number CC-05-300 for receipt of \$48,000 to provide **mobile data computers** and related equipment in six police patrol cruisers.

Councilman Van Dyke moved, seconded by Councilwoman Kaspar-Beckman authorizing the Chief of Police to sign Nebraska Crime Commission contract Number CC-05-300 for receipt of \$48,000 to provide **mobile data computers** and related equipment in six police patrol cruisers. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried.

No comments were received regarding the monthly commercial and industrial building permit report for June 2005 or the Works-In-Progress report for the period June 29 through July 12, 2005. Both reports were included in the agenda packets.

Councilman Fauss moved, seconded by Councilwoman Kaspar-Beckman to adjourn the meeting at 8:19 p.m. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Abstaining: Wilson. Motion carried.

Gordon D. Adams
Mayor

ATTEST:

Elizabeth A. Deck
City Clerk

(S E A L)

I, the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original

document of proceedings of Monday, July 18, 2005, had and done by the Mayor and Council; that all of the subjects included in the proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to the 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 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.

Elizabeth A. Deck
City Clerk

(S E A L)