

## 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 19th day of September, 2005, beginning at 7:30 p.m.

Following a moment of silence and the Pledge of Allegiance, Mayor Gordon Adams called the meeting to order. Roll call found the following Councilpersons present: Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, 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, Wastewater Superintendent Todd Boling, Transportation, Building & Grounds Director Jim Koch, Library Director Ted Smith, Water & Sewer Director Dennis Watts, Information Systems Manager Jim McKenzie, Housing Director Sheila Miller, Finance Officer Randy Gates, Fire Chief Shane Weidner, Police Chief Bill Mizner, Prevention Manager Scott Cordes and Solid Waste Manager Gary Lund.

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.

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

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

### CONSENT AGENDA

The City Council approved the minutes of the September 6, 2005 City Council meeting as printed.

The City Council approved excluding a tract of real estate from the designated **county industrial** tract at the request of Paul **Medelman**, dba Elkhorn Construction Company. The property is located in the Northwest 1/4 and part of the West 1/2 of the Northeast 1/4 of Section 3, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska.

The City Council approved and authorized the Mayor to sign an agreement with Joel M. and Denise L. Dendinger for extension of **Oak Street** and Spruce Avenue over a portion of property owned by the Dendingers. The City is acquiring property necessary to extend Oak Street and Spruce Avenue. The cost for the acquisition is forgiveness of the paving assessment along Spruce Avenue plus a cash payment of \$5,000.

The City Council approved and authorized the Mayor to sign Change Order No. 1 with Elkhorn Paving Construction for **Paving District No. 490** (Homewood Acres Sixth Addition) resulting in a net increase of \$374.94. The change order provides for balancing bid quantities with actual quantities.

The City Council accepted the resignation of all current **Board of Adjustment** members and reappointed all Board of Adjustment members with staggered term cycles as created by Ordinance No. 4822 and approved by the City Council on August 1, 2005. Board members and terms are as follows: Larry Dinkel, August 2006; Garry Murren, August 2006; Melissa Wentling, August 2007; Ron Stauffer, August 2007; Joyce Crowley, August 2008; and Mike Miller, August 2008.

The City Council approved a Special Designated **Liquor** License for Sacred Heart Parish to sell beer at Norfolk Catholic Schools, 2301 Madison Avenue, on Saturday, October 15, 2005, for a fundraising dinner and auction.

The City Council approved and authorized the Mayor to sign an Easement Agreement with Steven E. Shaffer, Joye B. Shaffer and Jill Annette Shaffer in the amount of \$1,620 for permanent and temporary easements to construct, build, maintain, repair and replace a utility system for **Sanitary Sewer Extension District No. 245**.

The City Council approved and authorized the Mayor to sign a \$500,000 loan to MP Global Products, LLC. The loan funds come from Community Development Block Grant funds.

The City Council approved and authorized the Mayor to sign an agreement with the **Lions Club** for the annual **LaVitsef** Day Parade on September 24, 2005. The route will be south on Riverside Boulevard/4th Street to Madison Avenue, west on Madison Avenue to 5th Street, and north on 5th Street to Walnut Avenue.

The City Council approved and authorized the Mayor to sign a purchase agreement with Virgil N. Raasch and Esther **Raasch** to buy approximately 69.5 acres of property located on the southeast corner of the intersection of Highway 275 and 49th Street for \$695,800. The property will be used for well head protection of the City's water system.

The City Council approved all bills on file in the amount of \$812,074.71.

#### REGULAR AGENDA

Public hearings were held simultaneously to review the City's FY 2005-2006 municipal and proprietary (water, sewer, solid waste) **budgets** and to receive comments regarding changing the Vehicle Parking Fund and Debt Service Fund tax requests for the 2005-2006 fiscal year from the amounts for the 2004-2005 fiscal year.

City Administrator Mike Nolan provided information to the Mayor and City Council. Nolan stated the City's web site <http://www.ci.norfolk.ne.us/> contains brief, one-page summaries of each division or fund budget updated with any changes. The City's largest General Fund revenue source is sales tax which makes up almost half of General Fund revenues. The City's sales tax growth is sluggish. The City is proposing a \$450,676 increase in property tax to partially offset the slow growth in sales tax. Nolan explained Elkhorn Valley Ethanol built a pilot ethanol facility north of Norfolk and qualified for State production incentives. The City of Norfolk, Madison County, and the ethanol plant developer will share equally in a \$3 million drainage project for the area (the Spring Branch Drainage project). The City's 1/3 share, \$1 million, is financed with flood control bonds. An \$80,000 increase in property tax is necessary for this bond issue. These increases cause the City's property tax asking to increase from \$466,724 to \$1,001,300. The Vehicle Parking District Board also voted to increase Parking District taxes by \$3,900. This increase will be used to help pay for the Downtown Improvement Program.

The City of Norfolk's personnel costs increase \$554,872 or 3.94%. The primary reason for this increase is a 3% cost of living adjustment, merit pay and a 3% increase in health insurance.

Operations and Maintenance increases \$245,648 or 3.20% due to \$340,000 budgeted in the Administration Division for the Power of Partnership payments. NPPD leases the city-owned electrical distribution system for 12% of system revenues. Historically, the City returned 2% as a credit on customers' electric bills. Beginning October 1, 2005, the City will receive the full 12% with 2% of the lease revenue being divided equally between the Norfolk Arts Center, Norfolk Community Theatre, Norfolk Family YMCA and Elkhorn Valley Museum and Research Center for the next four years.

Capital outlay decreases \$355,662 or 3.62%. The biggest decrease was in the CHAF fund. CHAF capital outlay decreased \$1,000,695 primarily due to Benjamin Avenue Reconstruction last year.

Debt Service increases \$191,625 or 8.87% primarily due to debt service on the Spring Branch drainage bonds and the 2005 special assessment bond issue.

General Fund taxes increase \$109,018 or 1.42% primarily due to the \$69,268 increase in sales tax. Property tax remains unchanged in the General Fund.

The General Fund's second largest revenue source is the NPPD electric distribution lease at \$2,910,000, an increase of \$275,294.

Licenses and permits increase \$23,550 or 9.48%. The City increased construction permit fees in November 2004 and this is the first full year under the new fee structure.

Charges for services increase \$51,842 or 4.66%. This is primarily because of a new revenue line item for concession stand revenue of \$45,235. The Recreation Division is assuming operation of the concession stand at Memorial Field. Staff estimates that net concession stand revenue will nearly equal the concession stand rental received in the past, or about \$10,000 after deduction of operating cost.

Rent and other revenue increases \$296,694 or 10.99% primarily from the increase in NPPD lease revenue for the Power of Partnership. Other interest income increases \$28,000 because of an increase from 2% to 4% in budgeted interest rate.

Non-revenue receipts increase \$247,000 or 34.31% primarily due to a \$235,000 public safety tax anticipation bond issue. Proceeds of this bond issue will purchase various public safety equipment, including replacement of the AS400 computer system and E911 system.

General Fund expenditures increase \$383,384 or 2.66%. The biggest increases are due to the public safety equipment items to be purchased with the public safety tax anticipation bond issue and \$340,000 for payments to the Power of Partnership entities. Police personnel costs also increased \$192,254 or 5.36% due to normal pay increases, a 3% cost of living adjustment and a 3% health insurance increase.

The City Highway Allocation Fund (CHAF) balance forward decreases \$723,911 due to the completion of the Benjamin Avenue project last year. Capital outlays budgeted include: street maintenance contract work, \$550,000; Nucor Road relocation, \$400,000; traffic signal on Highway 81 and Monroe Avenue, \$282,000; curb and sidewalk improvements on Norfolk Avenue, \$500,000; Oak and Spruce Avenue street improvements, \$400,000; and an access road for industrial expansion, \$225,000.

The Vehicle Parking District Board is implementing a major downtown improvement program including replacing sidewalks and landscaping, street lighting, various sidewalk amenities and a major change in downtown street design. The total cost for the project exceeds \$1,750,000 if 1st Street through 8th Street is included. Currently the downtown district runs from 1st Street through 6th Street. The project will be funded approximately one-third from special assessments, one-third from Vehicle Parking District revenues and one-third from the City Highway Allocation Fund.

The Community Development Block Grant Fund balance forward decreases \$78,304 or 67.51%. This decrease is primarily due to a \$70,000 loan expected to be made to Protient in 2004-2005 from program income.

SNARE is a drug enforcement program funded with federal grant revenues received through the Nebraska Crime Commission. Members of SNARE are the Nebraska State Patrol, Colfax, Madison, Nance, Pierce, Platte, and Polk Sheriff Departments, along with Columbus, Norfolk, Schuyler and Wayne Police Departments. The participating agencies agree to share intelligence and provide assistance to SNARE investigators as needed. SNARE services the Northeast Nebraska area with a population base in excess of 110,000. SNARE is budgeting a beginning fund balance of \$59,383 compared to \$23,646 last year, an increase of \$35,737 or 151%.

The 911 fund receives money from the monthly surcharge of \$1.00 on each local telephone line that physically terminates within the City's designated 911-telephone service area. This revenue is expected to decrease \$10,000 or 10% from the prior year due to the decreased number of local exchange lines in the City's 911-service area.

The Region 11 Emergency Management Fund was created pursuant to an interlocal agreement approved in January of 2005. This interlocal agreement between Antelope, Madison, Pierce

Counties and the City of Norfolk formed the Region 11 Emergency Management Agency providing emergency management services in these jurisdictions. Norfolk's Fire Chief is the administrator of this program and the City of Norfolk's Emergency Management Coordinator conducts the day to day activities under the agreement. Region 11 receives funding from both federal grants and contributions made by the participating agencies. Federal grant funds of \$820,764 are budgeted as well as \$93,907 of local contributions.

The Special Assessment Fund budget is consistent with the prior year with the biggest change being a \$180,000 decrease in capital outlay due to the completion of various paving and sewer projects and an \$81,875 increase in debt service due to the issuance of \$630,000 of special assessment bonds on September 1, 2005.

The Water Fund balance forward increases to over \$3.1 million due to most of the water projects budgeted in 2004-2005 not occurring. Of the \$2.5 million budgeted for water system improvements, less than \$600,000 is expected to be spent resulting in a large increase in beginning fund balance. Some of these improvements are re-budgeted next year, such as water line improvements on Eisenhower Avenue and water main improvements at Omaha Avenue and Victory Road. However, some improvements have been postponed until the City's new Water Master Plan update is completed next year. This update will consider the impact of extending water service south of the Elkhorn River which may change design of some of the projects budgeted in 2004-2005, including construction of the 20-inch main from 27th Street and Highway 275 to 13th Street and Omaha Avenue. The current year's budget reflects the 4% rate increase planned for October 1, 2005.

The Sewer Fund charges for service increase \$10,000 and reflect a 5% rate increase effective October 1, 2005. Capital outlay in the Sewer Maintenance Division decreases \$160,350 or 30.71% due a \$160,000 sewer cleaner budgeted last year. Other administration and overhead increases \$74,950 primarily due to \$50,000 budgeted for a cost of service rate study and a \$25,000 increase in cost of the Sanitary Sewer Master Plan which is re-budgeted at \$100,000 compared to \$75,000 last year.

Transfer Station tonnage has decreased substantially due to the opening of a nearby construction and demolition landfill. To partially offset the loss in tonnage, a \$1.25 per ton increase is budgeted in tipping fees with the net result being a \$195,651 decrease in use fees.

The City's budget contains a 3% increase in group health premiums.

Nolan gave a power point presentation explaining the City's budget.

Mayor Adams stated the City held a special election on September 13, 2005 for Norfolk citizens to vote on a \$10.7 million bond issue to construct a water park. A Citizens Advisory Committee was formed and spent over two years looking at aquatic needs for Norfolk. The Committee determined that renovating the existing pools will cost from \$4.5 to \$5 million and recommended construction of a new water park. The new water park was defeated at the September 13 election. The City will be considering its other options to meet aquatic recreation needs in the future.

Will Masters, 1212 Verges Avenue, has concerns with the Spring Branch Drainage project. Masters questioned whether there will be a housing development project in the area. Masters feels that if the City's budget is tight then \$1 million should not be spent on the project.

Public Works Director Dennis Smith explained the Spring Branch Drainage project is located northeast of Norfolk. The project will improve drainage for Norfolk Iron & Metal, Apache Manufacturing, David Joseph Co. and Elkhorn Valley Ethanol as well as Woodland Park residents. The project will help drain approximately 1,500 acres of land. It is a joint project between the City of Norfolk, Madison County and Elkhorn Valley Ethanol.

Lonny Miller, 304 North Hickory Street, feels the City "needs to tighten the budget." There are a lot of projects Norfolk doesn't need. Miller feels citizens should have been able to vote on where the NPPD 2% lease payment is directed. Miller feels Norfolk "needs to cut back" on spending.

Mayor Adams stated elected officials and City staff held three budget review sessions and no citizens attended the meetings. Adams said "you can't stop progress or the City will go backwards."

Miller stated progress will also stop if citizens are over-taxed. Miller stated Norfolk has “lower taxes because wages are so low”. Miller voted against the water park because of the cost.

Councilman Van Dyke questioned whether taxes may be low in Norfolk because of a lot of economic development in the City as opposed to other cities. Van Dyke feels previous elected officials spent a lot of time and effort making Norfolk a better city and keeping taxes low.

Ron Stauffer, 604 Hespe Drive, is disappointed the water park bond issue failed. Stauffer spent six years on the Council and knows the hard decisions that need to be made to keep the City growing and operational. Stauffer said costs are an investment in the future of a community. Stauffer commended elected officials for a job well done. Stauffer stated the four entities who will receive the NPPD 2% lease payment over the next four years are trying to stay off the tax rolls and be self-supporting. Stauffer stated the 2% lease funds will be used for debt reduction as well as savings for future operations.

Jim Ryan, 114 Jefferson, feels Norfolk has some of the lowest paying jobs in the State. Ryan is opposed to higher taxes and feels the City should “tighten its belt.”

Nolan explained zero-based budgeting. Nolan stated elected officials and City staff cut over \$1,000,000 in requests from the FY 2005-2006 budget. The City must also maintain a \$1 million reserve. Many capital items have been deferred or cut from the budget. Nolan stated the City budget is not frivolous and the proposed tax increase is about \$50 on a \$100,000 home.

Councilman Wilson understands Ryan’s concerns. Wilson is working four jobs, including the City Council seat. However, citizens must invest in Norfolk to continue to see it grow.

Councilman Fauss stated Norfolk will still have the lowest property tax levy of all first class cities in Nebraska after the proposed increase. Fauss said citizens who move to another city will pay higher taxes than in Norfolk.

Fire Chief Shane Weidner stated the Fire Division deferred three major purchases this year: replacement of a 1977 model tanker, a 1990 rescue unit replacement and a new roof on the Fire Station No. 1. These items are long past their expected life cycles.

Glenn Ervin, 1102 Koenigstein, would like to see an increase in sales tax instead of a property tax increase. Ervin voted against the water park because it was too soon after the school bond issue. Ervin questioned why the property tax increase wasn’t mentioned until after the water park bond election.

Public Works Director Dennis Smith stated Nebraska only allows cities to charge a maximum sales tax. Nebraska has a 1 1/2% cap on sales tax. Smith explained the *Norfolk Daily News* ran a front page article on July 29, 2005 about the proposed tax increase for the City of Norfolk.

Rod Wilke, 2401 Hardison Drive, questioned the impact of the tax increase on a \$100,000 home in Norfolk.

Finance Officer Randy Gates stated the estimated increase will be \$50-55 on a \$100,000 home.

Wilke has concerns with personnel costs for the City of Norfolk. Wilke feels personnel should not automatically receive a 3% merit increase as well as a 3% cost-of-living increase.

Nolan explained the City of Norfolk must conform to Commission of Industrial Relations (CIR) rules and regulations for salaries of government employees.

John Dinkel, 2206 Koenigstein Avenue, feels there are some misconceptions and miscommunications about the City’s budget. However, Dinkel admires citizens for being brave enough to attend a Council meeting and state their opinion. Dinkel stated the City is getting “a little bit of a bum rap” with the headline in the September 16, 2005 *Norfolk Daily News* article that stated the City’s property taxes were doubling. Dinkel feels the headline is “a little misleading.” Dinkel explained the City’s tax asking is only 2-3% of total taxes. Dinkel questioned whether the Spring Branch drainage project was started before the ethanol plant. Dinkel feels there hasn’t been much publicity about the drainage project. Dinkel is in favor of the ethanol plant but feels the project needs to be explained to the public.

Nolan stated elected officials and City staff have had discussions with Nucor Steel for 2-3 years about utility extensions to that area.

Dinkel questioned how much money is in the City's budget to keep the current pools operational.

Smith stated there is approximately \$100,000 budgeted for various maintenance items for the swimming pools.

Stauffer stated citizens need to be aware that Madison County has a larger impact on property taxes than the City of Norfolk.

Councilman Fauss stated the City's budget "is huge and some people don't understand budgeting". Fauss "didn't want to cut jobs or raise taxes" this year. However, Fauss did vote to cut capital items, although Fauss feels more capital items should have been cut. Norfolk's taxes are still lower than four years ago.

No one else spoke either in favor of or in opposition to the proposed FY 2005-2006 hearings and the Mayor declared the hearings closed.

The Mayor requested consideration of Ordinance No. 4824 adjusting **sewer rates** for residential, commercial and industrial classifications by a uniform 5% effective October 1, 2005. Ordinance No. 4824 passed on first reading at the August 15, 2005 City Council meeting and on second reading at the September 6, 2005 City Council meeting.

Councilman Van Dyke introduced Ordinance No. 4824 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO AMEND SECTION 26-97(e) AND 26-97(f) OF THE OFFICIAL CITY CODE BY AMENDING THERETO AN ADJUSTMENT TO SANITARY SEWER RATES; TO PROVIDE WHEN THE SEWER USER CHARGES SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on third 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4824 passed on third reading.

The Mayor requested consideration of Ordinance No. 4828 approving the FY 2005-2006 appropriations, authorizing carryover of unused budget authority to FY 2006-2007 and approving the FY 2005-2006 proprietary budget.

Councilwoman Kaspar-Beckman introduced Ordinance No. 4828 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, ADOPTING THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; APPROPRIATING SUMS FOR NECESSARY EXPENSES AND LIABILITIES; ADOPTING THE PROPRIETARY BUDGET STATEMENT; PROVIDING FOR THE CARRYOVER OF UNUSED BUDGET AUTHORITY TO FISCAL YEAR 2006-2007; PROVIDING FOR SEVERABILITY; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilman Wilson 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, Wilson, Brenneman and Saunders. Nays: Fauss. Absent: None. Motion carried. Ordinance No. 4828 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, Wilson, Brenneman and Saunders. Nays: Fauss. Absent: None. 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. 4828 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke,

Kaspar-Beckman, Wilson, Brenneman and Saunders. Nays: Fauss. Absent: None. 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. 4828 as required by law.

The Mayor requested consideration of Ordinance No. 4829 approving the FY 2005-2006 **Classification and Pay Plan**.

Councilwoman Kaspar-Beckman introduced Ordinance No. 4829 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, CLASSIFYING THE EMPLOYEES OF THE CITY: FIXING THE RANGES OF COMPENSATION OF SUCH EMPLOYEES: PROVIDING A PAY RANGE REPEALING ORDINANCE NO. 4753; PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND WHEN THIS ORDINANCE SHALL TAKE EFFECT 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4829 passed on first reading.

Councilwoman Kaspar-Beckman 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. 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 Lange. The Mayor then stated the question "Shall Ordinance No. 4829 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. 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. 4829 as required by law.

The Mayor requested consideration of Ordinance No. 4830 amending Article III Section 10-28 paragraph (c), to provide for an increase in the Transfer Station operating fee.

Councilman Lange introduced Ordinance No. 4830 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 10-28 OF THE OFFICIAL CITY CODE TO CHANGE THE TRANSFER STATION OPERATING FEE; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4830 passed on first reading.

Councilman Lange moved that the statutory rule requiring reading on three different days be suspended. Councilwoman Saunders seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. 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 Lange 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 Councilwoman Saunders. The Mayor then stated the question "Shall Ordinance No. 4830 be passed and adopted?" Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. 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. 4830 as required by law.

The Mayor requested consideration of Resolution No. 2005-64 approving the property tax requests for Fiscal Year 2005-2006 for the Vehicle Parking Fund and Debt Service Fund in amounts different than fiscal year 2004-2005.

Councilman Van Dyke moved for adoption of Resolution No. 2005-64 approving the property tax requests for fiscal year 2005-2006 for the Vehicle Parking Fund and Debt Service Fund in amounts different than fiscal year 2004-2005, seconded by Councilwoman Kaspar-Beckman. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Resolution No. 2005-64 was adopted.

The Mayor requested consideration of Resolution No. 2005-65 approving the final plat of Eastridge Estates and its accompanying subdivision agreement.

Councilman Fauss moved for adoption of Resolution No. 2005-65 approving the final plat of Eastridge Estates and authorizing the Mayor to sign the accompanying subdivision agreement, seconded by Councilman Wilson. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Resolution No. 2005-65 was adopted.

The Mayor requested consideration of Resolution No. 2005-66 approving a request for a sidewalk waiver for Kurt and Dawn Krueger; Regina Krueger and Neal and Dorothy Hill in EastRidge Estates on Grand View Drive east of the City of Norfolk.

Councilwoman Kaspar-Beckman moved for adoption of Resolution No. 2005-66 approving a request for a **sidewalk waiver** for Kurt and Dawn Krueger; Regina Krueger and Neal and Dorothy Hill in EastRidge Estates on Grand View Drive east of the City of Norfolk, seconded by Councilman Fauss. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Resolution No. 2005-66 was adopted.

The Mayor requested consideration of Resolution No. 2005-67 approving modification of **hard surfacing** requirements for Kurt and Dawn Krueger; Regina Krueger; and Neal and Dorothy Hill in EastRidge Estates.

Councilman Lange moved for adoption of Resolution No. 2005-67 approving modification of hard surfacing requirements for Kurt and Dawn Krueger; Regina Krueger; and Neal and Dorothy Hill in EastRidge Estates, seconded by Councilman Leshovsky. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Resolution No. 2005-67 was adopted.

No comments were received regarding the monthly commercial and industrial building permit report for August 2005; the Police Division report for August 2005; and the Works-In-Progress report for the period August 31 through September 13, 2005. The reports were included in the agenda packets.

Councilwoman Kaspar-Beckman moved, seconded by Councilman Fauss to adjourn the meeting at 9:18 p.m. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

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Gordon D. Adams  
Mayor

ATTEST:

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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, September 19, 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.

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Elizabeth A. Deck  
City Clerk

( S E A L )