

## CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk met in special session in the Council Chambers, 309 Madison Avenue, Norfolk, Nebraska on the 10th day of February, 2005, beginning at 7:00 a.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 (7:02 a.m.), Kaspar-Beckman, Wisnieski, 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, Housing Coordinator Charles Bronson, Finance Officer Randy Gates, and Housing Development Manager Gary Hilkemann.

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

Councilwoman Kaspar-Beckman moved, seconded by Councilman Leshovsky to adopt and amended regular agenda with the addition of an executive session to discussion property negotiations. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

### CONSENT AGENDA

The City Council approved the minutes of the February 7, 2005 City Council meeting as printed.

The City Council approved and authorized the Mayor to sign an Engineering Services Agreement with JEO Consulting Group for the design, bidding and construction phase of the 2005 **Downtown** Streetscape Phase I – Median Reconstruction project in an amount not to exceed of \$35,600. The Vehicle Parking District Board of Directors requested completion of this portion of the project during the 2005 construction season.

### REGULAR AGENDA

The Mayor requested consideration of Ordinance No. 4777 to **annex** land along Norfolk Avenue west of 27th Street and east of 34th Street. Ordinance No. 4777 passed on first reading at the February 7, 2005 City Council meeting.

Councilman Wisnieski introduced Ordinance No. 4777 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO ANNEX TO SAID CITY A PART OF THE SOUTHWEST ¼ OF SECTION 20 AND THE SOUTHEAST ¼ OF SECTION 20 AND THE NORTHEAST ¼ OF SECTION 29 AND THE NORTHWEST ¼ OF SECTION 29, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, MADISON COUNTY, NEBRASKA. REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED IN PAMPHLET FORM and moved that the ordinance be passed on second reading. Councilman Fauss seconded the motion.

Councilwoman Kaspar-Beckman moved, seconded by Councilman Van Dyke to amend Ordinance No. 4777 to correct the legal description.

Public Works Director Dennis Smith explained the amended ordinance deletes the following: “thence south 93.8’ along the south right of way line of US 275; thence east 256’ along the south right of way line of US 275”. This piece of property was sold by the State of Nebraska to the abutting property owner. This is a small piece of property on the south side of Highway 275.

Councilman Wisnieski questioned why the City Council needed to meet in special session to accommodate the poor planning of the developer.

City Administrator Nolan explained staff is trying to accommodate the developer. City staff has been criticized in the past for not working with developers.

Roll call on the amendment to Ordinance No. 4777: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Said ordinance was then read into the record by title by the City Clerk.

Roll call on Ordinance No. 4777 as amended on second reading: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4777 passed as amended on second reading.

Councilman Fauss moved, seconded by Councilwoman Kaspar-Beckman to adjourn from regular session and convene into executive session at 7:08 a.m. to discuss property negotiations. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilman Van Dyke moved, seconded by Councilman Fauss to adjourn from executive session at 7:47 a.m. and reconvene into regular session. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilman Van Dyke moved, seconded by Councilman Brenneman to move forward with an agreement with Jeff & Carol Jones on the Oak Street project as outlined in the January 26, 2005 handout concept negotiated with the Jones’. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilman Fauss moved, seconded by Councilwoman Kaspar-Beckman to adjourn the meeting at 7:48 a.m. Roll call: Ayes: Councilpersons Leshovsky, Lange, Van Dyke, Kaspar-Beckman, Wisnieski, 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 the Special City Council meeting on Thursday, February 10, 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

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