

## AGENDA

### NORFOLK CITY COUNCIL MEETING

December 4, 2006

In accordance with Section 84-1412 sub-section six (6) of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying.

#### A. CALL TO ORDER

1. 7:30 p.m. – call meeting to order
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public.
3. Moment of silence/Pledge of Allegiance to the flag of the United States of America
4. Roll call

#### B. RECOMMENDED ACTIONS

1. Approval of consent agenda\*.  
All items listed with an asterisk (\*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.
- \*2. Approval of the minutes of the November 20, 2006, City Council meeting.

#### C. SPECIAL PRESENTATIONS

1. Swearing in by the Honorable Judge Patrick G. Rogers of Dale Coy, Ward 1; Dave Fauss, Ward 2; Ivan Van Dyke, Ward 3; and Karl Reeder, Ward 4 as the Council representatives of each respective ward.
2. Selection by the City Council of the President of the Council.

#### D. HEARINGS

1. Public hearing to consider the appeal of Robert G. Thomas, on behalf of WJAG AM & KEXL FM, regarding the Conditional Use Permit for NE-Colorado Cellular, Inc., dba Viaero Wireless. (Corresponds with item F-1.)

## E. ORDINANCES

1. Consideration of Ordinance No. 4915 amending Section 14-318 of the City Code to alter the curfew hours for persons between the ages of sixteen (16) and seventeen (17) to coincide with the ours during which the holder of a provisional operator's permit can lawfully operate a motor vehicle and to remove the curfew for those seventeen (17) years of age.

## F. RESOLUTIONS

1. Consideration of Resolution No. 2006-42 regarding the Conditional Use Permit for NE-Colorado Cellular, Inc., dba Viaero Wireless. (Corresponds with item D-1.)
- \*2. Consideration of Resolution No. 2006-43 stating the City desires to consider the annexation of land located generally north of Monroe Avenue and west of the present city limits line, approving the plan for extending City services to said land and establishing December 18, 2006 as the date for a public hearing to consider said annexation.
- \*3. Consideration of Resolution No. 2006-44 stating the City desires to consider the annexation of land located generally south of Eisenhower Avenue and west of Victory Road, approving the plan for extending City services to said land and establishing December 18, 2006 as the date for a public hearing to consider said annexation.

## G. CURRENT BUSINESS

1. Consideration of approval of a loan modification agreement and related allonge with Meadow Ridge Partners, LLC, forgiving accrued interest on the \$935,000 HOME loan to Meadow Ridge Partners, LLC, and reducing the interest rate from 7.88% to 0%. (Corresponds with items G-2, G-3 and G-4.)
2. Consideration of approval of a subordination agreement subordinating the City's \$935,000 HOME loan to Meadow Ridge Partners, LLC, to a loan from JP Morgan Chase Bank. (Corresponds with items G-1, G-3 and G-4.)
3. Consideration of authorizing the Mayor to sign a letter to the Nebraska Department of Economic Development requesting an amendment to Grant Contract M94-SG-3101-13 to reduce the number of HOME assisted units from 42 to 19. (Corresponds with items G-1, G-2 and G-4.)
4. Consideration of approval of a Memorandum of Understanding (MOU) with Meadow Ridge Partners, LLC, requiring Meadow Ridge Partners to comply with HOME Program requirements and limiting distributions to the Managing Members to \$30,000 annually. (Corresponds with items G-1, G-2 and G-3.)
5. Consideration of approval for staff to proceed with a land swap with the Gesell family concerning property on either side of the Elkhorn River east of 1<sup>st</sup> Street.

- \*6. Consideration of approval of an Engineering Agreement with Olsson Associates to provide engineering services for the Meadow Ridge Phase IV project for a not to exceed amount of \$58,850.
- \*7. Consideration of approval of a letter agreement with Nebraska Central Railroad for reconstruction of the railroad crossing on Benjamin Avenue.
- \*8. Consideration of approval to purchase a replacement tanker truck from Fouts Fire Equipment for \$162,000.
- \*9. Consideration of approval of an agreement with Patti Podliska and Mid-America Working Terrier Club for use of Ta-Ha-Zouka Park on June 21, 2007 through June 24, 2007.
- \*10. Consideration of approval of all bills on file.

#### H. ADMINISTRATIVE REPORTS

1. Sales tax collection report for September 2006.
2. Works-In-Progress report for the period November 15 through 28, 2006.