

CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk met in regular session in the Council Chambers, 309 West Madison Avenue, Norfolk, Nebraska on the 3rd day of April, 2006, beginning at 7:30 p.m.

Following a moment of silence and the Pledge of Allegiance to the United States of America, Mayor Gordon Adams called the meeting to order. Roll call found the following Councilpersons present: Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss, and Saunders. Absent: Wilson.

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, Prevention Manager Scott Cordes and Police Chief Bill Mizner.

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.

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

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

SPECIAL PRESENTATIONS

The Mayor proclaimed April 3, 2006 as “National Anthem Project Day” and the month of April 2006 as “Parkinson’s Disease Awareness Month”.

The Mayor presented the Finance Officers Association Award for Distinguished Budget Presentation for the City of Norfolk’s budget for the fiscal year ending September 30, 2006 to Accountant Melissa Drevecky. This is the thirteenth consecutive year the City of Norfolk has received this award from the Government Finance Officers Association.

CONSENT AGENDA

The City Council approved the minutes of the March 6, 2006 City Council meeting as printed.

The City Council approved and authorized the Mayor to sign Change Order No. 2 with A & R Construction Co. of Plainview, Nebraska for **Paving** District No. 489. The change order results in a net increase of \$2,954.50.

The City Council approved the Mayor's appointment of David C. Schroeder to the Norfolk **Airport** Authority Board replacing Gerald Adams who resigned on March 3, 2006.

The City Council approved the Corporate Manager Application of Cynthia Klinetobe in connection with the Class D liquor license of **Wal-Mart** Stores, Inc., dba Wal-Mart Supercenter #645, 2400 West Pasewalk Avenue.

The City Council approved award of bid to Steco of Enid, Oklahoma, for one new **transfer trailer** in the amount of \$53,250.00. On March 8, 2006, four bids were received. The other three bids are as follows: Northern Truck, Sioux Falls, South Dakota, \$63,096.00; Murphy Tractor, Norfolk, Nebraska, \$73,300.00; and Elliott Equipment, Des Moines, Iowa \$61,737.55.

The City Clerk was authorized to advertise for a replacement **skid steer** and attachments for the Street Division to grind curbs.

The City Council approved and authorized the Mayor to sign Amendment No. 15 to the Agreement for Engineering Services with Black and Veatch LLP to study the feasibility of extending water and sewer south of the **Elkhorn River**, to provide a sewer master plan, to update the 2002 water master plan and to provide a cost of service study for the sewer system. The amendment is in a not to exceed amount of \$253,000.

The City Council approved and authorized the Mayor to sign an agreement with **Christian Cross** for the use of Skyview Park on June 4, 2006 for a festival. The agreement provides for vending in the park, fireworks, closing areas to the public, music performances, and parking and tent set-up.

The City Council approved and authorized the Mayor to sign a Grant of Easement for construction and maintenance of utilities on the north three feet of the south fifteen feet of Lot 1 of **Bergstrom's** Addition to the City of Norfolk, Madison County, Nebraska.

The City Council approved and authorized the Mayor to sign Change Order No. 1 with A & R Construction for the **Concrete Improvements** 2005-1 project. The change order results in a net decrease of \$359,566.

The City Council approved a request from **Tienda Leon** Inc., dba Tienda Leon, for an addition to an existing licensed liquor premise at 116-118 West Norfolk Avenue.

The City Clerk was authorized to advertise for bids for replacement of Remote Terminal Unit (**RTU**) No. 2 at the Wastewater Treatment Plant.

The City Council approved and authorized the Mayor to sign an Addendum to the Interlocal Agreement with Sanitary and Improvement **District No. 5** of Madison County, Nebraska. The Interlocal Agreement provides for a 16-inch water main from the eastern terminus of the City's existing water distribution system located near the intersection of Victory Road and East Norfolk Avenue to the north boundary of Suburban Acres Subdivision located on east Nebraska Highway No. 35. The Addendum changes the annual payment due date and the delinquent interest rate.

The City Council approved the purchase of a new iSeries **computer** system from MSI Systems Integrators for a total price of \$65,246.41.

The City Council approved and authorized the Mayor to sign an agreement with VFW Winter-Munson Post No. 1644 for the annual Loyalty Day **Parade** on May 1, 2006.

The City Council approved of all bills on file in the amount of \$1,995,987.46.

REGULAR AGENDA

A public hearing was held to consider changing the name of **Little Caesar** Avenue to Gold Strike Drive at the request of Bill and Jane Zechmann. Prevention Manager Scott Cordes provided information to the Mayor and City Council. The Zechmann's renovated and improved the property and renamed the complex to Gold Strike Apartments. To coincide with this change, the Zechmann's request the street name be changed.

On March 7, 2006 the Norfolk Planning Commission held a public hearing regarding Zechmanns' 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 street name change and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4870 changing the name of Little Caesar Avenue to Gold Strike Drive at the request of Bill and Jane Zechmann.

Councilperson Saunders introduced Ordinance No. 4870 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; CHANGING THE NAME OF LITTLE CAESAR AVENUE TO GOLD STRIKE DRIVE; PROVIDING FOR A CHANGE OF ADDRESS FOR REAL PROPERTIES FRONTING THEREON; 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. Councilperson Kaspar-Beckman seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried. Ordinance No. 4870 passed on first reading.

Councilperson Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilperson Saunders seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: 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 Councilperson 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 Councilperson Saunders. The Mayor then stated the question "Shall Ordinance No. 4870 be passed and adopted?" Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: 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. 4870 as required by law.

The Mayor requested consideration of Ordinance No. 4871 vacating a portion of 31st Street platted as part of Berry Hill 9th Addition, an addition to the City of Norfolk, Madison County, Nebraska, lying wholly in the Northwest ¼ of the Southeast ¼ of Section 17, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska.

Councilperson Van Dyke introduced Ordinance No. 4871 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO VACATE THAT PORTION OF 31ST STREET PLATTED AS PART OF BERRY HILL 9TH ADDITION, AN ADDITION TO THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, LYING WHOLLY IN THE NW1/4 OF THE SE1/4 OF SECTION 17, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilperson Fauss seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried. Ordinance No. 4871 passed on first reading only.

The Mayor requested consideration of Resolution No. 2006-7 stating the City's desire to consider **annexing** land located generally north of Eldorado Hills, Berry Hill and Westwood Additions, approving the plan for extending City services to said land and establishing April 17, 2006 as the date for a public hearing to consider said annexation.

Councilperson Lange introduced for adoption of Resolution No. 2006-7 approving the City's desire to consider annexing land located generally north of Eldorado Hills, Berry Hill and Westwood Additions, approving the plan for extending City services to said land and establishing April 17, 2006 as the date for a public hearing to consider said annexation, seconded by Councilperson Fauss. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Resolution No. 2006-7 was adopted.

No comments were received regarding the monthly commercial and industrial building permit report for February 2006. The report was included in the agenda packet.

Police Chief Bill Mizner provided information to the Mayor and City Council on the annual Police Division report for 2005.

No comments were received regarding the Police Division report for February 2006 or the Works-In-Progress report for the period March 1 through 28, 2006. Both reports were included in the agenda packet.

No comments were received during the public comment period.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn from regular session and convene into executive session at 7:54 p.m. to discuss potential contract litigation. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried.

Councilperson Fauss moved, seconded by Councilperson Brenneman to adjourn from executive session and reconvene into regular session at 8:03 p.m.. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried.

Councilperson Saunders moved, seconded by Councilperson Brenneman to approve forwarding a letter to Attorney David E. Copple regarding Sterling Computers Corporation (Troy Jones). Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn the meeting at 8:04 p.m. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Brenneman, Fauss and Saunders. Nays: None. Absent: Wilson. Motion carried.

Gordon D. Adams
Mayor

ATTEST:

Elizabeth A. Deck
City Clerk

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I, the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original document of proceedings of Monday, April 3, 2006, 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

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