

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 17th day of July, 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, 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, Fire Chief Shane Weidner and Property/Operations Manager Gary Miller.

The Mayor presided and the City Clerk recorded the proceedings.

The Mayor informed the public about the location of the current copy of the Open Meetings Act posted in the City Council Chambers and accessible to members of the public.

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 Kaspar-Beckman moved, seconded by Councilperson Stauffer to amend the consent agenda with the removal of Item F-3, Resolution No. 2006-18, consideration of approval of the 2006-2011 Capital Improvement Plan, and to approve the consent agenda as amended. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilperson Brenneman moved, seconded by Councilperson Lange to amend the regular agenda with the addition of Item F-3, Resolution No. 2006-18, consideration of approval of the 2006-2011 Capital Improvement Plan, and to adopt the regular agenda as amended. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

SPECIAL PRESENTATION

R. J. Baker and Karen Linnenbrink of the Elkhorn Valley Economic Development Council, (EVEDC), provided an annual report to the Mayor and City Council.

CONSENT AGENDA

The City Council approved the minutes of the July 3, 2006 City Council meeting as printed.

The City Council adopted Resolution No. 2006-16 authorizing the Nebraska Department of Roads to implement changes to the U.S. Highway 275 road project to accommodate the construction of a building and access road for **Divots** along the north side of U.S. Highway 275.

The City Council adopted Resolution No. 2006-17 approving a 50-foot setback for Lot 3, Cedar Lake Subdivision, Fourth Addition, at the request of David H. and Deborah S. Hoffman.

The City Council approved a request from Norfolk Catholic Sacred Heart for a **fireworks** display on August 5, 2006 in conjunction with the "Fun in the Sun" Parish Festival.

The City Council approved and authorized the Mayor to sign a First Amendment to the Subdivision Agreement of **Deer Run** Addition affecting Lots 1, 2, 3 and 4, Block 1, and Lots 1 and 6, Block 2, in Deer Run Addition, Madison County, Nebraska, to reflect the sidewalk waiver granted by the City Council on May 1, 2006.

The City Council approved all bills on file in the amount of \$712,281.13.

REGULAR AGENDA

A public hearing was held to consider a request to annex a tract of land lying between Madison and Braasch Avenues and between 8th Street and the west right-of-way line of Union Pacific Railroad operated by Nebraska Central Railroad (formerly – Chicago & Northwestern Railroad) to the vehicle **Off-Street Parking** District No. 1. Public Works Director Dennis Smith provided information to the Mayor and City Council. The City of Norfolk received a request from a property owner along Norfolk Avenue from 7th to 8th Streets that the City consider expanding the Vehicle Off-Street Parking District. The request was reviewed by the Vehicle Parking District Advisory Board and the Board recommended that a neighborhood meeting be held with the affected property owners. Neighborhood meetings were held on September 8, 2004 and January 24, 2005 discussing the expansion. The second meeting included a discussion of the costs associated with the planned streetscape project on Norfolk Avenue. On November 17, 2005 the City of Norfolk sent out ballots to the property owners in the area to be annexed. With responses from 100% of the taxable real property owners, property owners representing 56.9% of the taxable real property favored being annexed into the district. On April 17, 2006 a public hearing was held to discuss the proposed annexation. After receiving considerable positive and negative input, the elected officials defeated the annexation ordinance five to three. After the April 17, 2006 City Council meeting, City staff and the Vehicle Parking District Advisory Board worked to reconfigure the annexation boundary around the businesses that supported the expansion or were neutral. Staff believes all the businesses included in the proposed annexation either support or are neutral to be included in the Vehicle Parking District.

Tom Dover, Sr., feels the proposed expansion is a great idea and will enhance the downtown area of Norfolk.

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

The Mayor requested consideration of Ordinance No. 4894 annexing additional property to the Vehicle Off-Street Parking District No. 1 of the City of Norfolk which boundaries were created by Ordinance No. 2365 and expanded by Ordinance No. 3279.

Councilperson Stauffer introduced Ordinance No. 4894 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO PROVIDE FOR THE ANNEXATION OF ADDITIONAL PROPERTY TO THE VEHICLE OFF-STREET PARKING DISTRICT NO. 1 OF THE CITY OF NORFOLK WHICH BOUNDARIES WERE CREATED IN ORDINANCE NO. 2365 AND EXPANDED AS DESCRIBED IN ORDINANCE NO. 3279 AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED 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, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: Van Dyke. Absent: None. Motion carried. Ordinance No. 4894 passed on first reading only.

The Mayor requested consideration of Ordinance No. 4895 creating Paving District No. 494 (**Wyndham Hills**) providing for paving of Dover Drive from approximately 216 feet northwesterly from 30th Street northwesterly approximately 1,506 feet; Wyndham Road from approximately 130 feet north of Golf View Drive to Dover Drive; Kings Way from Wyndham Road approximately 360 feet southeasterly; Regal Way from Wyndham Road approximately 290 feet northwesterly; and Coventry Way from Dover Drive approximately 110 feet northerly.

Councilperson Fauss introduced Ordinance No. 4895 entitled: AN ORDINANCE CREATING PAVING DISTRICT NO. 494 IN THE CITY OF NORFOLK, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilperson Wilson 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4895 passed on first reading.

Councilperson Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilperson Fauss seconded the motion to suspend the rules. Roll call: Ayes: Councilpersons Stauffer, 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 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 Fauss. The Mayor then stated the question "Shall Ordinance No. 4895 be passed and adopted?" Roll call: Ayes: Councilpersons Stauffer, 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. 4895 as required by law.

The Mayor requested consideration of approval of Resolution No. 2006-18 adopting the City of Norfolk's 2006-2011 One and Six-Year Capital Improvement Plan (**CIP**).

Councilperson Kaspar-Beckman moved, seconded by Councilperson Fauss to adopt Resolution No. 2006-18 approving the City of Norfolk's 2006-2011 One and Six-Year Capital Improvement Plan.

Property/Operations Manager Gary Miller provided information to the Mayor and City Council. The 2006-2007 CIP items listed are as follows:

Street – Sweeper, \$95,000; dump truck, \$50,000 and pickup with boom, \$50,000

Park – Trail extension, 1st Street to 13th Street along Elkhorn River, \$25,000

Fire – Ambulance, \$162,620 and tanker, \$165,375

Water – 12" water main from Victory & Maple north, \$171,700

Water Pollution Control – Influent Debris Screen, \$400,000; RTU #1 & 3 replacement, \$100,000; and Trickling filter "B" Media, \$540,000

Sanitary Sewers – Park Avenue force main, extend 12" force main east from Park & Blaine to 24" sewer main, \$59,000

Sewer Bonds – principal, \$488,000; interest, \$216,195

Water Bonds – principal, \$178,914, interest, \$119,887

Transfer Station – semi-trailer, \$55,125

Solid Waste Bonds – principal, \$87,000, interest, \$29,013

GO Bonds – Various purpose principal, \$111,485, interest, \$25,013; general obligation principal, \$438,800, interest, \$161,589

Councilperson Lange questioned when the bleachers at Memorial Field are going to be replaced. Lange feels the current bleachers are a liability to the City and should be replaced.

Miller stated a total replacement of all bleachers at Memorial Field would be a "large capital outlay" which doesn't fit into the City's budget. The \$75,000 budgeted in 2007-2008 is only to replace bleachers in the visitor's section at Memorial Field.

City Administrator Mike Nolan stated LB 217 allows 2 or more entities to partner on major projects. Nolan explained the City has a lot of things that need to be repaired but funding isn't available. Nolan stated a partnership may be appropriate for a major renovation project at Memorial Field.

Public Works Director Dennis Smith explained very little capital items were purchased in fiscal year 2005-2006 and the City needs to play "catch-up".

Roll call on Resolution No. 2006-18: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of approval for the City Clerk to advertise for bids for Paving District No. 494 (**Wyndham Hills**) providing for paving of Dover Drive from approximately 216 feet northwesterly from 30th Street northwesterly approximately 1,506 feet; Wyndham Road from approximately 130 feet north of Golf View Drive to Dover Drive; Kings Way from Wyndham Road approximately 360 feet southeasterly; Regal Way from Wyndham Road approximately 290 feet northwesterly; and Coventry Way from Dover Drive approximately 110 feet northerly.

Councilperson Van Dyke moved, seconded by Councilperson Stauffer to authorize the City Clerk to advertise for bids for Paving District No. 494 (Wyndham Hills) providing for paving of Dover Drive from approximately 216 feet northwesterly from 30th Street northwesterly approximately 1,506 feet; Wyndham Road from approximately 130 feet north of Golf View Drive to Dover Drive; Kings Way from Wyndham Road approximately 360 feet southeasterly; Regal Way from Wyndham Road approximately 290 feet northwesterly; and Coventry Way from Dover Drive approximately 110 feet northerly. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

No comments were received regarding the monthly commercial and industrial building permit report for June 2006 or the Works-In-Progress report for the period June 28 through July 11, 2006. Both reports were included in the agenda packets.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn the meeting at 8:37 p.m. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. 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 17, 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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