

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 18th day of September, 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, Wastewater Plant Superintendent Todd Boling, Finance Officer Randy Gates, Water & Sewer Plant Superintendent Dennis Watts, Information Systems Manager Jim McKenzie, Fire Chief Shane Weidner, Property/Operations Manager Gary Miller, Transportation, Building & Grounds Director Jim Koch, Housing Specialist Gary Hilkemann, and Police Chief Bill Mizner.

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 Brenneman moved, seconded by Councilperson Kaspar-Beckman to remove Items G-1, G-2 and G-3 related to Meadow Ridge Partners, LLC, from the agenda 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 Fauss moved, seconded by Councilperson Stauffer to adopt the regular agenda as printed. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

SPECIAL PRESENTATIONS

The Mayor proclaimed September 23-24, 2006 as "Lavitsef Time" with the 2006 Theme – "Happy 150th Birthday Madison County"; September 25, 2006 as "Family Day – A Day To Eat Dinner With Your Children"; September 30, 2006 as "World Wide Day of Play"; and October 22-28, 2006 as "Pastoral Care Week".

CONSENT AGENDA

The City Council approved the minutes of the September 8, 2006, Special City Council meeting as printed.

The City Council adopted Resolution No. 2006-28 recognizing the Norfolk and Norwich County Residents World Reunion to be held October 1 to 10, 2006 in Ontario, Canada.

The City Council approved all bills on file in the amount of \$1,143,719.21.

REGULAR AGENDA

A public hearing was held for the Mayor and City Council to sit as a Board of Equalization to consider equalization of special assessments for Paving District No. 490 (Homewood Acres Sixth Addition), **Paving** District No. 491 (College View 5th Addition) and Paving District No. 492 (Fox Ridge Phase II Addition).

Councilperson Van Dyke moved, seconded by Councilperson Fauss to adjourn as Mayor and City Council and convene as a Board of Equalization to hear and equalize special assessments for Paving District No. 490 (Homewood Acres Sixth Addition), Paving District No. 491 (College View 5th Addition) and Paving District No. 492 (Fox Ridge Phase II Addition). Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Public Works Director Dennis Smith provided information to the Mayor and City Council. Paving District No. 490 (Homewood Acres Sixth Addition) has total costs of \$36,497.51, all of the costs are assessable.

Paving District No. 491 (College View 5th Addition) has total costs of \$150,469.00 with general obligation costs of \$37,493.57 and assessable abutting property costs of \$112,975.43.

Paving District No. 492 (Fox Ridge Phase II Addition) has total costs of \$89,166.41 with general obligation costs of \$8,620.46 and assessable abutting property costs of \$80,545.95.

No one appeared either in favor of or in opposition to levying the special assessments and the Mayor declared the hearing closed.

Councilperson Fauss moved, seconded by Councilperson Van Dyke to adjourn as a Board of Equalization and reconvene as Mayor and City Council. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of Ordinance No. 4902 levying special assessments in Paving District No. 490 (Homewood Acres Sixth Addition).

Councilperson Kaspar-Beckman introduced Ordinance No. 4902 entitled: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS UPON THE LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE ABUTTING UPON AND ADJACENT TO AND SPECIALLY BENEFITED BY THE IMPROVEMENTS IN PAVING DISTRICT NO. 490 OF THE CITY OF NORFOLK, NEBRASKA, TO DEFRAY THE COST OF SAID IMPROVEMENTS; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilperson Saunders 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. 4902 passed on first reading.

Councilperson Van Dyke 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 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 Councilperson Fauss. The Mayor then stated the question "Shall Ordinance No. 4902 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. 4902 as required by law.

The Mayor requested consideration of Ordinance No. 4903 levying special assessments in Paving District No. 491 (College View 5th Addition).

Councilperson Fauss introduced Ordinance No. 4903 entitled: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS UPON THE LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE ABUTTING UPON AND ADJACENT TO AND SPECIALLY BENEFITED BY THE IMPROVEMENTS IN PAVING DISTRICT NO. 491 OF THE CITY OF NORFOLK, NEBRASKA, TO DEFRAY THE COST OF SAID IMPROVEMENTS; AND TO PROVIDE FOR THE PUBLICATION OF THIS 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. 4903 passed on first reading.

Councilperson Wilson moved that the statutory rule requiring reading on three different days be suspended. Councilperson Brenneman 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 Wilson 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 Brenneman. The Mayor then stated the question "Shall Ordinance No. 4903 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. 4903 as required by law.

The Mayor requested consideration of Ordinance No. 4904 levying special assessments in Paving District No. 492 (Fox Ridge Phase II Addition).

Councilperson Lange introduced Ordinance No. 4904 entitled: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS UPON THE LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE ABUTTING UPON AND ADJACENT TO AND SPECIALLY BENEFITED BY THE IMPROVEMENTS IN PAVING DISTRICT NO. 492 OF THE CITY OF NORFOLK, NEBRASKA, TO DEFRAY THE COST OF SAID IMPROVEMENTS; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilperson Stauffer 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. 4904 passed on first reading.

Councilperson Brenneman 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 Brenneman 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. 4904 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. 4904 as required by law.

Public hearings were held simultaneously to review the City's FY 2006-2007 municipal and proprietary (water, sewer, solid waste) **budgets**. City Administrator Mike Nolan provided information to the Mayor and City Council.

The City's property tax increased from the prior year from \$1,001,330 to \$1,198,500, an increase of \$197,200. The Debt Service Fund property tax remained unchanged at \$690,676. The property tax increased \$5,760 for the Vehicle Parking Fund, from \$71,900 last year to \$77,660 this year. This is primarily additional property tax due to expanding the Vehicle Parking District by annexing several blocks at the request of affected business owners. Valuation in the District increased \$1,540,857 primarily due to the annexation.

By State law, the City Council determines the Norfolk Airport Authority's levy. Due to declining sales tax revenue, the Airport Authority deferred to the City and reduced its tax request from \$450,949 last year to \$248,022 this year, a decrease of \$202,927. After adjusting for the County Treasurer's commission and delinquencies, this allowed the City to increase the General Fund property tax budget by \$191,440 without any change in the combined tax asking of the Airport Authority and the City. The net effect is no increase in property taxes controlled by the City of Norfolk. The City levy rate will be 11.2914¢, and the Airport Authority's levy rate will be 2.3572¢ for a total of 13.6486¢. Last year the City's levy rate was 9.7642¢ and the Airport Authority's was 4.4695¢ for a total of 14.2337¢. This results in a decrease in the combined City and Airport Authority levy rate of .5851¢ due to increased valuation.

Because of the continued sluggishness in sales tax receipts, the City implemented a hiring moratorium last year and as employees left employment with the City, the positions were not replaced unless absolutely necessary. The City eliminated eight full-time-equivalent positions including: two police dispatchers, a community service officer, two police officers, a Fire Division secretary, a Street Division equipment operator and several part-time Library aides.

Capital outlay increases \$1,086,862 or 11.47%. The biggest portion of this increase is \$500,000 in the Special Assessment Fund for paving in the Wyndham Hills Subdivision. Fire capital outlay increases \$319,045 due to a tanker and rescue squad to be paid with public safety tax anticipation bonds. Water Pollution Control capital outlay increases \$154,100 because of second year costs of the influent debris screen partially offset by plant additions budgeted last year.

General Fund taxes decrease \$112,149 or 1.44% primarily due to the \$260,689 decrease in sales tax. Partially offsetting this is a \$191,440 increase in property tax. As previously discussed, this is offset by a similar reduction in Airport Authority property taxes resulting in no net impact to the City's taxpayers. In addition, telephone franchise tax decreases \$50,000 or 50%. This is part of an ongoing trend of decreased telephone occupation tax revenue that began in 2001.

The General Fund's second largest revenue source is the NPPD electric distribution lease budgeted at \$3,218,613, an increase of \$308,613. 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 no longer returns 2% of NPPD lease revenue as a credit on customers' bills and instead receives the full 12%. This additional 2% lease revenue is divided equally between the Norfolk Arts Center, Norfolk Community Theatre, Norfolk Family YMCA and Elkhorn Valley Museum and Research Center for four years.

General Fund expenditures increase \$872,742 or 5.9%. The biggest increase is the fire tanker and rescue squad purchased with \$330,000 of public safety tax anticipation bonds. The next largest increase is \$193,000 for additional Power of Partnership payments for the first full year of the program. Street Division expenditures increase \$222,450 primarily due to additional large equipment purchases including a front end loader for \$100,000 and a snow blower for \$40,000. The Street Division is also budgeting \$60,000 for a study on landscaping street rights-of-way. Engineering includes \$35,000 in its budget for GIS mapping. Park Maintenance budgeted several entrance signs for the City to improve the appearance of the City's main entrance points. This process continues several more years as additional entrance signs are budgeted. There is also \$28,500 budgeted in Parks for improvements to TaHaZouka Park. Most of the other General Fund Divisions had the normal 4% increase in expenditures allowed in Level III budgets. The Police Division budget, however, actually decreased \$199,693 or over 4.4% due to the reductions in personnel and several large capital items purchased last year including the AS/400 replacement and E911 system.

Federal grants for the City Highway Allocation Fund (CHAF) increases \$255,000 due to Surface Transportation Program funding for the 25th Street project with \$350,000 budgeted for design engineering of this project in 2006-2007. The earliest construction could occur is fiscal year 2007-2008. The City plans to apply for federal funds to assist with the reconstruction of the bridge on 25th Street, which is a part of this project. Capital outlays budgeted in the current year include: \$350,000 for engineering on 25th Street discussed earlier; \$400,000 for the City contribution to the Nucor Road relocation; \$282,000 for a traffic signal at Highway 81 and Monroe Avenue; \$50,000 for Oak and Spruce Street improvements; \$225,000 for an access road for industrial expansion; \$500,000 for curb and sidewalk improvements on Norfolk Avenue; and \$550,000 for street maintenance contract work. 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 this project exceeds \$1,750,000. This 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.

SNARE is a drug enforcement program funded with federal grant revenue 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. SNARE revenues increase \$12,548 or 12.4% primarily due to budgeting of \$15,000 for restitutions and forfeitures.

CCDC is a three-year program funded by a Special Projects of Regional and National Significance Community-Based Abstinence Education Grant under Title V of the Social Security Act. In September 2005, a new three-year grant was received with annual funding of \$438,198.

The 911 Fund accounts for the monthly surcharge of \$1.00 on each local telephone line that physically terminates within the City's designated 911-telephone service area. The fund balance increased from \$27,016 in 2005-2006 to \$113,644 in 2006-2007.

The Region 11 Emergency Management Fund is a fund 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 provides emergency management services in these jurisdictions. Region 11 receives funding from both federal grants and contributions made by

participating agencies. Beginning fund balance is budgeted at \$86,606 compared to \$62,739 in 2005-2006 and actual 2005-2006 beginning balance of \$75,331. Intergovernmental revenues increase 4.5% going from \$877,108 last year to \$916,465 in 2006-2007.

The Debt Service Fund beginning fund balance decreases \$63,591 or 16%. Beginning fund balance was drawn down until the 2001 Series Various Purpose Bonds were paid in fiscal year 2005-2006. The result was elimination of the annual transfers of the general obligation share of this issue to the Special Assessment Fund. Property taxes levied in the Debt Service Fund remain the same as last year.

The Capital Construction Fund has a beginning fund deficit projected to be \$21,360 as preliminary expenses for the Spring Branch Drainage Project have been paid prior to debt issuance. Most of the activity in the Capital Construction Fund relates to the Spring Branch Drainage Improvements with \$1 million budgeted for Spring Branch Drainage Improvements with construction costs of \$936,000. The other project budgeted in the Capital Construction Fund is the Hazard Mitigation Grant with \$98,213 budgeted in federal grant revenue along with \$22,737 in contributions from the Lower Elkhorn Natural Resources District and \$10,000 from the Norfolk Sanitary District. This money will acquire land in the floodway budgeted at \$130,950.

The Water Fund beginning balance decreases from about \$3.1 million last year to about \$2.7 million this year, a decrease of \$400,000. This was a budgeted decrease as large capital outlays were made from fund balance in 2005-2006 including land purchases for the west well field of almost \$700,000 along with over \$600,000 of water distribution system improvements. Revenues are consistent with the prior year changing only .3%. Water rates are budgeted to increase 4%; however, use fees are budgeted the same because of an anticipated decrease in usage with the closure of Tyson Foods. The biggest capital outlay is \$780,000 to purchase land for wellhead protection. Other capital outlays are: \$500,000 for engineering and construction of items identified in the Water Master Plan; \$259,000 to replace a 12-inch water main from 1st Street and Madison Avenue to 7th Street and Madison Avenue; \$171,000 for 12-inch main from Victory Road and Maple Avenue north; and water main improvements at Omaha Avenue and Victory Road at \$100,000.

The Sewer Fund beginning fund balance is budgeted at \$3,464,827, an increase of less than 4% from the prior year. Sewer rates are not budgeted to increase next year and use fees remain at \$2,450,000. Trucked waste increases from \$50,000 to \$80,000 to reflect consistently higher usage.

Transfer Station tonnage is anticipated to be down 2.6% to 33,500 tons due to loss of Tyson Foods. Also impacting the waste stream is the opening of a nearby construction and demolition landfill. To partially offset the loss in tonnage, a dollar per ton increase in tipping fees is budgeted with the net result being a \$42,325 decrease in use fees.

The City's health claims average about a 9% increase per year. For instance, in FY 2001-2002, the City experienced a large increase in health claims resulting in a \$200,000 decrease in fund balance. Because of this, group health premiums were increased 40% in FY 2002-2003, 12% in FY 2003-2004 and an additional 9% in 2004-2005. However, in FY 2004-2005, claims increased at a slower rate resulting in a 3% premium increase in FY 2005-2006. As a result of these increases, beginning fund balance is budgeted to increase 23.6% to almost \$1.6 million. However, staff proposes a premium increase of 8% to something closer to the City's long-term average 9% claims increase. This will provide a budgeted ending fund balance of about \$1.6 million or a 24% increase from last year.

Nolan provided a Power Point presentation of various charts and graphs showing the FY 2006-2007 City of Norfolk budget and reviewed the City-wide goals for 2006-2007 with elected officials.

Vaughn Wiebusch, 405 South 8th Street, spoke during the public hearing. Wiebusch questioned the \$282,000 budgeted for a traffic signal at Highway 81 and Monroe Avenue. Wiebusch suggested using some of the

money for beautification of the City. Wiebusch feels stopping trucks at Highway 81 and Monroe is a safety hazard. Wiebusch doesn't feel "spending \$28,500 at TaHaZouka is appropriate" for what needs to be done.

Nolan stated elected officials received comments from business people who want to make sure aesthetics of the community are considered. The FY 2006-2007 contains funding to have Olsson Associates do a landscape study of the City.

Councilperson Stauffer thanked City staff for doing a good job with the FY 2006-2007 budget.

Councilperson Van Dyke questioned the traffic signal project at Highway 81 and Monroe Avenue.

Public Works Director Dennis Smith discussed the traffic signal with the traffic engineer with the Department of Roads. There are enough warrants met that the Department of Roads would support putting in the traffic signal at this time. The funding is split 50/50 with the Department of Roads. The City's cost is budgeted at \$282,000.

No one else spoke either in favor of or in opposition to the proposed FY 2006-2007 hearings and the Mayor declared the hearings closed.

The Mayor requested consideration of Ordinance No. 4899 approving the FY 2006-2007 appropriations, authorizing carryover of unused budget authority to FY 2007-2008 and approving the FY 2006-2007 proprietary budget.

Councilperson Van Dyke introduced Ordinance No. 4899 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 2007-2008; 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. 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, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4899 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. 4899 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. 4899 as required by law.

The Mayor requested consideration of Ordinance No. 4900 approving the FY 2006-2007 Classification and Pay Plan.

Councilperson Wilson introduced Ordinance No. 4900 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. 4829; PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND WHEN THIS ORDINANCE SHALL TAKE EFFECT and moved that the ordinance be passed on first reading. Councilperson Lange seconded the motion. Said ordinance was then read into the record by title by the City Clerk.

Lonny Miller, 304 N. Hickory Street, spoke in opposition to the budget. Miller feels the "budget is awful high and property taxes are too high in Norfolk."

Councilperson Fauss stated elected officials are looking out for citizens and cutting as much out of the budget as possible.

Vaughn Wiebusch agreed with Lonny Miller. Wiebusch feels the City should spend less money on consulting services. Wiebusch stated elected officials need to "go line item by line item to make cuts." Because sales tax revenue is down, the City needs to "tighten its belt."

Roll call on Ordinance No. 4900: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4900 passed on first reading.

Councilperson Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilperson Lange 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 Lange. The Mayor then stated the question "Shall Ordinance No. 4900 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. 4900 as required by law.

A public hearing was held to receive comments regarding changing the Vehicle Parking Fund and Debt Service Fund **tax requests** for the 2006-2007 fiscal year from the amounts for the 2005-2006 fiscal year. Finance Officer Randy Gates provided information to the Mayor and City Council. Section 77-1601.02 of Nebraska Statutes requires a public hearing whenever the tax request changes from the prior year. The City Council determines the Airport Authority's levy and, due to declining sales tax revenue, the Airport Authority deferred to the City and reduced its tax request from \$450,949 last year to \$248,022 this year, a decrease of \$202,927. The City increased its property tax asking by a like amount resulting in no change in the combined tax asking of the Airport Authority and the City. The net effect is no increase in property taxes controlled by the City. After application of the 1% County Treasurer's Commission and 5% delinquent tax allowance, the City's General Fund property tax budget increases \$191,440.

The additional property tax in the Vehicle Parking District is primarily due to expanding the Vehicle Parking District by annexing several blocks at the request of affected business owners. Valuation of the District increased \$1,540,857 primarily due to this annexation. The levy rate remained essentially unchanged at just under \$.35. The result is a \$6,106 increase in property tax levied. After application of the 1% County

Treasurer's Commission and a 5% delinquent tax allowance the Vehicle Parking District property tax budgeted increased \$5,760. This tax is applied only to the taxable property in Parking District No. 1 which is comprised of the Downtown Business District. The Debt Service Fund property tax remains unchanged from last year at \$732,117.

Vaughn Wiebusch questioned why the City was "taking away" funds from the Airport Authority.

Public Works Director Dennis Smith explained the City is simply shifting funds. The Airport Authority is still receiving a large amount of funding for FY 2006-2007.

No one else appeared either in favor of or in opposition to changing the Vehicle Parking Fund and Debt Service Fund tax requests for the 2006-2007 fiscal year from the amounts for the 2005-2006 fiscal year and the closed the public hearing.

The Mayor requested consideration of Resolution No. 2006-27 approving the property tax requests for fiscal year 2006-2007 for the Vehicle Parking Fund and General Fund in amounts different than fiscal year 2005-2006.

Councilperson Stauffer moved for adoption of Resolution No. 2006-27 approving the property tax requests for fiscal year 2006-2007 for the Vehicle Parking Fund and General Fund in amounts different than fiscal year 2005-2006, seconded by Councilperson Van Dyke. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Resolution No. 2006-27 was adopted.

A public hearing was held to consider changing the name of 34th Street to **Wyndham Road** on that portion in Eldorado Hills 7th Addition. City Administrator Mike Nolan provided information to the Mayor and City Council. Wyndham Hills Estates includes Wyndham Road that connects with the 120 foot stubbed 34th Street in Eldorado Hills 7th Addition, off Golf View Drive. No structures front this road. For east of addressing, the street name should be changed to Wyndham Road.

On September 6, 2006, the Norfolk Planning Commission held a public hearing regarding the street name change. 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. 4901 changing the name of 34th Street to Wyndham Road on that portion in Eldorado Hills 7th Addition.

Councilperson Van Dyke introduced Ordinance No. 4901 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; CHANGING THE NAME OF 34TH STREET IN ELDORADO HILLS 7TH ADDITION TO WYNDHAM ROAD; 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 Stauffer 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. 4901 passed on first reading.

Councilperson Brenneman 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 Brenneman 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. 4901 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. 4901 as required by law.

The Mayor requested consideration of Ordinance No. 4905 authorizing issuance of \$510,000 of bond anticipation notes to provide financing for Paving District No. 494. Finance Officer Randy Gates stated the interest rate on the bonds is 3.7%.

Councilperson Lange introduced Ordinance No. 4905 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES OF THE CITY OF NORFOLK, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FIVE HUNDRED TEN THOUSAND DOLLARS (\$510,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR THE COSTS OF STREET IMPROVEMENTS FOR PAVING DISTRICT NO. 494, PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION VARIOUS PURPOSE BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE THE CITY'S GENERAL OBLIGATION VARIOUS PURPOSE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading. Councilperson Van Dyke 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. 4905 passed on first reading.

Councilperson Kaspar-Beckman moved that the statutory rule requiring reading on three different days be suspended. Councilperson Stauffer 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 Stauffer. The Mayor then stated the question "Shall Ordinance No. 4905 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. 4905 as required by law.

No comments were received regarding the monthly commercial and industrial building permit report for August 2006 or the Works-In-Progress report for the period August 30 through September 12, 2006. Both reports were included in the agenda packets.

No one spoke during the Public Comment Period.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn the meeting at 8:50 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, September 18, 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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