

CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk met in special session in the Council Chambers, 309 West Madison Avenue, Norfolk, Nebraska on the 8th day of September, 2006, beginning at 7:00 a.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, Fauss, and Saunders. Absent: Wilson and Brenneman.

Staff members present were: City Administrator Mike Nolan, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck and Finance Officer Randy Gates.

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

CONSENT AGENDA

The City Council approved the minutes of the September 5, 2006 meeting as printed.

REGULAR AGENDA

The Mayor requested consideration of Ordinance No. 4897 expanding the definition of **telecommunication** services subject to the City's 3% occupation tax. Ordinance No. 4897 passed on first reading at the August 21, 2006 City Council meeting and on second reading at the September 5, 2006 City Council meeting.

Councilperson Stauffer introduced Ordinance No. 4897 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 13-80 OF THE OFFICIAL CITY CODE TO INCLUDE AN OCCUPATION TAX UPON EVERY PERSON, FIRM, PARTNERSHIP, CORPORATION OR ASSOCIATION ENGAGED IN THE BUSINESS OF OFFERING OR PROVIDING TELECOMMUNICATION SERVICES TO THE PUBLIC FOR

HIRE IN THE CITY OF NORFOLK; TO REPEAL SECTION 13-84 OF THE OFFICIAL CITY CODE REGARDING EXEMPTIONS; TO REPEAL SECTION 13-85 OF THE OFFICIAL CITY CODE RELATED TO TAX IN LIEU OF OTHER FEES; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on third reading. Councilperson Van Dyke seconded the motion. Said ordinance was then read into the record by title by the City Clerk. The Mayor then stated the question "Shall Ordinance No. 4897 be passed and adopted?" Roll call: Ayes: Councilpersons Stauffer, Lange, Kaspar-Beckman, Van Dyke and Saunders. Nays: Fauss. Absent: Wilson and Brenneman. 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. 4897 as required by law.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn the meeting at 7:02 a.m. Roll call: Ayes: Stauffer, Lange, Van Dyke, Kaspar-Beckman, Fauss and Saunders. Nays: None. Absent: Wilson and Brenneman. 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 Friday, September 8, 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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