

FINANCE COMMITTEE MEETING

The Finance Committee of the City of Norfolk, Nebraska met in the City's Conference Room, 309 West Madison Avenue, Norfolk, Nebraska, on Monday, February 4, 2008, beginning at 7:00 a.m.

Mayor Gordon D. Adams called the meeting to order.

Roll call found the following Committee members present: Mayor Gordon Adams and Councilpersons Brenneman, Coy, Fauss, Lange (7:01 a.m.), Saunders, Van Dyke and Wilson. Absent: Reeder.

Staff members present were City Administrator Mike Nolan, Public Works Director Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Property/Operations Manager Gary Miller, Administrative Secretary/Personnel Technician Deb Johnson, Police Captain Steve Hecker, Finance Officer Randy Gates, Fire Chief Shane Weidner and Prevention Manager Scott Cordes. City Attorney Clint Schukei and Human Resources Director Sheila Schukei participated by telephone conference call.

The media was represented by Matt Meyer, KUSO; Greg Wees, Norfolk Daily News; and Jim Curry, WJAG/KEXL.

Notice of the meeting was given in advance by publication in the Norfolk Daily News, and notice of the meeting was given to the Mayor and all members of the Council prior to the meeting.

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 meeting room and accessible to members of the public.

The first item on the agenda was discussion of proposed resolutions regarding **Keno**. The first resolution discussed submits ballot language to registered voters of Norfolk at the Primary Election on May 13, 2008 to establish a keno-type lottery in the City of Norfolk, Nebraska. The ballot language reads, "Should the City of Norfolk, Nebraska, establish and conduct a keno-type lottery as permitted under the Nebraska County and City Lottery Act (Section 9-601 et seq. of the Nebraska Revised Statutes) with the proceeds being utilized for community betterment purposes."

Councilperson Brenneman feels elected officials should move forward with placing the issue on the ballot.

Councilperson Fauss moved, seconded by Councilperson Coy to move forward with the proposed resolution as discussed. Roll call: Ayes: Councilpersons Brenneman, Coy, Fauss, Lange, Saunders, Wilson and Mayor. Nays: Van Dyke. Absent: Reeder. Motion carried.

The second resolution states the Mayor and City Council are desirous of utilizing Keno proceeds for the betterment of the community by funding park and recreation expenditures. The resolution also states the keno-type lottery proceeds to fund park and recreation expenditures is

for a minimum of four (4) years from the time keno commences and, after the initial four (4) years, the proceeds may be directed for another use only after the City Council holds a public hearing and subsequently adopts a resolution directing the keno-type lottery proceeds to be used for something other than funding park and recreation expenditures.

Councilperson Saunders questioned the amount of money the City expects to receive from a keno-type lottery.

City Administrator Nolan stated the revenue depends on a lot of variables. However, Fremont receives about \$500,000 annually.

Finance Officer Randy Gates explained the amount varies and is only a guess at this time. However, an estimate for Norfolk is about \$400,000 annually.

Councilperson Wilson “is glad to see the money will go for parks”.

Councilperson Saunders moved, seconded by Councilperson Wilson to move forward with the resolution directing use of proceeds from any keno-type lottery in the City of Norfolk for the betterment of the community by funding park and recreation expenditures. Roll call: Ayes: Councilpersons Brenneman, Coy, Fauss, Lange, Saunders, Van Dyke, Wilson and Mayor. Nays: None. Absent: Reeder. Motion carried.

The next items discussed were ordinance options at the request of the Norfolk Rescue Mission regarding **sexual predators**. At the direction of elected officials, the city attorney prepared two ordinances for consideration.

Public Works Director Dennis Smith explained one ordinance provides for an exception to the sex offender/predator residency restrictions for facilities like the Norfolk Rescue Mission. The ordinance would amend Section 14-30 of City Code to create an exception for a person “residing in an emergency shelter and/or recovery/rehabilitation facility operated by a privately-funded, nonprofit entity.” At the suggestion of Councilperson Coy, an alternative way of addressing the issue was incorporated into the second ordinance. The ordinance creates a new section in the zoning code to restrict locations for day care centers, day care homes, and child care facilities within five hundred (500) feet of “any jail, prison, juvenile facility or any other correctional institution or facility including a correctional or treatment facility operated by the state or any political subdivision and any emergency shelter and/or recovery/rehabilitation facility operated by a privately-funded, nonprofit entity.”

Pastor Will Perrigan spoke in favor of the ordinance to add an exception to the Norfolk City Code to allow a privately-funded, nonprofit entity to shelter sexual predators. Pastor Perrigan said there aren't any other shelters available. The Norfolk Rescue Mission doesn't guarantee results, just a place to stay. Perrigan feels sex offenders are better housed at the Rescue Mission than turned away and living homeless on the streets. Perrigan stated sex offenders were housed at the Rescue Mission prior to the ordinance change in 2006.

Councilperson Van Dyke stated “these people need to live somewhere”. Councilperson Van Dyke received one phone call opposing the ordinance change. However, Van Dyke prefers the ordinance adding an exception to City Code and doesn't feel elected officials want to prohibit citizens from operating daycare centers throughout the city.

Councilperson Van Dyke moved, seconded by Councilperson Brenneman to move forward with the ordinance amending Section 14-30 of City Code providing for an exception to the sex offender/predator residency restrictions for facilities such as the Norfolk Rescue Mission.

Councilperson Coy received a phone call from a constituent who opposed the ordinance adding the exception. The person will apply for a daycare license to prevent sex offenders from residing at the Norfolk Rescue Mission. Coy will not support the ordinance.

Councilperson Fauss doesn't support either ordinance because "people from all over the state will be coming to live in Norfolk" because the Rescue Mission would be the only place in the state allowed to house sex offenders.

Councilperson Saunders received numerous calls from concerned citizens opposed to the Code amendment. Saunders will not support the ordinance.

Councilperson Wilson feels the Rescue Mission will be able to help local people who aren't registered sex offenders better if the ordinance is left unchanged.

Roll call on the motion: Ayes: Councilperson Van Dyke and Mayor. Nays: Brenneman, Coy, Fauss, Lange, Saunders and Wilson. Absent: Reeder. Motion failed.

The ordinance creating a new section in the zoning code to restrict locations for day care centers, day care homes, and child care facilities within five hundred (500) feet of "any jail, prison, juvenile facility or any other correctional institution or facility including a correctional or treatment facility operated by the state or any political subdivision and any emergency shelter and/or recovery/rehabilitation facility operated by a privately-funded, nonprofit entity" was not discussed.

The next item discussed was a review of additional locations for a **municipal office** building. Mayor Adams stated the City has received several more proposals for possible locations of a municipal office building.

Paul Medelman offered to donate the City two (2) acres of property located south of Faith Regional Health Services (FRHS). Medelman stated many towns have municipal offices located in a downtown area because "it was established there 50-100 years ago." However, Medelman feels the City has a one-time opportunity to place the offices in another location. The property would be south of Highway 275, which is a highly visible area of the City. A 15,000-20,000 square foot, two story building could be constructed on the property. Medelman stated the developed area would have an approximate value of about \$600,000.

City Administrator Mike Nolan stated two more options received will be presented at the February 4, 2008 City Council meeting. The properties are located at 500 West Braasch Avenue (Health & Human Services building) and land on North 1st Street previously used as a trailer park (Maple Park Trailer Park).

Councilperson Wilson commends local citizens for offering options for a municipal facility. Wilson appreciates Medelman offering to give the land to the City.

Mayor Adams questioned the process to get locations narrowed down to the most viable options.

Nolan stated that, among the criteria that need to be evaluated, are cost, location, partnership concept or doing nothing. Nolan stated some of the options have less feasibility than others and it consumes an enormous amount of time treating the locations all the same.

Councilperson Van Dyke feels it is a process in futility to do the elimination at a Council meeting. Van Dyke feels the location, size, age of building, etc. need to be evaluated and then limit the number of locations to 3-4.

Mayor Adams feels it would be appropriate for a subcommittee to winnow down the list of locations.

Councilperson Coy suggested a ballot with each councilperson picking the top six (6).

Chris Amundson questioned the reason to make the decision at this time.

Mayor Adams explained the City took a 90-day option on the First Christian Church property on North 13th Street and “the clock is running” on that option. Elected officials need to look at the various locations and decide whether the City is going to do something on that property. If the decision is to not purchase that property, then there is no specific time limit.

Amundson questioned the qualifications for the next building and the “shared visions of the council and/or community”. Amundson questioned whether “there is something written that we can all see and maybe instead of taking the scattered suggestions from the community of various properties we have some guidelines of what we are really after.” Amundson isn’t “seeing much of a vision coming from the Council.”

Nolan stated there are probably more than two different sets of visions and getting everyone aligned is probably not possible because everything “begins and ends with cost.” Nolan doesn’t know what everyone’s vision is but staff has run out of practical and functional space at the City Auditorium. Nolan has heard the Riverfront vision, the Salvation Army vision, the two-story concept across from FRHS, etc. Nolan stated elected officials will need to make the final decision.

Mayor Adams stated that, “in a nutshell, the vision is that the city offices that are presently located in the Auditorium are grossly inefficient and that we have the vision that we would like to have efficient, adequate office space for city officials.”

Amundson has heard “an awful lot in the community since the 90-day option came up” that the City Administrator “is on his way out, the mayor is on his way out and several council members will be possibly be changing and now is not the time to be doing this process.” Amundson requested elected officials “simply look at the church property and decide whether that is the property” the City wants to move forward with or not and “leave the rest of it alone until after the first of the year.” Amundson said, “Let’s get some new staff, some new processes in place and begin this with a timeline in place and really nail down what that vision is.”

Councilperson Wilson respects Amundson’s comments and it is important to have a vision but the City needs to have a broader vision to include other entities that want to work together with the City demonstrating that Norfolk is a community of strength working together.

Councilperson Fauss stated some elected officials have been meeting with other entities to “try to figure out what size building” is needed. However, square footage has not yet been determined. Fauss does agree that the list of possible sites needs to be shortened.

Councilperson Coy appreciates Amundson’s comments. Coy doesn’t think “it is as simple as taking the current City Council Chambers and adding that amount of square footage to that of the Auditorium.” Coy would like to have a space needs study completed by an outside firm to see what requirements are needed for City offices. Coy stated the 8,500 square feet at the City Auditorium may be adequate if “laid out in a more practical manner.”

Nolan stated this dialogue “has been ongoing for over 30 years” and elected officials have continued to defer it to the next generation of elected officials.

Councilperson Coy stated the “community knows there is a need” for a new municipal facility.

Amundson said that “what Mike (Nolan) is saying is coming from 28 years of frustration of dealing with this and really wanting some Council to stand up and take ownership of the process and move forward. I would like to see the current Council and the current Mayor lay out a real solid plan of how to do this process. Let’s have plans unfold for a year with steps that you can gage and work through and get locked into that process. The process can begin now or after the first of the year.” Amundson feels both mayoral candidates will, within a few days of taking office, stand up and say it is a priority for them if elected.

Councilperson Saunders feels the Council should not rush the process but it needs to be kept moving forward.

Councilperson Saunders moved, seconded by Councilperson Brenneman to have the Mayor appoint a subcommittee to identify specific goals, present a plan, winnow down the list of possible locations to 4 or 5 and submit a recommendation to the City Council for consideration.

Mayor Adams stated the biggest decision for the subcommittee to make is whether or not the City will have a combined building with other agencies and/or private organizations. If the Council buys into that idea, it is a long-term (4-5 years) plan which would include the hiring of an architect to establish space needs, as well as considerations of who will pay for the facility.

Councilperson Coy said that is part of the reason for recommending a space needs study to see how much actual square footage the City requires.

Nolan stated staff has “a good handle” on what the City space needs are for current staff in the Auditorium. However, the other entities have not provided good numbers on space requirements. Nolan stated the City’s budget does not contain any funds to hire a firm to do a space needs study.

Tom Schommer stated the Shared Facilities Group will submit a plan to the Mayor and City Council which allow for “some of those designs to take place without any outlay of cash unless there is a lease/purchase agreement.”

Nolan explained it isn’t a problem of whether or not the City can raise the money to do financing for a city building. The discussion is really about who is going to pay for space if other entities are included.

Schommer stated many citizens feel a combined facility a good idea.

Amundson feels the City should spend money to hire someone to do a “basic needs assessment study” for the entire community. Amundson feels the cost for the study would be between \$5,000 and \$10,000. Amundson stated Buster Beckenhauer agrees a needs assessment study should be done.

Councilperson Van Dyke stated “many more people would want to piggy back off the City.” Van Dyke questioned how elected officials can accept one group and not another to share City office space and that “is a whole new ball game.”

Tom Dover Sr. takes offense to Amundson’s comments because the Mayor and City Administrator are still in office and both are dedicated to serving the community. Dover said there doesn’t seem to be anyone in the community who feels the City offices shouldn’t be in a better facility. Dover feels it was a wise move by elected officials to put an option on the First Christian Church property and the building seems to fit the City’s needs. Dover does not agree that anyone or any group should be accommodated in conjunction with city offices. Dover doesn’t feel the Chamber of Commerce should be located in the City office building. The Chamber could be in the vicinity of the City offices in a separate building otherwise there would be a lot of entities who want to locate in the same building with city offices. Dover commended the Mayor, City Council members and City Administrator for the time taken on behalf of the community. Dover “yields to their decision to make this community a better place.” Dover stated the big question that needs to be considered is “what are the tax implications to the community for this facility.” Dover encouraged elected officials to move forward and “get it done.”

Amundson “was not down playing Nolan or Mayor Adams”.

Nolan “has heard that statement 3-4 times in public meetings and that is the way I have interpreted it too and the comments have been very personal.”

Ron Stauffer agrees with Tom Dover’s comments. The City has a good Mayor and eight elected officials to run the City. Stauffer stated elected officials need to keep moving on the project.

Lonn Atwood complimented the Mayor and City Council on moving forward on the project. Atwood “keeps hearing about the cost and using just a City facility as your own perimeter then it was an appropriate decision to look at the church as an option.” However, if the perimeters change and there is an opportunity to allow other entities to become involved in the project, a building or a complex, then elected officials should allow that to move forward. Atwood feels there may be more chance for citizens to buy into the concept if the other entities are included in the project and “citizens may be willing to add extra money for the project.” Atwood would be willing to support county offices being located in a building with the city offices.

Councilperson Fauss stated elected officials “took a giant step” looking at the church property. The City has received 14 possible sites for a municipal facility but elected officials need to continue with the process and eliminate the less desirable properties.

Councilperson Coy feels citizens want to be part of the solution.

Mayor Adams stated the other three properties will be introduced at the February 4 City Council meeting.

Councilperson Brenneman feels there needs to be a cut off for receiving possible locations for a municipal facility. Brenneman feels the subcommittee should reduce the number of possible locations to four (4) and make a recommendation to the City Council.

Roll call on the motion to establish a subcommittee to review the possible locations for a municipal building: Ayes: Councilpersons Brenneman, Coy, Fauss, Lange, Saunders, Van Dyke, Wilson and Mayor. Nays: None. Absent: Reeder. Motion carried.

The last item discussed was the search process for a new **city administrator**. Included in the agenda packet was a list of the processes used by the cities of Fremont, Grand Island, Columbus, and Fremont. Distributed at the meeting was a list entitled “city administrator hiring process.” Also distributed was information from Chris Amundson entitled, “A new plan for hiring city manager.” Mayor Adams stated the proposed process includes a March 31 deadline for receiving applications. The Mayor said the process includes the required confidentiality until six finalists are identified and then “it becomes a public matter.”

Administrative Secretary Deb Johnson stated the City has a database of over 700 possible applicants from 9 mid-western states. The information was obtained from the League of Nebraska Municipalities. The list includes names from municipalities half the size of Norfolk up to twice the size (from 10,000 to 40,000 population). An advertisement will also be placed in five major newspapers. Johnson stated a brochure will be mailed only to people responding to the mailing.

Councilperson Wilson questioned the cost effectiveness of hiring a “head hunter.”

Mayor Adams stated the option was considered but the cost would be approximately \$60,000 and would not be cost effective.

Councilperson Coy feels “this isn’t a bad approach” but the timeline isn’t realistic. Coy stated Fremont and Grand Island took over one year and the City of Columbus took 9-10 months to hire a new administrator. Coy feels a longer deadline may provide the City with more candidates.

Mayor Adams agrees that the timeline is idealistic. Mayor Adams “has no doubt it may take considerably longer.”

Tom Schommer read a letter making several other recommendations including not moving forward with the process until after November 2008. Schommer feels the City should hire a search firm for an interim administrator.

Mayor Adams included the two mayoral candidates in the search process.

Paula Pflueger supports the Mayor’s process which includes four city council members, both mayoral candidates and two business persons in the community. Pflueger stated “mayor is our mayor for another 11 months” and the process will represent all interests.

Tom Dover Sr. is opposed to Tom Schommer’s letter. The City has an elected Mayor and City Council that represent the citizenry of Norfolk. Dover trusts the elected officials and feels the City should move forward and “get the job done.”

Sue Fuchtman has some of the same concerns as the other mayoral candidate. Fuchtman feels a possible applicant may “step back a little bit if you don’t know who you would be accountable to.” However, Fuchtman respects the Mayor’s decision.

Councilperson Wilson left the meeting at 8:13 a.m.

Lonn Atwood questioned “the provision for an interim city administrator.”

Mayor Adams stated an interim city administrator will be appointed from staff.

Ron Stauffer feels citizens will really criticize elected officials for spending \$50,000 to \$60,000 to hire an interim city administrator. Stauffer feels “a lot of suggestions being made are to further a personal agenda”, and Stauffer takes exception to that.

Amundson stated there isn’t any dissension with the comments made but, “it’s about voicing opinions and not propelling an agenda.” Amundson stated the City has a “strong personality administrator who has done tremendously well in many aspects but it will take some time to pull back from that and I think we’ve lost the control because of such a strong personality.”

Councilperson Saunders left the meeting at 8:16 a.m.

Mayor Adams stated the process “is pretty well set in the City Code and State Statutes” and elected officials must abide by the law. Mayor stated Amundson has proposed doing some things that can’t be done by a municipality.

Councilperson Van Dyke moved, seconded by Councilperson Lange to adjourn the meeting at 8:18 a.m. Roll call: Ayes: Brenneman, Coy, Fauss, Lange, Van Dyke and Mayor. Nays: None. Absent: Reeder, Saunders and Wilson. Motion carried.

Elizabeth A. Deck
City Clerk