

## **CITY OF NORFOLK, NEBRASKA**

The Mayor and City Council of the City of Norfolk, Nebraska met in regular session in the Council Chambers, 309 North 5th Street, Norfolk, Nebraska on the 21st day of January, 2014, beginning at 5:30 p.m.

Following a moment of silence and the Pledge of Allegiance to the flag of the United States of America, Mayor Sue Fuchtman called the meeting to order. Roll call found the following Councilmembers present: Dale Coy, Jim Lange, Rob Merrill, Shane Clausen, Thad Murren, Josh Moenning, Dave Fauss, and Dick Pfeil. Absent: None.

Staff members present were: City Administrator Shane Weidner, City Attorney Clint Schukei, City Clerk Beth Deck, Finance Officer Randy Gates, Police Chief Bill Mizner, Wastewater Plant Superintendent Todd Boling, Park Superintendent Pat Mrsny, Information Systems Manager Jim McKenzie, Administrative Secretary Bethene Hoff, Fire Chief Scott Cordes, Housing Development Manager Gary Hilkemann, Solid Waste Supervisor Rob Mercer, Assistant City Engineer Mark Dolechek, and Prevention Manager Trent Howard.

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.

### **Agenda Motions**

Councilmember Coy moved, seconded by Councilmember Merrill to approve the consent agenda as printed. Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Councilmember Merrill moved, seconded by Councilmember Fauss to adopt the full agenda as printed. Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

### **Consent Agenda Items Approved**

*Minutes* of the January 6, 2014, City Council meeting

*Letter of no recommendation* to the Nebraska Liquor Control Commission on the manager application for Frances Teague in connection with the Class C liquor license of Veterans F W 1644, 316 West Braasch Avenue, Norfolk, Nebraska

*Letter of no recommendation* to the Nebraska Liquor Control Commission on the Class C liquor license application for Eldo Golf, LLC, dba Eldorado Hills Golf Club, 1227 Eldorado Road, and the manager application of David L. Johnson

*Plans, specifications, and engineer's estimate* on file in the City offices for Street Overlay 2014-1 Project, and authorization for the City Clerk to advertise for bids

*Northeast Community College (NECC)*, a Political Subdivision of the State of Nebraska, agreement relating to public safety and emergency management

*Mayor's reappointments to the Vehicle Parking District Advisory Board* of Connie Geary, James Wapelhorst and Pat Carney to serve 3-year terms expiring August 2016

*Bills* in the amount of \$1,220,793.31

### **Regular Agenda Items**

Councilmember Merrill moved, seconded by Councilmember Lange, for approval for the Mayor to execute a contract with Valley View Trucking L.L.C. for transporting Solid Waste Division trailers to the Northeast Nebraska Solid Waste Coalition landfill for a cost of \$188.00 per round trip.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Councilmember Coy moved, seconded by Councilmember Fauss, to approve the purchase of a replacement sidemount engine fire truck from Smeal Fire Apparatus for a final price of \$429,320, after optional deductions by the Fire Division.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

#### Ordinance No. 5280

(General Obligation Off-Street Parking Bonds issue)

Councilmember Lange introduced, seconded by Councilmember Merrill, Ordinance No. 5280 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION OFF-STREET PARKING REFUNDING BONDS, SERIES 2014, OF THE CITY OF NORFOLK, NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000) FOR THE PURPOSE OF PAYING AND REDEEMING \$250,000 OF THE CITY'S OUTSTANDING GENERAL OBLIGATION OFF-STREET PARKING BONDS, SERIES 2008, DATE OF ORIGINAL ISSUE - DECEMBER 23, 2008; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM and moved that the

ordinance be passed on first reading. Said ordinance was then read into the record by title by the City Clerk.

Finance Director Randy Gates stated the interest rates range from .30% to 3.75%. The outstanding bonds have interest rates ranging from 3.5% to 5.3%.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5280 passed on first reading.

Councilmember Fauss moved, seconded by Councilmember Moenning, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. 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 Councilmember Fauss moved, seconded by Councilmember Moenning, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5280 be passed and adopted?"

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. 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. 5280 as required by law.

Resolution No. 2014-3

(bond call, Series 2008 General Obligation Off-Street Parking bonds)

Councilmember Lange moved, seconded by Councilmember Coy, to adopt Resolution No. 2014-3 calling \$250,000 of outstanding Series 2008 General Obligation Off-Street Parking Bonds for redemption on February 25, 2014.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Resolution No. 2014-3 was adopted.

Housing Tax Credit Project

(Meadow Ridge)

Councilmember Coy moved, seconded by Councilmember Merrill, to approve the Mayor signing a letter to the Norfolk Housing Development Corporation offering \$145,000 of program income from loan repayments for a Low Income Housing Tax Credit project in the Meadow Ridge Subdivision.

Councilmember Murren declared a conflict of interest and abstained from discussion and voting on this item.

City Administrator Shane Weidner explained the funds are program reuse funds that must specifically be used in the Meadow Ridge Subdivision for low income housing activities and cannot be used for infrastructure. The available funds will carry an interest rate of 4% with a 30-year amortization and a 16-year balloon payment. Any payment during the term of the loan will be made annually from the project's available cash flow. The offer is good through December 31, 2014 and is only available if the project is awarded its funding for Low Income Housing Tax Credits from the Nebraska Investment Finance Authority (NIFA) and HOME funds from the Nebraska Department of Economic Development.

Roll call: Ayes: Councilmembers Coy, Lange, Merrill, Clausen, Moenning, Fauss and Pfeil.  
Nays: None. Absent: None. Abstaining: Murren. Motion carried.

There being no further business, the Mayor declared the meeting adjourned at 6:08 p.m.

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Sue Fuchtman  
Mayor

ATTEST:

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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 Tuesday, January 21, 2014, had and done by the Mayor and City 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.

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Elizabeth A. Deck  
City Clerk

( S E A L )