

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 April, 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, Director of Public Works Dennis Smith, 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, Administrative Secretary Bethene Hoff; Administrative Secretary/Personnel Technician Deb Johnson, Water & Sewer Director Dennis Watts, Operations Manager Gary Miller, Prevention Manager Trent Howard, Fire Chief Scott Cordes, Fire Captain Lyle Lutt, Police Officer Jason Witzel, Police Officer Brent Tietz, and Police Sergeant Chad Reiman.

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 Merrill moved, seconded by Councilmember Fauss 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 Lange moved, seconded by Councilmember Coy 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 April 7, 2014, City Council meeting

Letter to the Nebraska Department of Economic Development requesting a 12-month contract extension from November 5, 2014 to November 5, 2015 for Community Development Block Grant 13CR007, and a 12-month contract extension from January 9, 2015 to January 9, 2016 for Community Development Block Grant 13CR107

Letter of no recommendation to the Nebraska Liquor Control Commission on the Class C liquor license application for SCW, Inc., dba Weaver's Discount Liquor, 811 South 13th Street, and the manager application of Louis A. Thomas III

Special Designated Liquor License for American Legion Post 16 to serve beer, wine and distilled spirits at a fundraiser in an outdoor beer garden at 1305 Riverside Boulevard from 12:00 p.m. to 1:00 a.m. on Friday, May 30, 2014, with an alternate date of Saturday, May 31, 2014

Plans, specifications, and engineer's estimate on file in the City offices for Trails 2014-1 (4th Street & Elm Avenue and 3rd Street & Georgia Avenue) project and authorization for the City Clerk to advertise for bids

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use the tennis facilities located at 4th Street and Elm Avenue for tennis practice and competitions for their boys tennis season running from August 11, 2014 through October 18, 2014, and girls tennis season running from March 2, 2015 through May 23, 2015

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use the Ta-Ha-Zouka Park's softball facilities for practice, games, and annual invitational tournament for the 2014 softball season from August 4, 2014 through October 17, 2014

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use the Ta-Ha-Zouka Park's softball facilities to hold a softball pre-season camp from June 30, 2014 through July 3, 2014

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use the Skyview Park facility for a Wellness 5K Run/Walk on Wednesday, May 21, 2014

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use Memorial Field at Veterans Memorial Park to hold a football camp on Monday, July 7, 2014 and Tuesday, July 8, 2014

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use Memorial Field at Veterans Memorial Park to hold football games, scrimmages, and practices for the 2014 football season ending November 30, 2014

School District No. 2 of Madison County, Nebraska (also known as Norfolk Public Schools and a Political Subdivision of the State of Nebraska) agreement to use the cross country course in Skyview Park for practice and meets for the 2014 cross country season from August 4, 2014 through October 31, 2014

Advertise for concrete contract repair for sidewalk, ADA ramp, and alley return work in Areas 1-3C, 2-3C, 3-3C and 4-3C

Madison County Fire Protection Mutual Finance Organization interlocal cooperation agreement allowing members to levy to an agreed limit of 4 cents

Bills in the amount of \$1,243,655.31

Special Presentations

The Mayor proclaimed April 26, 2014 as Arbor Day and April 26, 2014 as the Veterans of Foreign War “Buddy Poppy Day”.

Norfolk 101: Citizens Academy recognition – the Mayor presented certificates of achievement to the seventeen citizens who attended the Norfolk 101: Citizens Academy which provided citizens an opportunity to better understand the organizational structure and operation of the City of Norfolk government. Participants met with the Mayor and City Administrator while City staff from each division gave overviews of their department, including tours offered at many city facility locations.

Police Chief Bill Mizner and Police Sergeant Chad Reiman provided an overview of the Lori Colvey case that was filed in the U.S. District Court against the City on January 3, 2013. The case was dismissed on a Summary Judgment Motion filed on behalf of the City and the police personnel. The League of Nebraska Municipalities (LARM) represented the City and spent more than \$40,000 in litigation costs. LARM felt it was important to the police personnel that settlement was not considered and vindication was pursued.

City staff update on SID #1 of Stanton County, Nebraska (Woodland Park) sewer issues. City Administrator Shane Weidner reviewed an April 18, 2014 letter from Bryan Engineering to Dennis Smith regarding the SID No. 1 Facility Plan Progress Update, and a letter dated April 15, 2014 from the State of Nebraska Department of Environmental Quality to George E Bryan, P.E. (engineer for SID #1) regarding an April 9, 2014 Extension request from Stanton County SID No. 1 (Woodland Park).

Regular Agenda Items

SID #1 MOU

Councilmember Merrill moved, seconded by Councilmember Coy, to approve a Memorandum of Understanding between the City and Sanitary Improvement District No. 1 (SID #1) of Stanton County, Nebraska, (Woodland Park) allowing the SID #1 to reconnect to the City sewer system so long as certain minimum requirements are met and to give SID #1 until Wednesday, May 7, 2014, to respond to the Memorandum of Understanding.

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

Topkote, Inc., low bid (armor coat projects)

Councilmember Lange moved, seconded by Councilmember Merrill, to accept the low bid of \$19,692.90 from Topkote Inc., Yankton, S.D., for armor coat projects at Skyview Park and Ta-Ha-Zouka Park, and for the addition of \$53,689.56 for street work not originally bid on Norfolk Avenue, for a total project cost of \$73,382.46.

Operations Manager Gary Miller provided information to the Mayor and City Council.

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

There being no further business, the Mayor declared the meeting adjourned at 6:37 p.m.

Sue Fuchtman
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, April 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.

Elizabeth A. Deck
City Clerk

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