

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 2nd day of September, 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: Corey Granquist, Jim Lange, Rob Merrill, Shane Clausen, Thad Murren, Josh Moenning, Dave Fauss, and Dick Pfeil. Absent: None.

Staff members present were: City Attorney Clint Schukei, City Clerk Beth Deck, Police Chief Bill Mizner, Administrative Secretary Bethene Hoff, Water & Sewer Director Dennis Watts, 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 Merrill moved, seconded by Councilmember Fauss to approve the consent agenda as printed. Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

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

Consent Agenda Items Approved

Minutes of the August 18, 2014, City Council meeting

Special Designated Liquor License for Sacred Heart Church, 204 South 5th Street, to serve beer, wine and distilled spirits for an annual Spirit Gala Fundraiser at Sacred Heart Parish & Activities Center, 2301 West Madison Avenue, on Saturday, November 8, 2014 from 5:00 p.m. to 1:00 a.m.

Special Designated Liquor License for the American Legion Post 16, 1305 Riverside Boulevard, to serve beer, wine and distilled spirits on Saturday, September 13, 2014, from 12:00 noon to 1:00 a.m. for a fund raiser/beer garden

Northeast Nebraska Shooting Association's request to use the City Auditorium for its annual gun show on Saturday and Sunday, October 18 and 19, 2014, and to exhibit or display firearms or explosive devices on the premises during its gun show

Liberty Centre Services, Inc. (a Nebraska Nonprofit Corporation) agreement to hold the "Color Your Recovery 5K Run/Walk" event on Saturday, September 13, 2014

Special Designated Liquor License for Shane Taylor, dba The Whitehouse/Taylor's Bar & Grill, Pierce, NE, to serve beer, wine and distilled spirits at a reception at The Loft, 311 West Norfolk Avenue, from 5:00 p.m. to 1:00 a.m. on Saturday, September 20, 2014

Brenda Chace extended agreement to operate an animal pound for the City

Bills in the amount of \$2,251,283.35

Special Presentations

The Mayor proclaimed September 22, 2014, as "Family Day".

Public Hearing and Related Items

Public Hearing

(Municipal and Industrial Solid Waste)

A public hearing was held to consider an amendment to Section 27-2 of the official City Code to add definitions for municipal solid waste and industrial solid waste provided information to the Mayor and City Council. Prevention Manager Trent Howard provided information to elected officials.

On August 29, 2014, the Norfolk Planning Commission held a public hearing regarding the City Code amendment. 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 City code amendment and the Mayor declared the hearing closed.

Ordinance No. 5312

(Municipal and Industrial Solid Waste)

Councilmember Lange introduced, seconded by Councilmember Pfeil, Ordinance No. 5312 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 27-2 OF THE OFFICIAL CITY CODE TO ADD DEFINITIONS FOR MUNICIPAL SOLID WASTE AND INDUSTRIAL SOLID WASTE; 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 first reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5312 passed on first reading.

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

Roll call: Ayes: Councilmembers Granquist, 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 Lange moved, seconded by Councilmember Merrill, 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. 5312 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, 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. 5312 as required by law.

Regular Agenda Items

Ordinance No. 5313

(create Paving District No. 505, North 34th Street)

Councilmember Lange introduced, seconded by Councilmember Fauss, Ordinance No. 5313 entitled: AN ORDINANCE CREATING PAVING DISTRICT NO. 505 IN THE CITY OF NORFOLK, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE 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. Assistant City Engineer Mark Dolechek explained this ordinance will provide for paving of North 34th Street from approximately 375 feet north of Silver Fox Avenue continuing northwesterly approximately 340 feet to the end of the circle.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5313 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 Granquist, 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. 5313 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, 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. 5313 as required by law.

Ordinance No. 5314

(create Paving District No. 506, Marconnit Circle)

Councilmember Fauss introduced, seconded by Councilmember Lange, Ordinance No. 5314 entitled: AN ORDINANCE CREATING PAVING DISTRICT NO. 506 IN THE CITY OF NORFOLK, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE 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. Assistant City Engineer Mark Dolechek explained this ordinance will provide for paving of Marconnit Circle from approximately 120 feet east of Pinnacle Drive continuing southeasterly approximately 453 feet to the end of Marconnit Circle.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5314 passed on first reading.

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

Roll call: Ayes: Councilmembers Granquist, 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 Lange moved, seconded by Councilmember Fauss, 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. 5314 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, 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. 5314 as required by law.

Ordinance No. 5315

(create Paving District No. 507, Regency Circle North)

Councilmember Lange introduced, seconded by Councilmember Murren, Ordinance No. 5315 entitled: AN ORDINANCE CREATING PAVING DISTRICT NO. 507 IN THE CITY OF NORFOLK, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE 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. Assistant City Engineer Mark Dolechek explained this ordinance provides for paving of Regency Circle North from approximately 105 feet north of Andrew's Drive continuing north approximately 228 feet to the end of Regency Circle North.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5315 passed on first reading.

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

Roll call: Ayes: Councilmembers Granquist, 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 Lange moved, seconded by Councilmember Granquist, 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. 5315 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, 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. 5315 as required by law.

Paving District No. 505

(Plans, specs, engineer's estimate, advertise for bids)

Councilmember Fauss moved, seconded by Councilmember Lange, to approve plans, specifications, and engineer's estimate on file in the City offices for Paving District No. 505, Fox Ridge Estates Addition Phase IV project and authorization for the City Clerk to advertise for bids.

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

Paving District Nos. 506 and 507

(Plans, specs, engineer's estimate, advertise for bids)

Councilmember Merrill moved, seconded by Councilmember Fauss, to approve plans, specifications, and engineer's estimate on file in the City offices for Paving District No. 506, Berry Hill 16th Addition and Paving District No. 507, Andrew's Regency North Addition project and authorization for the City Clerk to advertise for bids.

Roll call: Ayes: Councilmembers Granquist, 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 5:45 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 Tuesday, September 2, 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

(S E A L)