

## **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 3rd day of November, 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, Josh Moenning, Dave Fauss, and Dick Pfeil. Absent: Thad Murren.

Staff members present were: City Administrator Shane Weidner, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Police Chief Bill Mizner, Wastewater Plant Superintendent Todd Boling, Park Superintendent Pat Mrsny, Administrative Secretary Bethene Hoff, Prevention Manager Trent Howard, Water & Sewer Director Dennis Watts, Assistant City Engineer Mark Dolechek, Operations Manager Jim Dooley, and Communications Director Diane Becker.

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, Moenning, Fauss and Pfeil. Nays: None. Absent: Murren. Motion carried.

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

### **Consent Agenda Items Approved**

*Minutes* of the October 28, 2014, Special City Council meeting

*Authorize City staff to negotiate a contract with Olsson & Associates to provide engineering services for the replacement of two raw lift pumps for the Water Pollution Control Plant*

*Advertise for a replacement regenerative air street sweeper to be used by the Street Division*

*Advertise* for illuminated street signs to upgrade intersection signage

*Letter to the Nebraska Department of Economic Development* requesting a six-month contract extension for Community Development Block Grant #09-CR-107

*Jim Rutten, Jim's Fine Wine & More*, 2001 Market Lane, special designated liquor license to serve wine and distilled spirits at Nebraska Studio Gallery, 311 West Norfolk Avenue on Monday, November 20, 2014, from 5:00 p.m. to 8:00 p.m. for a sampling/tasting event

*Jim Rutten, Jim's Fine Wine & More*, 2001 Market Lane, special designated liquor license to serve wine at the Dream Boutique, 428 West Norfolk Avenue on Saturday, November 25, 2014 from 5:00 p.m. to 8:30 p.m. for a sampling/tasting event

*Negotiate an engineering services* contract with Olsson Associates for the design of the Norfolk Avenue Bridge between the 1st Street and Cottonwood Street project

*Downtown Norfolk Association, Inc.*, agreement allowing them to decorate the City's tree located in the green space at 7th Street and Norfolk Avenue and to hold a Christmas Festival in downtown Norfolk on Tuesday, November 25, 2014, including tractor-pulled hayrack rides, closing Norfolk Avenue between 6th Street and 7th Street, and having small campfires in self-contained steel fire pits

*Bills* in the amount of \$1,118,448.29

### **Special Presentations**

The Mayor proclaimed November 29, 2014, as "Small Business Saturday"; and November 2014 as, "Read Aloud To A Child Month".

### **Public Hearings and Related Items**

#### Public Hearing

(D & M Underground LLC zone change)  
(709 South 37th Street)

A public hearing was held to consider a zone change from A (Agricultural District) to BP (Business Park) at 709 South 37th Street at the request of D & M Underground, L.L.C. Prevention Manager Trent Howard provided information to the Mayor and City Council. D & M Underground, L.L.C., operates an underground boring business and want to relocate to 709 South 37th Street to construct a building to store equipment and supplies. The Comp Plan shows this area as Business Park.

Natasha Figueroa, 714 S 6th Street, spoke on behalf of D & M Underground in favor of the zoning change.

No one else appeared either in favor of or in opposition to the zone change and the Mayor declared the hearing closed.

On October 21, 2014, the Norfolk Planning Commission held a public hearing regarding the request from D & M Underground, L.L.C. The City Clerk read the Planning Commission's recommendation for approval into the record.

Ordinance No. 5325  
(D & M Underground, L.L.C. zone change)  
(709 South 37th Street)

Councilmember Merrill introduced, seconded by Councilmember Lange, Ordinance No. 5325 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING 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, Moenning, Fauss and Pfeil.  
Nays: None. Absent: Murren. Motion carried. Ordinance No. 5325 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, Moenning, Fauss and Pfeil.  
Nays: None. Absent: Murren. 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. 5325 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Moenning, Fauss and Pfeil.  
Nays: None. Absent: Murren. 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. 5325 as required by law.

**Regular Agenda Items**

Elkhorn Paving Construction Change Order No. 1  
(Concrete Improvements 2014-1, 5th Street, Project)

Councilmember Lange moved, seconded by Councilmember Fauss, to approve Change Order No. 1 with Elkhorn Paving Construction Co., Inc. for Concrete Improvements 2014-1 (5th Street) project resulting in a net increase of \$9,468.31 for a new contract price of \$192,122.16.

Assistant City Engineer Mark Dolechek stated the change order provides for balancing bid quantities to actual quantities.

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

**Administrative Reports**

Operations Manager Jim Dooley gave a presentation on the 2014 Snow and Ice Plan.

The Mayor presented certificates to members of the Norfolk 101 Citizens Academy.

There being no further business, the Mayor declared the meeting adjourned at 5:57 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 Monday, November 3, 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

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