CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk, Nebraska met in regular session in the Council Chambers, 309 West Madison Avenue, Norfolk, Nebraska on the 2nd day of May, 2011, 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 Councilpersons present: Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss, and Saunders. Absent: None.

Staff members present were: Interim City Administrator Shane Weidner, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Transportation, Building & Grounds Director Jim Koch, Finance Officer Randy Gates, Police Chief Bill Mizner, Information Systems Manager Jim McKenzie, City Engineer Assistant Mark Dolechek, Prevention Manager Scott Cordes, Water & Sewer Director Dennis Watts and Emergency Management Coordinator Faythe Petersen and Fire Division fire fighters.

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

Councilperson Brenneman moved, seconded by Councilperson Saunders to approve the consent agenda as printed. Roll call: Ayes: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilperson Merrill moved, seconded by Councilperson Lange to adopt the full agenda as printed. Roll call: Ayes: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Consent Agenda Items Approved

Minutes of the April 18, 2011, City Council meeting

Minutes of the April 18, 2011 Work Session meeting

Faith Regional Health Services and Red Beacon Communications, L.L.C. agreement for the "Laugh-and-a-Half-Marathon" to be held on Saturday, June 18, 2011 that allows for the closure of Riverside Boulevard from Georgia Avenue to Elm Avenue from 5:00 a.m. to 2:00 p.m. for a portion of the run

Letter to the Nebraska Department of Economic Development requesting a nine-month contract extension, to March 1, 2012, for the CDBG #08-CR-007 grant to allow time to finish building one home and contract and build a second home required by the grant

Resolution No. 2011-7 related to the Norfolk Housing Agency's issuance of $675,000 of Housing Revenue and Refunding Bonds (Kensington Project), Series 2011, confirming certain continuing disclosure requirements and making an allocation under Section 148 of the Internal Revenue Code

Elkhorn Paving Construction Co., Inc. Change Order #1 for Paving District No. 495, Oak Street, resulting in a net increase of $3,005.00 to balance bid quantities to actual quantities

Call Special City Council meeting on Monday, May 9, 2011, at 5:30 p.m. at Our Savior Lutheran Church, 2500 West Norfolk Avenue, to comply with the provisions of N.R.S. 18-1755 before the consummation of the purchase of property along 25th Street by the City of Norfolk

Kirkham Michael engineering contract for the planning, design, environmental review, construction management, and inspection of the Southwest Sanitary Sewer, Phase I project for an amount not to exceed of $316,908.80.

Penro Construction Co., Inc. of Pender, Nebraska contract for the Water Improvements 2011-1 project for an amount of $295,076.30 to furnish all labor, materials, equipment and all else necessary to properly construct all the improvements. Three sealed bids were received at the April 21, 2011 bid letting. The other bidders were Rutjens Construction Inc. of Tilden, Nebraska for $347,214.28; and Robert Woehler & Sons of Wayne, Nebraska for $366,323.70.

Special Designated Liquor License for Aschoff 5, Inc., dba TJ's Sports Bar, to serve beer, wine and distilled spirits in an outdoor beer garden at 715 Country Club Road, Norfolk, Nebraska on June 18, 2011 from 12 p.m. to 1 a.m.

Special Designated Liquor License for Aschoff 5, Inc., dba TJ's Sports Bar, 715 Country Club Road, to serve beer, wine and distilled spirits at The Loft, 311 West Norfolk Avenue, on August 27, 2011, from 5 p.m. to 1 a.m. for a dance and reception.

Resolution No. 2011-8 adopting Economic Development Program Guidelines and Procedures along with the related forms used for administration of the program

Sid Sudbeck Subrecipient Agreement related to a City-owned lot which is being placed into a Community Revitalization Grant Program and deeding said lot, located at 206 West Park Avenue, to Sid Sudbeck.

Bills in the amount of $1,153,820.00

Special Presentations

Interim City Administrator Shane Weidner presented the 2011 Edward I. Vrzal Outstanding Citizen Award to Dr. G. Tom Surber for excellent civic contributions to the City of Norfolk as well as surrounding communities.

Interim City Administrator Shane Weidner provided a recreation update to the Mayor and City Council stating the sod is off the field and dirt is being moved. Weidner explained Memorial Swimming Pool will be open for a portion of the summer but will be closing earlier than usual to start demolition of the facility. Also, the baseball fields can be accessed from Pasewalk Avenue during this season.

The Mayor proclaimed the week of May 1-7, 2011 as "Drinking Water Week".

Chris Amundson and Tom Bressler gave a presentation on restoration of the Little Sister of Liberty in Central Park. In 1950, the Norfolk Boy Scouts raised money and installed a copper "Little Sister of Liberty" statue in Norfolk's Central Park. The scouts mounted the statue atop a pedestal donated to Norfolk by the Hall family (of Hallmark fame). Since then, Lady Liberty has deteriorated due to the elements and years of vandalism. Donations are being accepted to refurbishment of the statue at an estimated cost of $15,000.

Regular Agenda Items

Ordinance No. 5159
(sale of property, 206 West Park Avenue, Sudbeck)

Councilperson Lange introduced, seconded by Councilperson Coy, Ordinance No. 5159 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO AUTHORIZE THE SALE OF CITY PROPERTY; TO PROVIDE THE TERMS OF SALE AND AUTHORIZE THE MAYOR TO EXECUTE AND DELIVER A QUITCLAIM DEED TO THE PROPERTY; TO PROVIDE FOR A REMONSTRANCE TO SAID SALE AS PROVIDED BY LAW; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; 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: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 5159 passed on first reading.

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

Roll call: Ayes: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. 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 Councilperson Brenneman moved, seconded by Councilperson Lange, 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. 5159 be passed and adopted?"

Roll call: Ayes: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. 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. 5159 as required by law.

Councilperson Fauss moved, seconded by Councilperson Lange to adjourn the meeting at 5:57 p.m. Roll call: Ayes: Councilpersons Coy, Lange, Merrill, Clausen, Murren, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

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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, May 2, 2011, 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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