

## 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 5th day of January, 2015, 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, Shane Clausen, Thad Murren, Josh Moenning, Dave Fauss, and Dick Pfeil. Absent: Rob Merrill.

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, Administrative Secretary Bethene Hoff, Prevention Manager Trent Howard, Solid Waste Manager Rob Mercer, Fire Chief Scott Cordes, Communications Director Diane Becker and Assistant City Engineer Mark Dolechek.

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

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

### **Consent Agenda Items Approved**

*Minutes* of the December 15, 2014, City Council meeting

*Change Order No. 3 with Berendse & Sons Paint Co., Inc.* for the two million gallon steel water storage tank painting project resulting in a decrease of \$11,200.00 and a total contract amount of \$438,496.25

*Authorize the Mayor to execute any and all contracts, documents, or other memoranda, between the City of Norfolk and the Nebraska State Recycling Association to affect acceptance of the grant application for 70% of \$2,882.30 to purchase a “Power lift gate”*

*Advertise for a replacement ambulance for the Fire Division*

*Bills in the amount of \$1,561,171.14*

### **Special Presentations**

Fire Chief Scott Cordes gave a presentation of the Norfolk Fire Division's 2013/2014 Annual Report.

Dan Geary and Terri Wachter, on behalf of the Norfolk Airport Authority (NAA), gave a presentation on a proposed hangar project. The airport is proposing to build an 8-Place T Hangar to serve aircraft needs at the Norfolk Regional Airport. NAA would like to invest current hangar rental income towards construction of the new hangar. Therefore, the hangar rental income would not be available to pay general fund expenses and the project will result in a tax increase. The agenda packet contained information, provided by NAA, on Hangar History; Hangar Occupants; Hangar Inquiries; Hangar Rent Income; Cost Estimate; Hangar Cash Flow; and Hangar Time Line Requirements.

Geary stated the estimated cost of the 8-Place Nested T-hangar is \$1,000,000 with funding from federal and state agencies; however, there would still need to be an additional tax increase of \$60,000, or .00481 per \$100/valuation, over the next 10 years from City of Norfolk taxpayers to fund the project.

Councilman Lange has concerns that the cost estimate is too low.

Geary understands the engineer's estimate is good and said the only way to get a final number is to go out for bids. Geary stated the project will not go forward if the cost goes above the \$1,000,000 estimate.

Mayor Fuchtmann stated this is only a presentation and no action is on the agenda for elected officials.

Geary and Wachter requested an action item appear on the January 20, 2015 City Council meeting agenda to consider the Norfolk Airport Authority's request for an additional tax increase of \$60,000, or .00481 per \$100/valuation, over the next 10 years to fund the 8-Place T Hangar project.

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

#### Public Hearing (JMHS LLC Planned Development)

A public hearing was held to consider a final plan of JMHS L.L.C. Planned Development at the request of JMHS, L.L.C. Prevention Manager Trent Howard provided information to the Mayor and City Council.

LaVern Schroeder, engineer for Chris Merkel on behalf of JMHS L.L.C., spoke in favor of the Planned Development and said Merkel is planning to construct a 60x100 building on Lot 2 for their mud flap production business. The property is located at 2001 South 37th Street.

On December 16, 2014, the Norfolk Planning Commission held a public hearing regarding the City Code amendments. The City Clerk read the Planning Commission's recommendations for approval into the record.

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

Ordinance No. 5333  
(JMHS LLC Planned Development)

Councilmember Moenning introduced, seconded by Councilmember Fauss, Ordinance No. 5333 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA, AND 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, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: Merrill. Motion carried. Ordinance No. 5333 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, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: Merrill. 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. 5333 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, Lange, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: Merrill. 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. 5333 as required by law.

Public Hearing  
(Porter Pit, LLC paving waiver)

A public hearing was held to consider a paving waiver at the request of Porter Pit, L.L.C. on property located south of Monroe Avenue on Victory Road. Prevention Manager Trent Howard provided information to the Mayor and City Council.

Dick Johnson, on behalf of Porter Pit, spoke in favor of the paving waiver.

On December 16, 2014, the Norfolk Planning Commission held a public hearing regarding the City Code amendments. The City Clerk read the Planning Commission's recommendations for approval into the record.

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

Resolution No. 2015-1  
(Porter Pit, LLC paving waiver)

Councilmember Lange moved, seconded by Councilmember Clausen, to adopt Resolution No. 2015-1 approving a ten year paving waiver for Porter Pit, L.L.C. at the concrete crushing operation south of Monroe Avenue on Victory Road.

Roll call: Ayes: Councilmembers Granquist, Lange, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: Merrill. Motion carried. Resolution No. 2015-1 was adopted.

**Regular Agenda Items**

Elkhorn Valley Mutual Aid Agreement

Councilmember Lange moved, seconded by Councilmember Fauss to approve the Mutual Aid Agreement with Elkhorn Valley Mutual Aid.

Fire Chief Scott Cordes explained the agreement is between communities and rural fire protection districts to provide fire protection and emergency response services or emergency medical services which exceed or threaten to exceed the capacity of the emergency defenses of an individual town or rural fire district.

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

Resolution No. 2015-2  
(Risk Management Policy Statement)

Councilmember Murren moved, seconded by Councilmember Fauss, to adopt Resolution No. 2015-2 approving the Risk Management Policy Statement for the City of Norfolk.

Roll call: Ayes: Councilmembers Granquist, Lange, Clausen, Murren, Moenning, Fauss and Pfeil. Nays: None. Absent: Merrill. Motion carried. Resolution No. 2015-2 was adopted.

Event Guide Application

Councilmember Pfeil moved, seconded by Councilmember Fauss, to approve an updated Event Guide Application to assist organizers requesting to use City of Norfolk facilities run a safe and successful event.

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

There being no further business, the Mayor declared the meeting adjourned at 6:36 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, January 5, 2015, 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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