

## **CITY OF NORFOLK, NEBRASKA**

The Mayor and City Council of the City of Norfolk, Nebraska met in special session in the City Auditorium, 127 North 1st Street, Norfolk, Nebraska on the 6th day of July, 2015, beginning at 8:00 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 Administrator Shane Weidner, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Police Chief Bill Mizner, Finance Officer Randy Gates, Communications Director Diane Becker, Risk Manager Lyle Lutt, Park Superintendent Pat Mrsny and Operations Manager Jim Dooley.

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 Auditorium 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 Motion**

Councilmember Fauss moved, seconded by Councilmember Murren 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.

### **Regular Agenda Item**

Councilmember Merrill moved, seconded by Councilmember Granquist to remove from the table Ordinance No. 5348, authorizing the sale of the City Auditorium at 127 North 1st Street to Young Men's Christian Association of Norfolk, Nebraska for the purchase price of \$1.00. Ordinance No. 5348 was tabled at the June 15, 2015 City Council meeting.

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

### Ordinance No. 5348 (sale of auditorium to YMCA)

The motion introducing Ordinance No. 5348 at the June 15, 2015 City Council meeting was made by Councilmember Merrill, and seconded by Councilmember Moenning which ordinance

is 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 that the ordinance be passed on first reading. Said ordinance was read into the record by title by the City Clerk.

Councilmember Merrill said approval of the ordinance on first reading enables elected officials to move forward with specific changes and/or modifications to the ordinance to complete the transfer of the Auditorium to the YMCA. Merrill has received a lot of input from citizens and will be voting based on that input.

Councilmember Fauss has participated in the ongoing discussions regarding the Auditorium over the last two years with various options discussed, including demolition of the Auditorium. Fauss feels the City could update the Auditorium and operate it as a private business even if it doesn't cash flow because other areas of the City, including the parks, recreation programs and water facilities, operate at a deficit. Fauss would like to table the ordinance for consideration at a later date.

City Administrator Shane Weidner stated the cost to update the Auditorium is approximately \$100,000 to meet current code requirements. Weidner stated parks, in general, are a governmental function but not an auditorium.

Councilmember Moenning feels a decision by elected officials needs to be made soon to allow civic groups to plan their events. Moenning suggested that the history and heritage of the building be honored in some way and that elected officials preserve options for the future of the Auditorium with the possibility of a partnership with the YMCA.

Mayor Fuchtmann said there are ways to preserve the history of the Auditorium.

Councilmember Clausen suggested several options including a long term lease arrangement with the YMCA or a first right of refusal. Clausen also suggested the YMCA use the Auditorium for basketball to free up space for gymnastics at one of their other facilities which would allow civic groups to use the Auditorium. Clausen also said an option may be for the City to issue bonds to make the required updates to the Auditorium because the City doesn't have a funding source to update the Auditorium. Clausen suggested obtaining more input from the community.

Councilmember Lange reviewed the history of the Auditorium which was constructed by the WPA (Works Progress Administration in the 1930s) to employ citizens. However, venues have changed significantly in the City since that time. Lange stated the transfer of the property can include various options including a full sale or the City preserving a right to get the building back in the future.

City Attorney Clint Schukei explained the ordinance addresses sale of the Auditorium but passage of the ordinance on first reading allows for specific details to be included in a purchase agreement and/or amendment of the ordinance on second reading.

Roll call on Ordinance No. 5348: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Moenning, and Pfeil. Nays: Fauss. Absent: None. Motion carried. Ordinance No. 5348 passed on first reading.

There being no further business, the Mayor declared the meeting adjourned at 8:43 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, July 6, 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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