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 16th day of October, 2017, 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 Josh Moenning called the meeting to order. Roll call found the following Councilmembers present: Corey Granquist, Jim Lange, Rob Merrill, Shane Clausen, Thad Murren, Gary L. Jackson, Dave Fauss, and Dick Pfeil. Absent: None.

Staff members present were: City Administrator Andy Colvin, City Attorney Clint Schukei, City Clerk Beth Deck, Finance Officer Randy Gates, Administrative Secretary Bethene Hoff, Wastewater Plant Superintendent Todd Boling, Interim City Engineer Steve Rames, Park Superintendent Pat Mrsny, City Planner Val Grimes, Risk Manager Lyle Lutt and Library Director Jessica Chamberlain.

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

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

Consent Agenda Items Approved

Minutes of the October 2, 2017, City Council meeting

Food & beverage and lodging occupation tax report for 3rd quarter 2017

Keno report for September 2017

Mayor's appointment of Gale Bender to the Tree Advisory Board for a term expiring September 2020

Hausmann Construction Change Order No. 3 for the Library Renovation and Expansion Project resulting in a net decrease of $11,511.20

Plans, specifications, and engineer's estimate on file in the City offices for West Highway 275 Sewer Extension project and authorization for the City Clerk to advertise for bids

Olsson & Associates, Inc. Engineering Services contract for projects at the Water Pollution Control Plant

Special Designated Liquor License for Fine Wine, LLC, dba Jim's Fine Wine & More, 2001 Market Lane, for a sampling/tasting event at Dream Boutique, 428 West Norfolk Avenue, on November 21, 2017, from 4:00 p.m. to 9:00 p.m.

Thomas and Lois Hall agreement to amend street address from 2150 Sheridan Drive to 2009 Hillview Drive

Plans, specifications, and engineer's estimate on file in the City offices for the 2017-1 Concrete Repair & 2017-1 Alley Project and authorization for the City Clerk to advertise for bids

Bills in the amount of $7,031,789.55

Public Hearings and Related Items

Public Hearing
(BSB zone change)

A public hearing was held to consider a zone change from I-1 (Light Industrial District) to C-3 (Service Commercial District) on property generally located at the northeast and southeast corners of East Norfolk Avenue and 1st Street at the request of BSB, LLC and the City of Norfolk. City Planner Valerie Grimes provided information to the Mayor and City Council. The request to change to service commercial district conforms to the Comprehensive Plan and complies with the current use of the property.

On October 3, 2017, the Norfolk Planning Commission held a public hearing regarding the zone change at the northeast and southeast corners of East Norfolk Avenue and 1st Street. 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 zone change at the northeast and southeast corners of East Norfolk Avenue and 1st Street and the Mayor declared the hearing closed.

Ordinance No. 5496
(BSB zone change)

Councilmember Merrill introduced, seconded by Councilmember Pfeil, Ordinance No. 5496 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, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5496 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, Jackson, 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. 5496 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, 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. 5496 as required by law.

Regular Agenda Items

Resolution No. 2017-74
(sidewalk district)

Councilmember Granquist moved, seconded by Councilmember Lange, to adopt Resolution No. 2017-74 authorizing approval of an ordinance creating a sidewalk district for the construction of a sidewalk along the west side of Victory Road from the roundabout on Norfolk Avenue north to Sycamore Avenue.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Resolution No. 2017-74 was adopted.

Ordinance No. 5497
(create Sidewalk District No. 2017-1)
(Victory Road from roundabout on Norfolk Ave north to Sycamore Ave)

Councilmember Granquist introduced, seconded by Councilmember Lange, Ordinance No. 5497 entitled: AN ORDINANCE CREATING SIDEWALK DISTRICT NO. 2017-1 IN THE CITY OF NORFOLK, NEBRASKA, DESCRIBING SAID SIDEWALK DISTRICT, ORDERING THE CONSTRUCTION OF SIDEWALKS 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.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5497 passed on first reading.

Councilmember Granquist 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, Jackson, 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 Granquist 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. 5497 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, 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. 5497 as required by law.

Victory Road Sidewalk 2017-1 project

Councilmember Merrill moved, seconded by Councilmember Jackson, to approve the plans, specifications, and engineer’s estimate on file in the City offices for Victory Road Sidewalk 2017-1 project and authorize the City Clerk to advertise for bids.

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

Ordinance No. 5498
(vacation in Koenigstein’s Addition)

Councilmember Pfeil introduced, seconded by Councilmember Fauss, Ordinance No. 5498 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO VACATE THE SOUTH 168.71 FEET OF THE EAST 7.83 FEET OF LOT 14, BLOCK 7, KOENIGSTEIN’S ADDITION TO THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; 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.

This vacation is at the request of Schroeder Land Surveying on behalf of Ray Johnson. The utility companies do not object to this vacation.

Rames said the property is 7.8 feet wide and was acquired as part of right-of-way years ago. However, the center line was offset to the east and the adjacent landowner requests the vacation.

Grimes said the property owner requested the vacation to be able to split the property into two conforming lots.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5498 passed on first reading.

Councilmember Fauss 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, Jackson, 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 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. 5498 be passed and adopted?"

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Clausen, Murren, Jackson, 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. 5498 as required by law.

There being no further business, the Mayor declared the meeting adjourned at 5:42 p.m.

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Josh Moenning
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, October 16, 2017, 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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