

FINANCE COMMITTEE MEETING

The Finance Committee of the City of Norfolk, Nebraska met in the City's Conference Room, 309 West Madison Avenue, Norfolk, Nebraska, on Monday, September 5, 2006, beginning at 7:00 a.m.

Mayor Gordon D. Adams called the meeting to order.

Roll call found the following Committee members present: Mayor Gordon Adams and Councilpersons Fauss, Lange, Saunders, Van Dyke and Wilson. Absent: Kaspar-Beckman, Brenneman and Stauffer.

Staff members present were City Administrator Mike Nolan, Public Works Director Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Finance Officer Randy Gates, Police Chief Bill Mizner and Police Captain Steve Hecker.

The news was represented by Natalie Krings, US92; Jerry Guenther, Norfolk Daily News; and Jim Curry, WJAG/KEXL.

Notice of the meeting was given in advance by publication in the Norfolk Daily News, and notice of the meeting was given to the Mayor and all members of the Council prior to the meeting.

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 meeting room and accessible to members of the public.

The first item on the agenda was a discussion regarding concerns from Don **Ballard**, 116 Miller Avenue, related to a **barking dog**. Ballard delivered several letters to the City offices requesting a meeting to discuss the situation of a barking dog in the neighborhood. Ballard has been dealing with the barking dog since 2002. However, the dog that was the subject of the original complaint was euthanized by the owner, the Juan Hernandez family. But in recent years, the Hernandez family obtained another dog that also alleges to cause sleepless nights for Ballard. Ballard indicated frustration with Norfolk police officers and the City Attorney over the matter of the barking dog. Ballard doesn't have air conditioning and opens windows at night to cool off the house. As a result, the only time Ballard gets a reprieve from the barking dog is during the winter months.

Councilperson Saunders questioned whether other neighbors complain about barking dogs.

Ballard said the neighbors don't complain because they are afraid of the police. Ballard speaks Spanish and tries to get along with the Hernandez family; however, Ballard feels the dog doesn't have a right to "bark all night."

Police Captain Steve Hecker stated police officers and the Community Service Officer have met with Ballard and/or the Hernandez family over the years to follow up on Ballard's complaints. Police officers have been assigned to sit by Ballard's residence to identify the dog Ballard says is barking. However, the officers have never been able to identify the Hernandez dog as causing problems. The officers have not heard any barking dogs in the neighborhood.

Police Chief Bill Mizner defended the Police Division's actions over the years and said there probably has never been another situation wherein complaints about a barking dog have been investigated more than Ballard's complaints. On two occasions while Ballard has called the police to complain about a barking dog, a police officer was in the area and did not hear a barking dog.

City Attorney Clint Schukei has also tried to be responsive to Ballard. Schukei explained that after the family euthanized the dog in 2002, Ballard continued to complain about the barking dog for another "day or two" after the dog had been euthanized.

Ballard stated "it sounds strange" but the "kid is playing a game with the dog" and only letting it out when police officers leave the area. Ballard "loves animals" but needs sleep. Ballard said the situation does have a happy ending because the situation recently cleared up. However, Ballard has concerns the barking dog may occur again next year. Ballard questioned why the situation can't be handled at the beginning of the Summer instead of in the Fall.

Mayor Adams sympathizes with Ballard but said the Police Division is properly handling the complaints.

Councilperson Wilson left the meeting at 7:44 a.m.

City Administrator Mike Nolan explained City staff has tried to work out a solution to offstreet parking for employees of Wiese Research. The Vehicle Parking District proposes to make 42 stalls available at \$5.00 per month per stall (discounted from \$7.50 per month per stall) with 36 of the stalls located in the center of the parking lot on the southeast corner of 4th Street and Madison Avenue (next to the City Council Chamber building) and 8 stalls located on the north side of Madison Avenue between the McMill Building and KNEN.

General consensus of the elected officials is to have the City Administrator send another email to Mary Arkfeld, Wiese Research, regarding the City and Vehicle Parking District members' genuine desire for a good working relationship with Wiese and the proposal for offstreet parking for employees of Wiese Research.

There being no further business, the meeting adjourned at 7:47 a.m.

Elizabeth A. Deck
City Clerk