

WORK SESSION

A work session was held by the Mayor and City Council of the City of Norfolk, Nebraska on Monday, August 24, 2009 beginning at 5:30 p.m. in the City Council Chambers Conference Room, 309 West Madison Avenue, Norfolk, Nebraska.

Mayor Sue Fuchtman called the meeting to order.

Roll call found the following members present: Mayor Sue Fuchtman and Councilpersons Brenneman, Coy, Fauss, Lange, Reeder, Van Dyke and Wilson. Absent: Saunders.

Staff members present were City Administrator Al Roder, Public Works Director Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Waste Water Plant Superintendent Todd Boling, Transportation, Building & Grounds Director Jim Koch, Operations Manager Gary Miller, Water & Sewer Director Dennis Watts, Finance Officer Randy Gates, Information Systems Manager Jim McKenzie, Police Chief Bill Mizner, Library Director Mike Caldararo and Intern Shannon Oster.

The media was represented by Greg Wees, 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.

Riverwalk Committee

Mayor Fuchtman stated that the presentation by the Riverwalk Committee was not going to be discussed at the request of its members.

Fluoridation

City Attorney Clint Schukei stated Section 71-3305 of the Nebraska Revised State Statutes mandates fluoridation of municipal water supply systems by June 1, 2010 for any city or village having a population of one thousand or more inhabitants. However, Statutes say that "In any city or village which is required to add fluoride to its water supply under subsection (1) of this section and in which fluoride is not added to such water supply as of January 1, 2008, the voters of the city or village may adopt an ordinance, after April 18, 2008, but before June 1, 2010, to prohibit the addition of fluoride to such water supply."

Schukei said the City Council can do one of the following:

- (1) Adopt a resolution to place the fluoridation issue on a ballot which by default would be considered on the next primary election in May, 2010
- (2) Place the fluoridation issue on a ballot by an initiative petition which requires valid signatures of 15% of registered voters in Norfolk, or approximately 2,200 signatures.

Schukei explained Section 32-405 of State Statutes does not allow a special election during the months of April, May, June, October, November or December of an even-numbered year unless it is held in conjunction with the statewide primary or general election. Section 32-449 requires that ballot issues for a special election must be certified by the county clerk at least fifty (5) days prior to the election and that a

ballot issue be certified to the county clerk by March 1 for the primary election and by September 1 for the general election.

City Administrator Al Roder stated the work session is to address the issue and not to discuss the merits for or against fluoridation.

Councilperson Van Dyke believes in representative democracy and is comfortable with the decision made by the Nebraska Legislature to mandate fluoridation.

Councilperson Wilson understands the merits of fluoridation but feels elected officials are doing a disservice to citizens if the issue isn't put to a vote of the people.

Councilpersons Coy and Reeder would like the issue to be put before the citizens to decide.

In response to questions regarding a special election, City Administrator Al Roder distributed a cost estimate prepared by Madison County Clerk Nancy Scheer on July 1, 2009 indicating total estimated costs for a special election of \$13,592.65.

Councilperson Lange questioned whether City staff would be able to install the fluoridation equipment if approved on the May primary election.

Public Works Director Dennis Smith explained staff would move quickly to install the equipment and much of the work will be done in-house.

Councilperson Reeder asked about the cost of fluoridation.

Water and Sewer Director Dennis Watts stated the initial cost will be \$60,000 to \$80,000 with an annual cost of \$20,000 to \$23,000.

Rev. Aaron Hess appreciates the prudence of elected officials in dealing with the fluoridation issue.

Dr. Brad Krivohlavek would like to have an informational meeting to decide what should be done and to hear both the pros and cons of fluoridation.

Rev. Hess made a verbal appeal to elected officials to put the fluoridation issue on a ballot for citizens to decide.

Councilperson Fauss asked staff to place a resolution on a City Council agenda to consider placing fluoridation on a ballot issue.

Councilperson Van Dyke moved, seconded by Councilperson Wilson to adjourn the meeting at 6:05 p.m. Roll call: Ayes: Councilpersons Brenneman, Coy, Fauss, Lange, Reeder, Van Dyke, Wilson and Mayor Fuchtman. Nays: None. Absent: Saunders. Motion carried.

Sue Fuchtman
Mayor

ATTEST:

Elizabeth A. Deck
City Clerk

(S E A L)