

May 19, 2016

RE: Our Savior Lutheran Church
Norfolk, NE
1501

Minutes of the Committee Meetings

May 9, 2016 Meetings

Discovering our Future Together

The minutes of all committee meetings are shared in order for all groups to maintain awareness of the coordinated work of the groups working together in the work of the church. The following notes and comments apply:

1. General comments for all meetings

1. Opening Devotion –
2. A review of current re-zoning work in process was reviewed
 - a. District Court – appealed by Vulcraft
 - b. Continuation of approve, appeal, repeat pattern
3. Zoning Update
 - a. We are in a position that we may need to break the pattern of approve, appeal, repeat.
 1. what is normally a short and direct process has been delayed for months
 2. Current understanding is that retaining the land as I-1 zoning may be beneficial in the eyes of the city and industry
 - a. the church is not allowed in I-1 zoning
 - b. this appears to be a violation of RLUIPA law
 - we cannot take action on RLUIPA law without being rejected
 - current plan to change zoning to C-3 in accordance with the Comprehensive Plan of the City of Norfolk has been approved
 1. next step is for approval by the city council
 2. current pattern of approval/appeal can be anticipated
 - a. each decision, all of which have been positive, have been appealed by Vulcraft
 3. current ruling by District Court judge is under appeal
 - a. may delay hearing by the city council
 - c. A request to occupy I-1 on the basis of allowed occupation by identical secular organizations is a reasonable request that could be granted by the city
 - rejection of the request may initiate RLUIPA action by the church, as the church's religious liberty has been compromised
 - d. The January 17th meeting authorized the request to occupy I-1 zoning
 - are we ready to take this step to break the cycle of approve, appeal, repeat?

4. All meetings opened and closed with prayer.

Proposed Agenda items for all committees at the opening of the next meeting:

1. **Opening Devotion –**
2. **What’s next –**
 - a. **Update on negotiations**
 - b. **Update on Zoning**
3. **Other**

2. Mission and Ministry Committee

Present: Christine Ekberg, Kelsey Miller, Jordon Miller, Dennis Beltz, Barb Carstens, Pastor Ryan, Rosemary Goetsch, Pastor Lee, Pastor Frank, Wendy Signor, Jason Doeke, James Nord

1. We talked of the zoning status as noted above.
2. To clarify, we could either ask to occupy in and I-1, or ask for the zoning matrix to be modified to allow churches, as it does office, preschool, theatre, social clubs, motels, etc in I-1 zoning.
 - a. the only element that is needed by Our Savior Lutheran Church that is not allowed in I-1 is worship.
3. Our Savior Lutheran has an acute need to use a bigger facility
 - a. when we started this process 15 months ago, average worship attendance was 760. Now, 15 months later it is 880.
4. Taking action on RLUIPA will require an affirmative vote by the congregation in a voter’s assembly.
5. After considerable discussion, this committee affirmed, 100% in favor, moving forward and asking for occupancy in I-1 zoning, understanding that it may initiate RLUIPA action.

Proposed Agenda items for the Mission/Ministry Committee at the next meeting:

1. **Zoning Update**
2. **Other**

3. Funding and Finance Committee

Present: Cleve Stolpe, Tammy Stolpe, , Brian Lewin, Pastor Lee, John Gerry, John Pile, Mike Wilke, Ron Stauffer, Pastor Ryan, Doug Sunderman, Myron Kooi, Skip Wingate, Gordon Adams, James Nord

1. We talked of the zoning status as noted above.
2. City has stated that they are in favor of keeping the land I-1
3. Nucor has stated in hearings that they prefer the land stay I-1
4. Can the church occupy the land as I-1?
 - a. functionally, yes
 - b. in accordance with the zoning matrix, no
 1. zoning matrix will allow for theatres, office, preschool, restaurants, motels, etc, but will not allow a church.
5. A member inquired if the Department of Justice needs to be notified on this matter?
6. After research, it was noted that 7 of 10 similar sized Nebraska cities would allow a church in an I-1 district
 - a. those that will not include

1. Grand Island, NE (City Planner stated that they are in violation of RLUIPA without our asking...)
2. Beatrice, NE
3. Norfolk, NE
- b. All major cities will allow a church in an I-1 district
 1. Omaha, Lincoln, etc
7. It was stated that this in a Religious Liberty matter, and that the Church needs to take a bold stand in this matter
 - a. if we won't, who will?
8. Our Savior Lutheran has an acute need to use a bigger facility
 - a. when we started this process 15 months ago, average worship attendance was 760. Now, 15 months later it is 880.
9. Taking action on RLUIPA will require an affirmative vote by the congregation in a voter's assembly.
10. After considerable discussion, this committee affirmed, 100% in favor, moving forward and asking for occupancy in I-1 zoning, understanding that it may initiate RLUIPA action.

Proposed Agenda items for the Funding/Finance Committee at the next meeting:

1. Zoning Update
2. Other

4. Building and Planning Committee

Present: Eric Neemeyer, Melvern Horst, Niki Peterson, Randy Wilcox, Jordan Miller, Kent McCallum, Phil Rardon, Mark Johnson, Doug Sunderman, Andrea McGreagor, Pastor Ryan, Craig Risor, Joe Cipra, Cory Windedahl, Bill Barritt, Gordon Adams, Teri Medelman-Bauer, James Nord

1. We talked of the zoning status as noted above.
2. the initial question raised was:
 - a. Are we fighting the city? Or are we fighting for Religious Freedom?
 - b. Are we being good stewards of what God has provided our congregation?
3. The land we are seeking is listed as C-3 in the Comprehensive Plan
 - a. currently ALL approvals have agreed with the Comprehensive Plan
 - b. All approvals have been appealed by Vulcraft
4. It was asked if the city understands the serious nature of the RLUIPA law as well as we do?
5. It was asked if the city has provided us with other options for land/buildings
 - a. yes, though none of the options met our needs of being on the west side of town with safe traffic access.
6. All agreed that Our Savior Lutheran has made a good faith effort to try to solve this conflict
 - a. hours of meetings with city officials, industry representatives and congregational leaders have been invested
7. Our Savior Lutheran has an acute need to use a bigger facility
 - a. when we started this process 15 months ago, average worship attendance was 760. Now, 15 months later it is 880.
8. Taking action on RLUIPA will require an affirmative vote by the congregation in a voter's assembly.
9. After considerable discussion, this committee affirmed, 94% in favor, moving forward and asking for occupancy in I-1 zoning, understanding that it may initiate RLUIPA action.

Proposed Agenda items for the Building Committee at the next meeting:

- 1. Zoning Update**
- 2. Other**

The next series of meetings is as follows:

**May 23rd - NOTE THIS CHANGE
Combined Meeting of all Committees - 6:00pm**

This represents my understanding of the contents of our meeting. Feel free to contact me if you have any questions or concerns.

Minutes will be forwarded via email, hard copies will be distributed upon request.

Respectfully submitted,

James W. Nord
NORD, LLC

attachment:

Cc: committee members (via Church Office email)
Our Savior Lutheran Church Office (via email)