

CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk met in regular session in the Council Chambers, 309 West Madison Avenue, Norfolk, Nebraska on the 7th day of August, 2006, beginning at 7:30 p.m.

Following a moment of silence and the Pledge of Allegiance to the United States of America, Mayor Gordon Adams called the meeting to order. Roll call found the following Councilpersons present: Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss, and Saunders. Absent: None.

Staff members present were: City Administrator Mike Nolan, Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Prevention Manager Scott Cordes, Wastewater Treatment Plant Superintendent Todd Boling, Property/Operations Manager Gary Miller and Police Chief Bill Mizner.

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.

Councilperson Kaspar-Beckman moved, seconded by Councilperson Fauss to approve the consent agenda as printed. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilperson Brenneman moved, seconded by Councilperson Wilson to adopt the regular agenda as printed. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

CONSENT AGENDA

The City Council approved the minutes of the August 7, 2006 Special City Council meeting as printed.

The City Clerk was authorized to establish August 21, 2006 as the date for a public hearing to discuss the Norfolk **Comprehensive Plan** Update, Transportation Plan 2030 prepared by Schemmer Associates.

The City Council adopted Resolution No. 2006-19 providing for extension of the current **E911** surcharge rate through 2007.

The City Council approved the Mayor's reappointment of Aaron Volkman to the **Plumbing Board** for a three-year term expiring in August 2009.

The City Council approved and authorized the Mayor to sign Change Order No. 2 with Country Nursery, Inc. of Wayne, Nebraska for the 2005 **Downtown Streetscape**, Norfolk Avenue project resulting in a net increase of \$412.78. The change order provides for the cost to replace broken flag poles.

The City Council authorized the Mayor to sign and forward a letter of no recommendation to the Nebraska Liquor Control Commission on the "Class X" (Wholesale Liquor) liquor license application of **Norfolk Beverage Co., Inc.**, 2420 West Omaha Avenue, and the Corporate Manager Application of Gary R. Blinn.

The City Council approved the Corporate Manager Application of Thomas Gruidel in connection with the Class D liquor license of **Cubby's Inc.**, 1303 TaHaZouka Drive.

The City Council approved the Mayor's appointment of Brian Lundy to the **Zoning Board of Adjustment** filling the position vacated by Garry Murren. Lundy's term expires August 2009.

The City Council approved award of and authorized the Mayor to sign a contract with Rutjens Construction, Tilden, Nebraska, in an amount of \$698,050 to furnish all labor, materials, equipment and all else necessary to properly construct and install a new influent debris screen. Five sealed bids were received at the July 26, 2006 bid letting. The other bidders were Gridor Construction, Inc., Buffalo, Minnesota, \$796,500; Eriksen Construction, Inc., Blair, Nebraska, \$849,000; Christiansen Construction Company, Pender, Nebraska, \$869,000; and Oakview Construction, Red Oak, Iowa, \$870,715.

The City Council approved award of and authorized the Mayor to sign a contract with Automatic Systems Co., Ames, Iowa, in an amount of \$32,990 to furnish all labor, materials, equipment and all else necessary to properly install a **programmable controller** at the Water Pollution Control Plant. Three sealed bids were received at the July 26, 2006 bid letting. The other bidders were Simmerman Electric, Elm Creek, Nebraska, \$34,646; and Technical Maintenance & Service, Lincoln, Nebraska, \$36,804.

The City Council approved the low bid from Sid Dillon Chevrolet for a new 2007 Chevrolet Suburban for \$35,497.77 for the Community Character Development Coalition (**CCDC**) Division.

The City Council approved and authorized the Mayor to sign an agreement with the Northeast Nebraska Shooting Association to rent the City Auditorium on September 8, 9, 10, 2006, for its annual **gun show**.

The City Council approved all bills in the amount of \$1,207,068.07.

REGULAR AGENDA

A public hearing was held to comply with the provisions of N.R.S. 18-1755 before the consummation of purchasing properties by the City. The properties are located at 1100 South 1st Street, 1113 South 3rd Street, 1312 South 3rd Street, 1503 South 4th Street, 414 Lincoln Avenue, and 1510 South 5th Street, all in Norfolk, Nebraska. Prevention Manager Scott Cordes provided information to the Mayor and City Council. The properties are being purchased through a community development block grant for demolition of dilapidated houses so the properties can be redeveloped with housing for low-to-moderate income families.

The Northeast Nebraska Economic Development District conducted a survey of target areas in Norfolk. The purpose of the survey was to complete a needs assessment and detailed analysis of the neighborhoods identified as low and moderate-income (LMI) in the City of Norfolk and to develop a three year Revitalization Strategy that will address the needs identified within the study. The Needs Assessment Report and Strategy documents the research and analysis findings, identifies neighborhood needs based on the results of the findings, neighborhood surveys, city staff surveys and staff interviews. In July 2005, a complete analysis of each HUD/Census tract of low and moderate was completed. As a whole these neighborhoods represent 32% of the Norfolk population. However, these neighborhoods are different from the broader Norfolk population. The study identified 2,046 or 27% of the neighborhood population as minorities compared to the City of Norfolk as a whole where only 16% of the population is of minority status. Over 52% of all minorities live within these seven neighborhoods. There is also a significant population of elderly. In fact, 80% of the entire 65 age group of Norfolk live in these LMI areas. The study also showed 7.3% of Norfolk's population is female head of household and 40% of them live in the designated LMI areas according to the 2000 census. It is with that overall picture that the City can begin to understand and assess each of the seven Low and Moderate Income areas.

Seven low-to-moderate income (LMI) neighborhoods were identified for the Study. The neighborhoods were:

- #1 – South of Benjamin Avenue, east of 3rd Street, west of Oak Street and north of Prospect Avenue, containing 778 residents
- #2 – The north-central area of Norfolk with boundaries running north of Georgia Avenue, south of Alaska Avenue, west of 5th Street and east of Hwy 81, containing 1,645 residents
- #3 – Michigan Avenue north to Hayes Avenue and from 9th Street west to 13th Street, containing 211 families
- #4 – South of Philip Avenue, east of 18th Street, west of 13th Street and north of Michigan Avenue, containing 1,079 residents
- #5 – From 1st Street west to 9th Street and from Pasewalk Avenue north to Prospect, containing 338 families
- #6 – Omaha Avenue north to Michigan Avenue and 1st Street west to 9th Street, containing 705 people
- #7 – East of Pine Industrial Road west to 13th Street and south from Omaha Avenue to Jackson Avenue, containing 904 people.

Using the results of the assessment process, NENEDD worked with City staff to develop a three-year strategy for neighborhood revitalization. The strategy includes identification of specific

projects, timeline for implementation, resources necessary and benchmarks and performance measures for monitoring.

The City received a grant in the amount of \$164,700 to acquire the six (6) dilapidated properties located at 1100 South 1st Street, 1113 South 3rd Street, 1312 South 3rd Street, 1503 South 4th Street, 414 Lincoln Avenue, and 1510 South 5th Street. The owners of the properties are in voluntary agreement with the City to participate in the project wherein the funds are used to purchase the properties and demolish the structures thus allowing new housing to be constructed on the lots. The City has entered into Subrecipient Agreements with NeighborWorks NE Nebraska, dba Elkhorn Valley Community Development Corporation (EVCDC), and Habitat for Humanity to construct single-family dwellings on the lots to be sold to income-qualified purchasers.

Councilperson Saunders questioned whether this will be an “on-going project”.

City Administrator Mike Nolan explained the grant is on an entitlement basis and the City will need to go through another application process for future grant funds.

City Attorney Clint Schukei stated the project areas (homes) weren't chosen by ward but through the community survey conducted by NENEDD which took into consideration income requirements and not property values. The income requirements identified various areas throughout Norfolk as target areas for grant funds. The grant has provisions for acquisition, demolition and rebuilding of new structures.

No one appeared either in favor of or in opposition to consummation of the purchase of properties by the City and the Mayor declared the hearing closed.

The Mayor requested consideration of Ordinance No. 4894 providing for annexation of additional property to the **Vehicle Off-Street Parking District No. 1** of the City of Norfolk, which boundaries were created by Ordinance No. 2365 and expanded by Ordinance No. 3279. Ordinance No. 4894 passed on first reading at the July 17, 2006 City Council meeting and on second reading at the August 7, 2006 7:00 a.m. Special City Council meeting.

Councilperson Kaspar-Beckman introduced Ordinance No. 4894 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO PROVIDE FOR THE ANNEXATION OF ADDITIONAL PROPERTY TO THE VEHICLE OFF-STREET PARKING DISTRICT NO. 1 OF THE CITY OF NORFOLK WHICH BOUNDARIES WERE CREATED IN ORDINANCE NO. 2365 AND EXPANDED AS DESCRIBED IN ORDINANCE NO. 3279 AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT AND TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED IN PAMPHLET FORM and moved that the ordinance be passed on third reading. Councilperson Lange seconded the motion. Said ordinance was then read into the record by title by the City Clerk. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Ordinance No. 4894 passed on third reading.

The Mayor requested consideration of a real estate purchase agreement with Claris W. and Donna B. Lee (seller) for property located at **1503 South 4th** Street in Norfolk.

Councilperson Van Dyke moved, seconded by Councilperson Brenneman to authorize the Mayor to sign a real estate purchase agreement with Claris W. and Donna B. Lee for property located at 1503 South 4th Street in Norfolk. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of a real estate purchase agreement with Patrick J. and Sharalyn A. Fowler for property located at **1100 South 1st** Street.

Councilperson Saunders moved, seconded by Councilperson Stauffer to authorize the Mayor to sign a real estate purchase agreement with Patrick J. and Sharalyn A. Fowler for property located at 1100 South 1st Street. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of a real estate purchase agreement with Patrick J. and Sharalyn A. Fowler for property located at **1510 South 5th** Street.

Councilperson Lange moved, seconded by Councilperson Brenneman to authorize the Mayor to sign a real estate purchase agreement with Patrick J. and Sharalyn A. Fowler for property located at 1510 South 5th Street. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of a real estate purchase agreement with Jerry L. and Sharon K. Polenske for property located at **414 Lincoln** Avenue.

Councilperson Fauss moved, seconded by Councilperson Saunders to authorize the Mayor to sign a real estate purchase agreement with Jerry L. and Sharon K. Polenske for property located at 414 Lincoln Avenue. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of a real estate purchase agreement with Michael J. and Patricia Schrant for property located at **1312 South 3rd** Street.

Councilperson Kaspar-Beckman moved, seconded by Councilperson Van Dyke to authorize the Mayor to sign a real estate purchase agreement with Michael J. and Patricia Schrant for property located at 1312 South 3rd Street. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of a real estate purchase agreement with R & R Real Estate, L.L.C. for property located at **1113 South 3rd** Street.

Councilperson Wilson moved, seconded by Councilperson Fauss to authorize the Mayor to sign a real estate purchase agreement with R & R Real Estate, L.L.C. for property located at 1113

South 3rd Street. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Sales and use tax collection for the month of May 2006 was reported as \$539,551.67.

No comments were received regarding the Police Division reports for June 2006 and the second quarter 2006 or the Works-In-Progress report for the period July 12 through August 1, 2006. All the reports were included in the agenda packets.

Councilperson Fauss moved, seconded by Councilperson Kaspar-Beckman to adjourn the meeting at 7:50 p.m. Roll call: Ayes: Councilpersons Stauffer, Lange, Van Dyke, Kaspar-Beckman, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Gordon D. Adams
Mayor

ATTEST:

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, August 7, 2006, had and done by the Mayor and 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.

Elizabeth A. Deck
City Clerk

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