

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 5th day of March, 2007, 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: Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss, and Saunders. Absent: None.

Staff members present were: Director of Public Works Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Finance Officer Randy Gates, Transportation, Building & Grounds Director Jim Koch 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 Fauss requested Item G-2, consideration of awarding a contract to M & B Quality Concrete LLC for the Concrete Improvements 2007-1 project, be removed from the consent agenda and placed on the regular agenda.

Councilperson Fauss moved, seconded by Councilperson Van Dyke to remove Item G-2, consideration of awarding a contract to M & B Quality Concrete LLC for the Concrete Improvements 2007-1 project, from the consent agenda and to approve the consent agenda as amended. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Councilperson Fauss moved, seconded by Councilperson Wilson to add Item G-2, consideration of awarding a contract to M & B Quality Concrete LLC for the Concrete Improvements 2007-1 project, to the regular agenda and to adopt the regular agenda as amended. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

CONSENT AGENDA

The City Council approved the minutes of the February 26, 2007 Special City Council meeting as printed.

The City Council adopted Resolution No. 2007-14 stating the City's desire to consider annexing land located east of **Walters'** East Knolls Fifth Addition, approving the plan to extend City services to said land and establishing March 19, 2007 as the public hearing date to consider the annexation.

The City Council authorized the City Clerk to request proposals from local banks to provide the City with **banking services** for a four-year term commencing June 1, 2007.

The City Council approved and authorized the Mayor to execute a letter to the Norfolk Public Schools stating the City's acceptance of the school's offer to maintain the turf area of **Memorial Football Field**.

The City Council approved a Special Designated Liquor License for **Mel's** Liquor Drive-In, Inc., dba Mel's Liquor Drive-In, 520 East Norfolk Avenue, to sell beer and distilled spirits on March 31, 2007, in conjunction with the 3rd annual stock car show.

The City Council approved and authorized the Mayor to sign a **Storm Water** Communities Cooperative Board Interlocal Agreement between the cities of Beatrice, Columbus, Fremont, Grand Island, Hastings, Kearney, Lexington, Norfolk, North Platte, and Scottsbluff for a cooperative effort to meet obligations under the law of the State of Nebraska and the United States of America regarding management of storm water and to designate the Transportation, Building and Grounds Director as representative and the Assistant City Engineer as alternative representative for the City of Norfolk.

The City Council approved all bills on file in the amount \$1,259,823.20.

REGULAR AGENDA

A public hearing was held to consider declaring the area referred to as The **Soy Redevelopment** Area as blighted and substandard. The area is located south of Eisenhower Avenue and west of Victory Road and is approximately 180 acres. Tom Higgenbotham, Northeast Nebraska Economic Development District (NENEDD), provided information to the Mayor and City Council. NENEDD prepared the Blight and Substandard Determination Study of the area referred to as the Soy Redevelopment Area. An Agency Environmental Review of the area was completed. The purpose of the Study is to determine if all or part of the designated study area has deteriorated and become substandard and blighted according to the Community Development Law established in Nebraska Statute 18-2102. Objective criteria looked at were: underemployment, average age of residential or commercial units in the area, per capita income, population and unimproved land. An area must meet at least one of these initial criteria. Objective criteria met by the project are: Per capita income and unimproved land. Subjective criteria met by the project area: a substantial number of deteriorated or deteriorating structures, unsanitary or unsafe conditions and deterioration of site or other improvements. The study indicates the Area is both substandard and blighted under the provisions identified in the Nebraska Community Development Law. The blight and substandard designation provides a means for private investment and use in that area and is also a means to use tax increment financing for development of the area.

On February 21, 2007, the Norfolk Planning Commission held a public hearing regarding the Blight and Substandard Determination Study for Area Referred to as The Soy Redevelopment Area. The City Clerk read the Planning Commission's recommendation for approval into the record.

No one else appeared either in favor of or in opposition to The Soy Redevelopment Area blighted and Substandard Study and the Mayor declared the hearing closed.

The Mayor requested consideration of Resolution No. 2007-12 declaring the area referred to as The Soy Redevelopment Area as blighted and substandard.

Councilperson Fauss moved, seconded by Councilperson Lange to approve declaration of the area referred to as The Soy Redevelopment Area as blighted and substandard. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Resolution No. 2007-12 was adopted.

A public hearing was held to declare the area referred to as The **Romans Redevelopment** Area as blighted and substandard. The area is located south of Monroe Avenue and east of South 13th Street. Tom Higgenbotham, Northeast Nebraska Economic Development District (NENEDD), provided information to the Mayor and City Council. NENEDD prepared the Blight and Substandard Determination Study of the area referred to as the Soy Redevelopment Area. Higgenbotham stated an Environmental Review of the area may need to be done but has not been completed to date. The purpose of the Study is to determine if all or part of the designated study area has deteriorated and become substandard and blighted according to the Community Development Law established in Nebraska Statute 18-2102. Objective criteria looked at were: underemployment, average age of residential or commercial units in the area, per capita income, population and unimproved land. An area must meet at least one of these initial criteria. The objective criteria met is: Average age of residential or commercial units in the area. Subjective criteria met by the project area: a substantial number of deteriorated or deteriorating structures, unsanitary or unsafe conditions, deterioration of site or other improvements and the existence of conditions which endanger life or property by fire and other causes. The study indicates the Area is both substandard and blighted under the provisions identified in the Nebraska Community Development Law. The blight and substandard designation provides a means for private investment and use in that area and is also a means to use tax increment financing for development of the area.

On February 21, 2007, the Norfolk Planning Commission held a public hearing regarding the Blight and Substandard Determination Study for Area Referred to as The Romans Redevelopment Area. The City Clerk read the Planning Commission's recommendation for approval into the record.

Public Works Director Dennis Smith stated that some of the Romans property is located in the floodway and can't be developed. The southern portion of the property will remain green space due to floodplain regulations.

No one else appeared either in favor of or in opposition to The Romans Redevelopment Area as Blighted and Substandard Study and the Mayor declared the hearing closed.

The Mayor requested consideration of Resolution No. 2007-13 declaring the area referred to as The Romans Redevelopment Area as blighted and substandard.

Councilperson Wilson moved, seconded by Councilperson Fauss to approve declaration of the area referred to as The Romans Redevelopment Area as blighted and substandard. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried. Resolution No. 2007-13 was adopted.

The Mayor requested consideration of awarding a contract to M & B Quality Concrete, LLC of Norfolk, Nebraska, for the Concrete Improvements 2007-1 project in the amount of \$529,821.26.

Councilperson Fauss received several calls from constituents with concerns that M & B Quality Concrete may not be qualified to do the work. Fauss discussed the concerns with Public Works Director Dennis Smith. Fauss is satisfied with giving the new company a chance at doing the work.

Councilperson Van Dyke moved, seconded by Fauss to approve award of and authorize the Mayor to sign a contract with M & B Quality Concrete, L.L.C. of Norfolk, Nebraska for the **Concrete Improvements 2007-1** project in an amount of \$529,821.26 to furnish all labor, materials, equipment and all else necessary to properly construct all the improvements. Three sealed bids were received at the February 26, 2007, bid letting. The other bidders were Elkhorn Paving, Norfolk, \$589,889.76, and A & R Construction, Plainview, Nebraska, \$676,090.88. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, Wilson, Brenneman, Fauss and Saunders. Nays: None. Absent: None. Motion carried.

Sales and use tax collection for the month of December 2006 was reported as \$721,948.60.

No comments were received regarding the Works-In-Progress report for the period February 14 through 27, 2007. The report was included in the agenda packets.

Councilperson Brenneman moved, seconded by Councilperson Fauss to adjourn the meeting at 7:50 p.m. Roll call: Ayes: Councilpersons Coy, Lange, Van Dyke, Reeder, 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, March 5, 2007, 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.

Elizabeth A. Deck
City Clerk

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