

CITY OF NORFOLK, NEBRASKA

The Mayor and City Council of the City of Norfolk, Nebraska met in regular session in the Council Chambers, 309 North 5th Street, Norfolk, Nebraska on the 16th day of July, 2018, beginning at 5:30 p.m.

Following a moment of silence and the Pledge of Allegiance to the flag of the United States of America, Mayor Josh Moenning called the meeting to order. Roll call found the following Councilmembers present: Corey Granquist, Jim Lange, Rob Merrill, Jarad Dahlkoetter, Thad Murren, Gary L. Jackson, Dave Fauss, and Dick Pfeil. Absent: None.

Staff members present were: City Administrator Andy Colvin, City Attorney Danielle Myers-Noelle, City Clerk Beth Deck, Finance Officer Randy Gates, Public Safety Director Shane Weidner, Administrative Secretary Bethene Hoff, Water & Sewer Director Dennis Watts, Public Works Director Steve Rames, Risk Manager Lyle Lutt, City Planner Val Grimes, Police Captain Don Miller, Risk Manager Lyle Lutt and Assistant City Engineer Mike Middendorf.

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.

Agenda Motions

Councilmember Merrill moved, seconded by Councilmember Jackson to approve the consent agenda as printed.

Councilmember Dahlkoetter declared a conflict of interest regarding an agreement for the Fork Fest event and abstained from discussion or voting on the consent agenda.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Abstaining: Dahlkoetter. Motion carried.

Councilmember Lange moved, seconded by Councilmember Granquist to adopt the full agenda as printed. Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Consent Agenda Items Approved

Minutes of the July 2, 2018, City Council meeting

Minutes of the July 2, 2018, City Council Work Session meeting

Minutes of the July 10, 2018, City Council Work Session meeting

Food & beverage and lodging occupation tax report for 2nd quarter 2018

Keno report for June 2018

Rutjens Construction Change Order No. 1 for the South Water Main Loop project resulting in a net increase of \$2,544.90

Plans, specifications, and engineer's estimate on file for Legacy Bend First Addition and Victory Road Detention Cell Improvement projects and authorized the City Clerk to advertise for bids

Village of Meadow Grove Interlocal Agreement for Norfolk to provide building inspection services related to property maintenance issues

Resolution 2018-35 approving the final plat of Nemeč's Addition

Engineering Services Agreement with JEO Consulting Group, Inc. for the Johnson Park Trail Connector project for an amount not to exceed \$15,250.00

Paige Uzzell agreement to use Skyview Park for a Cancer Run (color run) from 10:00 a.m. to 5:00 p.m. on Sunday, July 29, 2018

Authorized staff to negotiate with The Orphan Grain Train to exchange city property located at the southwest corner of 6th Street and Madison Avenue for property The Orphan Grain Train currently owns located on the east side of 7th Street between Phillip Avenue and Park Avenue

Special Designated Liquor License for Jim's Fine Wine & More, 2001 Market Lane, to hold a wine tasting and beer garden event at Sacred Heart Parish Festival, 2300 West Madison Avenue, on September 9, 2018, from 12:00 p.m. to 9:00 p.m.

Norfolk Arts Center, a Nebraska Nonprofit Corporation; Downtown Norfolk Association, Inc., a Nebraska Nonprofit Corporation; the Kiwanis Club of Norfolk, a Nebraska, a Nebraska Nonprofit Corporation; and Rabble Mill, a Nebraska Nonprofit Corporation, agreement to hold the Fork Fest event to be held at the location of 3rd Street from Norfolk Avenue to Madison Avenue and a portion of the adjoining alley on Friday, July 20, 2018

Bills in the amount of \$1,481,298.35

Special Presentations

The Mayor proclaimed July 16, 2018, as "The Arc of Norfolk's 65th Anniversary".

Regular Agenda Items

TR Harris Construction, Inc. contract award (Johnson Park Trail Connector Project)

Councilmember Fauss moved, seconded by Councilmember Murren, to approve a contract to TR Harris Construction, Inc. of Homer, Nebraska for the Johnson Park Trail Connector project for an amount of \$134,974.00

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Ordinance No. 5554

(Annexation, southwest quadrant of Highway 275 and 25th Street)

Councilmember Merrill introduced, seconded by Councilmember Jackson, Ordinance No. 5554 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA, TO ANNEX TO SAID CITY A TRACT OF LAND LOCATED IN PART OF THE NORTHEAST ¼ OF SECTION 29, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE 6TH P.M., MADISON COUNTY, NEBRASKA. REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED IN PAMPHLET FORM and moved that the ordinance be passed on third reading.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5554 passed on third reading.

Ordinance No. 5555

(Geary zone change, South Victory Road & East Omaha Avenue)

Councilmember Lange introduced, seconded by Councilmember Granquist, Ordinance No. 5555 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF NORFOLK, NEBRASKA; PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on second reading. Said ordinance was then read into the record by title by the City Clerk.

Marty Pflueger and Shawn Langemeier spoke in opposition to the zoning change request.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Murren, Jackson, Fauss and Pfeil. Nays: Dahlkoetter. Absent: None. Motion carried. Ordinance No. 5555 passed on second reading only.

Resolution No. 2018-36

(JMOA Investments, LLC, sidewalk waiver, 1620 North 37th Street)

Councilmember Dahlkoetter moved, seconded by Councilmember Merrill, to adopt Resolution No. 2018-36 approving a sidewalk waiver for JMOA Investments, LLC at 1620 North 37th Street.

City Planner Val Grimes explained this item was tabled at the Planning Commission approximately one year ago. The original request was for a waiver on both the properties at 1630 N 37th Street and 1620 N 37th Street. The sidewalk has been installed on the property at 1730 N 37th Street. At the July 3, 2018 Planning Commission meeting, a temporary sidewalk waiver for 1620 N 37th Street was approved on a 5-2 vote.

Megan Eckert, applicant, spoke in favor of the waiver. Eckert said “we will pay for installation of a sidewalk in the future if the owner/buyer are still there.” Eckert said the topography is rough and is not conducive to installation of a sidewalk; also, there are trees that would need to be removed.

Councilmember Lange said it appears many of the trees are cedars and should be removed anyway. Lange reminded Eckert the sidewalk would need to be installed at any time if the Council orders it in.

Mayor Moenning would like staff to look at the possibility of installation of a future trail along 37th Street.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Resolution No. 2018-36 was adopted.

Big Red Keno Second Renewal Agreement

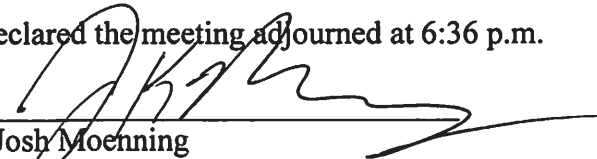
Councilmember Merrill moved, seconded by Councilmember Fauss, to approve a Second Renewal Agreement between the City, EHPV Lottery Services LLC d/b/a Big Red Keno, and Endgame Lottery Services LLC d/b/a Big Red Keno.

Bill Harvey, general counsel for Big Red Keno, spoke in favor of renewing the agreement.

Gordy Kyriss, The "O", and Larry Palmer, Eagles Club, feel keno satellite locations should receive more revenue.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

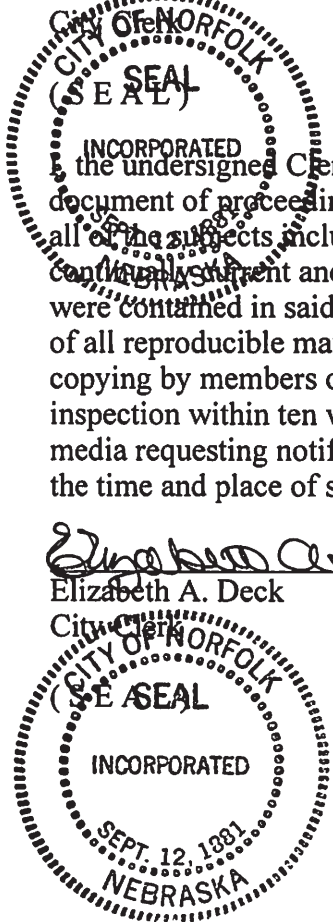
There being no further business, the Mayor declared the meeting adjourned at 6:36 p.m.



Josh Moehning
Mayor

ATTEST:


Elizabeth A. Deck



the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original document of proceedings of Monday, July 16, 2018, 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 continuously 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

