

CITY OF NORFOLK, NEBRASKA

The Council President 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 15th day of October, 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, Council President Jim Lange 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: Josh Moenning.

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, Public Works Director Steve Rames, Risk Manager Lyle Lutt, City Planner Val Grimes, Police Chief Bill Mizner, Wastewater Plant Superintendent Todd Boling, Fire Chief Scott Cordes and numerous Fire Division staff.

The Council President presided and the City Clerk recorded the proceedings.

The Council President 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 Fauss to approve the consent agenda as printed. Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Councilmember Fauss moved, seconded by Councilmember Dahlkoetter to amend the regular agenda with the deletion of Item NO. 28, presentation by Kay Eiermann, and to adopt the full agenda as amended. 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 October 1, 2018, City Council meeting

Food & beverage and lodging occupation tax report for 3rd quarter 2018

Special Designated Liquor License for Jim's Fine Wine & More to serve beer, wine and distilled spirits at the Norfolk Arts Center, 305 N 5th Street, on Wednesday, November 7, 2018 for a wine and beer sampling event

Change Order No. 1 with A & R Construction, Inc. for Paving District No. 510 (Walters' East Knolls 12th Addition) and Paving District No. 511 (Wyndham Hills 2nd Addition) resulting in a net increase of \$3,012.94

Two easement agreements with CNW Development, L.L.C. for the South Water Main Loop project

Paul Medelman easement agreement for the South Water Main Loop project

Two easement agreements with Medelmans Lake Development, Inc. and the City of Norfolk for the South Water Main Loop project

Plans, specifications, and engineer's estimate on file in the City offices for the construction of the Northeast Industrial Water Main project and authorization for the City Clerk to advertise for bids

Norfolk Iron & Metal Company temporary and permanent easements for property along the Northeast Industrial Sanitary Sewer Extension Phase II project for \$7,100.00

Michael A. Baumgart and Bonnie L. Baumgart temporary and permanent easements for property along the Raasch Dam Interceptor Sewer project for \$18,000.00

Douglas L. Stevens and Becky S. Stevens temporary and permanent easements for property along the Northeast Industrial Sanitary Sewer Extension Phase II project for \$23,040.00

Ochsner Hare & Hare amended contract which was initially approved May 21, 2018 with Council approving a request from DED for modification on September 17, 2018, to clarify "Termination of Other Grounds" wording as required for grant funding on the RiverPoint Square project located at the southwest corner of 3rd Street and Norfolk Avenue

City of Pierce Interlocal Agreement for the City of Norfolk to provide building inspection services to Pierce related to property maintenance issues

Dean R. Holan temporary and permanent easements for property along the Raasch Dam Interceptor Sewer project for \$38,419.00

Downtown Norfolk Association, Inc., a Nebraska Nonprofit Corporation, agreement to close designated City-owned parking to hold the Christmas Festival in downtown Norfolk on Tuesday, November 20, 2018

Special Designated Liquor License for Uncle Jarrol's Pub-B-Que to serve beer at 2610 W Norfolk Avenue for a Birthday/Grillin N Chillin event on November 3, 2018, from 10 a.m. to 9 p.m.

Ratify approval of the Mayor signing a Special Designated Liquor License for Jerry's Hilltop LLC, Randolph, Nebraska, to serve beer at the Norfolk Arts Center, 305 N 5th Street, on Friday, October 26, 2018, from 6:30 p.m. to 8:30 p.m. for an open house event

Special Designated Liquor License for Jerry's Hilltop LLC, Randolph, Nebraska, to serve wine at the Norfolk Arts Center, 305 N 5th St, on Thursday, November 15, 2018, from 12:00 p.m. to 1:00 p.m. for a luncheon

Bills in the amount of \$2,264,740.57

Special Presentations

Southeast Community College presented an award to Fire Chief Scott Cordes

The Mayor proclaimed November 11, 2018, as "A National Tolling of the Bells to Honor Those Who Served in the Great War".

Public Hearings and Related Items

Ordinance No. 5572

(Annex Property)

(Vehicle Off-Street Parking District No. 1)

Councilmember Merrill introduced, seconded by Councilmember Jackson, Ordinance No. 5572 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 ORDINANCE NO. 4894, 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 second reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Ordinance No. 5572 passed on second reading only.

Public Hearing

(Legacy Bend Redevelopment Plan Amendment)

A public hearing was held to consider the Amendment to the Redevelopment Plan for the Legacy Bend Redevelopment Area. Finance Officer Randy Gates provided information to the Mayor and City Council. The Redevelopment Plan for the Legacy Bend Redevelopment Area, approved by the City Council on January 16, 2018, provided for redevelopment of the Legacy Bend Area in multiple phases, with each phase requiring an amendment to the Plan. The Redeveloper is moving forward with the next phase, incorporating a significant portion of what was originally anticipated to be Phases II and III, into a single Phase II, reducing the total number of anticipated phases from eight to seven. This amendment is considered a substantial plan modification requiring the full hearing process. The new Phase II will consist of approximately 154 dwelling units comprised of 41 single family, 8 townhouses and 105 multi-family dwelling units. This compares with the combined total of the original Phases II and III of 131 dwelling units comprised of 63 single family, 12 townhouses and 56 multifamily dwelling units. Phase II is expected to consist of six sub-phases. Total costs of developing Phase II is approximately \$20.7 million (\$4.8 million of tax increment financing leveraging more than \$15.9 million of private funds). The Community Development Agency accepted the Plan Amendment on September 4, 2018 and forwarded it to the Planning Commission for recommendation. On September 18, 2018 the Planning Commission held a hearing to receive comments on and review the Plan. After the hearing the Planning Commission found the Plan conforms to the Norfolk

Comprehensive Plan and voted 9-0 to recommend Plan approval. At the October 1, 2018 Agency meeting, the Agency approved Resolution 2018-12 recommending approval of the Plan Amendment to the City Council.

No one else appeared either in favor of or in opposition to the amended Redevelopment Plan and the Mayor declared the hearing closed.

Resolution No. 2018-59
(Legacy Bend Redevelopment Plan Amendment)

Councilmember Granquist moved, seconded by Councilmember Fauss, to adopt Resolution No. 2018-59 approving the Amendment to the Redevelopment Plan for the Legacy Bend Redevelopment Area.

Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried. Resolution No. 2018-59 was adopted.

Regular Agenda Items

Olsson & Associates, Inc.
(Water Pollution Control Plant project)

Councilmember Merrill moved, seconded by Councilmember Murren, to approve an Engineering Services contract with Olsson & Associates, Inc. for projects at the Water Pollution Control Plant for an amount of \$249,700.00. Wastewater Plant Superintendent Todd Boling provided information to elected officials.

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

JEO Consulting Group
(Norfolk Levee Emergency Preparedness Plan)

Councilmember Pfeil moved, seconded by Councilmember Fauss, to approve an Engineering Services contract with JEO Consulting Group, Inc. for the Norfolk Levee Emergency Preparedness Plan (EPP) project for an amount of \$28,000.00. Public Works Director Steve Rames provided information to elected officials.

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

HDR Engineer, Inc.
(Levee Certification - Phase IIa)

Councilmember Granquist moved, seconded by Councilmember Merrill, to approve an Engineering Services contract with HDR Engineering, Inc. for the Levee Certification - Phase IIa project for an amount not to exceed \$543,116.00. Public Works Director Steve Rames provided information to elected officials.

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

JEO Consulting Group
(1st Street Undercrossing Study)

Councilmember Merrill moved, seconded by Councilmember Granquist, to approve an engineering services contract with JEO Consulting Group, Inc. for the 1st Street Undercrossing Feasibility Study project for a lump sum amount of \$69,247.00. Public Works Director Steve Rames provided information to elected officials. Rames said there will be two more contracts on this project.

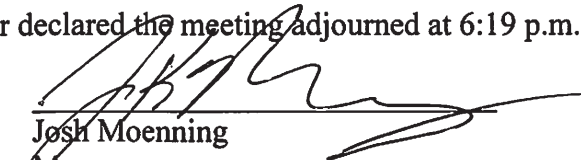
Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

Rutjens Construction, Inc.
(Legacy Bend & Victory Road Detention Cell)


Councilmember Merrill moved, seconded by Councilmember Jackson, to approve Change Order No. 1 with Rutjens Construction, Inc. for the Legacy Bend First Addition and Victory Road Detention Cell Improvements project resulting in a net increase of \$209,692.05. Public Works Director Steve Rames and Mike Rief, Olsson Associates, provided information to elected officials. Rames broke down the net increase as follows: box culvert, \$67,245.00; tree removal (Moore property), \$22,000.00; material cost of culvert, \$20,245.55; box culvert under trail, \$30,180.00; earth work and hydro-seeding, \$39,855.25; and drainage improvements, \$30,166.25.

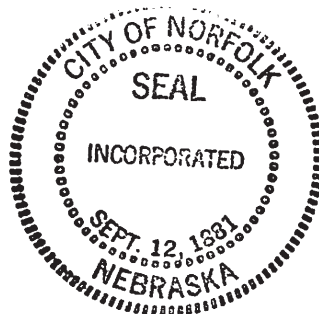
Roll call: Ayes: Councilmembers Granquist, Lange, Merrill, Dahlkoetter, Murren, Jackson, Fauss and Pfeil. Nays: None. Absent: None. Motion carried.

There being no further business, the Mayor declared the meeting adjourned at 6:19 p.m.


Josh Moenning
Mayor

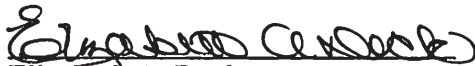
ATTEST:


Elizabeth A. Deck
City Clerk



(SEAL)

I, the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original document of proceedings of Monday, October 15, 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 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

