

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 21st day of June, 2021, 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, Frank Arens, Rob Merrill, Fred Wiebelhaus, Thad Murren, Gary L. Jackson, and Kory Hildebrand. Absent: Shane Clausen.

Staff members present were: City Administrator Andy Colvin, City Clerk Brianna Duerst, Finance Officer Randy Gates, Administrative Secretary Bethene Hoff, Public Works Director Steve Rames, Risk Manager Lyle Lutt, City Planner Val Grimes, Economic Developer Candice Alder, Economic Development Assistant Jen Olson, Water and Sewer Director Dennis Watts and Police Chief Don Miller.

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 Arens to approve the consent agenda as printed. Roll call: Ayes: Councilmembers Granquist, Arens, Merrill, Wiebelhaus, Murren, Jackson and Hildebrand. Nays: None. Absent: Clausen. Motion carried.

Councilmember Wiebelhaus moved, seconded by Councilmember Granquist to adopt the full agenda as printed. Roll call: Ayes: Councilmembers Granquist, Arens, Merrill, Wiebelhaus, Murren, Jackson and Hildebrand. Nays: None. Absent: Clausen. Motion carried.

Consent Agenda Items Approved

Minutes of the June 7, 2021, City Council meeting

the Mayor's reappointment of Russ Wilcox for a three-year term on the Norfolk Area Economic Development Council expiring June 30, 2024

Mayor's appointment of Elizabeth McKay to the Library Advisory Board for a five-year term ending July 2026

Mayor's reappointment of John Curran to the Civil Service Commission for a six-year term ending June 2027

Ray Johnson agreement for a Battle at the North Fork disc golf tournament at Skyview Park on Saturday, September 25, 2021 from 6:00 a.m. to 8:00 p.m.

Big Bang Boom, Inc., a Nebraska Nonprofit Corporation, and J & M Displays, Inc., an Iowa Corporation, agreement allowing the use of Skyview Park and Ta-Ha-Zouka Park, to be used for the purpose of conducting various activities for a 4th of July celebration, including but not limited to a fireworks display, from Friday, July 2, 2021 to Sunday, July 4, 2021

Norfolk Post 16 of The American Legion at Norfolk, Nebraska, a Chartered Unit of the Nebraska American Legion and its National Organization, agreement allowing the use of the baseball field in Veterans Memorial Park to hold a district senior baseball tournament from Friday, July 16, 2021 through Wednesday, July 21, 2021

No local recommendation to the Nebraska Liquor Control Commission on the corporate manager application of David A. Morfeld in conjunction with the Class D liquor license of Walmart, Inc., dba Walmart 645, 2400 West Pasewalk Avenue

No local recommendation to the Nebraska Liquor Control Commission on the corporate manager application of Andrew R. Guenther in conjunction with the Class DK liquor license of STL of Nebraska, Inc., Target Store T-0856, 1510 Market Lane

Resolution No. 2021-21 approving the final plat and subdivision agreement of The Pines Subdivision

Resolution No. 2021-22 approving the final plat and subdivision agreement of Wyndham Hills 4th Addition

Purchase a replacement 3/4 ton pickup truck for \$36,722, off of the State of Nebraska Contract #15520 OC, from Anderson Auto Group for use by the Sewer Division

Purchase a replacement 3/4 ton pickup truck for \$37,922, off of the State of Nebraska Contract #15520 OC, from Anderson Auto Group for use by the Water Division

Purchase a replacement Tractor for \$104,170, from Dinkel's Implement off of the Sourcewell Contract, for use by the Street Division

Purchase of a replacement Street Division 2022 Ford F-450 form truck from Courtesy Ford of Norfolk for \$67,447.00, which is lower than the state contract price

Bills in the amount of \$2,008,550.62

Special Presentations

Steven Rames presented to the Mayor and City Council the Norfolk Public Transportation Funding Request.

The Mayor proclaimed June 19, 2020 as “Celebrate Juneteenth Day”.

Public Hearings and Related Items

Public Hearing

(Citizen Advisory Review Committee)

A public hearing was held to receive a report on findings and suggestions from the economic development Citizen Advisory Review Committee as required by State Statutes Section 18-2715. Finance Officer Randy Gates provided information to the Mayor and City Council. State Statutes require a Citizen Advisory Review Committee (CARC). The citizens serving on CARC are: Cindy Morrow, Brandon Day, Aaron Otten, Jan Einspahr and Kathie Means. The City's Finance Officer serves as an ex officio non-voting member of CARC. State Statutes require the CARC to meet at least once in every six-month period and to report to the City Council on its findings and suggestions at a public hearing called for that purpose. The committee reviewed and discussed the following: 1) Current funding. 2) Rural Business Development Grant Revolving Loan Fund Program update. 3) LB 840 Plan amendment to include film production as a qualifying business. 4) Economic development update. 5) CARC findings and suggestions for public hearing.

This item was for informational purposes only.

Public Hearings

(West Highway 275 Phase II blight & substandard declaration)

A public hearing was held to consider a blighted and substandard declaration for the area referred to as the West Highway 275 Phase II Redevelopment Area. City Administrator Andy Colvin provided information to the Mayor and City Council. Colvin said the blight and substandard determination is the first step to redevelopment and does not have any effect on property values, taxes, zoning or permitted uses. Once an area is declared blighted and substandard, a redeveloper can then bring a project forward. A redevelopment plan has a separate process of an application and public hearings at both Planning Commission and City Council and review by the Community Development Agency. The redevelopment process is a long and open process.

Jan Merrill and Tom Higginbotham, Northeast Nebraska Economic Development District (NENEDD), provided information on the findings of the blight and substandard determination study. There are seven parcels in the study area. NENEDD found that there were four substandard and five blighted factors in the study area. Letters were sent to all property owners in the study area, two of which reached out for more information. If this area is designated blighted and substandard, the City of Norfolk's allowable percentage of blighted and substandard area will reach 33.75% of the 35% maximum. This will leave approximately 106 acres that could

be declared blighted and substandard. Property outside of the city limits can be declared blighted and substandard but, any project would need to be annexed into the city to be eligible for tax increment financing (TIF).

Merrill and Higginbotham discussed the map of the blighted area. The study area follows property lines and it is very rare that parcels are split.

John Dinkel, 4800 N Deer Run, presented a letter to Councilmembers expressing several concerns over the area and asked that the Council table the vote on the blighted designation pending more open conversation. Dinkel discussed the property included in the study area that was recently purchased by Ho-Chunk as this property goes much farther north than the other properties in the area. Dinkel further discussed concerns over the Ho-Chunk property, what will be developed on the parcel and effects on neighboring properties.

Moening noted that what is being considered at this meeting is the blight study and that the city has not received any applications from any entity relative to redevelopment on this property. Anything that may or may not develop at this point is speculative. Moening also noted that extending existing blighted areas is not uncommon for the City of Norfolk for purposes for potential redevelopment.

Mark Hall, 1642 Hackberry Drive, discussed changes in culture in the City of Norfolk. Hall expressed concern over entities that are property tax revenue dependent and the effect the use of TIF has on these entities. Hall said the agricultural land needs development, not redevelopment. Hall also discussed the impact of the use of TIF on the taxpayers.

Julie Deering, 4812 W Norfolk Ave, a property owner in the study area, said she would like to have her property removed from the blighted and substandard determination area.

Brett Jackson, 4800 S Deer Run Drive, expressed concern over prime Nebraska ag land being blighted. Jackson expressed he would like to see the vote tabled. Jackson also asked if Ho-Chunk can claim sovereign immunity from zoning. Moening said they could not as Ho-Chunk, Inc. is a business corporation. Jackson also discussed the possibility of splitting up the parcel for the blight and substandard determination.

Higginbotham answered Councilmember questions related to blight and substandard definitions, the area included in the study and study process as well as other study areas completed for the City of Norfolk.

City Planner Val Grimes discussed the zoning change process and City Administrator Andy Colvin discussed the redevelopment plan process.

On June 8, 2021, the Norfolk Planning Commission held a public hearing regarding the West Highway 275 Phase II Redevelopment Area blighted and substandard declaration. 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 blight and substandard determination and the Mayor declared the hearing closed.

Resolution No. 2021-23

(West Highway 275 Phase II Redevelopment Area blighted and substandard declaration)

Councilmember Merrill moved, seconded by Councilmember Jackson, for adoption of Resolution No. 2021-23 approving to declare the West Highway 275 Phase II Redevelopment Area blighted and substandard.

Councilmember Granquist moved, seconded by Councilmember Wiebelhaus to table Resolution No. 2021-23.

Roll call: Ayes: Councilmembers Granquist, Arens, Merrill, Wiebelhaus, Murren, Jackson and Hildebrand. Nays: None. Absent: Clausen. Motion carried. Resolution No. 2021-23 was tabled.

Public Comment Period

Dan Geary and Kenneth Porter discussed the recently adopted truck route ordinance and expressed concern over the signage and confusion of truck drivers over where they can drive for local deliveries and to get to a local business. Elected officials agreed the signage should be looked at and made clearer. Public Works will work on updating signage to clear up confusion.

Mike Matejka, 211 S 10th St, discussed an issue with a neighboring property owner's proposed fence as Mr. Matejka's dwelling is approximately 2 feet off the property line. Moenning encouraged Mr. Matejka to speak with Val Grimes, Planning and Development Director, after the meeting to discuss city code related to fences.

Paul Medelman, 1501 Miles Drive, discussed the effect of the 2010 flood had on the Elkhorn River and the possibility of widening a portion of the river between 13th Street and 1st Street. The river narrows to approximately 150' in open area. Medelman feels if that were widened, it would alleviate flooding on the southeast area of town.

There being no further business, the Mayor declared the meeting adjourned at 7:37 p.m.

Josh Moenning
Mayor

ATTEST:

Brianna Duerst
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, June 21, 2021, 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.

Brianna Duerst
City Clerk

(S E A L)