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 1st day of November, 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, Andrew McCarthy, Thad Murren, Gary L. Jackson, Shane Clausen, and Kory Hildebrand. Absent: None.

Staff members present were: City Administrator Andy Colvin, City Attorney Danielle Myers-Noelle, City Clerk Brianna Duerst, Finance Officer Randy Gates, Assistant City Administrator Scott Cordes, Administrative Secretary Bethene Hoff, Public Works Director Steve Rames, Risk Manager Lyle Lutt, City Planner Val Grimes, Library Director Jessica Chamberlain, 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 Clausen to approve the consent agenda as printed. Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None.

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

Consent Agenda Items Approved

Minutes of the October 18, 2021, City Council meeting

October sales tax report (August sales)

VSL Norfolk, LLC, a Nebraska Limited Liability Company, d/b/a Heritage of Bel Air, agreement allowing the use of the area immediately north of the tennis courts located at 4th Street and Elm Avenue to hold a job fair from 10:30 a.m. to 1:45 p.m. on Tuesday, November 9, 2021

Lifepoint Church of Norfolk, Nebraska, a Nebraska Nonprofit Corporation, agreement allowing the use of Riverpoint Square from 4:00 p.m. to 7:00 p.m. on December 24, 2021 for a Christmas Eve service

Lutheran High School Association of Northeast Nebraska, Incorporated, a Nebraska Nonprofit Corporation, agreement to allow use of portions of City streets to hold a 5K Turkey Trot run on Thursday, November 25, 2021

Letter of no recommendation to the Nebraska Liquor Control Commission on the Class L Craft Brewery (Brew Pub) liquor license application for Herrick Farms, Inc. dba Divots Brewery, 217 North 43rd Street, and the manager application of
Donna L. Herrick

Engineer's Final Certificate for the Sanitary Sewer Extension District No. 250 (Portia Place)

Establish November 15, 2021 for the Board of Equalization to conduct a public hearing for equalization of special assessments for Sanitary Sewer Extension District No. 250 (Portia Place)

Sacred Heart Parish-Norfolk for a March for Life Parade on January 21, 2022

Special Designated Liquor License for Jim's Fine Wine and More, 2001 Market Lane, to serve wine and distilled spirits at Earl May, 1910 Center Drive, on November 19, 2021, from 3:00 p.m. to 7:00 p.m. for a wine tasting event

Right of Way Agreement and Acceptance and Temporary Construction Easement for Tract #7 between Jim and Twyla Marr and the City of Norfolk for the Benjamin Avenue from 13th Street to 1st Street construction project for $1,040.00

Right of Way Agreement and Acceptance, Temporary Easement, Real Estate Purchase Agreement, and Warranty Deed for Tract #10 between Wm. D. Dendinger and Lisa M. Dendinger and the City of Norfolk for the Benjamin Avenue from 13th Street to 1st Street construction project for $8,450.00

Bills in the amount of $3,037,287.25

Special Presentations

The Mayor proclaimed November 2021 as, "Read Aloud To A Child Month".

The Mayor proclaimed November 1, 2021, as "Extra Mile Day".

Public Hearings and Related Items

Public Hearing
(levy special assessment, 125 Jefferson Avenue, demolition of structure)

A public hearing was held for the Mayor and City Council to sit as a Board of Equalization to levy a special assessment against the property: Lot 116, Homestead Addition to the City of Norfolk, Nebraska (125 Jefferson Avenue).

Councilmember Granquist moved, seconded by Councilmember Hildebrand to adjourn as Mayor and City Council and convene as a Board of Equalization to hear and equalize a special assessment for demolition of structure in the amount of $7,412.28 on Lot 116, Homestead Addition (125 Jefferson Avenue.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

City Clerk Brianna Duerst provided information to the Mayor and City Council. This public hearing authorizes the Mayor and City Council, sitting as a Board of Equalization, to levy a special assessment against the property: Lot 116, Homestead Addition to the City of Norfolk, Nebraska (125 Jefferson Avenue). The Health Official notified the property owner prior to demolition of structure. The City billed and mailed notice to the property owner, by certified mail, of the public hearing to levy the special assessment. Following adoption of the resolution, the City files a lien against the property and interest accrues in the same manner as special assessments. This is the usual and statutory way to assure payment for demolition of structure.

No one appeared either in favor of or in opposition to levying the special assessment and the Mayor declared the hearing closed.

Councilmember Merrill moved, seconded by Councilmember Granquist to adjourn as a Board of Equalization and reconvene as Mayor and City Council.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

The Mayor requested consideration of Resolution No. 2021-47 levying a special assessment in the amount of $7,412.28 for removal demolition of structure on property at Lot 116, Homestead Addition (125 Jefferson Avenue).

Councilmember Granquist introduced for adoption Resolution No. 2021-47 providing for levying a special assessment in the amount of $7,412.28 for removal demolition of structure on property at Lot 116, Homestead Addition (125 Jefferson Avenue), seconded by Councilmember Arens.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried. Resolution No. 2021-47 was adopted.

Regular Agenda Items

Rutjens Construction Change Order No. 1F
(South Highway 81 Water Main Extension District No. 124 project)

Councilmember Granquist moved, seconded by Councilmember Arens, for approval of Change Order No. 1F with Rutjens Construction, Inc. for South Highway 81 Water Main Extension District No. 124 project resulting in a net decrease of $33,437.55.

City Engineer Steven Rames provided information to elected officials. Change Order No. 1 provides for adjusting to final quantities resulting in a final contract amount of $661,849.75.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

Constructors, Inc. Change Order No. 1
(Asphaltic Overlays 2021 project)

Councilmember Merrill moved, seconded by Councilmember Murren, for approval of Change Order No. 1 with Constructors, Inc. for the Asphaltic Overlays 2021 project resulting in a net decrease of $6,095.64.

City Engineer Steven Rames provided information to elected officials. Change Order No. 1 provides for balancing bid quantities to actual resulting in a new contract amount of $1,161,114.93. This project is primarily complete except for the Thermoplastic, which will be completed next spring.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

JEO Consulting Group, Inc. contract
(Norfolk Embedded Engineering Consultant Services)

Councilmember Granquist moved, seconded by Councilmember Arens, for approval to award an engineering contract to JEO Consulting Group, Inc. for Norfolk Embedded Engineering Consultant Services for an hourly rate of $120.00/hour.

City Engineer Steven Rames provided information to elected officials. The Engineering Department has been short staffed for some time and, on September 20, 2021, the Mayor and Council approved advertising for a Request for Proposals for On-Site Consulting Services. On October 5, the City received two proposals. The firms submitting proposals were JEO Consulting Group and Stockwell Engineers. The Public Works Director met with both engineering firms and recommends entering into a contract with JEO Consulting Group, Inc.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

Black & Veatch Corporation Amendment No. 2
(Water System Planning Services)

Councilmember Merrill moved, seconded by Councilmember Jackson, for approval of Amendment No. 2 to the Agreement for engineering services between the City of Norfolk and Black & Veatch Corporation for Water System Planning Services for an amount not to exceed $176,138.00.

Water and Sewer Director Dennis Watts provided information to elected officials. Amendment No. 2 includes Well 14 aquifer testing and criteria development based on technical work completed under Amendment No. 1. Amendment No. 2 covers additional field services to install additional monitoring wells and a larger aquifer test well at a proposed Well 14 location, conduct aquifer multi-step drawdown tests and constant rate pumping test to define design criteria for a proposed Well 14, and document results of the field services in a technical memorandum resulting in a contract amount not to exceed $176,138.00.

Roll call: Councilmembers Granquist, Arens, Merrill, McCarthy, Murren, Jackson, Clausen and Hildebrand. Nays: None. Absent: None. Motion carried.

There being no further business, the Mayor declared the meeting adjourned at 5:56 p.m.

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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, November 1, 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)