

Agenda Packet

NORFOLK CITY COUNCIL MEETING

Tuesday, September 5, 2023
5:30 p.m.

Created 8/31/2023 12:31 PM

**NOTICE OF MEETING
CITY OF NORFOLK, NEBRASKA**

NOTICE IS HEREBY GIVEN that a meeting of the City Council of the City of Norfolk, Nebraska, will be held at 5:30 p.m. on Tuesday, September 5, 2023, in the Council Chambers, 309 N. 5th St., Norfolk, Nebraska, which meeting will be open to the public.

The Mayor and City Council reserve the right to adjourn into closed session as per Section 84-1410 of the Nebraska Revised Statutes.

An agenda for such meeting, kept continually current, is available at the office of the City Clerk, 309 N 5th St, Norfolk Nebraska, during normal business hours.

Individuals requiring physical or sensory accommodations, who desire to attend or participate, please contact the City Clerk's office at (402) 844-2000 no later than 4:30 p.m. on the Friday preceding the meeting.



Brianna Duerst
City Clerk

Publish (August 30, 2023)
1 P.O.P.



AGENDA
NORFOLK CITY COUNCIL MEETING

September 05, 2023

In accordance with Section 84-1412 sub-section eight (8) of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying. The Mayor and City Council reserve the right to adjourn into closed session as per Section 84-1410 of the Nebraska Revised Statutes.

CALL TO ORDER

1. 5:30 p.m. - call meeting to order
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public
3. Moment of silence/Pledge of Allegiance to the flag of the United States of America
4. Roll call

RECOMMENDED ACTIONS

5. Approval of consent agenda. **Motion**
All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately.
6. Approval of full agenda. **Motion**

CONSENT AGENDA

7. Consideration of approval of the minutes of the August 21, 2023 City Council meeting. **Motion**
8. August sales tax report (June Sales) **Motion**
9. Consideration of approval of an agreement with Audrey Anderson, d/b/a Guardians of the Children - Heartland Chapter, to allow the use of Ta-Ha-Zouka Park for a Bikers & Bobbers community awareness and fishing event on Saturday, September 23, 2023. **Motion**
10. Consideration of approval of an agreement with WJAG Incorporated, a Nebraska Corporation, allowing the use of Skyview Park for a 1-mile Red Ribbon Run on Saturday, September 30, 2023. **Motion**

11. Consideration of approval of an agreement with Norfolk Arts Center, a Nebraska Nonprofit Corporation, to close 5th Street between Braasch Avenue and Prospect Avenue from 10:00 a.m. to 10:00 p.m. to hold a Fork Fest event which may include but is not limited to live music performances, food truck vendors, artist vendors, inflatables, and activities for children on Saturday, October 7, 2023. **Motion**
12. Consideration of approval of an agreement with Forever in Our Hearts, Inc., a Nebraska Nonprofit Corporation, to hold a "Steps of Love - Infant Loss Memorial Walk" on Saturday, October 7, 2023 at Ta-Ha-Zouka Park which may include but is not limited to a kids fun run, 5K run, memorial walk, live music, food trucks, vendors, auction, raffle, bake sale, and activities for kids and families. **Motion**
13. Consideration of approval of the Mayor's appointment of Jill Sock to Planning Commission, to fill the remaining term of Kayla Ramsay, ending February 2024. **Motion**
14. Consideration of approval of the Mayor's call to hold a special meeting on Thursday, September 14, 2023 at 12:00 p.m. to conduct public hearings on the proposed 2023-2024 Budget and tax request. **Motion**
15. Consideration of approval of a Special Designated Liquor License for St. Paul's Lutheran School, to serve beer and wine at 1010 Georgia Avenue on September 30, 2023, from 5:00 p.m. to 11:00 p.m. for a Pioneer Nights - "Block Party". **Motion**
16. Consideration of approval of a Special Designated Liquor License for Jim's Fine Wine & More to serve wine on September 27, 2023 from 5:30 p.m. to 8:30 p.m. at Dr. Kim Chiropractor, 324 W Norfolk Avenue, for a wine and cordial tasting event. **Motion**
17. Consideration of Resolution No. 2023-53 extending the current E911 surcharge rate through 2024. **Resolution 2023-53**
18. Consideration of establishing September 18, 2023 as the public hearing to discuss the 2023-2028 One and Six Year Street Improvement Plan. **Motion**
19. Consideration of approval of a recommendation by the Public Arts Council to purchase two sculptures and place one in the 18th Street roundabout and one to place permanently at Riverpoint Square. **Motion**
20. Consideration of approval to award a contract to Bader's Highway, Inc. of Norfolk, NE for the Streets crack sealing project to be completed in 2023-2024. **Motion**
21. Consideration of Resolution 2023-54 approving the final plat for Leon's Addition. **Resolution 2023-54**
22. Consideration of approval of all bills on file. **Motion**

SPECIAL PRESENTATIONS

- 23. Proclamation for September 12, 2023 as "Goodwill of the Great Plains Day."
- 24. Representatives from Nebraska Public Power District will provide an update on a proposed 7 - 9 mile 115kV transmission line starting at the existing substation on the east side of Norfolk proceeding east to a substation in Stanton County.

PUBLIC HEARINGS AND RELATED ACTION

- 25. Public hearing to consider a blighted and substandard declaration for the area referred to as the Norfolk Downtown Area.
- 26. Consideration of Resolution No. 2023-55 approving the blighted and substandard declaration for the area referred to as the Norfolk Downtown Area. **Resolution 2023-55**
- 27. Public hearing concerning the activities of the Nebraska Department of Economic Development for a Community Development Block Grant (CDBG) regarding the Tourism Development (TD) grant, 19-TD-002.

REGULAR AGENDA

- 28. Consideration of approval of Change Order No. 1F with A & R Construction, Inc. for the East Benjamin Avenue Trail Continuation project resulting in a net increase of \$2,015.05. **Motion**
- 29. Consideration of approval to purchase equipment from Bizco for \$52,438.00 to replace the microphone system and voting display board in the Council Chambers, located in the City's Administration building. **Motion**
- 30. Consideration of approval of Amendment No. 2 to the engineering services contract with Olsson for the Wetland Mitigation Bank project for an amount not to exceed \$123,384.00. **Motion**
- 31. Consideration of Ordinance No. 5847 amending Section 2-5 of the City Code to update building, electrical, mechanical and plumbing permit fees. This Ordinance has an operative date of October 1, 2023. **Ordinance No. 5847**

STAFF MEMORANDUM
NORFOLK CITY COUNCIL MEETING
September 05, 2023

CALL TO ORDER

1. 5:30 p.m. - call meeting to order
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public
3. Moment of silence/Pledge of Allegiance to the flag of the United States of America
4. Roll call

RECOMMENDED ACTIONS

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 5. Approval of consent agenda. | Motion |
| All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. | |
| 6. Approval of full agenda. | Motion |

CONSENT AGENDA

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 7. Consideration of approval of the minutes of the August 21, 2023 City Council meeting. | Motion |
| See Enclosure 7. | |
| 8. August sales tax report (June Sales) | Motion |
| August sales tax receipts (June sales) are \$1,112,393.81. The City's sales tax receipts are up \$128,202.87 or 13.03% from last August. Motor vehicle sales tax was up \$38,094.99, while consumers use tax was up \$13,182.99. The remaining increase was in other sales tax. Fiscal year to date sales tax receipts are \$710,167.50 or 7.03% more than budgeted. Included in the agenda packet is a sales tax comparison by month. | |
| See Enclosure 8. | |

9. Consideration of approval of an agreement with Audrey Anderson, d/b/a Guardians of the Children - Heartland Chapter, to allow the use of Ta-Ha-Zouka Park for a Bikers & Bobbers community awareness and fishing event on Saturday, September 23, 2023. **Motion**

See Enclosure 9.

10. Consideration of approval of an agreement with WJAG Incorporated, a Nebraska Corporation, allowing the use of Skyview Park for a 1-mile Red Ribbon Run on Saturday, September 30, 2023. **Motion**

See Enclosure 10.

11. Consideration of approval of an agreement with Norfolk Arts Center, a Nebraska Nonprofit Corporation, to close 5th Street between Braasch Avenue and Prospect Avenue from 10:00 a.m. to 10:00 p.m. to hold a Fork Fest event which may include but is not limited to live music performances, food truck vendors, artist vendors, inflatables, and activities for children on Saturday, October 7, 2023. **Motion**

See Enclosure 11.

12. Consideration of approval of an agreement with Forever in Our Hearts, Inc., a Nebraska Nonprofit Corporation, to hold a "Steps of Love - Infant Loss Memorial Walk" on Saturday, October 7, 2023 at Ta-Ha-Zouka Park which may include but is not limited to a kids fun run, 5K run, memorial walk, live music, food trucks, vendors, auction, raffle, bake sale, and activities for kids and families. **Motion**

See Enclosure 12.

13. Consideration of approval of the Mayor's appointment of Jill Sock to Planning Commission, to fill the remaining term of Kayla Ramsay, ending February 2024. **Motion**

See Enclosure 13.

14. Consideration of approval of the Mayor's call to hold a special meeting on Thursday, September 14, 2023 at 12:00 p.m. to conduct public hearings on the proposed 2023-2024 Budget and tax request. **Motion**

Per Nebraska Revised Statute 13-506, "each governing body shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time." To fulfill this requirement, the Mayor has called a special meeting to be held on Thursday, September 14, 2023 at 12:00 p.m. to conduct public hearings on Norfolk's 2023-2024 proposed budget and tax request.

See Enclosure 14.

15. Consideration of approval of a Special Designated Liquor License for St. Paul's Lutheran School, to serve beer and wine at 1010 Georgia Avenue on September 30, 2023, from 5:00 p.m. to 11:00 p.m. for a Pioneer Nights - "Block Party". **Motion**

See Enclosure 15.

16. Consideration of approval of a Special Designated Liquor License for Jim's Fine Wine & More to serve wine on September 27, 2023 from 5:30 p.m. to 8:30 p.m. at Dr. Kim Chiropractor, 324 W Norfolk Avenue, for a wine and cordial tasting event. **Motion**

See Enclosure 16.

17. Consideration of Resolution No. 2023-53 extending the current E911 surcharge rate through 2024. **Resolution 2023-53**

Resolution No. 2023-53 authorizes telephone companies to continue billing and collecting \$1.00 per line per month for the E911 surcharge. This applies to those phone lines and phone numbers that reside within an area determined by 911 calls answered in the Norfolk Dispatch center. This will extend the collection until December 31, 2024. The previous area has been expanded to include all of Madison County per our dispatch agreement.

Section 86-438 of the Nebraska Revised Statutes requires that each calendar year, the City Council must establish the rate of any surcharge for 911 services for the following year. Approval of this resolution will continue funding for equipment and operation expenses.

See Enclosure 17.

18. Consideration of establishing September 18, 2023 as the public hearing to discuss the 2023-2028 One and Six Year Street Improvement Plan. **Motion**

The Public Works Director requests September 18, 2023 be the public hearing to discuss the 2023-2028 One and Six Year Street Improvement Plan that is part of the Capital Improvements Program. The 1 & 6 Year Street Improvements Plan open house was held on August 24, 2023. Following the public hearing on September 18, 2023, the 1 & 6 year street improvements plan receives final council approval as part of the City Capital Improvement Program.

19. Consideration of approval of a recommendation by the Public Arts Council to purchase two sculptures and place one in the 18th Street roundabout and one to place permanently at Riverpoint Square. **Motion**

See Enclosure 19.

20. Consideration of approval to award a contract to Bader's Highway, Inc. of Norfolk, NE for the Streets crack sealing project to be completed in 2023-2024. **Motion**

On July 3, 2023, Council approved advertising for bids for the 2023-2024 crack sealing project for the Street Division. On August 29, 2023, two bids were received. One from Borgen, Inc. of Mt. Lake, MN for \$0.93/linear foot of work and the other from Bader's Highway, Inc. of Norfolk, NE for \$0.69/linear foot. Total budgeted amount for this project is \$300,000. Staff recommends approval of awarding a contract to Bader's Highway, Inc.

See Enclosure 20.

21. Consideration of Resolution 2023-54 approving the final plat for Leon's Addition. **Resolution 2023-54**

See Enclosure 21.

22. Consideration of approval of all bills on file. **Motion**

SPECIAL PRESENTATIONS

23. Proclamation for September 12, 2023 as "Goodwill of the Great Plains Day."

See Enclosure 23.

24. Representatives from Nebraska Public Power District will provide an update on a proposed 7 - 9 mile 115kV transmission line starting at the existing substation on the east side of Norfolk proceeding east to a substation in Stanton County.

PUBLIC HEARINGS AND RELATED ACTION

25. Public hearing to consider a blighted and substandard declaration for the area referred to as the Norfolk Downtown Area.

The Norfolk Downtown Area Blight Study Area was put forward to restudy the downtown blight and substandard criteria and re-establish eligibility for grants.

See Enclosure 25.

26. Consideration of Resolution No. 2023-55 approving the blighted and substandard declaration for the area referred to as the Norfolk Downtown Area.

Resolution 2023-55

See Enclosure 26.

27. Public hearing concerning the activities of the Nebraska Department of Economic Development for a Community Development Block Grant (CDBG) regarding the Tourism Development (TD) grant, 19-TD-002.

The City of Norfolk was awarded CDBG Tourism Development funds of \$435,000 of which \$400,000 were used for removal of Architectural Barriers at Johnson Park, located at 101 E. Nebraska Ave., Norfolk, NE, Madison County Nebraska. \$25,000 was awarded for grant administration, and \$10,000 was awarded for construction management. The City of Norfolk has provided the required match of \$100,000 for the TD project activities. Project activities included: the construction of ADA restrooms, concrete sidewalks, and a concrete parking lot. All project activities funding has been expended to date. \$2,385 has been used for Construction Management, and \$8,506.51 has been used for General Administration of the grant. No persons, businesses, or farms were displaced as a result of CDBG activities.

REGULAR AGENDA

28. Consideration of approval of Change Order No. 1F with A & R Construction, Inc. for the East Benjamin Avenue Trail Continuation project resulting in a net increase of \$2,015.05.

Motion

On August 7, 2023 the Mayor and City Council approved a \$29,999.26 contract with A & R Construction, Inc. for the East Benjamin Avenue Trail Continuation project. Change Order No. 1F provides for adjusting to final quantities placed for a final contract amount of \$32,014.31. Staff recommend approval.

See Enclosure 28.

29. Consideration of approval to purchase equipment from Bizco for \$52,438.00 **Motion** to replace the microphone system and voting display board in the Council Chambers, located in the City's Administration building.

The current microphone system is at least 20 years old and has started to have multiple issues such as cable failures, microphone failures, static feedback, and microphone base failures causing them to neither turn off or on. The current microphones also do not indicate whether they are on or off causing issues with sound during meetings and livestreams.

The new system being proposed will include full replacement of the microphone system and voting display board which will integrate with the existing audio/visual system. The new microphones will have a digital display and light that will indicate whether the audio is on or off. The touch display will also incorporate voting to allow results to display on a TV in place of the current voting board. The expected lifespan of these microphones is 10 years or more.

Due to the integration and unique setup of the microphone system with the audio/visual system currently in the Council Chambers only one vendor responded to the request for quotes. Due to supply chain and scheduling constraints if approved this would be installed no earlier than the end of this year. This was discussed at subcommittee on April 14th and is budgeted as part of the Technology Upgrades ARP funds. Staff recommends approval.

See Enclosure 29.

30. Consideration of approval of Amendment No. 2 to the engineering services contract with Olsson for the Wetland Mitigation Bank project for an amount not to exceed \$123,384.00. **Motion**

On September 16, 2019 the Mayor and Council approved a \$25,000.00 engineering contract with Olsson for the Wetland Mitigation Bank project. Amendment No. 2 includes: project management and meetings, section 404 permitting, development of a mitigation bank plan, conceptual, preliminary, and final design engineering tasks, site geotechnical investigations and piezometers installation, water budget, and floodplain permitting for \$123,384.00. After construction is complete, mitigation bank site monitoring (up to five years) for \$35,438.00. Staff recommend approval.

See Enclosure 30.

31. Consideration of Ordinance No. 5847 amending Section 2-5 of the City Code to update building, electrical, mechanical and plumbing permit fees. This Ordinance has an operative date of October 1, 2023. **Ordinance No. 5847**

The building permits section of the schedule was revised with fees being raised approximately 3% or less, or if it is currently a few cents and calculated per the SF, raised by a penny or fraction of a penny. The comparison to other communities put our fees similar or lower for the total average fees for a standard house or commercial building.

See Enclosure 31.

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 August 2023, 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: Frank Arens, Justin Webb, Andrew McCarthy, Thad Murren, Justin Snorton, Shane Clausen and Kory Hildebrand. Absent: Corey Granquist.

Staff members present were: City Administrator Andy Colvin, City Attorney Danielle Myers-Noelle, City Clerk Brianna Duerst, Finance Officer Randy Gates, Administrative Secretary Bethene Hoff, Public Works Director Steve Rames, Assistant City Engineer Anna Allen, Director of Administrative Services Lyle Lutt, City Planner Val Grimes, Parks and Recreation Director Nathan Powell, Assistant Parks and Recreation Director PJ Evans, Communications Manager Nick Stevenson, Economic Development Director Candice Alder. 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 Hildebrand moved, seconded by Councilmember Murren to approve the consent agenda with Item #10, *Consideration of Resolution No. 2023-46 approving the final allocation of levy authority for the Norfolk Airport Authority for fiscal year 2023-2024 allowing the Norfolk Airport Authority to levy a property tax of \$857,269*, to the regular agenda. Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist.

Councilmember Hildebrand moved, seconded by Councilmember Snorton to adopt the full agenda with Item #37, *Consideration of approval of an agreement with the State of Nebraska Department of Natural Resources for a grant in the amount of \$2,000,000 to help fund projects in Johnson Park*, moved to be the first item considered after the consent agenda. Roll call:

Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None.
Absent: Granquist.

Consent Agenda Items Approved

Minutes of the August 7, 2023 City Council meeting

Keno comparison for July 2023

Resolution No. 2023-45 approving the final allocation of levy authority for the Offstreet Parking District for fiscal year 2023-2024 allowing the District to levy a property tax of \$110,785 not to exceed \$.35 per hundred dollars of assessed valuation

Scott D. Stevens, Trustee of the Douglas and Becky Stevens Revocable Family Trust agreement for the Michigan Avenue and 8th Street Reconstruction project for property located along 702 West Michigan Avenue

Norfolk Lions Club, Inc., a Nebraska Nonprofit Corporation, agreement to close designated portions of City streets to conduct their annual parade on Saturday, September 23, 2023 from 8:00 a.m. to 1:00 p.m.

Liberty Centre Services, Inc., a Nebraska Nonprofit Corporation, agreement allowing them to use portions of City streets, sidewalks, and trails for a Color Your Recovery 5K/10K Color Run/Walk event on Saturday, September 16, 2023

Disc Gauntlet LLC, a Nebraska Limited Liability Company, agreement to use the disc golf course in Ta-Ha-Zouka Park to hold a "Battle at the North Fork" disc golf tournament on Saturday, September 9, 2023

Chase Gartner and Russ Fadling, individually and collectively doing business as Elkhorn Valley Hunting Retriever Club, agreement allowing the use of City property located in the 3000 block of West Omaha Avenue on the north side of the road, for a simulated and judged waterfowl hunt event with a land and water series with trained dogs and handlers, on Saturday and Sunday, August 26-27, 2023

Norfolk Area Chamber of Commerce Foundation, a Nebraska Nonprofit Corporation, agreement allowing the temporary closure of designated streets and alleys to hold an Oktoberfest event which includes but is not limited to the closure of a portion of South 7th Street and adjoining alley between Norfolk Avenue and Madison Avenue, closure of a portion of Norfolk Avenue, alcohol on a public street, and vendors from Wednesday, September 20, 2023 through Sunday, September 24, 2023

Special Designated Liquor License Norfolk Area Chamber of Commerce Foundation, to serve beer and wine at 609 West Norfolk Avenue on September 22, 2023 from 4:00 p.m. to 1:00 a.m. and September 23, 2023 from 12:00 p.m. to 1:00 a.m. for an Oktoberfest event

Special Designated Liquor License for Sacred Heart Church, to serve beer, wine and distilled spirits at 2301 Madison Avenue on October 7, 2023 from 5:00 p.m. to 1:00 a.m. for a Spirit gala fundraiser

Issue letters to the property owners at 2107 Taylor Avenue and 815 Wood Street to repair or have a signed contract for the sidewalk repairs within 90 days according to Section 22-23 of the City Code

Resolution No. 2023-47 approving the final plat of Tunink's Addition

Advertise for VPD snow removal

Bills in the amount of \$8,216,674.97

Regular Agenda Item

Nebraska Department of Natural Resources agreement ((\$2,000,000 grant, Johnson Park projects)

Councilmember Hildebrand moved, seconded by Councilmember Snorton, for approval of an agreement with the State of Nebraska Department of Natural Resources for a grant in the amount of \$2,000,000 to help fund projects in Johnson Park.

Parks and Recreation Director Nathan Powell provided information to elected officials. Powell said there was no application necessary for this grant, nor is there a matching fund requirement. The agreement includes \$265,000 towards the outdoor ice rink, \$425,000 towards the splash pad fountain, \$475,000 towards the pedestrian bridge, \$60,000 for wayfinding signage, \$50,000 for landscaping, \$325,000 for a nature playground, \$100,000 towards gatehouse improvements, \$300,000 towards a concessions area with a restroom near the sports court and upper park area. The total grant awarded is \$2,000,000.

Senator Rob Dover, said he would like to see growth, life and prosperity in Norfolk's future, which are realized when the city attracts young people. This is why Senator Dover fought to get funding for this project, but noted this was a group effort, and commended those that worked toward it, and thanked elected officials for planning for the future growth of the community.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Motion approved.

Public Hearings and Related Items

Public Hearing (Ferris zone change, 221 Jackson Avenue)

A public hearing was held to consider a zone change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave at the

request of Garth and Krista Ferris. City Planner Valerie Grimes provided information to the Mayor and City Council. This property's zoning was changed from R-1 to R-2 in the last few years. The owner's intent at the time was to build a duplex on the then vacant lot. The owner ended up building a single-family dwelling so the R-2 zoning is no longer needed. If the zoning change is approved on all three readings, the next item on the agenda is a plat to change lot lines of two neighboring properties. The reason for the zoning change request is to avoid having two different zoning districts on one parcel once replatted.

On August 8, 2023, the Norfolk Planning Commission held a public hearing regarding the Ferris zone change request. 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 zone change and the Mayor declared the hearing closed.

Ordinance No. 5841

(Ferris zone change, 221 Jackson Avenue)

Councilmember Arens introduced, seconded by Councilmember McCarthy, Ordinance No. 5841 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 first reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5841 passed on first reading.

Councilmember McCarthy moved, seconded by Councilmember Murren, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilmember McCarthy moved, seconded by Councilmember Murren, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5841 be passed and adopted?"

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 5841 as required by law.

Resolution No. 2023-48.
(Ferris-Kielty Addition final plat)

Councilmember Snorton moved, seconded by Councilmember Hildebrand, for adoption of Resolution No. 2023-48 approving the final plat of Ferris-Kielty Addition.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Resolution No. 2023-48 was adopted.

Public Hearing

Bader, Mayer and Elkhorn Valley Bank zone change
(404 S 25th Street & part of 2507 Westside Avenue)

A public hearing was held to consider a zone change from R-1 (Single Family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 404 S 25th St. & part of 2507 Westside Avenue at the request of Roger L. Bader, Kirk M. Bader, & Jackie A. Mayer and Elkhorn Valley Bank & Trust. City Planner Valerie Grimes provided information to the Mayor and City Council. This is a cleanup of differing zoning districts on parcels. If the zoning change is approved on all three readings, the next item on the agenda is a plat for the area.

On August 8, 2023, the Norfolk Planning Commission held a public hearing regarding the zone change request. 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 zone change and the Mayor declared the hearing closed.

Ordinance No. 5842

(Bader, Mayer and Elkhorn Valley Bank zone change
(404 S 25th Street & part of 2507 Westside Avenue))

Councilmember Arens introduced, seconded by Councilmember Snorton, Ordinance No. 5842 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 first reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5842 passed on first reading.

Councilmember Arens moved, seconded by Councilmember Webb, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilmember Arens moved, seconded by Councilmember Webb, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5842 be passed and adopted?"

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 5842 as required by law.

Resolution No. 2023-49

(Elkhorn Valley Bank & Trust – Bader Addition final plat)

Councilmember Snorton moved, seconded by Councilmember Clausen, for adoption of Resolution No. 2023-49 approving the final plat of Elkhorn Valley Bank & Trust - Bader Addition.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Resolution No. 2023-49 was adopted.

Public Hearing

(Double TV Properties, LLC zone change)

(701 S. 13th St., 707 S. 13th St. and 1229 W Pasewalk Ave)

A public hearing was held to consider a zone change from R-3 (Multiple Family Residential District), C-1 (Local Business District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 701 South 13th Street, 707 South 13th Street and 1229 West Pasewalk Avenue at the request of Double TV Properties, LLC. City Planner Valerie Grimes provided information to the Mayor and City Council. This is on the southeast corner of S 13th Street and Pasewalk Ave and all parcels are owned by Burger King. Next item on the agenda is a plat combining all three lots into one.

On August 8, 2023, the Norfolk Planning Commission held a public hearing regarding the zone change request. 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 zone change and the Mayor declared the hearing closed.

Ordinance No. 5843

(Double TV Properties, LLC zone change)
(701 S. 13th St., 707 S. 13th St. and 1229 W Pasewalk Ave)

Councilmember Arens introduced, seconded by Councilmember Snorton, Ordinance No. 5843 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 first reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5843 passed on first reading.

Councilmember McCarthy moved, seconded by Councilmember Arens, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilmember McCarthy moved, seconded by Councilmember Arens, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5843 be passed and adopted?"

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 5843 as required by law.

Resolution No. 2023-50

(Burger King's Addition final plat)

Councilmember Arens moved, seconded by Councilmember Hildebrand, for adoption of Resolution No. 2023-50 approving the final plat of Burger King's Addition.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Resolution No. 2023-50 was adopted.

Public Hearing

(Braasch Avenue, LLC, zone change, 300 West Braasch Avenue)

A public hearing was held to consider a zone change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 300 W Braasch at the request of Braasch Avenue, LLC. City Planner Valerie Grimes provided information to the Mayor and City Council. Grimes said that the building covers the property almost entirely and that the C-2 zoning district is the only zoning district that does not have parking requirements.

Dan Geary, 1707 N 13th St, owns property directly east of the building, is currently constructing an apartment building and expressed concern with potential hardship to residents if patrons fill the residential parking lot.

The VFW owns the entire parking lot to the west of the property requesting the zone change and representatives from the VFW expressed concern with people using their lot during the Planning Commission public hearing.

Councilmember Clausen said, in order to develop this property, the zoning has to be changed to C-2, because there is not on-site parking, but noted that neighbors do not have to allow parking on their property, patrons of this establishment will need to walk a bit.

On August 8, 2023, the Norfolk Planning Commission held a public hearing regarding the zone change request. 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 zone change and the Mayor declared the hearing closed.

Ordinance No. 5844

(Braasch Avenue, LLC, zone change, 300 West Braasch Avenue)

Councilmember Arens introduced, seconded by Councilmember Webb, Ordinance No. 5844 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 first reading. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5844 passed on first reading.

Councilmember Webb moved, seconded by Councilmember Snorton, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilmember Webb moved, seconded by Councilmember Snorton, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5844 be passed and adopted?"

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 5844 as required by law.

Regular Agenda Items

Resolution No. 2023-46 (Airport Authority tax levy)

Councilmember Arens moved, seconded by Councilmember McCarthy, for adoption of Resolution No. 2023-46 approving the final allocation of levy authority for the Norfolk Airport Authority for fiscal year 2023-2024 allowing the Norfolk Airport Authority to levy a property tax of \$857,269.

Finance Officer Randy Gates said approval of the Airport Authority's tax request is a requirement of State Statute. The Airport Authority must submit their request to the city by August 1 and the city must respond by September 1. The current request of \$857,269 is a \$102,000 increase from the prior year.

Airport Manager Eli Mackey said the increase would be used to begin the planning stages of airport improvements. Mackey said the last major update to the runway was in 2005 and the last major update to the terminal building was around that same time. The cost of the runway rehabilitation project will be 90% federally reimbursed.

Amy Sisson, Airport accountant, said of the \$102,000 increase, \$60,000 is for preliminary planning on the runway rehabilitation project and \$40,000 is for repairs to hanger roofs. Beginning fund balance is \$1.4 million, of which \$371,756 will be used for the design phase of the terminal building. The estimated cost of the runway rehabilitation project is \$13.6 million, which is 90% reimbursable. The current FY budget includes \$600,00 for the planning phase of the project, of which \$60,000 is the local cost.

Councilmember Clausen discussed the option of keeping the levy rate the same as the prior year and what effect that would have. Finance Officer Randy Gates said if the levy rate was the left the same as the prior year, this year's request would be \$818,107.

Councilmember Hildebrand said he does not see where the future FBO brings enough return on investment for the community and would like to see the levy remain the same rate as the prior year. Hildebrand also expressed concern with rent inefficiencies.

Elected officials discussed keeping the levy rate the same as the prior year and encouraged Airport officials to utilize reserves to fund the difference.

While the Airport's budget has a line item for the new FBO in the next fiscal year, that project will require debt issuance, which would first come back before the City Council for approval. Sisson said they would like some assurance that the city is on board with the project and necessary bonds as they will be spending nearly \$400,000 for design services. Councilmember Clausen noted that is a discussion for another time.

Jim McKenzie, 1412 Longhorn Drive, discussed his concerns with the Airport's budget including the new FBO design and bond issuance. McKenzie questioned the impact of a \$6.2 million bond issue on the taxpayers. McKenzie also questioned how this building project became a higher priority than the Police Station expansion, which is similar in price and will be paid for by the same taxpayers and stressed the need for the community to determine how much we can afford.

Kim Davis, 310 N Oak Street, said she would like to see a government agency stay within the budget that is given to them and stop taxing citizens.

John Linke, a tenant at the Airport, noted the need for reasonable hanger rents. Linke also asked that elected officials keep in mind that the Airport is the gateway to the community.

Councilmember Hildebrand moved, seconded by Councilmember Arens to amend Resolution 2023-46 to reflect approval of a property tax of \$818,107.

Roll call: Ayes: Arens, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: Webb. Absent: Granquist. Motion to amend was approved.

Councilmember Hildebrand moved, seconded by Councilmember Arens to approve Resolution No. 2023-46 as amended.

Roll call: Ayes: Arens, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: Webb. Absent: Granquist. Resolution 2023-46, as amended, was adopted.

Regular item

(Union Pacific Railroad Company, railroad bridge donation, 309 North 1st Street)

Councilmember Arens moved, seconded by Councilmember Snorton, for approval of an agreement with Union Pacific Railroad Company to accept the donation to the City of the railroad bridge located northwest of 309 North 1st Street.

Public Works Director Steven Rames provided information to elected officials. This is an agreement that has been in the works since January 2022 to accept the old railroad bridge. The next item on the agenda is an agreement with DACO to have the bridge relocated to become a trail crossing.

Councilmember Hildebrand commended the Geary's for the investment into Downtown Norfolk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Motion approved.

DACO Construction agreement
(relocate retired railroad bridge)

Councilmember Arens moved, seconded by Councilmember Murren, for approval of an agreement with DACO Construction Co., Inc., a Nebraska Corporation, to relocate the retired railroad bridge that crosses the North Fork of the Elkhorn River downstream, to an area approximately 300' west of North 1st Street near the walking trail that connects to Johnson Park where the Bridge will be placed on a new foundation and modified for use as a pedestrian walkway over the North Fork of the Elkhorn River.

Public Works Director Steven Rames provided information to elected officials. Rames noted there is no cost to the city. DACO Construction is relocating the old railroad bridge at their expense as a contribution to the River Restoration and Johnson Park Improvement project.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Motion approved.

Resolution No. 2023-51
(Nebraska Game and Parks Commissions Land and Water conservation Fund (LWCF))
(grant application, add fourth softball field at Ta-Ha-Zouka Park)

Councilmember Arens moved, seconded by Councilmember Snorton, for adoption of Resolution No. 2023-51 approving a grant application to the Land and Water Conservation Fund (LWCF) of the Nebraska Game and Parks Commission in the amount of \$400,000 to add a fourth softball field at Ta-Ha-Zouka Park.

Parks and Recreation Director Nathan Powell provided information to elected officials. The city is seeking an LWCF grant to make additional improvements to the softball complex at Ta-Ha-Zouka Park. Using existing project funds for a new restroom, locker rooms and indoor batting cages, we would like to add a new softball field. The objective is to have a separate adult league softball complex and a separate fast pitch softball complex. This will allow for more tournaments and equal playing options and facilities for all softball clubs in Norfolk. The funds will go towards improving backstops, restroom facilities, ADA access and adding a new softball field, increasing the number of softball fields within the complex from three to four fields. We are leveraging our current \$1,633,000 investment as a match for an additional \$400,000 grant option to add a fourth field. This also falls within the Ta-Ha-Zouka master plan completed in 2022.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Resolution No. 2023-51 was adopted.

Ordinance No. 5845

(special assessment bond anticipation notes, \$3,800,000)
(Paving 520, 521, Sewer 255, Water 128)

Councilmember Hildebrand introduced, seconded by Councilmember Arens, Ordinance No. 5845 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES OF THE CITY OF NORFOLK, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$3,800,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING TO PAY THE COST OF STREET IMPROVEMENTS IN PAVING DISTRICT NOS. 520 & 521, SEWER IMPROVEMENTS IN SEWER EXTENSION DISTRICT NO. 255 AND WATER IMPROVEMENTS IN WATER EXTENSION DISTRICT NO. 128, PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION VARIOUS PURPOSE BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE THE CITY'S GENERAL OBLIGATION VARIOUS PURPOSE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; AUTHORIZING OFFICERS OF THE CITY TO MAKE ARRANGEMENTS FOR THE SALE OF THE NOTES AND TO DESIGNATE THE FINAL TERMS, RATES AND MATURITY SCHEDULE FOR SAID NOTES WITHIN STATED PARAMETERS; AUTHORIZING OFFICERS OF THE CITY TO MAKE ARRANGEMENTS FOR THE SALE OF THE NOTES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading.

Finance Officer Randy gates provided information to elected officials. This note issue provides \$271,642 to pay for improvements in Paving District 520 Walters 14th Addition, \$2,418,838 for improvements in Paving District 521 Norfolk 140 Subdivision, \$268,382 for improvements in Sewer District 255 Norfolk 140 Subdivision, and \$344,915 for improvements in Water District 128 Norfolk 140 Subdivision. The ordinance authorizes a maximum issue size of \$3,800,000 and a maximum true interest cost of 5.75%.

Jim McKenzie, 1412 Longhorn Drive, expressed concern with the Norfolk 140 development potentially costing the city \$3 million, noted there is nothing that holds the developer responsible and asked what happens if the development falls through.

Public Works Director Steven Rames said that the subdivision agreement states the developer is responsible for the assessment. While there are no up-front costs to the developer, the assessments are to be paid over a certain amount time, or in full if ownership of property is transferred.

Ordinance No. 5845 was then read into the record by title by the City Clerk.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5845 passed on first reading.

Councilmember Arens moved, seconded by Councilmember Webb, that the statutory rule requiring reading on three different days be suspended.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule requiring reading on three different days was suspended for consideration of said ordinance.

Thereafter Councilmember Arens moved, seconded by Councilmember Webb, that the statutory rules requiring reading on three different days be suspended and for final passage of the ordinance. The Mayor then stated the question "Shall Ordinance No. 5845 be passed and adopted?"

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Mayor then instructed the City Clerk to publish said Ordinance No. 5845 as required by law.

Resolution No. 2032-52

(Clausen Air Holdings sidewalk waiver, 711 South 37th Street)

Councilmember Hildebrand moved, seconded by Councilmember Murren, for adoption of Resolution No. 2032-52 approving sidewalk waiver requested by Clausen Air Holdings, LLC for property located at 711 South 37th Street.

City Planner Val Grimes provided information to elected officials. Grimes said the applicant is requesting a waiver of sidewalk requirements along 37th Street only. If approved, the resolution includes the standard language for all temporary sidewalk waivers.

Public Works Director Steven Rames said there are plans to extend the Cowboy Trail on the west side of 37th Street, which would cross at Bradford Avenue, and he doesn't see the need for the sidewalk to extend north on 37th Street. As such, he has no objection to the waiver.

Councilmember Clausen declared a conflict of interest and abstained from the vote.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton and Hildebrand. Nays: None. Absent: Granquist. Abstaining: Clausen. Resolution No. 2032-52 was adopted.

Economic Development Funding Agreement

Councilmember Arens moved, seconded by Councilmember McCarthy, for approval of an addendum to the interlocal agreement between Madison County and the City of Norfolk to fund economic development operations.

Economic Development Director Candice Alder provided information to elected officials. Alder said the agreement with Madison County for Economic Development funding was originally established in 2013. Representatives from Madison County have requested amendments to the

2013 Interlocal Agreement for Funding for economic development activities to address the following:

- Establish a maximum economic development fund balance of \$100,000.
- Establish mechanisms for the reduction of annual contributions for Madison County and the City of Norfolk if the economic development fund balance exceeds \$100,000.
- Reset annual contributions to 1) reduce the current fund balance during FY 2023-24, and 2) establish parameters for annual funding for 2024-25 and subsequent years.
- Adjust annual increase from "Consumer price index for all urban consumers" to a fixed 3% annual increase based on the previous year's calculated funding amount before reductions.
- Addition of reporting requirements to include quarterly expenditure and activity reports.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Motion approved.

Ordinance No. 5846

(amend Section 2-5, update building, electrical, mechanical, and plumbing permit fees & water, sewer, and wastewater rates)

Councilmember Hildebrand introduced, seconded by Councilmember Arens, Ordinance No. 5846 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 2-5 OF THE OFFICIAL CITY CODE TO UPDATE BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING PERMIT FEES; TO UPDATE WATER, SEWER AND WASTEWATER RATES; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM and moved that the ordinance be passed on first reading.

City Planner Val Grimes stated the building permits section of the schedule was revised with fees being raised approximately 3% or less, or if it is currently a few cents and calculated per the square foot, raised by a penny or fraction of a penny. The comparison to other communities put our fees similar or lower for the total average fees for a standard house or commercial building. Our residential permits are approximately \$110 less than the average and commercial permits are approximately \$1,500 less than the average.

Public Works Director Steven Rames said this ordinance proposes a 6% increase in water rates, primarily due to two large projects – an additional storage tank, as the existing tank was built 50 years ago, and the construction of Collector Well 14 to keep up with community growth. Historically, water rates have increased 2.5% to 4.5% over the last twenty years.

Rames said this ordinance proposes an 8% increase in sewer rates. Historically, sewer rate increases have averaged 3.7% per year over the last 30 years.

Rames discussed the Omaha Avenue Lift Station project, which was part of a large study on growth in the northeast basin. The lift station would add capacity on both the east and west sides of the levy and assist with future community growth. The project is in the CIP and next fiscal year budget documents, but we are not done exploring if we want to move forward with the lift station at this time or if there is another option to fix current issues in the area. We do need at

least a 3% increase to fund current operations, so the ordinance could be amended as such. Rames said he would suggest the industrial rate remains at 8%.

Councilmember Clausen said he would like the fee changes to be broken out and not all part of the same ordinance.

City Attorney Danielle Myers-Noelle said there are three options – amend the current ordinance, table the ordinance, or vote it down.

Councilmember Arens moved, seconded by Councilmember Webb to table Ordinance No. 5846.

Roll call: Ayes: Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: Granquist. Ordinance No. 5846 was tabled.

There being no further business, the Mayor declared the meeting adjourned at 8:08 p.m.

Josh Moenning
Mayor

ATTEST:

Brianna Duerst
City Clerk

(S E A L)

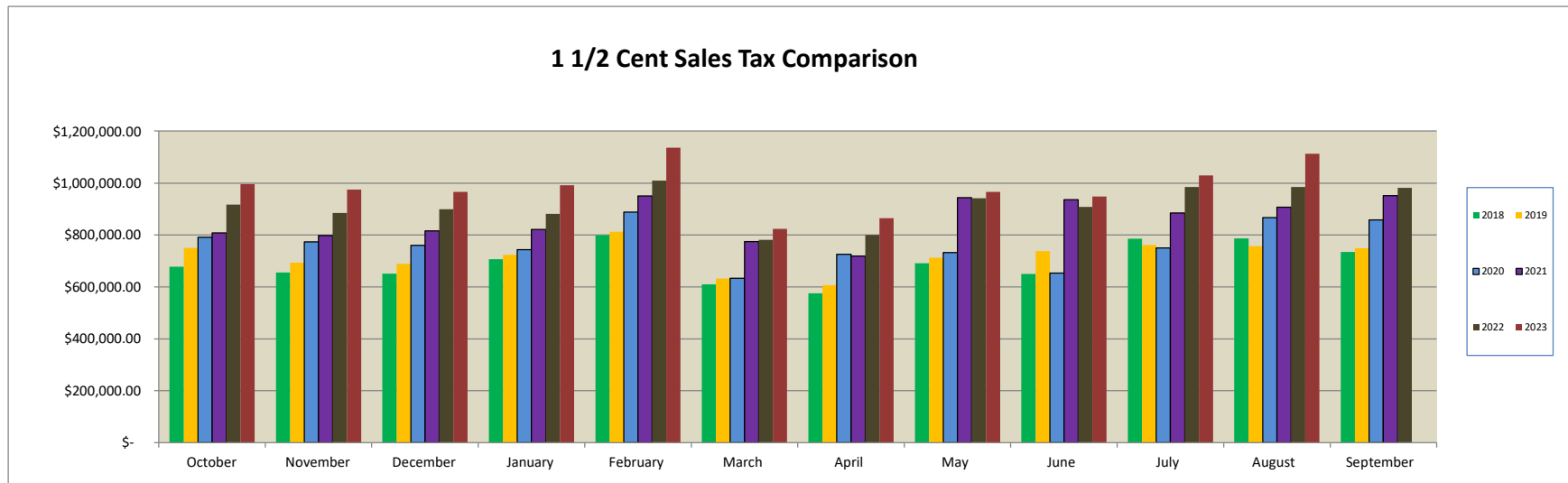
I, the undersigned Clerk, hereby certify that the foregoing is the full, true and correct original document of proceedings of Monday, August 21, 2023, had and done by the Mayor and City Council; that all of the subjects included in the proceedings were contained in the agenda for the meeting, kept continually 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)

CITY OF NORFOLK
1 1/2 CENT SALES TAX COMPARISON
2018 - 2023

PAYMENT DATE							2023	CHANGE 2022 TO 2023		BUDGET VARIANCE	
	2018	2019	2020	2021	2022	2023	BUDGET				
October	\$ 678,401.87	\$ 749,907.08	\$ 791,667.22	\$ 807,699.88	\$ 916,869.52	\$ 995,864.82	\$ 939,668.43	\$ 78,995.30	8.62%	\$ 56,196.39	5.98%
November	\$ 654,681.26	\$ 693,592.86	\$ 773,622.59	\$ 798,022.46	\$ 884,430.97	\$ 974,723.28	\$ 907,229.88	\$ 90,292.31	10.21%	\$ 67,493.40	7.44%
December	\$ 651,260.81	\$ 688,673.25	\$ 760,004.07	\$ 815,440.55	\$ 899,492.96	\$ 965,286.05	\$ 922,291.87	\$ 65,793.09	7.31%	\$ 42,994.18	4.66%
January	\$ 705,769.95	\$ 722,650.88	\$ 743,508.54	\$ 821,520.19	\$ 881,000.94	\$ 991,455.26	\$ 903,799.85	\$ 110,454.32	12.54%	\$ 87,655.41	9.70%
February	\$ 799,180.83	\$ 812,345.69	\$ 887,425.53	\$ 950,153.16	\$ 1,009,091.07	\$ 1,135,957.92	\$ 1,031,889.98	\$ 126,866.85	12.57%	\$ 104,067.94	10.09%
March	\$ 610,326.58	\$ 632,492.20	\$ 633,342.26	\$ 774,090.95	\$ 781,268.81	\$ 823,190.27	\$ 804,067.72	\$ 41,921.46	5.37%	\$ 19,122.55	2.38%
April	\$ 575,250.20	\$ 606,371.26	\$ 725,373.93	\$ 719,690.10	\$ 800,199.17	\$ 864,336.75	\$ 822,998.08	\$ 64,137.58	8.02%	\$ 41,338.67	5.02%
May	\$ 690,707.66	\$ 712,360.98	\$ 733,041.40	\$ 943,475.10	\$ 941,437.19	\$ 965,402.83	\$ 966,326.78	\$ 23,965.64	2.55%	\$ (923.95)	-0.10%
June	\$ 649,735.86	\$ 738,010.16	\$ 653,114.23	\$ 935,611.73	\$ 907,696.57	\$ 948,479.55	\$ 959,455.98	\$ 40,782.98	4.49%	\$ (10,976.43)	-1.14%
July	\$ 785,104.37	\$ 761,157.69	\$ 750,322.72	\$ 883,844.67	\$ 985,039.55	\$ 1,029,422.05	\$ 907,688.92	\$ 44,382.50	4.51%	\$ 121,733.13	13.41%
August	\$ 786,723.11	\$ 756,686.77	\$ 866,997.21	\$ 907,083.35	\$ 984,190.94	\$ 1,112,393.81	\$ 930,927.60	\$ 128,202.87	13.03%	\$ 181,466.21	19.49%
September	\$ 734,838.03	\$ 748,664.90	\$ 857,175.30	\$ 951,421.42	\$ 981,225.96	\$ -	\$ 975,265.67	\$ -	0.00%	\$ -	0.00%
TOTALS	\$8,321,980.52	\$8,622,913.72	\$9,175,595.00	\$ 10,308,053.56	\$ 10,971,943.65	\$ 10,806,512.59	\$ 11,071,610.76	\$ 815,794.90	8.17%	\$ 710,167.50	7.03%



AGREEMENT

This Agreement is made and entered into the _____ day of _____, 2023, by and between the City of Norfolk, Nebraska, a Municipal Corporation, hereinafter referred to as “CITY”, and Audrey Anderson, d/b/a Guardians of the Children – Heartland Chapter, hereinafter referred to as “GUARDIANS”, WITNESSETH:

In consideration of the mutual covenants contained herein, and for other good and valuable consideration, CITY agrees to allow GUARDIANS to use CITY’s Ta-Ha-Zouka Park facility for a Bikers & Bobbers community awareness and fishing event subject to the following:

1. FACILITY. CITY, being the owner of the park facility commonly known as Ta-Ha-Zouka Park, is willing to allow GUARDIANS to utilize the park in conjunction with GUARDIANS’ purpose of holding a Bikers & Bobbers community awareness event which may include but is not limited to fishing and games for children and a lunch provided at no charge.

2. TERM. The term of this Agreement shall be from 8:00 a.m. to 4:00 p.m. on Saturday, September 23, 2023.

3. NONEXCLUSIVE USE. The parties understand that GUARDIANS’ use of Ta-Ha-Zouka Park for its event shall be nonexclusive as the park will not be closed to the public during this event.

4. INSURANCE. GUARDIANS shall provide CITY with a certificate of general liability insurance in the following minimum amounts:

General Aggregate	\$1,000,000
a. Bodily Injury/Property Damage	\$1,000,000 each occurrence
b. Personal Injury Damage	\$1,000,000 each occurrence
c. Contractual Liability	\$1,000,000 each occurrence
d. Products Liability & Completed Operations	\$1,000,000 each occurrence
e. Fire Damage	\$ 100,000 any one fire
f. Medical Expense	\$ 5,000 any one person

The policy issued shall cover all activities sponsored by GUARDIANS for this event with no exclusions. In addition, GUARDIANS shall name CITY as an additional insured. Said insurance shall be the primary insurance coverage for GUARDIANS’ event. GUARDIANS agrees to be responsible for any damages or claim of loss not covered by GUARDIANS’ insurance. A certificate of insurance shall be filed with the Norfolk City Clerk upon execution of this Agreement. In the event the certificate of insurance is not filed by September 13, 2023, then (1) GUARDIANS shall pay a late fee to CITY in the amount of \$75.00, and (2) this Agreement shall be voidable at the option of CITY.

5. RELEASES. In the event that GUARDIANS obtains Releases for participation in GUARDIANS’ event while utilizing CITY’s facilities under the terms of this Agreement, said Releases shall include a provision releasing CITY from the same liability and in the same manner that is afforded to other entities being released.

6. HOLD HARMLESS/INDEMNIFICATION. GUARDIANS agrees to save, hold harmless, indemnify and defend CITY, its representatives, agents and employees from any loss or damage or claim of loss by GUARDIANS or any third party from damage or claim of damage that arises from any of the activities authorized or undertaken as provided in this Agreement and for any loss to CITY that results from GUARDIANS failing to perform its obligations under this Agreement or engaging in any activity not authorized by this Agreement.

7. TENTS/CANOPIES. CITY shall allow GUARDIANS to erect up to two (2) tents/canopies in the park at locations approved by CITY's parks and recreation director. If tents/canopies are to be staked in the ground, then at least forty-eight (48) hours prior to Saturday, September 23, 2023, GUARDIANS shall contact Nebraska 811 (formerly Diggers Hotline of Nebraska) to ascertain the location of underground utility lines in the areas where the tents/canopies are to be placed. After utility lines have been determined by Nebraska 811 and prior to setting any tent/canopy stakes, GUARDIANS shall coordinate with CITY's parks and recreation director as to the contemplated location of the tents/canopies. CITY will attempt to locate any private underground lines it owns. GUARDIANS shall not set any stakes until receiving approval from CITY's parks and recreation director as to the exact location where the tents/canopies are to be placed. GUARDIANS shall be responsible for any damage to any underground utility lines or to any unlocated lines.

8. SHELTER. GUARDIANS understands that this Agreement does not include the reservation of a shelter in Ta-Ha-Zouka Park and that any reservation of a shelter for this event shall be made by separate agreement with the City of Norfolk.

9. NO SIGNS ALONG STATE HIGHWAY. Pursuant to Nebraska Administrative Code Title 410, Chapter 3, GUARDIANS shall not place signs advertising GUARDIANS' event on property adjacent to any state highway.

10. MANAGEMENT. The parties acknowledge and agree that GUARDIANS shall be solely responsible for the operation and management of the park during the term of this Agreement when the park is being utilized by GUARDIANS for GUARDIANS' event(s) and related activities. GUARDIANS shall be responsible for operating and managing the park in accordance with all applicable rules and regulations of any governmental entity with jurisdiction over the park including, but not limited to, the most current and updated directed health measures of all local, state, and federal health agencies, and all resolutions and ordinances of CITY (collectively the "Rules"). GUARDIANS represents and covenants to CITY that GUARDIANS is familiar with the Rules and that GUARDIANS shall operate and manage the park in accordance with the Rules. GUARDIANS shall ensure that all individuals utilizing the park for GUARDIANS' event shall conduct themselves in accordance with the Rules.

11. MAINTENANCE. GUARDIANS shall be responsible for maintaining the park in accordance with the Rules so that the park may be utilized for permitted activities hereunder. Such obligation shall include, but not be limited to, all sanitation guidelines and maintenance obligations that are set forth in the Rules. GUARDIANS shall ensure that any guests, invitees, or visitors are those permitted to be in attendance at the park in accordance with the Rules.

12. NO USAGE FEE. GUARDIANS shall pay no fee to CITY under this Agreement for the use of Ta-Ha-Zouka Park for its event.

13. POSTPONEMENT. In the event it is necessary to postpone this event, GUARDIANS may coordinate with CITY's parks and recreation director to reschedule the date of the event.

14. CANCELLATION. Notwithstanding any other provision of this Agreement, CITY retains the right at any time to cancel any activities scheduled on CITY property due to inclement weather or for any other reason. CITY shall not be responsible for any loss to GUARDIANS resulting from CITY's cancellation of GUARDIANS's activities.

15. AUTHORITY TO SIGN AGREEMENT. The individuals signing this Agreement represent that they are authorized to sign on behalf of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Agreement in duplicate the day and year first above written. This Agreement may be executed in counterparts. Each such counterpart, executed in duplicate, shall be deemed an original hereof and all such executed counterparts shall together be one and the same instrument.

CITY OF NORFOLK, NEBRASKA,
A Municipal Corporation

ATTEST:

Brianna Duerst, City Clerk

By _____
Josh Moenning, Mayor

Approved as to Form: _____
Danielle Myers-Noelle, City Attorney

Audrey Anderson d/b/a Guardians of the
Children– Heartland Chapter

AGREEMENT

This Agreement is made and entered into the _____ day of _____, 2023 by and between the City of Norfolk, Nebraska, a Municipal Corporation, hereinafter referred to as "CITY", and WJAG Incorporated, a Nebraska Corporation, hereinafter referred to as "WJAG", WITNESSETH:

In consideration of the mutual covenants contained herein, and for other good and valuable consideration, CITY agrees to allow WJAG to use the CITY's Skyview Park facility for a 1-mile Red Ribbon Run subject to the following:

1. FACILITY. CITY, being the owner of the park facility commonly known as Skyview Park, is willing to allow WJAG to hold a 1-mile Red Ribbon Run on Saturday, September 30, 2023 in Skyview Park, on the route shown on the map attached hereto as Exhibit "A". WJAG may also use the area east of the dike in Skyview Park for WJAG's event.

2. TERM. The term of this Agreement shall be from 7:30 a.m. to 10:30 a.m. on Saturday, September 30, 2023.

3. TENTS. CITY shall allow the placement of pop-up tents in Skyview Park for WJAG's event, however, WJAG shall not allow any tent stakes to be placed in the ground at Skyview Park.

4. SHELTER. WJAG understands that this Agreement does not include the reservation of a shelter or stage in Skyview Park and that any reservation of a shelter or stage for this event shall be made by separate agreement with the City of Norfolk.

5. NONEXCLUSIVE USE. The parties understand that WJAG's use of Skyview Park for its Red Ribbon Run shall be nonexclusive as the park will not be closed to the public during this event.

6. LIABILITY. WJAG shall provide CITY with a certificate of general liability insurance in the following minimum amounts:

General Aggregate	\$1,000,000
a. Bodily Injury/Property Damage	\$1,000,000 each occurrence
b. Personal Injury Damage	\$1,000,000 each occurrence
c. Contractual Liability	\$1,000,000 each occurrence
d. Products Liability & Completed Operations	\$1,000,000 each occurrence
e. Fire Damage	\$ 100,000 any one fire
f. Medical Expense	\$ 5,000 any one person

In addition, WJAG shall name CITY as an additional insured. The policy issued shall cover all activities sponsored by WJAG while using CITY's facility with no exclusions. WJAG's insurance shall be the primary insurance coverage for WJAG's event. WJAG agrees to be

responsible for any damages or claim of loss not covered by WJAG's insurance. A certificate of insurance shall be filed with the City Clerk's office upon execution of this Agreement. In the event the certificate of insurance is not filed by September 20, 2023, then (1) WJAG shall pay a late fee to CITY in the amount of \$75.00, and/or (2) this Agreement shall be voidable at the option of CITY.

7. INDEMNIFICATION AND HOLD HARMLESS. WJAG agrees to save, hold harmless, indemnify and defend CITY, its representatives, agents and employees from any loss or damage or claim of loss by WJAG or any third party from damage or claim of damage that arises from any of the activities authorized or undertaken as provided in this Agreement and for any loss to CITY that results from WJAG failing to perform its obligations under this Agreement or engaging in any activity not authorized by this Agreement.

8. RELEASES. In the event that WJAG obtains Releases for participation in WJAG's event while utilizing CITY's facilities under the terms of this Agreement, said Releases shall include a provision releasing CITY from the same liability and in the same manner that is afforded to other entities being released.

9. VEHICLE PARKING. Parking of vehicles in the park shall be restricted to currently existing parking areas and to such other areas as are approved for parking at the sole discretion of the CITY's parks and recreation director or his designee. WJAG understands that parking on Maple Avenue between 18th Street and 19th Street is prohibited on the north side of the street. WJAG shall have an individual designated to assure compliance with the parking regulations.

10. DAMAGE. Any damage resulting from parking or driving in approved or unapproved areas of the park (including but not limited to the sidewalk, grass, fixtures, etc.) will be repaired by CITY and the cost thereof will be paid by WJAG.

11. NO PAINT ON CONCRETE. WJAG shall not paint or permanently mark any concrete in Skyview Park for its event. In the event that WJAG does paint or permanently mark the concrete, then City shall have the paint or marking removed and the cost thereof shall be paid by WJAG.

12. NO SIGNS ALONG STATE HIGHWAY. Pursuant to Nebraska Administrative Code Title 410, Chapter 3, WJAG shall not place signs advertising WJAG's event on property adjacent to any state highway.

13. MANAGEMENT. The parties acknowledge and agree that WJAG shall be solely responsible for the operation and management of the park during the term of this Agreement when the park is being utilized by WJAG for WJAG's event and related activities. WJAG shall be responsible for operating and managing the park in accordance with all applicable rules and regulations of any governmental entity with jurisdiction over the park including, but not limited to, the most current and updated directed health measures of all local, state, and federal health agencies, and all resolutions and ordinances of CITY (collectively the "Rules"). WJAG represents and covenants to CITY that WJAG is familiar with the Rules and that WJAG shall operate and manage the park in accordance with the Rules. WJAG shall ensure that all

individuals utilizing the park for WJAG's event shall conduct themselves in accordance with the Rules.

14. MAINTENANCE. WJAG shall be responsible for maintaining the park in accordance with the Rules so that the park may be utilized for permitted activities hereunder. Such obligation shall include, but not be limited to, all sanitation guidelines and maintenance obligations that are set forth in the Rules. WJAG shall ensure that any guests, invitees, or visitors are those permitted to be in attendance at the park in accordance with the Rules.

15. NO USAGE FEE. WJAG shall pay no fee to CITY under this Agreement for the use of Skyview Park for its event.

16. CANCELLATIONS. Notwithstanding any other provision of this Agreement, CITY retains the right at any time to cancel any activities scheduled on CITY property due to inclement weather or for any other reason. CITY shall not be responsible for any loss to WJAG resulting from CITY's cancellation of WJAG's activities.

17. UNADDRESSED ISSUES. Issues related to CITY's facilities not addressed in this Agreement may be approved by CITY at the discretion of CITY's parks and recreation director upon request of WJAG.

18. AUTHORITY TO SIGN AGREEMENT. The individuals signing this Agreement represent that they are authorized to sign on behalf of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Agreement in duplicate the day and year first above written. This Agreement may be executed in counterparts. Each such counterpart, executed in duplicate, shall be deemed an original hereof and all such executed counterparts shall together be one and the same instrument.

CITY OF NORFOLK, NEBRASKA,
A Municipal Corporation

ATTEST:

Brianna Duerst, City Clerk

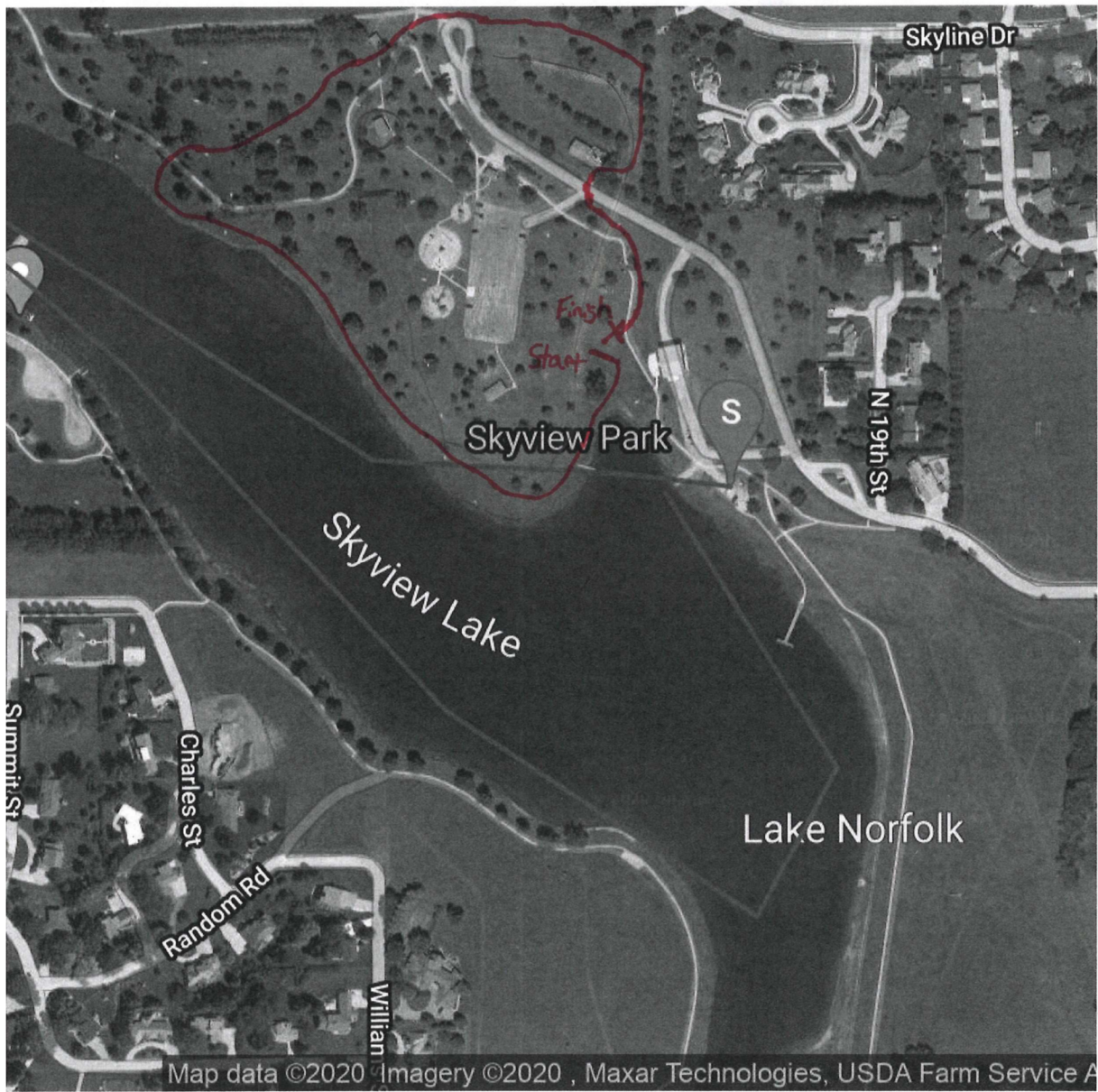
By _____
Josh Moening, Mayor

Approved as to Form: _____
Danielle Myers-Noelle, City Attorney

WJAG INCORPORATED,
A Nebraska Corporation

By _____
Printed Name: _____
Title: _____

EXHIBIT "A"



AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between City of Norfolk, Nebraska, a Municipal Corporation, hereinafter referred to as "CITY", and Norfolk Arts Center, a Nebraska Nonprofit Corporation, hereinafter referred to as "NAC"; WITNESSETH:

WHEREAS, NAC is desirous of closing 5th Street between Braasch Avenue and Prospect Avenue from 10:00 a.m. to 10:00 p.m. on Saturday, October 7, 2023, to host a Fork Fest event which may include but is not limited to live music performances, food truck vendors, artist vendors, inflatables, and activities for children; and

WHEREAS, NAC has requested the use of CITY's parking lot located at 309 N. 5th Street, Norfolk, Nebraska (City administration building); and

WHEREAS, attached hereto as Exhibit "A" is a map which shows the approximate location of vendors, booths, and inflatables contemplated for the event; and

WHEREAS, CITY is desirous of allowing the closure of a portion of 5th Street as described above and the use of CITY's parking lot for the Fork Fest event.

NOW, THEREFORE, in consideration of the foregoing recitals, and the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. TERM. The term of this Agreement shall be for the day of Saturday, October 7, 2023.
2. STREET CLOSURE. CITY shall allow for the closure of 5th Street from the north line of Braasch Avenue to the south line of Prospect Avenue from 10:00 a.m. to 10:00 p.m. on Saturday, October 7, 2023. CITY shall erect barricades and/or traffic cones which completely barricade the closed portion of the public street as deemed necessary by the Norfolk Police Division. The Norfolk Police Division will not monitor the barricades and/or traffic cones during the event.
3. PARKING LOT. CITY shall allow NAC to use CITY's parking lot located at 309 N. 5th Street, Norfolk, Nebraska from 10:00 a.m. to 10:00 p.m. on Saturday, October 7, 2023, for NAC's event.
4. SETUP/CLEANUP. NAC may begin setting up for the Fork Fest event at 10:00 a.m. on Saturday, October 7, 2023. NAC shall be responsible for cleanup from the event and shall complete said cleanup by 10:00 p.m. on Saturday, October 7, 2023.
5. TEMPORARY STAGE. CITY shall allow NAC to place a temporary stage on the closed portion of 5th Street for NAC's event.

6. NO HOLES IN STREET/SIDEWALK/PARKING LOT. NAC shall not drill any holes in the surface of the closed portion of 5th Street, any adjacent alleys or sidewalks, or in CITY's parking lot.

7. TENTS AND INFLATABLES. CITY shall allow NAC or its designees to place tents and inflatables on the closed portion of the street during the term of this Agreement so long as said tents and inflatables are not anchored by stakes placed in the surface of the street. NAC agrees to cease and desist use of tents and inflatables in the event wind speeds exceed manufacturer's recommendations.

8. NO PAINT ON STREET/SIDEWALKS/PARKING LOT. NAC shall not paint any streets, alleys, sidewalks, or parking lot for this event. In the event that NAC does paint or permanently mark any streets, alleys, sidewalks, or parking lot, then City shall have the paint or marking removed and the cost thereof shall be paid by NAC.

9. DAMAGE. Any damage to CITY property resulting from NAC holding its event on the closed portion of 5th Street and CITY's parking lot will be repaired by CITY and the cost thereof shall be paid by NAC.

10. VENDING. This Agreement shall serve as permission granted to NAC or its designees for vending on the closed portion of 5th Street so long as NAC or its designees have obtained the necessary permits and comply with the requirements of paragraph 13C herein.

11. COPYRIGHTED MUSIC. NAC agrees that it either has or will secure any necessary licenses required for the broadcasting or performance of copyrighted music at the activities being conducted by NAC and expressly agrees to hold CITY harmless and indemnify CITY from any cost or liability that may result to CITY as a result of the activities sponsored by NAC being held on property owned by CITY.

12. NOISE. In the event that noise complaints related to the music or any other activity related to the event are received by CITY's Police Division, the Police Division shall handle said complaints in the normal course according to its policies and procedures.

13. INSURANCE.

A. NAC shall provide CITY with a certificate of general liability insurance in the following minimum amounts:

General Aggregate	\$2,000,000
a. Bodily Injury/Property Damage	\$1,000,000 each occurrence
b. Personal Injury Damage	\$1,000,000 each occurrence
c. Contractual Liability	\$1,000,000 each occurrence
d. Products Liability & Completed Operations	\$1,000,000 each occurrence
e. Fire Damage	\$ 100,000 any one fire
f. Medical Expense	\$ 5,000 any one person

The policy issued shall cover all activities and vendors sponsored by NAC for the event with no exclusions. In the event there is any exclusion or limitation of NAC's insurance coverage related to any activity, then the excluded or limited activities shall not be allowed as part of NAC's event. Further, NAC shall not allow any vendors that are not covered under NAC's insurance policy to participate in the event.

- B. NAC shall name CITY as an additional insured. A certificate of insurance shall be filed with the City Clerk's office upon execution of this Agreement. Said insurance shall be the primary insurance coverage for NAC's event with the exception of activities related to vendors for which insurance is provided by the vendors, in which case the respective vendor's insurance shall be primary and NAC's insurance shall be secondary. NAC agrees to be responsible for any damages or claim of loss not covered by NAC's insurance or NAC's vendors' insurance. In the event the certificate of insurance is not filed by September 27, 2023, then (1) NAC shall pay a late fee to CITY in the amount of \$75.00, and/or (2) this Agreement shall be voidable at the option of CITY.
- C. NAC agrees to obtain from all vendors and sponsors of activities located on CITY property a certificate of insurance showing general liability and products liability coverage in amounts not less than \$1,000,000 per occurrence with a \$1,000,000 aggregate. Said certificates of insurance shall be filed with the City Clerk's office by October 4, 2023.

In the event there are vendors on CITY's property from which NAC has not obtained a certificate of insurance with the coverage amounts set forth herein, then said vendors are not authorized to be vending on CITY's property and NAC and its insurance carrier shall be responsible for said unauthorized vendors. In any event, NAC shall not allow any vendors that are not covered under NAC's insurance policy to participate in the Fork Fest event.

14. HOLD HARMLESS/INDEMNIFICATION. NAC agrees to save, hold harmless, indemnify and defend CITY, its representatives, agents and employees from any loss or damage or claim of loss by NAC or any third party from damage or claim of damage that arises from any of the activities authorized or undertaken as provided in this Agreement, and for any loss to CITY that results from NAC failing to perform its obligations under this Agreement or engaging in any activity not authorized by this Agreement.

15. SALES TAXES. All concession sales are subject to State and City sales tax. NAC or its vendors shall file sales tax returns and pay the applicable sales tax as required by law.

16. STATEMENTS FROM AFFECTED BUSINESSES. NAC shall contact each business along 5th Street that will be affected by the street closure and obtain a signed statement from the business stating they do not object to the street being closed from 10:00 a.m. to 10:00 p.m. on October 7, 2023. NAC shall provide said signed statements to the Norfolk City Clerk's office by October 4, 2023. In the event signed statements are not provided for each affected business by October 4, 2023, this Agreement shall be voidable at the option of CITY.

17. NO SIGNS ALONG STATE HIGHWAY. Pursuant to Nebraska Administrative Code Title 410, Chapter 3, NAC shall not place signs advertising NAC's event on property adjacent to any state highway.

18. MANAGEMENT. The parties acknowledge and agree that NAC shall be solely responsible for the operation and management of the closed portion of the street and CITY's parking lot during the term of this Agreement when the closed portion of the street and CITY's parking lot are being utilized by NAC for NAC's event and related activities. NAC shall be responsible for operating and managing the closed portion of the street and CITY's parking lot in accordance with all applicable rules and regulations of any governmental entity with jurisdiction over CITY's property including, but not limited to, the most current and updated directed health measures of all local, state, and federal health agencies, and all resolutions and ordinances of CITY (collectively the "Rules"). NAC represents and covenants to CITY that NAC is familiar with the Rules and that NAC shall operate and manage the closed portion of the street and CITY's parking lot in accordance with the Rules. NAC shall ensure that all individuals utilizing the closed portion of the street and CITY's parking lot for NAC's event shall conduct themselves in accordance with the Rules.

19. MAINTENANCE. NAC shall be responsible for maintaining the closed portion of the street and CITY's parking lot in accordance with the Rules so that the street and parking lot may be utilized for permitted activities hereunder. Such obligation shall include, but not be limited to, all sanitation guidelines and maintenance obligations that are set forth in the Rules. NAC shall ensure that any guests, invitees, or visitors are those permitted to be in attendance on the closed portion of the street and CITY's parking lot in accordance with the Rules.

20. NO USAGE FEE. NAC shall pay no usage fee to CITY under this Agreement for the use of the closed portion of 5th Street and CITY's parking lot for its Fork Fest event.

21. CANCELLATION. Notwithstanding any other provision of this Agreement, CITY retains the right at any time to cancel any activities scheduled on CITY property due to inclement weather or for any other reason. CITY shall not be responsible for any loss to NAC resulting from CITY's cancellation of NAC's activities.

22. AUTHORITY TO SIGN AGREEMENT. The individuals signing this Agreement represent that they are authorized to sign on behalf of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Agreement in duplicate the day and year first above written. This Agreement may be executed in counterparts. Each such counterpart, executed in duplicate, shall be deemed an original hereof and all such executed counterparts shall together be one and the same instrument.

ATTEST:

CITY OF NORFOLK, NEBRASKA,
A Municipal Corporation

Brianna Duerst, City Clerk

By _____
Josh Moenning, Mayor

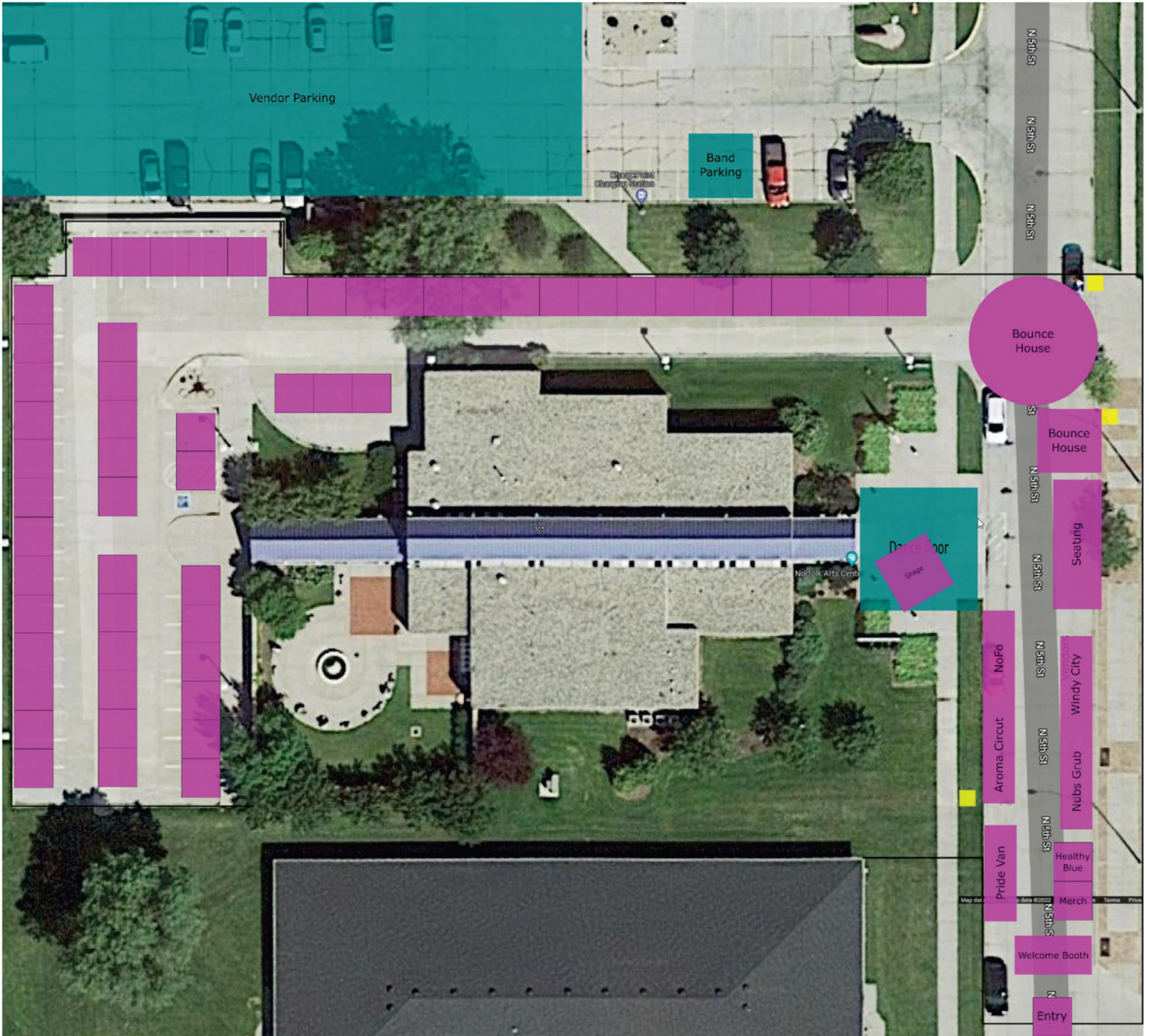
Approved as to Form: _____
Danielle Myers-Noelle, City Attorney

NORFOLK ARTS CENTER,
A Nebraska Nonprofit Corporation

By _____
Printed Name: _____
Title: _____

By _____
Printed Name: _____
Title: _____

EXHIBIT "A"



AGREEMENT

This Agreement is made and entered into on this _____ day of _____, 2023, by and between the City of Norfolk, Nebraska, a Municipal Corporation, hereinafter referred to as "CITY", and Forever in Our Hearts, Inc., a Nebraska Nonprofit Corporation, hereinafter referred to as "FOREVER", WITNESSETH:

WHEREAS, FOREVER is desirous of holding a "Steps of Love – Pregnancy & Infant Loss Memorial Event" in Norfolk on Saturday, October 7, 2023, at Ta-Ha-Zouka Park which may include but is not limited to a kids fun run, 5K run, memorial walk, live music, food trucks, vendors, auction, raffle, bake sale, and activities for kids and families; and

WHEREAS, FOREVER is desirous of utilizing the paved trails in Ta-Ha-Zouka Park, a portion of McKinley Avenue, and the common areas near the east baseball fields in the park for its event; and

WHEREAS, FOREVER desires assistance from CITY (through its police division and street division) in setting up and tearing down barricades for the event; and

WHEREAS, pursuant to Norfolk City Code Section 27-323, it is unlawful to place temporary signs within the public right of way; and

WHEREAS, Norfolk City Code Section 18-10 states that vending of various goods, services, products or commodities is permitted; however such vending is conditional upon the vendor first obtaining permission from the Mayor and City Council; and

WHEREAS, FOREVER is desirous of leaving tents in the park overnight; and

WHEREAS, the parties desire to enter into an Agreement to allow FOREVER to hold its Steps of Love – Pregnancy & Infant Loss Memorial Event utilizing portions of Ta-Ha-Zouka Park and the CITY street named herein.

NOW THEREFORE, in consideration of the foregoing recitals, the parties hereto agree as follows:

1. ROUTE/ACTIVITIES. CITY shall allow FOREVER to utilize the following areas for the route and activities shown on the map attached hereto as Exhibit "A" for the purpose of holding its Steps of Love – Pregnancy & Infant Loss Memorial Event on Saturday, October 7, 2023:

Existing paved trails located within Ta-Ha-Zouka Park;

McKinley Avenue from 5th Street to the east side of the entrance to the Elkhorn Lodge;
and

Common areas near the east ball fields in Ta-Ha-Zouka Park, but not the actual ball fields.

2. TIME OF STREET CLOSURE. CITY shall allow for the closure of the street referenced above on October 7, 2023, from 8:00 a.m. 10:00 p.m.

3. BARRICADES. CITY shall erect moveable white and orange Type III barricades which completely barricade the closed public streets set forth in this Agreement.

4. TRAFFIC CONES. FOREVER will make an effort to provide their own traffic cones for their event. In the event FOREVER cannot find a source from which to obtain traffic cones, CITY will allow FOREVER to use CITY's traffic cones. If CITY's traffic cones are used, FOREVER shall coordinate with CITY's Police Division for the pickup and return of traffic cones. In the event that all traffic cones loaned to FOREVER by CITY are not returned to the Norfolk Police Division at the conclusion of the event, FOREVER shall pay CITY for any unreturned traffic cones. CITY will bill FOREVER for the cost of unreturned traffic cones and FOREVER shall remit payment to CITY within thirty (30) days after being billed.

5. SETUP/CLEANUP. FOREVER may begin setting up for its event on October 7, 2023, at 8:00 a.m. The memorial walk and fun run are scheduled to begin at approximately 11:00 a.m. FOREVER shall be responsible for cleanup from the event and shall complete said cleanup by 10:00 p.m. on Saturday, October 7, 2023. In the event FOREVER fails to clean up the park and/or street by 10:00 p.m. on Saturday, October 7, 2023, FOREVER agrees to pay the actual cost incurred by CITY in cleaning the same. CITY shall document the condition of the park and/or street and shall consult with FOREVER prior to cleaning, if practicable.

6. TENTS IN THE PARK OVERNIGHT. Notwithstanding the setup/cleanup times set forth in paragraph 5, CITY will allow FOREVER to place tents in Ta-Ha-Zouka Park on Friday, October 6, 2023, and leave them in the park overnight until Monday, October 9, 2023, when they shall be removed. CITY shall not be responsible for any damage or theft of tents that CITY is allowing FOREVER to place in the park from October 6, 2023, to October 9, 2023.

7. PAINTING OF STREETS/TRAILS PROHIBITED. FOREVER shall not paint or permanently mark any CITY streets, roads, or trails for this event. In the event that FOREVER does paint or permanently mark the CITY streets, roads, or trails, then City shall have the paint or marking removed and the cost thereof shall be paid by FOREVER.

8. TEMPORARY SIGNS. CITY hereby allows FOREVER to place temporary signs in the terrace portion of the public right of way along the route marking the run/walk course without constituting a violation of Norfolk City Code Section 27-323. FOREVER may begin placing said temporary signs at the time set forth in paragraph 5 and shall remove the signs immediately after the event.

9. TENTS. CITY shall allow FOREVER or its designees to place up to three (3) tents in Ta-Ha-Zouka Park on Friday, October 6, 2023, at locations approved by CITY's parks and recreation director. If the tents are to be staked into the ground, then at least forty-eight (48)

hours prior to October 6, 2023, FOREVER shall contact Nebraska 811 (formerly Diggers Hotline of Nebraska) to ascertain the location of underground utility lines in the areas where the tents are to be placed. After utility lines have been determined by Nebraska 811 and prior to setting any stakes, FOREVER shall coordinate with CITY's parks and recreation director as to the contemplated location of the tents. CITY will attempt to locate any private underground lines it owns. FOREVER or its designees shall not set any stakes until receiving approval from CITY's parks and recreation director as to the exact location where the tents are to be placed. FOREVER shall be responsible for any damage to any underground utility lines or to any unlocated lines.

10. TEMPORARY STAGE. CITY shall allow FOREVER to place a temporary stage in the park for FOREVER's event at a location approved by CITY's parks and recreation director.

11. VENDING. This Agreement shall serve as permission granted to FOREVER or its designees as required by Section 18-10 of the City Code for vending in Ta-Ha-Zouka Park during FOREVER's event so long as FOREVER or its designees comply with the requirements of paragraph 16(C) herein. CITY further agrees that permission for vending in Ta-Ha-Zouka Park will not be granted to any vendors other than FOREVER or its designees for the FOREVER's event.

12. BAKE SALE. CITY will allow FOREVER to hold a bake sale in the park as part of its event provide that FOREVER displays a clearly visible placard at the bake sale location stating the food was prepared in a kitchen that is not inspected or licensed by the regulatory authority.

13. NOISE. In the event that noise complaints related to music or any other activity related to FOREVER's event are received by CITY's Police Division, the Police Division shall handle said complaints in the normal course according to its policies and procedures.

14. GAMBLING/RAFFLES. FOREVER agrees that any gambling or raffles on the premises shall be conducted in full compliance with the applicable Nebraska Statutes.

15. RELEASES. In the event that FOREVER obtains Releases for participation in FOREVER's events while utilizing CITY's facilities under the terms of this Agreement, said Releases shall include a provision releasing CITY from the same liability and in the same manner that is afforded to other entities being released.

16. INSURANCE.

A. FOREVER shall provide CITY with a certificate of general liability insurance in the following minimum amounts:

General Aggregate	\$2,000,000
a. Bodily Injury/Property Damage	\$1,000,000 each occurrence
b. Personal Injury Damage	\$1,000,000 each occurrence

c. Contractual Liability	\$1,000,000 each occurrence
d. Products Liability & Completed Operations	\$1,000,000 each occurrence
e. Fire Damage	\$ 100,000 any one fire
f. Medical Expense	\$ 5,000 any one person

The policy issued shall cover all actions or activities authorized by this Agreement and activities and licensed vendors sponsored by FOREVER for this event with no exclusions. In the event there is any exclusion or limitation of FOREVER's insurance coverage related to any activity, then the excluded or limited activities shall not be allowed as part of FOREVER's event. Further, FOREVER shall not allow any licensed vendors that are not covered under FOREVER's insurance policy to participate in the event.

- B. FOREVER shall name CITY as an additional insured. A certificate of insurance shall be filed with the City Clerk's office upon execution of this Agreement. Said insurance shall be the primary insurance coverage for FOREVER's event with the exception of activities related to licensed vendors for which insurance is provided by the vendors, in which case the respective vendor's insurance shall be primary and FOREVER's insurance shall be secondary. FOREVER agrees to be responsible for any damages or claim of loss not covered by FOREVER's insurance or FOREVER's vendors' insurance. In the event the certificate of insurance is not filed by September 27, 2023, then (1) FOREVER shall pay a late fee to CITY in the amount of \$75.00, and (2) this Agreement shall be voidable at the option of CITY.
- C. FOREVER agrees to obtain from all licensed vendors and sponsors of activities located in the park a certificate of insurance showing general liability and products liability coverage in amounts not less than \$1,000,000 per occurrence with a \$1,000,000 aggregate. Said certificates of insurance shall be filed with the City Clerk's office by September 27, 2023.

In the event there are licensed vendors in the park from which FOREVER has not obtained a certificate of insurance with the coverage amounts set forth herein, then said vendors are not authorized to be vending in the park and FOREVER and its insurance carrier shall provide coverage for said unauthorized vendors. In any event, FOREVER shall not allow any licensed vendors that are not covered under FOREVER's insurance policy to participate in FOREVER's event.

- D. CITY highly recommends that FOREVER obtain an insurance rider to cover any damages or claim of loss related to conducting a bake sale for this event.

17. HOLD HARMLESS AND INDEMNIFICATION. FOREVER agrees to save, hold harmless, indemnify and defend CITY, its representatives, agents and employees from any loss or damage or claim of loss by FOREVER or any third party from damage or claim of damage that arises from any of the activities authorized or undertaken as provided in this Agreement and for any loss to CITY that results from FOREVER failing to perform its obligations under this Agreement or engaging in any activity not authorized by this Agreement.

18. NO SIGNS ALONG STATE HIGHWAY. Pursuant to Nebraska Administrative Code Title 410, Chapter 3, FOREVER shall not place signs advertising FOREVER's event on property adjacent to any state highway.

19. SALES TAXES. All concession sales, other than bake sale items, are subject to State and City sales tax. FOREVER or its licensed vendors shall file sales tax returns and pay the applicable sales tax as required by law.

20. POWER SUPPLY. CITY makes no guarantees or warranties that CITY's public power supply at Ta-Ha-Zouka Park will function continuously or properly or will be able to meet the needs of FOREVER for this event. If guaranteed power is required for any activities associated with this event, said power shall be supplied by generators or other temporary power sources provided by FOREVER or individual activity coordinators.

21. NO USAGE FEE. FOREVER shall pay no fee to CITY under this agreement for the use of CITY's park, street and trails for its event.

22. MANAGEMENT. The parties acknowledge and agree that FOREVER shall be solely responsible for the operation and management of the park and street during the term of this Agreement when the park and street are being utilized by FOREVER for FOREVER's event and related activities. FOREVER shall be responsible for operating and managing the park and street in accordance with all applicable rules and regulations of any governmental entity with jurisdiction over the park and street including, but not limited to, the most current and updated directed health measures of all local, state, and federal health agencies, and all resolutions and ordinances of CITY (collectively the "Rules"). FOREVER represents and covenants to CITY that FOREVER is familiar with the Rules and that FOREVER shall operate and manage the park and street in accordance with the Rules. FOREVER shall ensure that all individuals utilizing the park and street for FOREVER's event shall conduct themselves in accordance with the Rules.

23. MAINTENANCE. FOREVER shall be responsible for maintaining the park and street in accordance with the Rules so that the park and street may be utilized for permitted activities hereunder. Such obligation shall include, but not be limited to, all sanitation guidelines and maintenance obligations that are set forth in the Rules. FOREVER shall ensure that any guests, invitees, or visitors are those permitted to be in attendance at the park and on the street in accordance with the Rules.

24. CANCELLATIONS. Notwithstanding any other provision of this Agreement, CITY retains the right at any time to cancel any activities scheduled on CITY property due to inclement weather or for any other reason. CITY shall not be responsible for any loss to FOREVER resulting from CITY's cancellation of FOREVER's activities.

25. AUTHORITY TO SIGN AGREEMENT. The individuals signing this Agreement represent that they are authorized to sign on behalf of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Agreement in duplicate the day and year first above written. This Agreement may be executed in counterparts. Each such counterpart, executed in duplicate, shall be deemed an original hereof and all such executed counterparts shall together be one and the same instrument.

ATTEST:

CITY OF NORFOLK, NEBRASKA,
A Municipal Corporation

Brianna Duerst, City Clerk

By _____
Josh Moening, Mayor

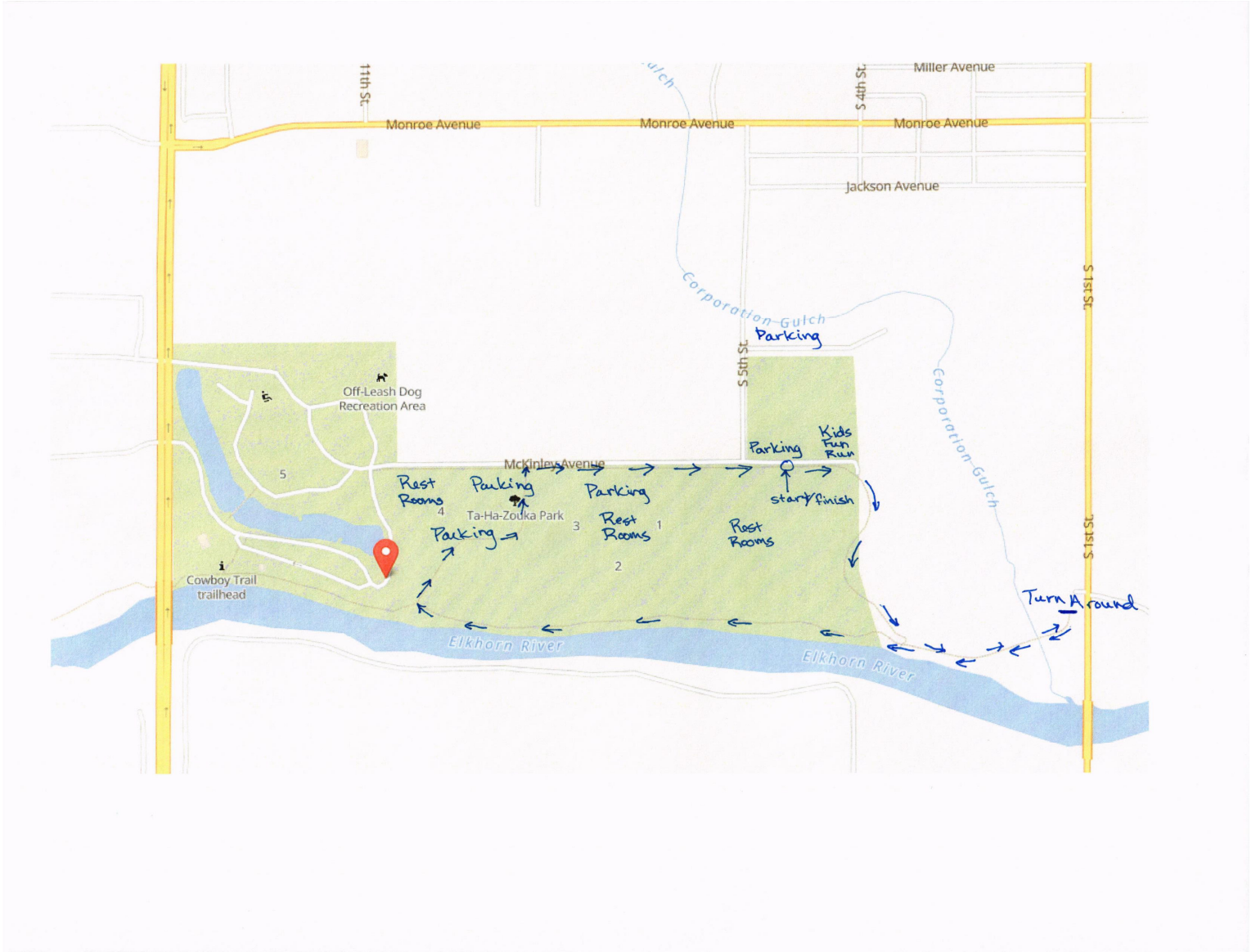
Approved as to form: _____
Danielle Myers-Noelle, City Attorney

FOREVER IN OUR HEARTS, INC.,
A Nebraska Nonprofit Corporation

By _____
Title: _____
Printed Name: _____

By _____
Title: _____
Printed Name: _____

EXHIBIT "A"



CITY OF NORFOLK

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

NOTE: As an applicant for a City Board, Commission or Committee, your name, address, and phone number will be available to the press and the public. You will be contacted before any action is taken on your appointment. Incumbents whose term expires are automatically considered for reappointment unless they indicate non-interest.

(Please type or print clearly)

DATE: 4-20-22

NAME: Jill SOCK

TELEPHONE: 841-4713(H)

ADDRESS: 500 Andy's North Shore Dr. 371-4674 (O)

E-MAIL ADDRESS: jills@lovesignco.com

OCCUPATION: Sales - Love Signs
(If retired, please indicate former occupation or profession.)

EDUCATION: _____

PROFESSION AND/OR COMMUNITY ACTIVITIES: Chamber Ambassador, Past President, Womens Chamber, Noon Kiwanis past member, Norfolk Area Recruiters Board member, Past Sacred Heart Red Cross Board, Parish Council member

Please return this form to:

I am interested in serving on the:
(Please Check)

Office of the Mayor
309 N 5th Street
Norfolk, NE 68701

- Board of Zoning Adjustment
- Building Code of Appeals/Property Maintenance Board of Appeals
- Civil Service Commission
- Citizen Advisory Review Board
- Community Beautification Task Force
- Fire Code Appeals Board
- Housing Authority Board
- Library Advisory Board
- Planning Commission *Extra Territorial Jurisdiction (Andy's Lake)*
- Plumbing Board
- Property Tax Compliance and Review & 5% LID Committee
- Public Arts Council
- Riverfront Overlay Review Board
- Trail Advisory Board
- Tree Advisory Board
- Vehicle Parking District Advisory Board

Jill SOCK
(Signature of Applicant)

MEMO

To: City Council Members

From: Josh Moenning, Mayor

JKM

Date: August 29, 2023

Re: Special City Council Meeting

Per Section 2-16.1 of City Code, I am calling a special meeting of the City Council to be held Thursday, September 14, 2023 at 12:00 p.m. in the City Council Chambers, 309 N 5th Street. The purpose of the meeting is to conduct public hearings on the proposed 2023-2024 Budget and tax request.

cc: City Administrator
City Clerk
City Attorney

**Special Designated License
Local Recommendation (Form 200)**
Applications must be entered on the portal after local approval – no exceptions
Late applications are non-refundable and will be rejected

St. Paul's Lutheran Church & School

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

1010 Georgia Ave. Norfolk, NE 68701

Retail Liquor License Address or Non-Profit Business Address

47-0421099

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 9/30/23

Event Start Time(s): 5:00 pm

Event End Time(s): 11:00 pm

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: St. Paul's Lutheran School

Event Street Address/City: 1010 Georgia Ave. Norfolk, NE 68701

Indoor area to be licensed in length & width: _____ X _____


Outdoor area to be licensed in length & width: 360' X 415' (Diagram Form #109 must be attached)

Type of Event: Pioneer Nights - "block party" Estimate # of attendees: 250

Type of alcohol to be served: Beer Wine Distilled Spirits _____
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Aaron Markgraf Event Contact Phone Number: (920) 248-2223

Event Contact Email: amarkgraf@stpls.com

*Signature Authorized Representative:  Printed Name Aaron Markgraf

I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

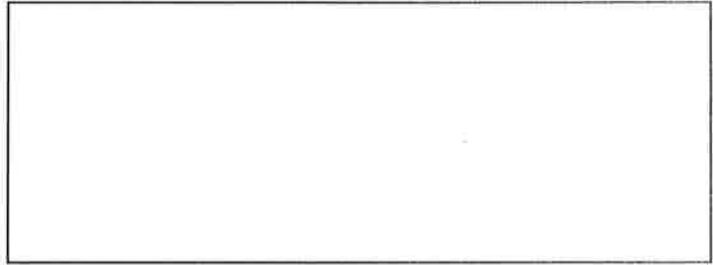
*Retail licensee – Must be signed by a member listed on permanent license
*Non-Profit Organization – Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of _____ OR County of _____ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814



This page is required to be completed by Non-Profit applicants only.

**Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

St. Paul Lutheran School
NAME OF CORPORATION

47-0421099
FEDERAL ID NUMBER

[Signature]
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT; IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 18th DAY OF August 2023

[Signature]
NOTARY PUBLIC SIGNATURE & SEAL

KATHY J WIEDEMAN
General Notary - State of Nebraska
My Commission Expires Apr 14, 2026

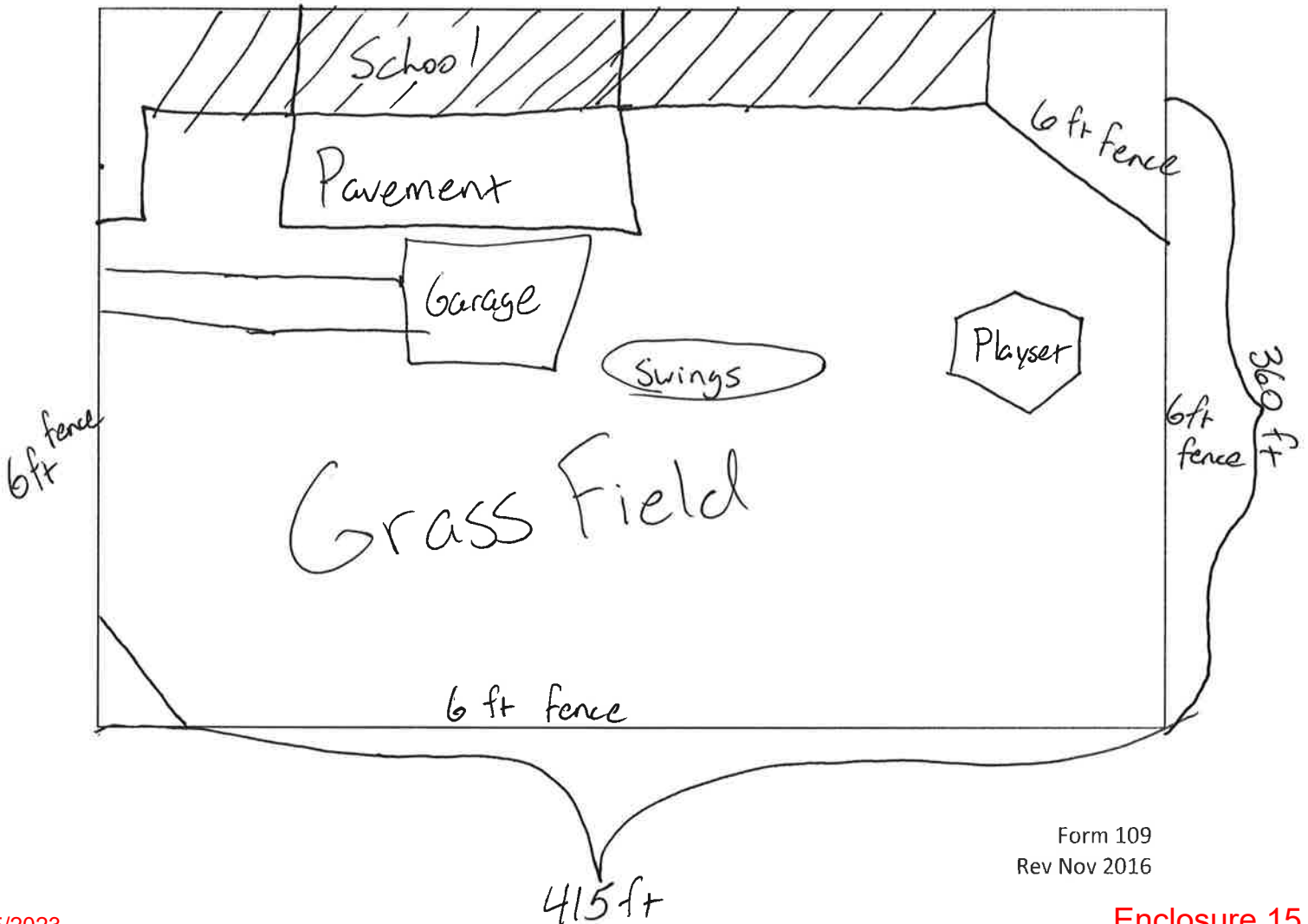
OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED Guards posted at entrance/exit, also patrolling

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREAS ^{crowd} TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

- Six-foot chain-link fence surrounding property

DIAGRAM OF PROPOSED AREA:



Form 109
Rev Nov 2016

REQUEST FOR EXEMPTION WAIVER OF DOUBLE FENCING RULE

RULES AND REGULATIONS CHAPTER 2 - 013 SPECIAL DESIGNATED LICENSES

<https://lcc.nebraska.gov/sites/lcc.nebraska.gov/files/doc/013%20SPECIAL%20DESIGNATED%20LICENSES%20RULES%20%26%20REGS.pdf>

WHY DOUBLE FENCING IS NOT AVAILABLE Permanent single fence on school property

TYPE OF FENCING TO BE USED Chain-link

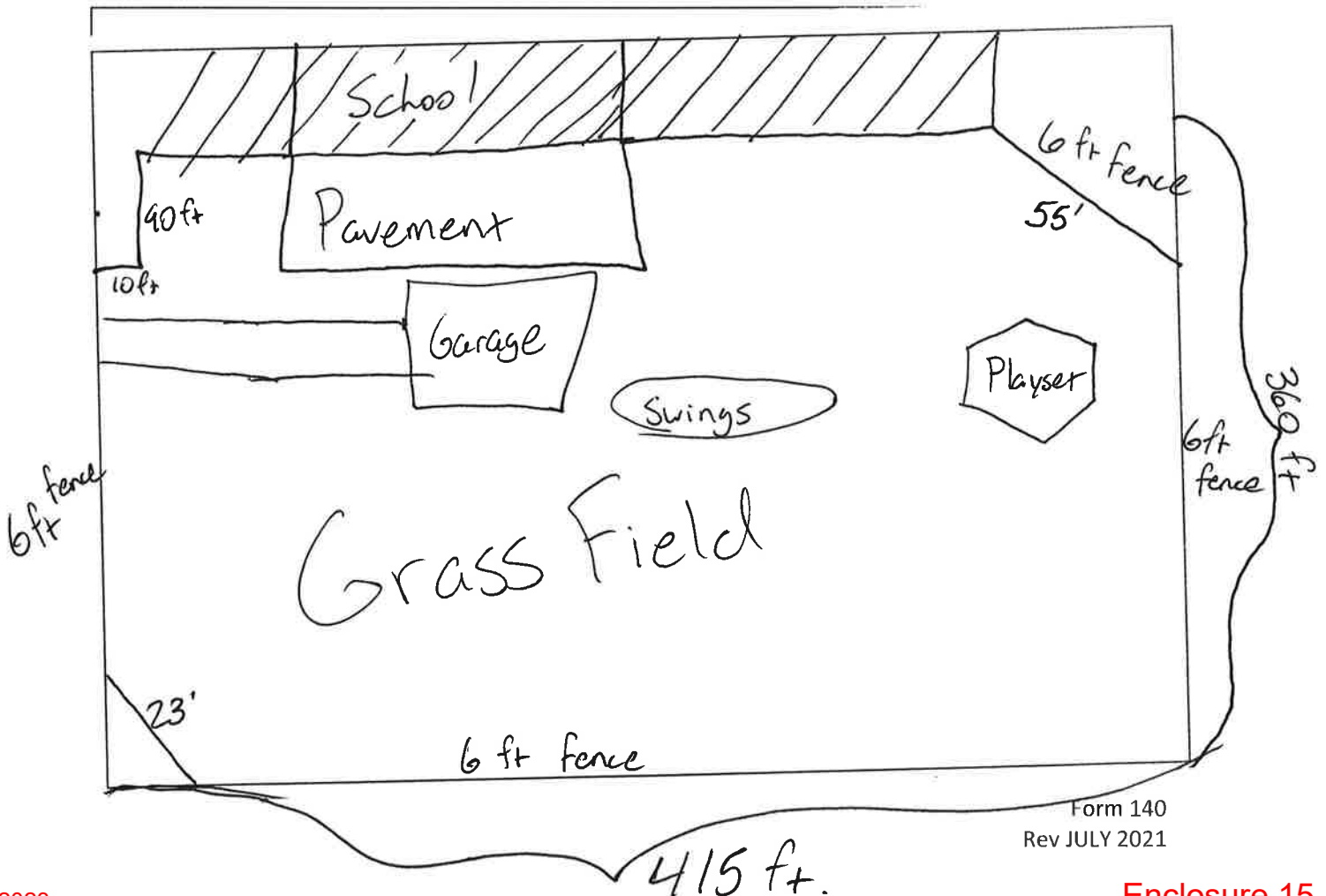
HEIGHT OF FENCING TO BE USED 6-foot

HOW AREA WILL BE PATROLLED Guards an entrance/exit as well as patrolling event

NUMBER OF SECURITY PERSONNEL 6-8

EXPECTED NUMBER OF ATTENDEES 250

PLEASE DRAW DIAGRAM WITH MEASUREMENTS SHOWING THE METHODS OF FENCING OR MATERIALS BEING USED



Form 140
Rev JULY 2021

NEBRASKA LIQUOR CONTROL COMMISSION
PHONE (402) 471-2571
Website: www.lcc.nebraska.gov

**Special Designated License
Local Recommendation (Form 200)**
*Applications must be entered on the portal after local approval - no exceptions
Late applications are non-refundable and will be rejected*

Jim's Fine Wine & More
Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)
2001 Market Lane Norfolk 68701
Retail Liquor License Address or Non-Profit Business Address
CIC-078415
Retail License Number or Non-Profit Federal ID #

Consecutive Dates only
Event Date(s): 9/27/23
Event Start Time(s): 5:30 p.m.
Event End Time(s): 8:30 p.m.

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Dr. Kim Chiropractor
Event Street Address/City: 324 W. Norfolk Ave. Norfolk 68701
Indoor area to be licensed in length & width: 35 x 25

Outdoor area to be licensed in length & width: ___ X ___ (Diagram Form #109 must be attached)

Type of Event: Wine Tasting Estimate # of attendees: 35

Type of alcohol to be served: Beer ___ Wine X Distilled Spirits ___
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Jim Ratten Event Contact Phone Number: 402-371-7190

Event Contact Email: jim@jimsfinewine.com

*Signature Authorized Representative: Jim Ratten Printed Name Jim Ratten
I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

*Retail licensee - Must be signed by a member listed on permanent license
*Non-Profit Organization - Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of _____ OR County of _____ approves
the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature Date

RESOLUTION NO. 2023-53

WHEREAS, the City of Norfolk, Nebraska has determined it to be in the best interest of public safety and that the health, safety and general welfare of citizens is promoted by continuing to provide an emergency 911 telephone communications system for the territory consisting of the telephone exchange boundaries which include but are not limited to telephone prefixes of 316, 371, 379, 644, 370, 851, 940, 844, 675, 454, 447, 368, and 634; and

WHEREAS, a one dollar (\$1.00) per month surcharge has previously been approved by the City and remains in force;

NOW, THEREFORE, in consideration of the foregoing recitals the Mayor and City Council of the City of Norfolk, Nebraska, hereby adopt the following Resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Norfolk, Nebraska, pursuant to §§86-420 through 86-441 N.R.S. 1943 as the same may from time to time be amended, that the present Enhanced (E-911) Emergency Telephone service surcharge on each local exchange access line which physically terminates within the City of Norfolk's designated E-911 service area in the amount of \$1.00 per month shall be continued through December 31, 2024.

PASSED AND APPROVED this _____ day of September, 2023.

ATTEST:

Josh Moening, Mayor

Brianna Duerst, City Clerk

Approved as to form: _____
Danielle Myers-Noelle, City Attorney



INTI'S FACE

Michael Fluent
\$8,900



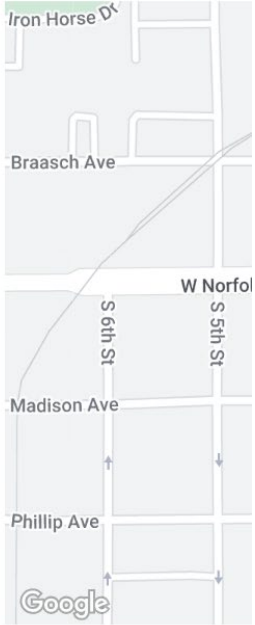
Location: 307 W Norfolk Ave

Rocky II

Artist: Carl Weiss
Springfield, Nebraska
\$6,800
44'x30"x30"

[Purchase Info](#)

Find this sculpture





Public Arts Council Meeting Minutes

Meeting Minutes

August 23, 2023 at 4:00 p.m.

City Administration Offices – Board Room

309 N 5th Street, Norfolk, NE

Meeting was called to order at 4:07 p.m. Einspahr provided notice of the location of the Open Meetings Act. Roll call found the following members present: Jan Einspahr and Frank Ahrens (Councilman non-voting member) Absent: Paula Pflueger, Camy Reeves, Tyson Koehn, and Ben Collins.

Discussion regarding the Nucor Ken Iverson Project. City staff would like to have additional conversation regarding the program before any final decisions are made on placement and/or participation.

Paula Pflueger arrived at 4:10 p.m.

Approval of the July 19, 2023 minutes was tabled until the next meeting due to not having a quorum.

Historical markers were discussed, cost, and design. Suggestion regarding the posts being metal and the City N logo on them like the new ones on Benjamin that were built by Hoskins Manufacturing. The markers will be a project that will not begin until next budget year.

City Engineer Steven Rames arrived at 4:47 p.m.

Discussion regarding the purchase of Inti's Face by Michael Fluent from the Grand Island Sculpture Walk to place in the 18th Street roundabout. Staff asked about the dog sculpture near Riverpoint Square for the dog park at Ta-Ha-Zouka. Board members preferred the art to be somewhere where there was more foot traffic.

Meeting adjourned at 4:59 p.m.

Next meeting Wednesday, October 11, 2023 at 4:00 p.m.

From: [Jan Einspahr](#)
To: [Jen Olson](#)
Cc: [Pflueger, Paula](#)
Subject: Re: Arts Council Agenda and Minutes
Date: Friday, August 25, 2023 3:34:40 PM

Jen,

Would recommend that the Public Arts Council purchase the Fleunt sculpture entitled "Inti" (that is currently on exhibit in Grand Island) to be placed at the 18th St roundabout. I further recommend we purchase the Dog sculpture for permanent placement at the pocket park on Third and Norfolk Ave. I would ask that we notify Grand Island about the intended purchase in case someone else want to purchase the same before we actually cut the check.

Thank you Jen for navigating this process.

Jan

Sent from my iPhone

On Aug 25, 2023, at 10:54 AM, Jen Olson <jolson@norfolkne.gov> wrote:

Ok, Ladies. Here's what I got and need. I spoke with Dani, City Attorney, and I need you two, since you were at the meeting, to reply to this email with your informal recommendation to purchase the Fluent art piece and place it in the 18th Street round about. Your informal recommendation is all that I need to put it on the Sept 5 City Council agenda for approval. Then I'll move forward with the purchase and get an invoice in by the Sept 11 deadline.

With that, City staff had also asked about the dog sculpture at the dog park to replace what is currently there; see attached. If you would also like to recommend that you can add that and I'll do both purchases. Let me know how you would like to proceed with that.

Jen

From: Jan Einspahr <janetleinspahr@gmail.com>
Sent: Friday, August 25, 2023 9:41 AM
To: Jen Olson <JOlson@norfolkne.gov>
Subject: Re: Arts Council Agenda and Minutes

Sounds good. We will actually need a second on Paula's motion unless Frank could do that even though he is non-voting. I have done this in other non-profits I have served on but they were not quasi-governmental. If we need to meet again just to complete this transaction, it will require a notice?

On Fri, Aug 25, 2023 at 8:06 AM Jen Olson <JOlson@norfolkne.gov> wrote:

Hi Jan,

No, you weren't. I wanted to double check on if that was ok. That evening I asked Brianna, City Clerk, and she said she would think about it and get back to me. We didn't get a chance to talk

yesterday. I'll follow up with her today and maybe the City attorney and see what they say. I'll report back.

Jen

From: Jan Einspahr <janetleinspahr@gmail.com>
Sent: Thursday, August 24, 2023 9:30 PM
To: Jen Olson <JOlson@norfolkne.gov>
Subject: Re: Arts Council Agenda and Minutes

We need to vote by email on the purchase of the Fluent sculpture. I haven't received an email in that. Maybe I was supposed to send that out?

Jan

On Wed, Aug 23, 2023 at 7:25 PM Jan Einspahr <janetleinspahr@gmail.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Jan Einspahr <janetleinspahr@gmail.com>
Date: August 23, 2023 at 7:08:15 PM CDT
To: Jen Olson <jolson@norfolkne.gov>
Subject: Re: Arts Council Agenda and Minutes

These are the Minutes from the July meeting.

Sent from my iPhone

On Aug 23, 2023, at 6:04 PM, Jen Olson <jolson@norfolkne.gov> wrote:

Hi everyone,

Attached is the agenda packet and minutes from tonight's meeting.

Kind regards,

Jen

Jennifer Olson
Parks & Recreation
City of Norfolk
(402) 844-2251
309 N. 5th Street
Norfolk, NE 68701

From: [Pflueger, Paula L](#)
To: undisclosed.for.privacy@edwardjones.com
Subject: RE: Arts Council Agenda and Minutes
Date: Friday, August 25, 2023 3:40:12 PM

Jan & Jen,

I'm very much in favor of both purchases, Inti & the Dog Sculpture.

With many thanks, Paula

From:
Sent: Friday, August 25, 2023 3:34 PM
To:
Cc:
Subject: Re: Arts Council Agenda and Minutes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jen,

Would recommend that the Public Arts Council purchase the Fleunt sculpture entitled "Inti" (that is currently on exhibit in Grand Island) to be placed at the 18th St roundabout. I further recommend we purchase the Dog sculpture for permanent placement at the pocket park on Third and Norfolk Ave.

I would ask that we notify Grand Island about the intended purchase in case someone else want to purchase the same before we actually cut the check.

Thank you Jen for navigating this process.

Jan

Sent from my iPhone

Paula Pflueger, AAMS™
Financial Advisor
Edward Jones
434 W Norfolk Ave
Norfolk, NE 68701
(402) 371-1703
www.edwardjones.com

If you are not the intended recipient of this message (including attachments) or if you have received this message in error, immediately notify us and delete it and any attachments.

If you do not wish to receive any email messages from Edward Jones, excluding administrative communications, please email this request to Opt-Out@edwardjones.com from the email address you wish to unsubscribe.

CITY OF NORFOLK % STREET DIVISION

CRACK SEALING PROJECT

BIDS DUE - 08/29/2023 2:00 p.m.

NAME	PER LINEAR FT	BID BOND
BADER'S HWY Norfolk, NE	\$ 0.69	X
BARGEN INC. Mountain Lake, MN	\$ 0.93	X

For Office Use Only	Date Rec'd <u>7-17-23</u>
	Fee \$ <u>320.00</u>
	Rec'd by <u>VP</u>

SUBDIVISION APPLICATION

Name of Subdivision: Leon's Addition to the City of Norfolk, Madison County, Nebraska

Preliminary Final

Applicant: Jose R. Leon Topete & Odilia Leon 111 E Klug Ave., Norfolk
Name Address

Phone Email

*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

Contact: Juan Alvarez (Contractor)
(other than Name Address
Applicant) 402-649-5867 grejofra@icloud.com
Phone Email

Current Zoning: R-3

General Location/Address: 111 E Klug Ave., Norfolk

Legal Description: Lot 5, Block 2, Klug's Addition to City of Norfolk, Madison County, NE

Tax ID: 590077277

Property Area, Square Feet and/or Acres: 11,669 sq.ft.

Jose Leon
Signature of Owner
Jose R. Leon Topete
Printed Name of Owner

OR

Authorized Agent
Odilia Leon
Printed Name of Authorized Agent

August 22, 2023

Honorable Mayor
and
City Council

Dear Mayor and Council:

On August 22, 2023 the Norfolk Planning Commission reviewed the final plat of Leon's Addition.

All items required for the final plat approval have been submitted and reviewed by the City Engineer.

The Planning Commission recommends approval of the request with a 7-0 vote.

Sincerely,



Dirk Waite, Vice-Chair
Norfolk Planning Commission

City of Norfolk, 309 N. 5th Street, Norfolk, Nebraska 68701

RESOLUTION NO. 2023-54

WHEREAS, the following described real property is located within the City of Norfolk or within the extraterritorial area in which the City exercises zoning jurisdiction, to wit:

Lot 5, Block 2, Klug's First Addition to the City of Norfolk, Madison County, Nebraska.

WHEREAS, said property is owned by Jose R. Leon Topete & Odilia Leon, husband and wife; and

WHEREAS, the owner of the above described property is desirous of platting the property pursuant to the laws of the State of Nebraska and the City of Norfolk; and

WHEREAS, a plat has been prepared in anticipation of platting the above described property.

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Norfolk, Nebraska, hereby adopt the following Resolution:

BE IT RESOLVED by the Mayor and City Council of the City of Norfolk, Nebraska, that the final plat of Leon's Addition, City of Norfolk, Madison County, Nebraska, duly made, acknowledged and certified, be and the same are hereby approved and ordered filed and recorded in the office of the Register of Deeds of Madison County, Nebraska.

BE IT FURTHER RESOLVED that the above described property shall hereinafter be legally described as set forth and depicted on the final plat being approved hereunder.

PASSED AND APPROVED this _____ day of _____, 2023.

ATTEST:

Josh Moenning, Mayor

Brianna Duerst, City Clerk

Approved as to form: _____
Danielle Myers-Noelle, City Attorney

Proclamation
for
“GOODWILL OF THE GREAT PLAINS DAY”

WHEREAS: Goodwill of the Great Plains started as Wall Street Mission in Sioux City in the year 1890; and

WHEREAS: Goodwill of the Great Plains joined the international Goodwill movement in the year 1923; and

WHEREAS: a Goodwill of the Great Plains retail store was opened in Norfolk in 1983; and

WHEREAS: Goodwill of the Great Plains has grown over the years through the generosity of its donors, shoppers, community partners and employees to continue its mission outreach to positively impact the lives of others throughout its service territory of northwest Iowa, northeast Nebraska, southwest Minnesota and all of South Dakota; and

WHEREAS: for more than a century, Goodwill of the Great Plains has advocated for economic self-sufficiency through employment and education, creating a world of dignity and compassion through the power of work.

NOW THEREFORE, I, Josh Moenning, Mayor of the City of Norfolk, by the power vested in me, do hereby proclaim September 12, 2023, as:

“Goodwill of the Great Plains Day”

September 5, 2023

Mayor

s e a l

Public Hearing

The Planning Commission of the City of Norfolk, Nebraska will hold a public hearing on Tuesday, August 22, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska to hear comments regarding the Norfolk Downtown Area Study.

The map can be found at:

<https://norfolkne.gov/government/departments/planning-and-development/blight-studies-and-redevelopment-projects/downtown-area-study.html>

Publish (August 4 and August 11, 2023)
2 P.O.P.'s

August 22, 2023

Dear Mayor and Council:

The Norfolk Planning Commission held a public hearing to hear comments on and review the Blight and Substandard Determination Study for the area referred to as “Downtown Area” on August 22, 2023.

The study comprises an estimated 217.74 acres located inside of the city limits of Norfolk.

The Nebraska Community Redevelopment Law identifies four substandard and twelve blight criteria. Three of the substandard criteria and nine of the blight criteria were identified as being met by JEO Consulting Group and the Area was found to warrant a designation as blighted and substandard.

The Planning Commission recommends approval of the declaration of Downtown Area as blighted and substandard with a 7-0 vote.

Sincerely,



Dirk Waite, Vice-Chair
Norfolk Planning Commission

2023

City of Norfolk Downtown Area Study



JEO Consulting Group, Inc.

Introduction

Purpose of the Study

This Norfolk Downtown Area blight and substandard study of the designated study area is intended to give the Community Development Agency and City Council the basis for considering the existence of blight and substandard conditions within the delineated study area. Through this process, the City of Norfolk's Community Development Agency may employ and exercise the power authorized in Nebraska Community Development Law to eliminate and prevent blighted and substandard conditions that are detrimental to the future public health, safety, morals, and general welfare of the entire community as well as the surrounding region. If the City of Norfolk finds and determines, based on substantial evidence in the record before it, that the recommended Blight and Substandard Area (detailed below and referred to herein as "Norfolk Downtown Area Blight Study Area") meets the statutory conditions for an area that is blighted, substandard, and in need of redevelopment, the designated study area will become a Redevelopment Area under the Community Development Law (Neb. Rev. Stat. §§ 18-2101 to 18-2155).

This blight and substandard study examines existing conditions of land use, physical and other constraints, buildings, and structures within the designated study area in the City of Norfolk to determine its eligibility for redevelopment activities. Potential opportunities for redevelopment exist throughout the designated study area, which would allow the City of Norfolk to overcome blighted and substandard conditions and avoid issues that could lead to blight and substandard conditions. When evaluating blight and substandard conditions, the City of Norfolk must adhere to Nebraska Community Development Law.

Nebraska Revised State Statutes

The Community Development Law provides guidelines under which municipalities may address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating area, as well as the prevention and elimination of substandard and blighted area. The Legislature has declared, in pertinent part:

It is hereby found and declared that there exist in cities of all classes and villages of this state area which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses...These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided...It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by area which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue. §18-2102

Consistent with these findings, municipalities have been granted the power to address deterioration, substandard conditions, and blight through any number of means, including “the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements.” Neb. Rev. Stat. §18-2104.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions, shall afford maximum opportunity, consistent with sound needs of the city, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements.

The process of improving an area begins with the creation of a municipality-wide workable program for utilizing appropriate private and public resources to address the specific conditions to be improved. Such workable programs may include “provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted area or portions thereof by re-planning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof.” Neb. Rev. Stat. §18-2105.

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community. Nebraska Revised Statute §18-2105 also grants authority to the governing body to formulate a redevelopment program. The statute reads:

The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted area, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into area of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard or blighted area or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof. §18-2105

Prior to the adoption of a redevelopment plan, a municipality must have an adopted comprehensive plan (§18-2110) and shall have declared the redevelopment area to be a substandard and blighted area in need of redevelopment (§18-2109).

The important community development terms are defined in Nebraska Revised Statute §18-2103, several of which are shown below (organization and emphasis added):

Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Blighted area means an area, which

(a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use; and,

(b) in which there is at least one of the following conditions:

- (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
- (ii) the average age of the residential or commercial units in the area is at least forty years;
- (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
- (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or

(v) the area has had either stable or decreasing population based on the last two decennial censuses.

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

Substandard and Blight Eligibility Analysis

Designated Study Area

The designated study area is property within the corporate limits for evaluation pursuant to the Community Development Law. The area is a commercial and residential district. The designated study area was selected for a number of reasons, including:

1. The presence of blighted and substandard characteristics within the study area.
2. The potential for private development and redevelopment activities within the study area.
3. The need for improvements in infrastructure due to specific existing conditions.
4. The economical and functional obsolescence of certain properties within the study area.
5. The need for public intervention to stimulate the development and redevelopment of vital infrastructure systems and housing to support these private redevelopment efforts.

Once declared substandard and blighted, the City of Norfolk can stimulate and manage future development in this area by creation and use of the redevelopment plan and its statutory authority to provide financial incentives for private development.

Through the redevelopment process, the City of Norfolk can guide future development in the community and provide financial incentives for development. The use of the Nebraska Community Redevelopment Law by the City of Norfolk is intended to improve the community and enhance the quality of life for all residents by eliminating conditions that contribute to the spread of blight and hinder private reinvestment in the area due to these factors. Using the Nebraska Community Development Law, Norfolk can eliminate negative factors and implement programs and/or projects identified to improve conditions, thereby removing, or preventing blight and substandard conditions.

Substandard and Blight Conditions

As set forth in section 18-2103(31), **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. **Dilapidation/deterioration***
Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)
 - Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).
2. **Age or obsolescence**
Estimate age of structures (40+ years criteria)
3. **Inadequate provision for ventilation, light, air, sanitation, or open spaces**
Overall sight conditions
 - Examples include junked cars or debris, cluttered alleyways, antiquated infrastructure systems (overhead power lines), outdoor storage/sanitation facilities, unpaved parking/outdoor storage.
4. **Other substandard conditions**
 - (a) High density of population and overcrowding (census); or
 - (b) The existence of conditions which endanger life or property by fire and other causes as unsanitary and unsafe conditions which endanger life or property by fire and other natural causes floodplain; or
 - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health, safety, morals, or welfare (includes sanitation concerns, inadequate infrastructure systems (sewer, water service mains, storm sewers), poor lighting, crime statistics, floodplain area, outdoor storage, site clutter).

As set forth in the Community Development Law, a **blighted area** shall mean an area, which by reason of the presence of:

1. **A substantial number of deteriorated or deteriorating structures***
Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)
 - Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).
2. **Existence of defective or inadequate street layout**
Condition of streets/inadequate access including sidewalks
 - Examples include street conditions, dead ends, railroad crossings, linear downtown, narrow alleyways, blind crossings, and sidewalk condition.
3. **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**
Conditions associated with accessibility/usefulness of the lots
 - Examples include land locked parcels, odd shaped lots, undersized lots, lots with accessibility concerns.
4. **Unsanitary or unsafe conditions**
Conditions which pose a threat to public health and safety
 - Examples include age and physical condition of structures, floodplain, lack of public infrastructure systems, unsanitary conditions, ventilation concerns.
5. **Deterioration of site or other improvements**
Field observation of age and condition of public utilities, debris, and inadequate public improvements
 - Examples include lack of off-street parking, storm drainage, junk cars, dilapidated structures, debris, on-site storage, congested overhead power lines.
6. **Diversity of ownership**
The total number of unduplicated owners
 - Examples include the necessity of to acquire numerous lots is a hindrance to redevelopment. However, land assemblage of larger proportions necessary for major developments, is more economically feasible and will attract financial support, as well as public patronage required to repay such financial support. Such assemblage is difficult without public intervention.
7. **Tax or special assessment delinquency exceeding the fair value of the land**
Examination of public records to determine the status of taxation of properties
 - Examples include delinquent taxes, real estate taxes or special assessments exceeding the fair market value.
8. **Defective or unusual conditions of title**
Examine public records to determine any defective or unusual title defects
 - Examples include improper filings, liens, defective titles, etc.
9. **Improper subdivision or obsolete platting**
Examine public records to determine improper subdivision and obsolete platting
 - Examples include undersized lots, improper zoning, lot configuration, easement concerns, never recorded vacated streets, accessibility concerns.
10. **The existence of conditions which endanger life or property by fire or other causes**
Examine conditions which endanger life or property

- Examples include inadequate, undersized, or inoperative public infrastructure systems, floodplain, building materials, site access, on-site storage (cars), secluded area for pests and vermin to thrive, inadequate surface drainage, street/sidewalk conditions, etc.
- 11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, hinders the provision of housing accommodations, or constitutes an economic or social liability**
- Economic and/or socially undesirable land uses
- Examples include incompatible land uses, economic obsolescence, functional obsolescence which relates to the property's ability to compete in the marketplace.
- 12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:**
- (a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average (Census statistics);
 - (b) The average age of the residential or commercial units in the area is at least 40 years (Public Records);
 - (c) More than half of the plotted and subdivided property in the area is unimproved land that has been within the city for 40 years and has remained unimproved during that time (Public records);
 - (d) The per capita income of the designated blighted area is lower than the average per capita income of the city or village in which the area is designated (Census); or
 - (e) The area has had either stable or decreasing population based on the last two decennial censuses (Census).

*Where structural conditions are evaluated, individual structures are rated in accordance with the following rating schedule as defined by the U.S. Department of Housing and Urban Development: no problem, adequate condition, deteriorating condition, or dilapidated condition. The following descriptions define the rating schedule used to assess and evaluate building and structure conditions:

No Problem

No structural or aesthetic problems are visible.

Adequate Condition

- Slight damage to porches, steps, roofs, etc. is present on the structure,
- Slight wearing away of mortar between bricks, stones, or concrete blocks,
- Small cracks in walls or chimneys,
- Cracked windows,
- Lack of paint, and
- Slight wear on steps, doors, and door and window frames.

Deteriorating Condition

- Holes, open cracks, rotted, loose, or missing materials in parts of the foundation, walls, (up to one-quarter of the wall), or roof (up to one-quarter of roof),
- Shaky, broken, or missing steps or railings,
- Numerous missing and cracked windowpanes,
- Some rotted or loose windows or doors (no longer wind- or waterproof),
- Missing bricks or other masonry of chimney, and
- Makeshift (un-insulated) chimney.

Dilapidated Condition

- Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large area of foundation, on walls or on roof,
- Substantial sagging of roof, floors, or walls,
- Extensive damage by fire, flood, or storm, and
- Inadequate original construction such as makeshift walls, roofs made of scrap materials, foundations or floors lacking, or converted barns, sheds, and other structures not adequate for housing.

Recommended Blight and Substandard Area

Based upon the review of the designated study area, and its context with the community, JEO Consulting Group recommends the designated study area be recommended as a Blight and Substandard Area. This area consists of approximately 217.74 acres. The following legal description delineates the Recommended Area:

A PARCEL OF LAND LOCATED IN THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, STOVERS SUBDIVISION; THENCE EAST ON THE SOUTH RIGHT OF WAY LINE OF WEST PHILLIP AVENUE, A DISTANCE OF 4450 FEET, MORE OR LESS, TO THE EAST LINE OF PINE STREET; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF PINE STREET, A DISTANCE OF 1160 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 8, BLOCK 2, RUHLAWS AND BUSSEYS SUBURBAN LOTS; THENCE WEST, A DISTANCE OF 66 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, RUHLAWS AND BUSSEYS SUBURBAN LOTS; THENCE WEST ON THE SOUTH LINE OF LOTS 1 THROUGH 8 INCLUSIVE OF SAID BLOCK 1, A DISTANCE OF 370 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF NORTH COTTONWOOD STREET, A DISTANCE OF 1500 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF EAST KLUG AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF EAST KLUG AVENUE, A DISTANCE OF 915 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF NORTH 1ST STREET; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF NORTH 1ST STREET, A DISTANCE OF 300 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF ELM AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF ELM AVENUE, A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF NORTH 4TH STREET; THENCE SOUTH ON THE EAST RIGHT OF WAY LINE OF NORTH 4TH STREET, A DISTANCE OF 680 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WEST PROSPECT AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF WEST PROSPECT AVENUE, A DISTANCE OF 90 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF NORTH 4TH STREET; THENCE SOUTH ON THE WEST RIGHT OF WAY LINE OF NORTH 4TH STREET, A DISTANCE OF 580 FEET, MORE OR LESS TO THE NORTHERLY RIGHT OF WAY LINE OF THE NEBRASKA CENTRAL RAILROAD; THENCE SOUTHWESTERLY ON SAID NORTHWESTERLY RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 575 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WEST BRAASCH AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF WEST BRAASCH AVENUE, A DISTANCE OF 1150 FEET, MORE OR LESS TO THE WEST RIGHT OF WAY LINE OF NORTH 8TH STREET; THENCE SOUTH ON THE WEST RIGHT OF WAY LINE OF NORTH 8TH STREET, A DISTANCE OF 1380 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Findings and Contributing Factors

The intent of this study is to determine whether the Norfolk Downtown Area Blight Study Area within the community has experienced structural and site deterioration or if there are other negative factors which are decreasing the development potential for the area. The field survey conducted on Friday, June 16, 2023, indicated the study area has such deterioration or lack of municipal infrastructure, thus the study area warrants further examination regarding blighted and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Norfolk Downtown Area Blight Study Area.

This section reviews the building and structure conditions, infrastructure, site conditions and land use found within the Norfolk Downtown Area Blight Study Area based upon the statutory definitions, planning team observations during the field survey, and explains the identified contributing factors. *Appendix A* provides a visual description and documents examples of the different conditions that led to each factor's determination. See *Appendix A* for a visual description of the site conditions, debris, condition of public infrastructure, deteriorating structures and other observed conditions within the Norfolk Downtown Area Blight Study Area.

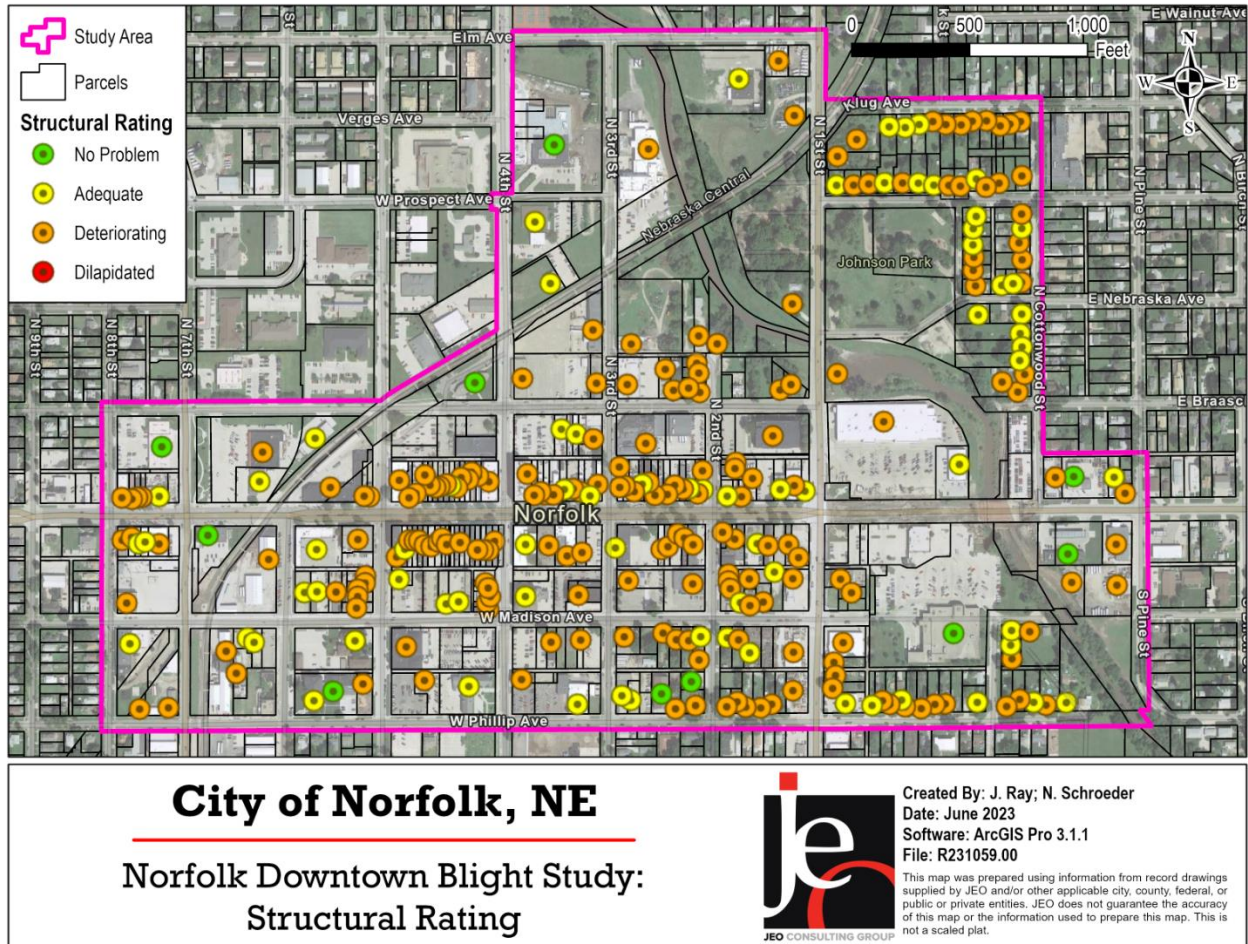
BLIGHTED CRITERIA CONDITIONS

As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

Substantial Number of Deteriorated or Deteriorating Structures

As a rule, the primary structure for each parcel within the Norfolk Downtown Area Blight Study Area was examined. A total of 196 structures or 71% of the structures within the designated study area were graded as deteriorating. Figure 2 illustrates the distribution of the structural ratings within the study area. This is not considered a significant contributing factor.

Figure 2, Structural Rating



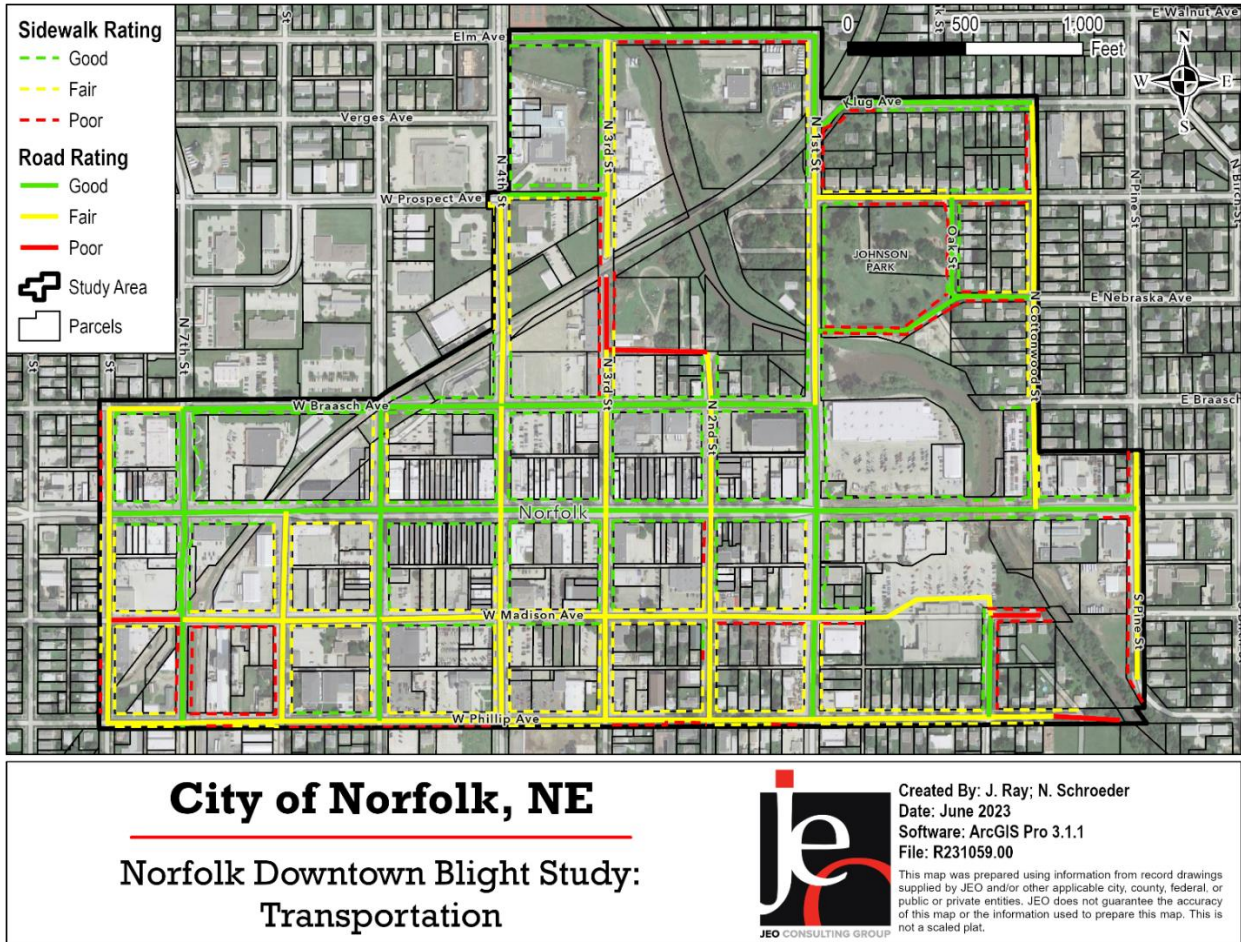
Defective or Inadequate Street Layout

Street Conditions and Accessibility

Street conditions and accessibility within the Norfolk Downtown Area Blight Study Area were evaluated in relation to the provision of safe and efficient public circulation and access, and with regard to ease of travel and appearance. The transportation infrastructure conditions are illustrated on Figure 3.

Overall, the Norfolk Downtown Area Blight Study Area has good connectivity with the adjacent street and only minor obstructions of the grid network. This is not considered a contributing factor.

Figure 3, Transportation



Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Throughout the Norfolk Downtown Area Blight Study Area, the lot sizes and shapes vary. Most commercial lots in the area are too narrow to adequately accommodate modern commercial building standards. In addition, some lots adjacent to the railroad corridor and North Fork of the Elkhorn River flume are odd shaped with acute angles diminishing the usefulness of the area. Overall, this factor is considered to be a contributing factor.

Unsanitary or unsafe conditions

Conditions which pose a threat to public health and safety

Debris

Debris piles were noted in the field analysis in 16 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Drainage

The area is bisected by the North Fork of the Elkhorn River flume which has steep banks and the potential to create unsafe localized flooding.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling. The average of residential and commercial structures in area is 89 years (1934) and 90 years (1933), respectively.

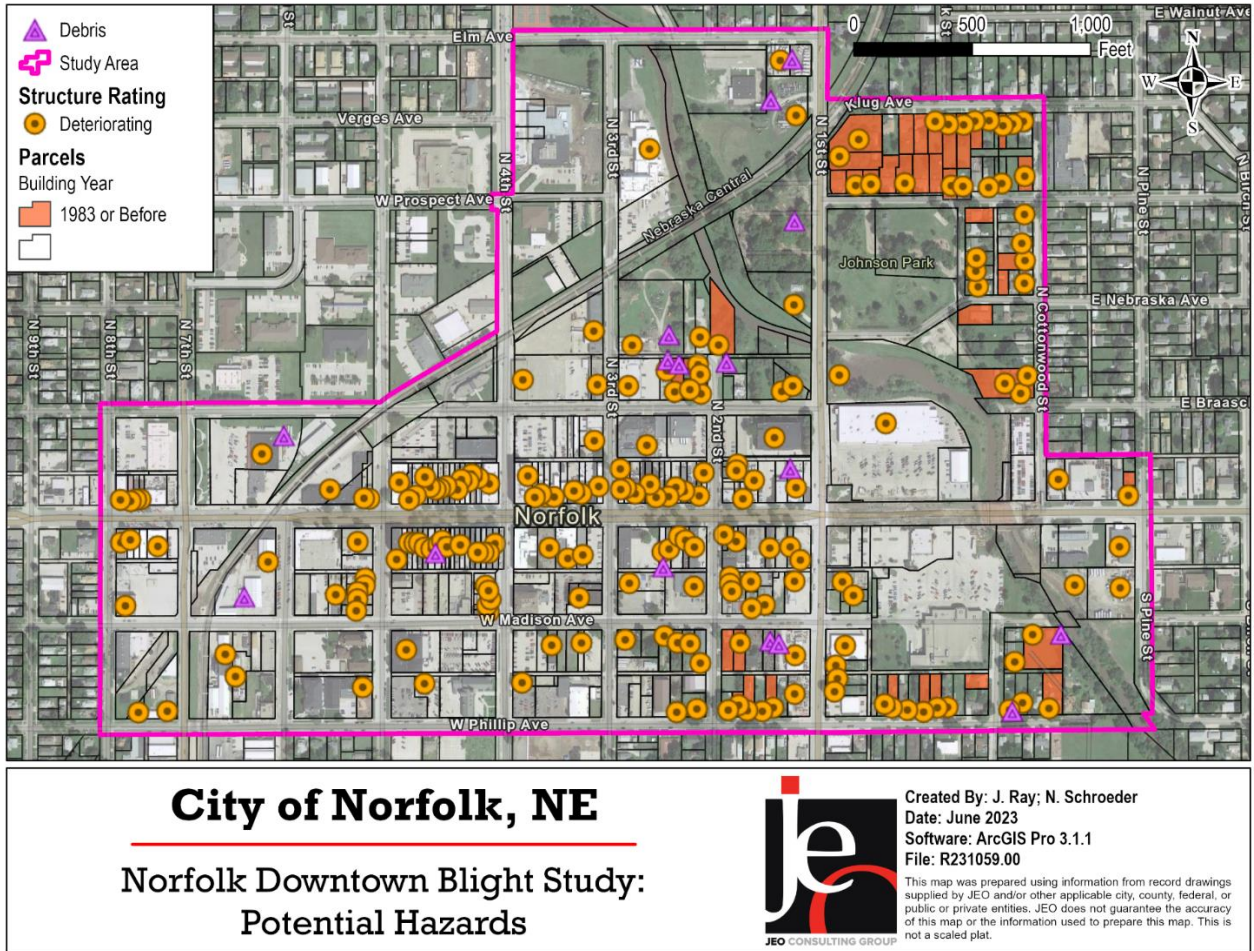
Railroad Crossings

The area is bisected by railroad tracks. Some crossings lack gates to prevent vehicular and pedestrian crossings when trains are occupying the area.

As a result, this factor is considered to be contributing the recommended blight designation.



Figure 4: Potentially Hazardous Conditions



Deterioration of site or other improvements

The age of the structures and condition of public utilities, debris, and inadequate public improvements.

Parking and driveways

The field analysis noted numerous parking lots, driveways and outdoor storage areas that lacked hard surfaces or were in poor condition.

Debris

Debris piles were noted in the field analysis in 16 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Drainage

The area is bisected by the North Fork of the Elkhorn River flume which has steep banks and the potential to create unsafe localized flooding.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling.

Railroad Crossings

The area is bisected by railroad tracks. Some crossings lack gates to prevent vehicular and pedestrian crossings when trains are occupying the area.

As a result, this factor is considered to be contributing the recommended blight designation.



Diversity of ownership

The diversity of ownership is evident in the Norfolk Downtown Area Blight Study Area. There are 237 unique private property owners in the Norfolk Downtown Area Blight Study Area.

As a result, this factor is considered to be contributing to the recommended blight designation.

Tax or special assessment delinquency exceeding the fair value of the land

There was no evidence identified of taxes or special assessments exceeding the fair market value of the parcels in the study area.

Defective or unusual conditions of title

There was no evidence identified of defective or unusual conditions of title of the parcels in the study area.

As a result, this factor is not considered to be contributing to the recommended blight designation.

Improper subdivision or obsolete platting

Obsolete platting

Throughout the Norfolk Downtown Area Blight Study Area, the lot sizes and shapes vary. Most commercial lots in the area are too narrow to adequately accommodate modern commercial building standards and are considered obsolete.

Improper Subdivision

A review of the Madison County Assessors records revealed numerous buildings constructed across property lines and 18 landlocked parcels.

As a result, this factor is considered to be contributing the recommended blight designation.

The existence of conditions which endanger life or property

Conditions which pose a threat to public health and safety

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling. The average of residential and commercial structures in area is 89 years (1934) and 90 years (1933), respectively.

Debris

Debris piles were noted in the field analysis in 16 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Drainage and Floodway

The area is bisected by the North Fork of the Elkhorn River flume which has steep banks and the potential to create unsafe localized flooding.

Railroad Crossings

The area is bisected by railroad tracks. Some crossings lack gates to prevent vehicular and pedestrian crossings when trains are occupying the area.

As a result, this factor is considered to be contributing the recommended blight designation.

Any combination of such factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability.

The combination of deterioration of the structures, site improvements and debris are factors observed in the field analysis that could impair sound growth or redevelopment of the community.

As a result, it is considered a substantial contributor to the Norfolk Downtown Area Blight Study Area to be considered blighted.

Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:

The average age of the residential structures in the area is at least 40 years. The average age of the residential structures is 89 years (1934). In addition, the average age of the commercial structures 90 years (1933). This is considered a substantial contributor to the Norfolk Downtown Area Blight Study Area to be considered blighted.

SUBSTANDARD CRITERIA

A **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

Dilapidation/deterioration

As part of the Blight and Substandard Study, a Structural Conditions Survey was completed along with an analysis of the land-use patterns in the Norfolk Downtown Area Blight Study Area.

A total of 196 structures or 71% of the structures within the designated study area were graded as deteriorating. Figure 2 illustrates the structural ratings within the study area. This is considered a significant contributing factor.

Age or obsolescence

Information regarding the age of the permanent structures within the Norfolk Downtown Area Blight Study Area was provided by the Madison County Assessor's Office.

The average age of the residential structures in the area is at least 40 years. The average of residential and commercial structures in area is 89 years (1934) and 90 years (1933), respectively. Therefore, this is considered a contributing substandard factor. Note: The data containing the age of the public and quasi-public structures was not available and was not included in the age of structures analysis.

Inadequate provision for ventilation, light, air, sanitation, or open spaces

Poor Drainage and Sanitation

The Norfolk Downtown Area Blight Study Area contains areas of trash and debris. However, this alone is not considered significant to be considered a contributing factor.

Other Substandard Conditions

The existence of conditions which endanger life or property.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling.

Debris

Debris piles were noted in the field analysis in 16 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Drainage and Floodway

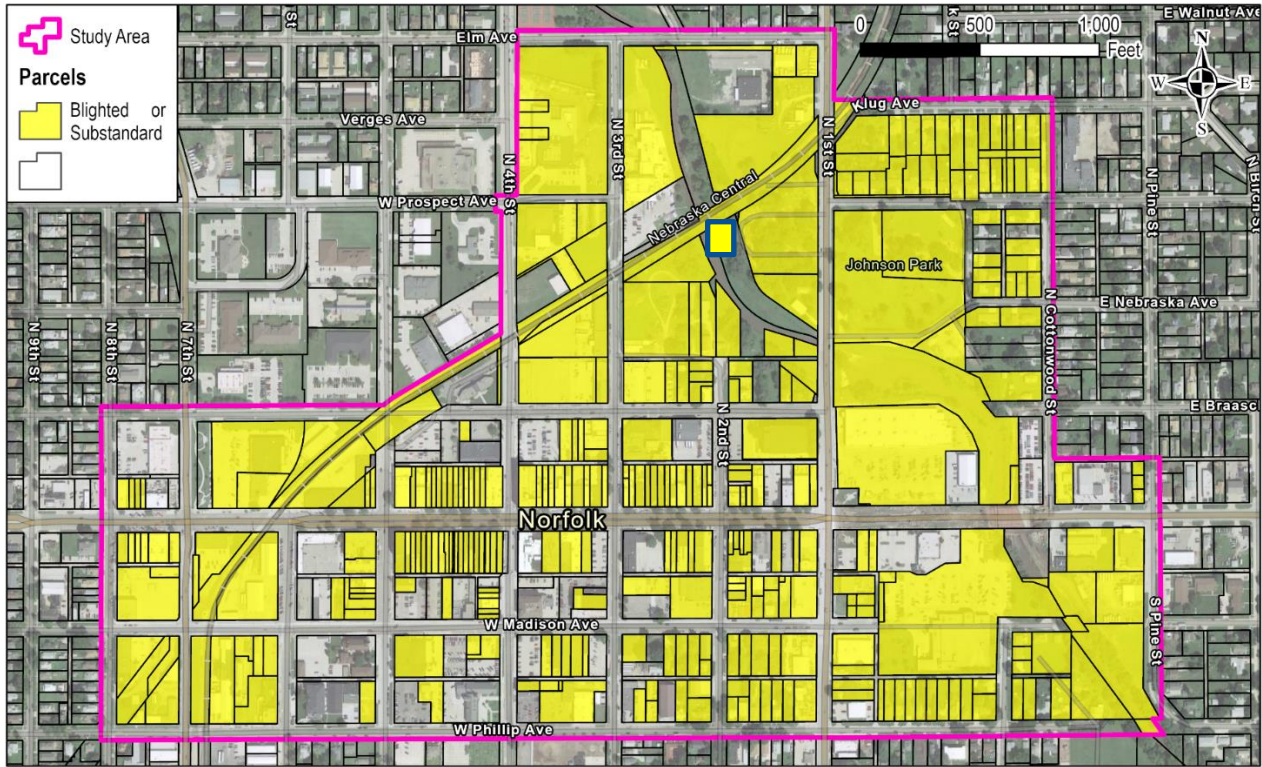
The area is bisected by the North Fork of the Elkhorn River flume which has steep banks and the potential to create unsafe localized flooding.

Railroad Crossings

The area is bisected by railroad tracks. Some crossings lack gates to prevent vehicular and pedestrian crossings when trains are occupying the area.

The existence of conditions which endanger life or property are considered a contributing factor.

Figure 5: Parcels Showing Blight and Substandard Criteria



City of Norfolk, NE

**Norfolk Downtown Blight Study:
Characteristics of Blight & Substandard Area**



Created By: J. Ray; N. Schroeder
Date: July 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.

Blighted and Substandard Findings

The Norfolk Downtown Area Blight Study Area has many items contributing to the blight and substandard conditions. Based on the information collected and analyzed pursuant to Nebraska Revised Statutes, the area has a myriad items that were considered beyond the remedy and control of the normal regulatory process of the City of Norfolk or impossible to reverse through the ordinary operations of private enterprise. These conditions include:

Table 1: Summary Matrix

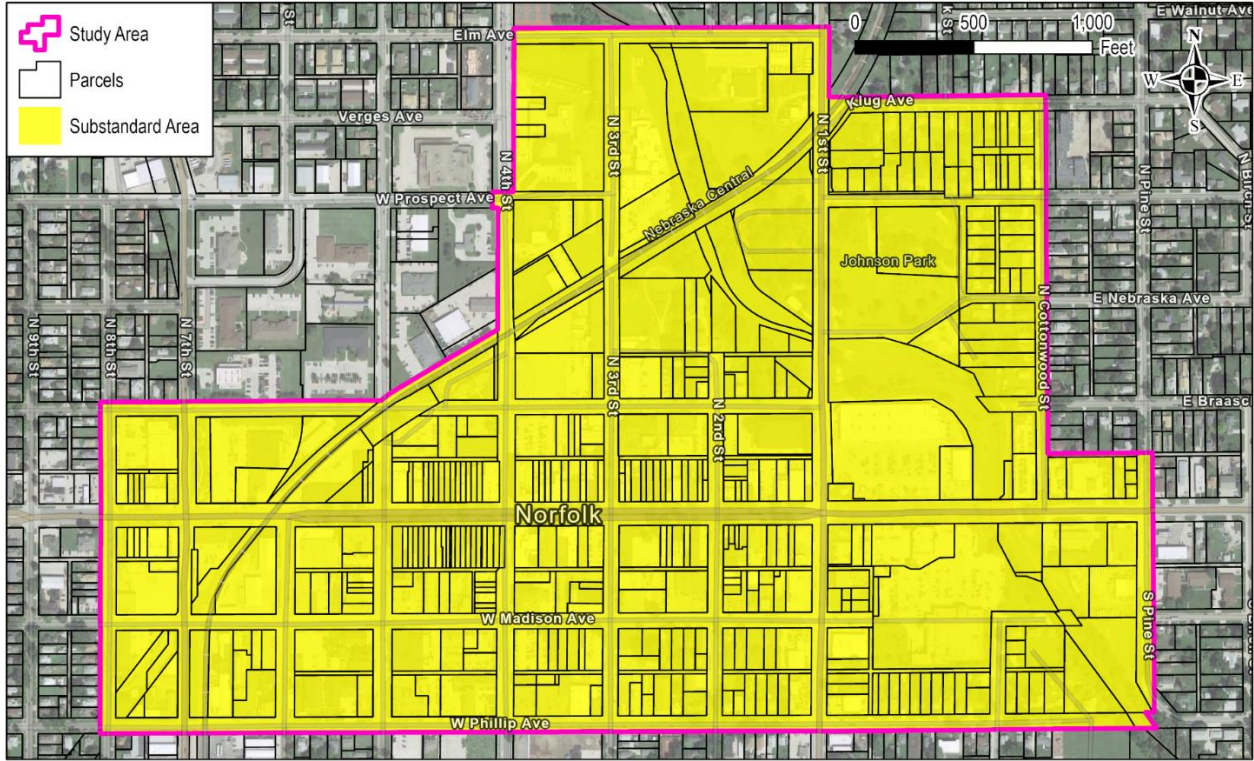
Criteria	
Structure condition	Yes
Street layout	No
Faulty lot layout	Yes
Unsanitary or unsafe conditions	Yes
Deterioration of site	Yes
Diversity of owners	Yes
Tax special assessment	No
Titles conditions	No
Obsolete platting	Yes
Endanger life/property	Yes
Any combination	Yes
Age of structure	Yes
BLIGHT TOTALS	9/12
Exterior inspection of structures	Yes
Age of structures	Yes
Inadequate provision for ventilation, sanitation	No
Other Substandard – (conducive to ill health, floodplain, endanger life)	Yes
SUBSTANDARD TOTALS	3/4
TOTALS	12/16

Conclusion

Several conditions within the Norfolk Downtown Area were observed during the field survey which warrant a designation as blighted and substandard. The conditions showing evidence of blight are interspersed throughout the Norfolk Downtown Area Blight Study Area, and as such, parcels within the boundaries of the Norfolk Downtown Area Blight Study Area are recommended for further action.

It is the professional opinion of the consultant, based on the information collected and analyzed pursuant to Nebraska Revised Statutes, that the Norfolk Downtown Area Blight Study Area contains the required conditions that would warrant a designation as blighted and substandard by the City of Norfolk and the Community Development Agency. The City of Norfolk should review this Blight and Substandard Study, and if satisfied with the findings contained in this study, may, by resolution, designate the Norfolk Downtown Area Blight Study Area as “Blighted and Substandard” as provided for in the Community Development Law.

Figure 6 Recommended Blight and Substandard Designation



City of Norfolk, NE

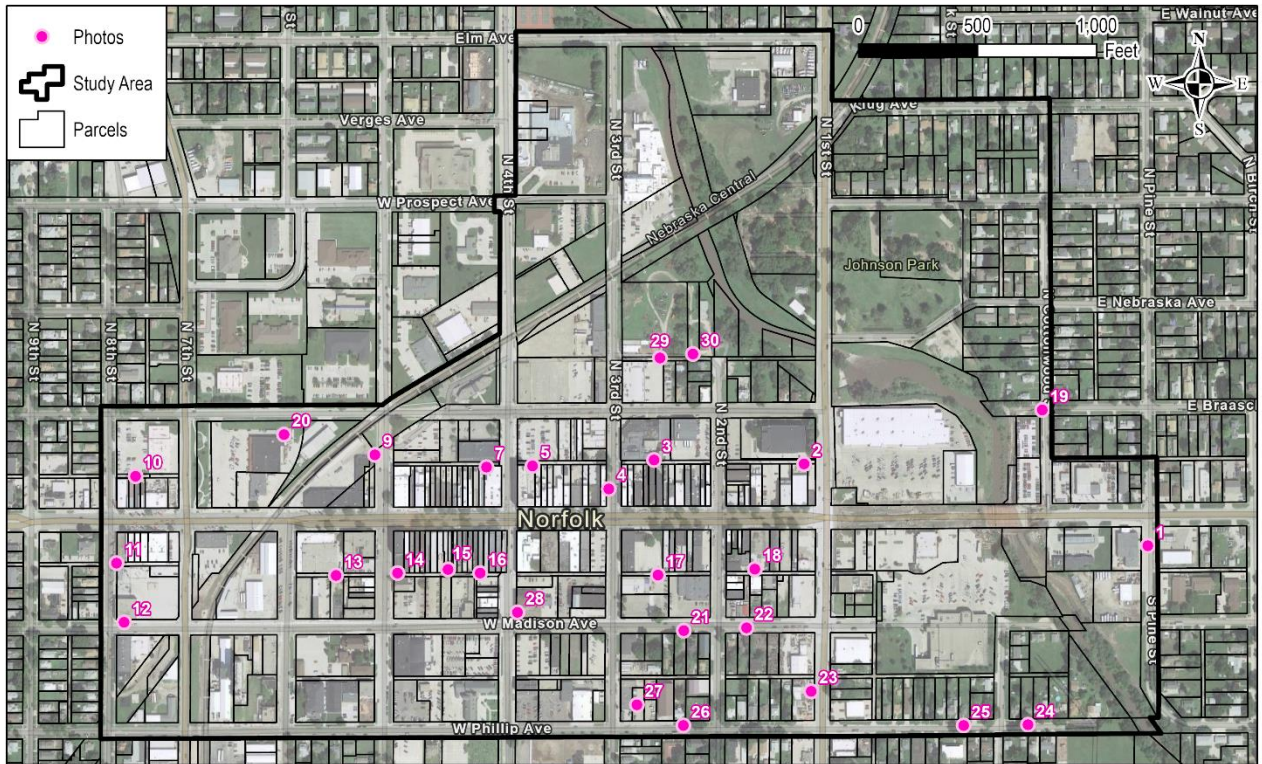
Norfolk Downtown Blight Study: Recommended Blight & Substandard Area



Created By: J. Ray; N. Schroeder
Date: June 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.

Appendix A
Photo Exhibit



City of Norfolk, NE

Norfolk Downtown Blight Study: Photo Guide



Created By: J. Ray; N. Schroeder
Date: August 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.

Location 1



Location 2



Location 3



Location 4



Location 5



Location 7



Location 9





Location 10





Location11



Location 12



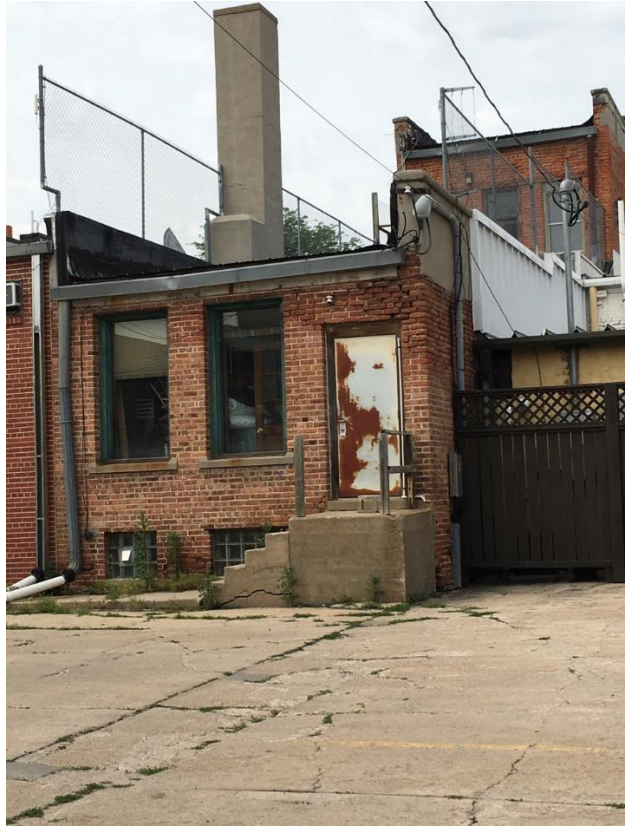
Location 13



Location 14

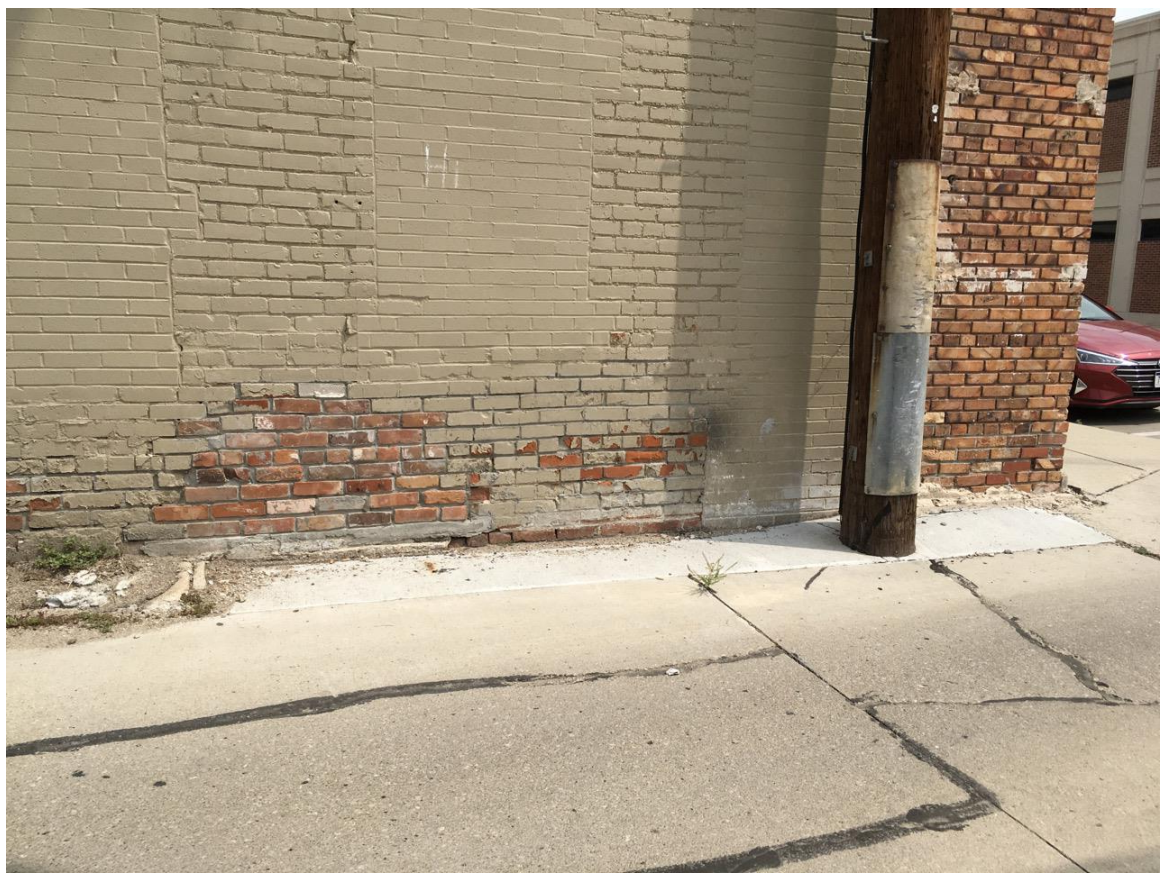


Location 15



Location 16

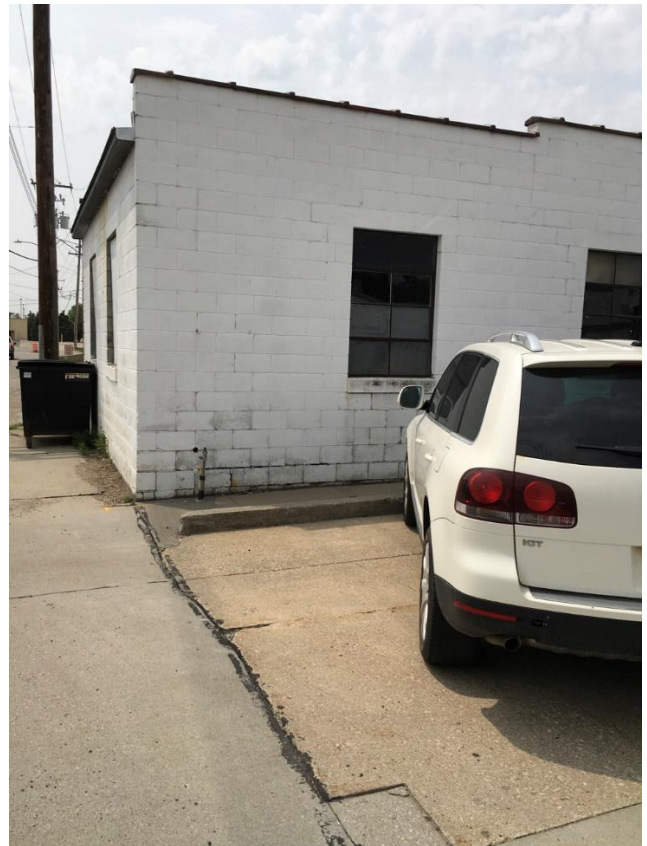
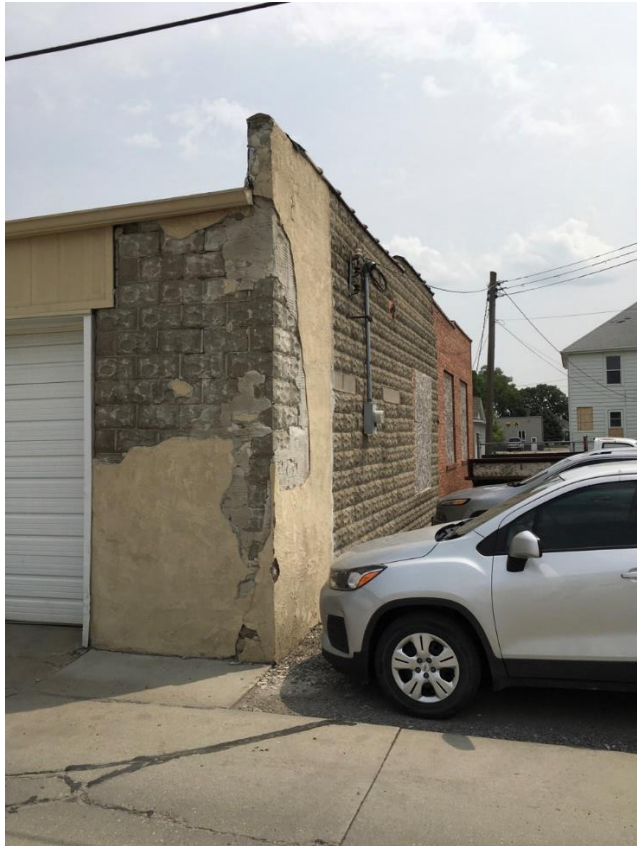




Location 17



Location 18



Location 19





Location 20



Location 21



Location 22



Location 23



Location 24



Location 25



Location 26



Location 27



Location 28



Location 29



Location 30







Downtown Blight Study

NORFOLK, NE
SEPTEMBER 5, 2023



Agenda

01

Introduction

What is a Blight Study?

02

Study Area

Area Reviewed

03

Analysis and Findings

Characteristics Identified

04

Recommendations

Area to be Declared Blighted and Substandard



Introduction



WHAT IS A BLIGHT STUDY?





Authority

The Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 to 18-2144)

Process



Content – Blighted Characteristics

- Substantial number of deteriorating structures,
- Unsanitary / unsafe conditions,
- Deterioration of site or other improvements,
- Stable or decreasing population over the last three US censuses,
- Average age of structures is over 40 years old,
- Economic or social liability detrimental to health, safety and welfare.
- Diversity of ownership,
- Improper subdivision or obsolete platting,
- One-half of unimproved property is over 40 years old,
- High density of population and overcrowding, and
- Tax/special assessment delinquency greater than fair value of land.

Content – Substandard Characteristics

- Dilapidation, deterioration, age or obsolescence,
- Dangerous conditions to life or property due to fire or other causes, and
- Inadequate provisions for ventilation, light, air, open spaces, or sanitation.
- Defective or unusual condition of title,
- Underemployment that equals 120% state or national average, and
- Per capita income less than city wide average

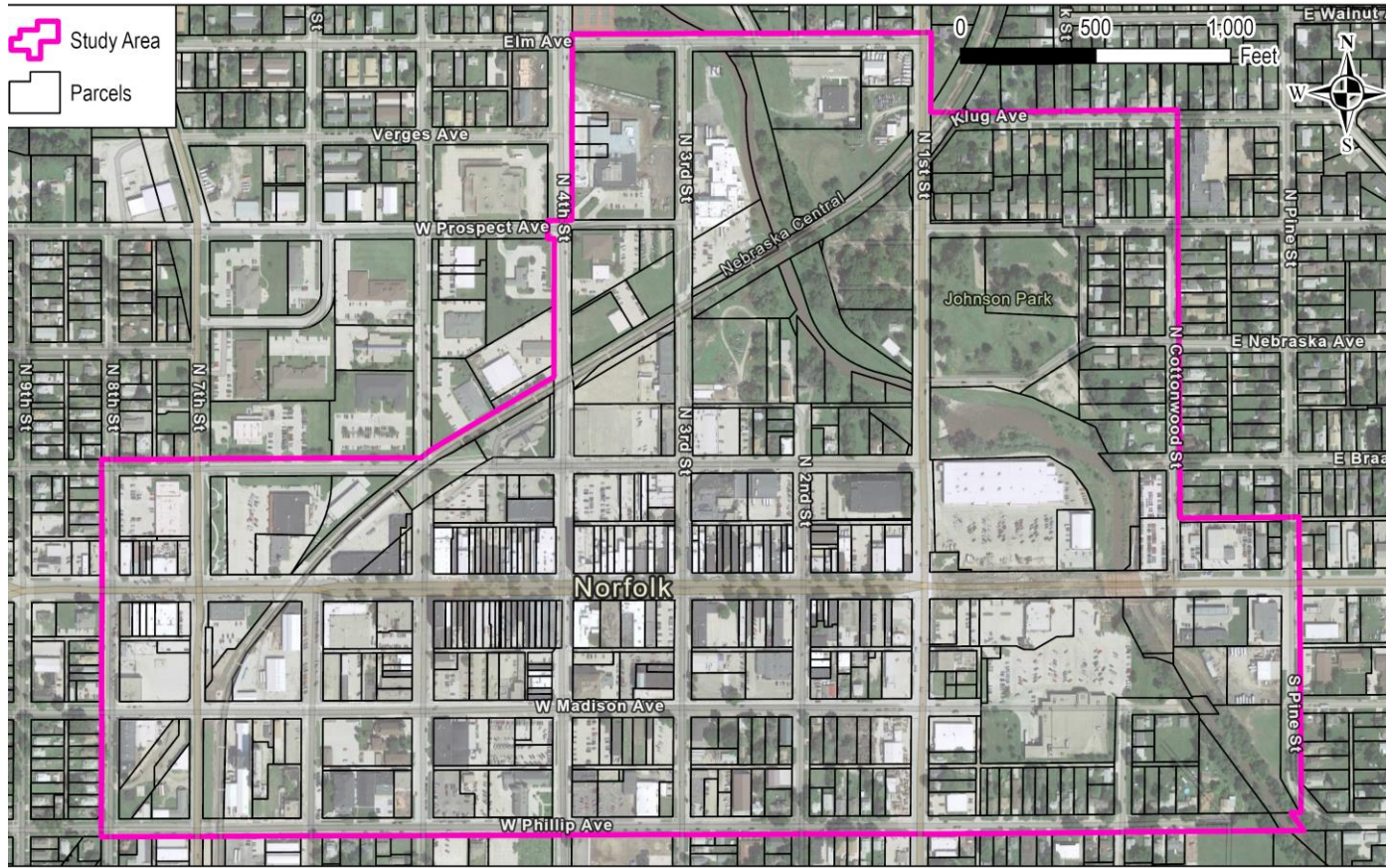


Study Areas



UPDATE OF AN EXISTING AND A NEW AREA WITH
POTENTIAL FOR REDEVELOPMENT





City of Norfolk, NE

Norfolk Downtown Blight Study Area



Created By: J. Ray; N. Schroeder
 Date: June 2023
 Software: ArcGIS Pro 3.1.1
 File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.

Area Studied

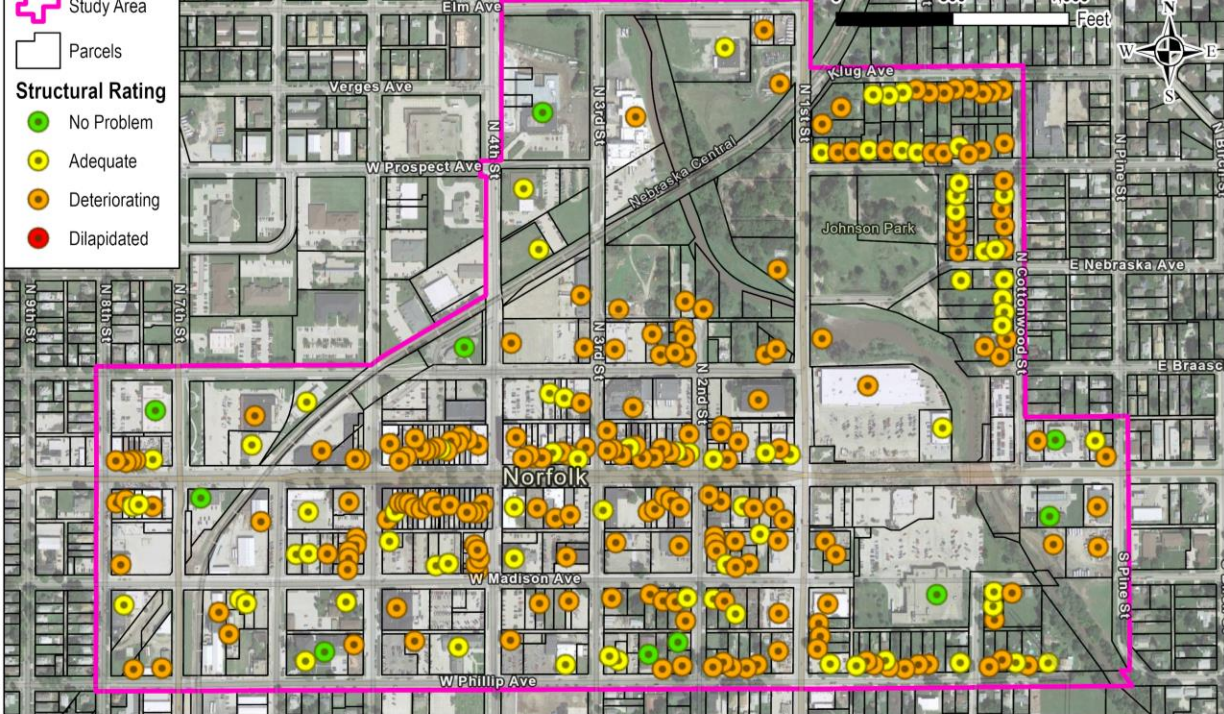
- Update of existing study area
- Bound by defined property lines
- Characteristic of Blight and Substandard
- Downtown Revitalization Grant eligibility
- Potential for infill development or redevelopment

Analysis and Findings



CHARACTERISTICS IDENTIFIED





City of Norfolk, NE

**Norfolk Downtown Blight Study:
Structural Rating**

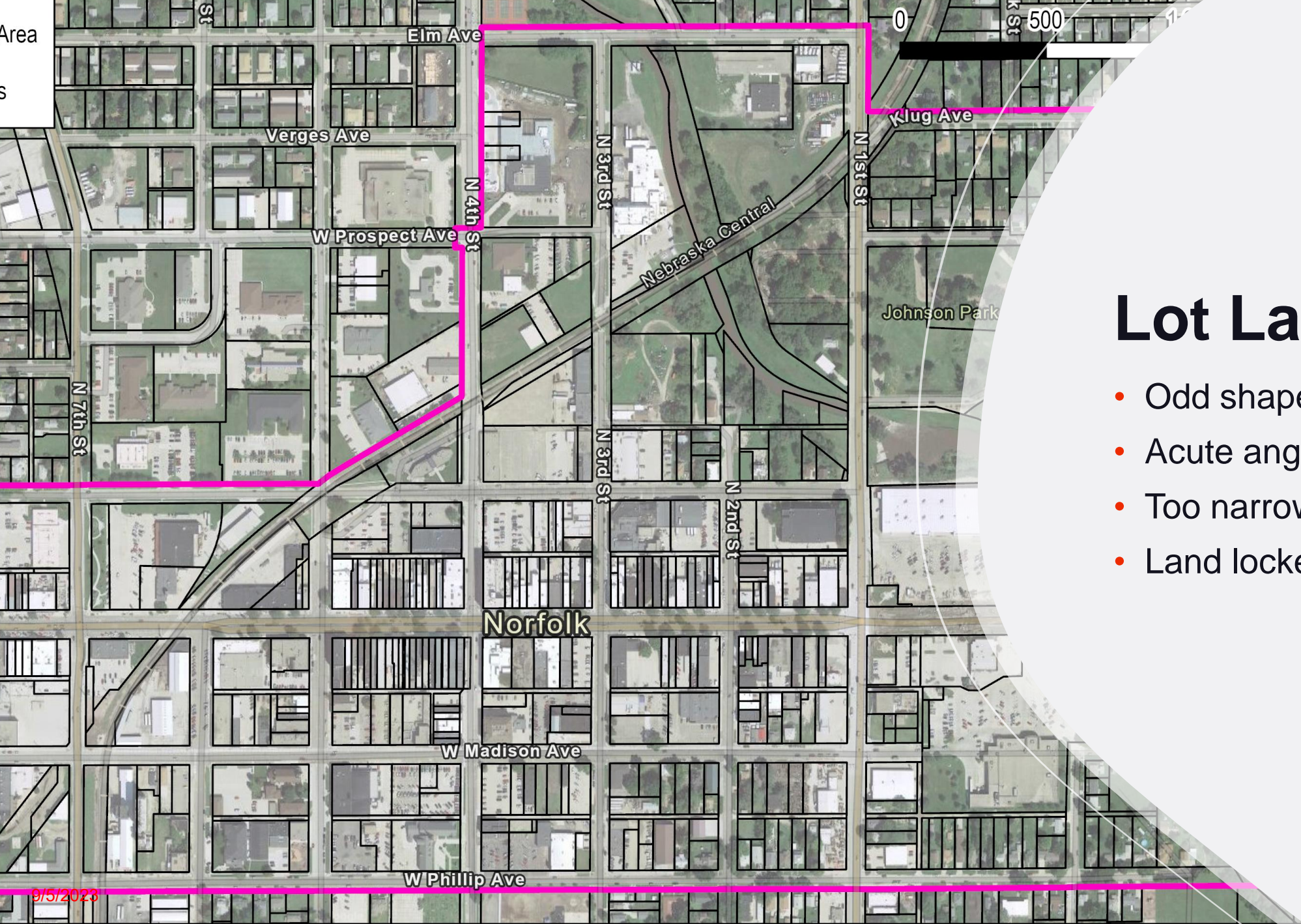


Created By: J. Ray; N. Schroeder
Date: June 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information contained herein.

Structural Rating

- 71% identified in study area as deteriorating



Lot Layout

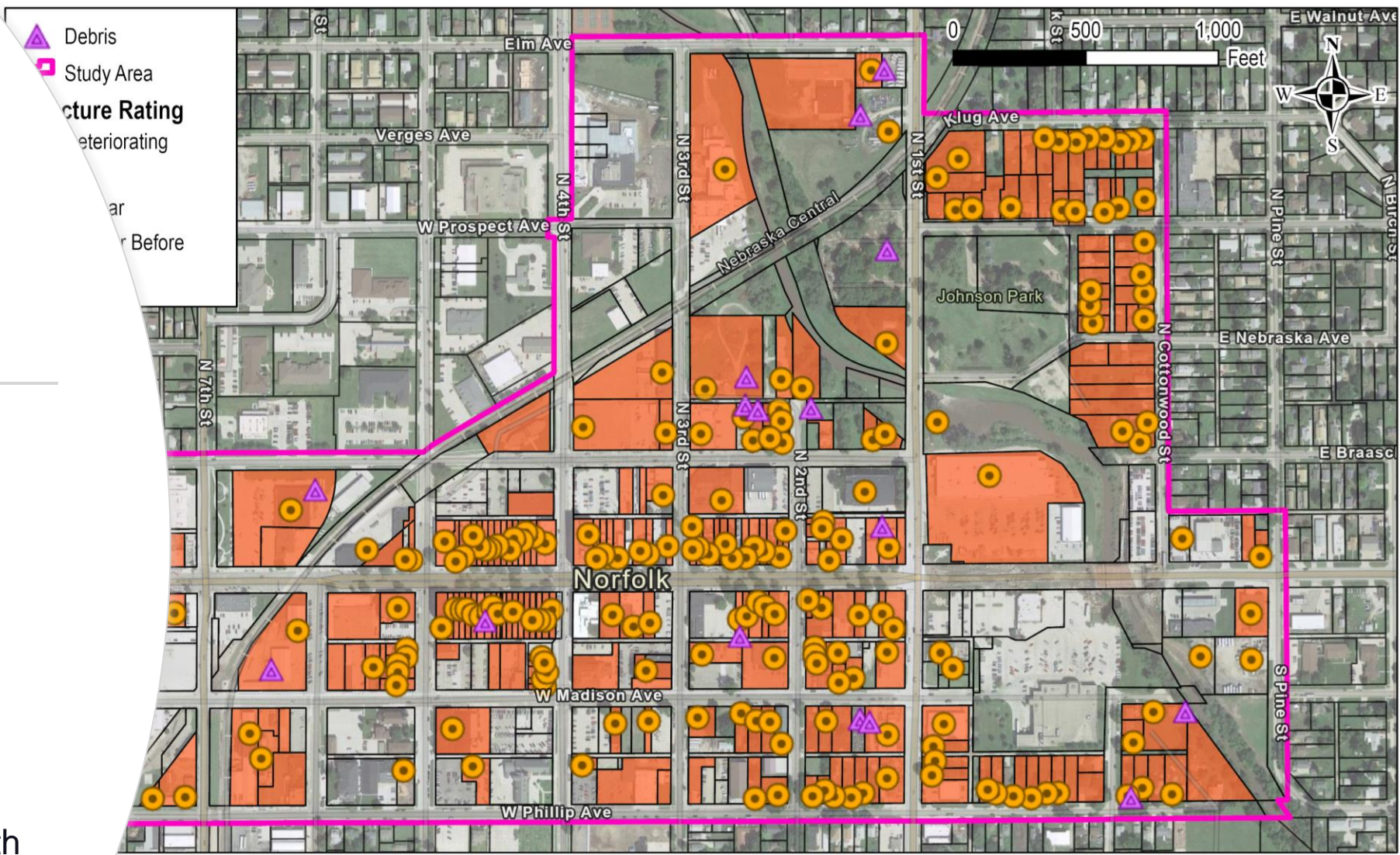
- Odd shaped
- Acute angles
- Too narrow
- Land locked

Deterioration of Site



Potential Unsafe Conditions

- Debris
- Tripping hazards and site accessibility
- Floodway with steep banks
- Age of structure
- Lack of sidewalks
- Railroad crossings
- Threat of fire from overgrowth



City of Norfolk, NE

Norfolk Downtown Blight Study: Potential Hazards



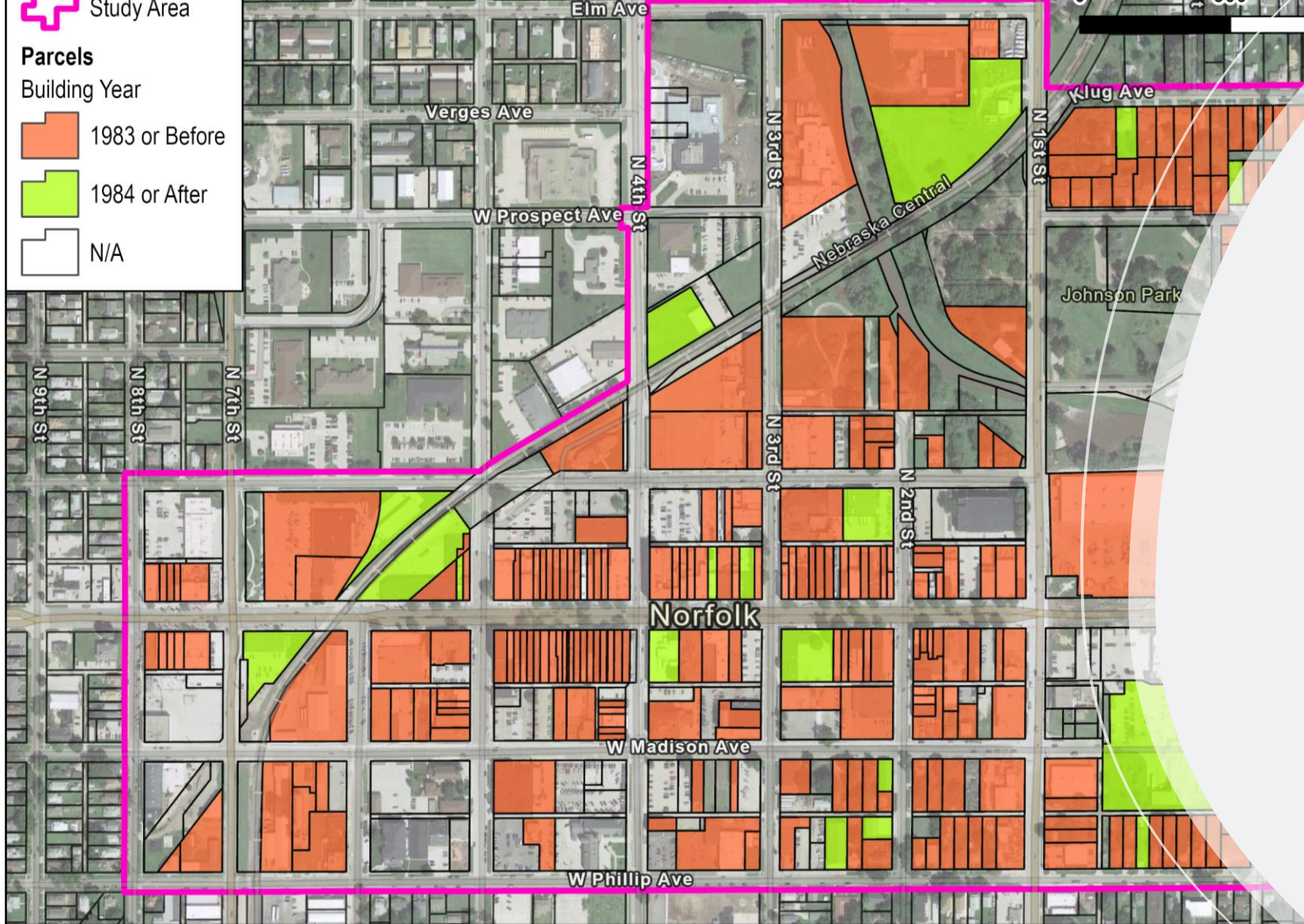
Created By: J. Ray; N. Schroeder
Date: August 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.



Potential Unsafe Conditions Examples





Age of Structure

- Average age of the residential and commercial structures is 89 and 90 years old, respectively according to the Madison County Accessor's records.

City of Norfolk, NE

Norfolk Downtown Blight Study: Age of Structures

9/5/2023

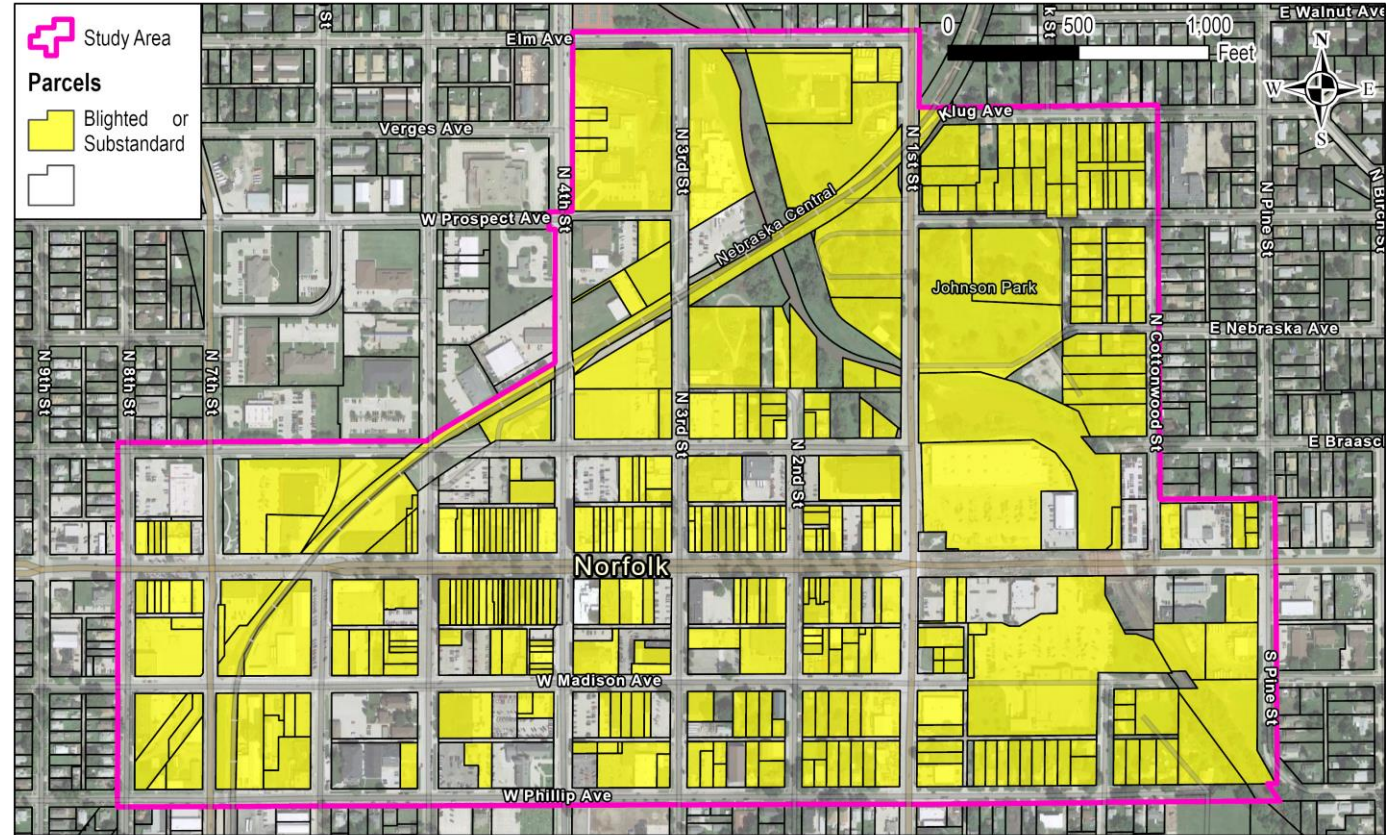


Created By: J. Ray; N. S.
Date: August 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

This map was prepared using information from records supplied by JEO and/or other applicable city, county, federal, state, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is

Composite Characteristics

- Most of the parcels contain at least one characteristic and are dispersed throughout the study area



City of Norfolk, NE
Norfolk Downtown Blight Study:
Characteristics of Blight & Substandard Area



Created By: J. Ray; N. Schroeder
Date: August 2023
Software: ArcGIS Pro 3.1.1
File: R231059.00

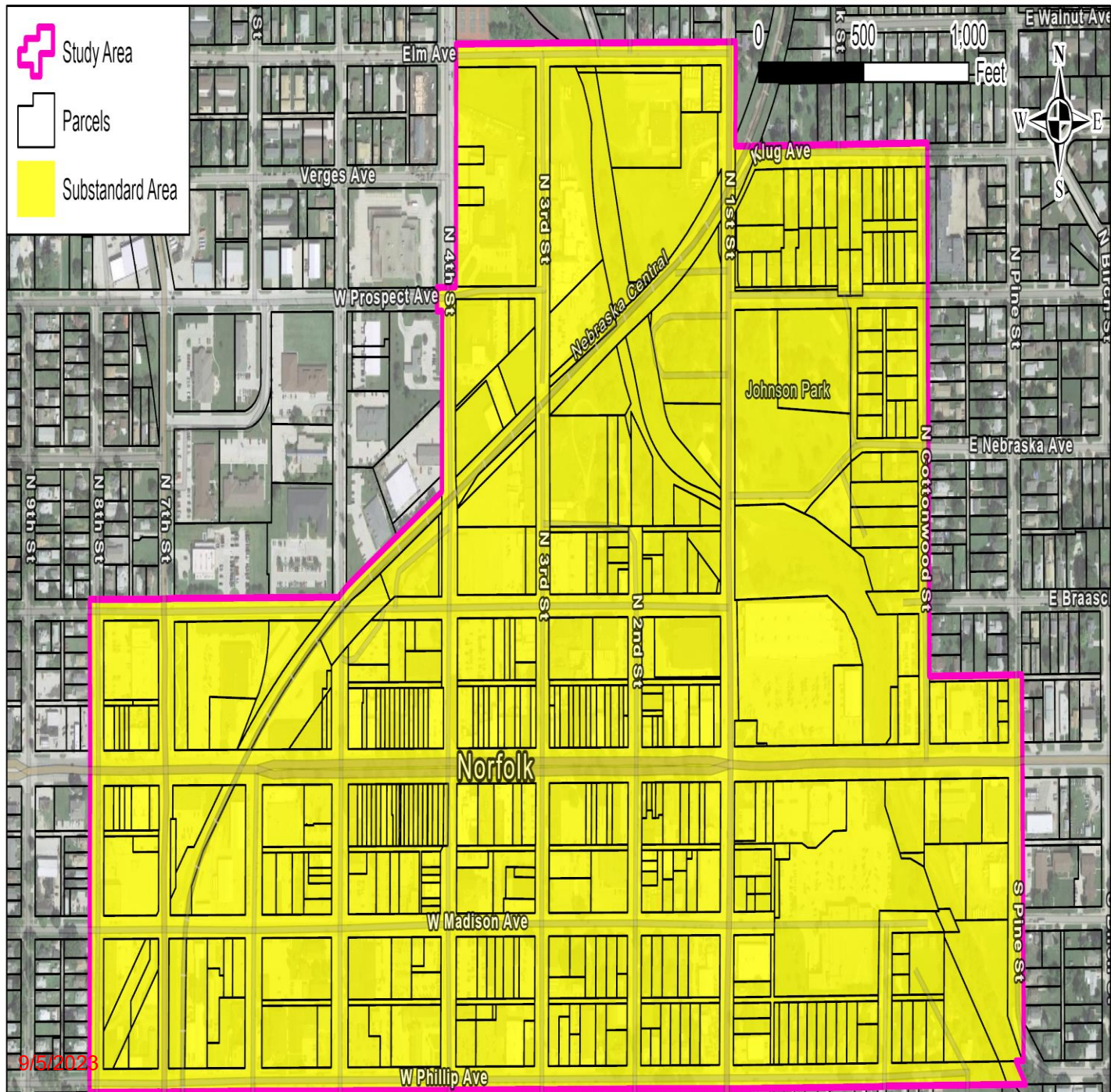
This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.

Recommendation



DECLARE THE AREA BLIGHTED AND SUBSTANDARD





Recommended Area

Criteria	
Structure condition	Yes
Street layout	No
Faulty lot layout	Yes
Unsanitary or unsafe conditions	Yes
Deterioration of site	Yes
Diversity of owners	Yes
Tax special assessment	No
Titles conditions	No
Obsolete platting	Yes
Endanger life/property	Yes
Any combination	Yes
Age of Structure	Yes
BLIGHT TOTALS	9/12
Exterior inspection of structures	Yes
Age of structures	Yes
Inadequate provision for ventilation, sanitation	No
Other Substandard – (conducive to ill health, floodplain, endanger life)	Yes
SUBSTANDARD TOTALS	3/4
TOTALS	12/16

Thank You


 Jeffrey B. Ray, AICP

 402.779.1070

 jray@jeo.com

 www.jeo.com



RESOLUTION NO. 2023- 55

BE IT RESOLVED, by the Mayor and Council of the City of Norfolk, Nebraska, as follows:

Section 1. The Mayor and Council hereby find and determine that, by prior action, the Mayor and Council have referred to the Norfolk Planning Commission consideration of a Blight and Substandard Determination Study for the area referred to as the "Norfolk Downtown Area" (the "Area"), prepared by JEO Consulting Group, Inc. which makes certain determinations concerning the following described area proposed to be declared blighted and substandard:

The Norfolk Downtown Area contains an estimated 217.74 acres of land and shall be described as follows:

A PARCEL OF LAND LOCATED IN THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1, STOVERS SUBDIVISION; THENCE EAST ON THE SOUTH RIGHT OF WAY LINE OF WEST PHILLIP AVENUE, A DISTANCE OF 4450 FEET, MORE OR LESS, TO THE EAST LINE OF PINE STREET; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF PINE STREET, A DISTANCE OF 1160 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 8, BLOCK 2, RUHLAWS AND BUSSEYS SUBURBAN LOTS; THENCE WEST, A DISTANCE OF 66 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, RUHLAWS AND BUSSEYS SUBURBAN LOTS; THENCE WEST ON THE SOUTH LINE OF LOTS 1 THROUGH 8 INCLUSIVE OF SAID BLOCK 1, A DISTANCE OF 370 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF NORTH COTTONWOOD STREET, A DISTANCE OF 1500 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF EAST KLUG AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF EAST KLUG AVENUE, A DISTANCE OF 915 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF NORTH 1ST STREET; THENCE NORTH ON THE EAST RIGHT OF WAY LINE OF NORTH 1ST STREET, A DISTANCE OF 300 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF ELM AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF ELM AVENUE, A DISTANCE OF 1320 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF NORTH 4TH STREET; THENCE SOUTH ON THE EAST RIGHT OF LINE OF NORTH 4TH STREET, A DISTANCE OF 680 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WEST PROSPECT AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF WEST PROSPECT AVENUE, A DISTANCE OF 90 FEET, MORE OR LESS, TO THE WEST RIGHT OF LINE OF NORTH 4TH STREET; THENCE SOUTH ON THE WEST RIGHT OF WAY LINE OF NORTH 4TH STREET, A DISTANCE OF 580 FEET, MORE OR LESS TO THE NORTHERLY RIGHT OF WAY LINE OF THE NEBRASKA CENTRAL RAILROAD; THENCE SOUTHWESTERLY ON SAID NORTHWESTERLY RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 575 FEET,

MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WEST BRAASCH AVENUE; THENCE WEST ON THE NORTH RIGHT OF WAY LINE OF WEST BRAASCH AVENUE, A DISTANCE OF 1150 FEET, MORE OR LESS TO THE WEST RIGHT OF WAY LINE OF NORTH 8TH STREET; THENCE SOUTH ON THE WEST RIGHT OF WAY LINE OF NORTH 8TH STREET, A DISTANCE OF 1380 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Section 2. Based upon the Study, the recommendation of the Planning Commission and the analysis and review of the conditions of property located within the Area, the Mayor and Council hereby find, determine and declare that the Area is an area which meets the criteria for designation as blighted and substandard in need of redevelopment under the terms of Section 18-2103 (10) and (11) and Section 18-2109, R.R.S. Neb. 2012 as amended, in that such real estate is affected by conditions as set forth in the Study.

Section 3. That hereinafter the Blight and Substandard Area shall be referred to as the "Norfolk Downtown Area."

Section 4. This resolution rescinds Resolution No. 2010-31 designating "The Downtown District Redevelopment Area," which is now redundant.

Section 5. Upon the referring by the City of Norfolk Community Development Agency of any redevelopment plan or redevelopment plan modification with respect to the Area, the City Clerk is hereby authorized to set a hearing and publish and mail notice of such hearing as required by law.

PASSED AND APPROVED this ____ day of _____, 2023.

Josh Moenning, Mayor
(SEAL)

Brianna Duerst, Clerk

Approved as to form: _____
Danielle Myers-Noelle, City Attorney

Date of Issuance: _____ Effective Date: September 5, 2023
 Owner: City of Norfolk, NE Owner's Contract No.: _____
 Contractor: A & R Construction Co. Contractor's Project No.: _____
 Engineer: _____ Engineer's Project No.: _____
 Project: East Benjamin Avenue Trail Continuation Contract Name: East Benjamin Avenue Trail Continuation

The Contract is modified as follows upon execution of this Change Order:
 Description:

Attachments: See spreadsheet

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>29,999.26</u>	Original Contract Times: Substantial Completion: <u>December 15, 2023</u> Ready for Final Payment: <u>December 15, 2023</u> days or dates
[[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ <u>0.00</u>	[[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>29,999.26</u>	Contract Times prior to this Change Order: Substantial Completion: <u>December 15, 2023</u> Ready for Final Payment: <u>December 15, 2023</u> days or dates
[[Increase] [Decrease] of this Change Order: \$ <u>2,015.05</u>	[[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Contract Price incorporating this Change Order: \$ <u>32,014.31</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>December 15, 2023</u> Ready for Final Payment: <u>December 15, 2023</u> days or dates

RECOMMENDED:	ACCEPTED:
By: <u>Anna Allen</u> By: _____	By: <u>Sheryl Price</u>
Engineer (if required)	Owner (Authorized Signature)
Title: <u>Assistant Engineer</u>	Title: <u>Secretary</u>
Date: <u>8-28-23</u>	Date: <u>8-27-23</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

Change Order Estimate

Project Name: East Benjamin Avenue Trail Continuation		Project Number:							
Owner: City of Norfolk, NE		Change Order Number: 1F							
Contractor: A & R Construction Co.		Effective Date: 9/5/2023							
Item		Current Contract Items				Change Order Information		Revised Contract Items	
Bid Item No.	Description	Unit Price	Unit	Original Item Quantity (+ previous CO's)	Original Item Value (+ previous CO's)	Item Quantity (current CO)	Total Increase/Decrease of Item (\$)	New Item Quantity (w/ current CO)	New Item Value (\$)
1	Build 6" Concrete Trail	\$69.54	SY	304	\$21,140.16	13	\$904.02	317	\$22,044.18
2	Furnish and Install Detectable Warning Panel	\$44.38	SF	40	\$1,775.20	-8	(\$355.04)	32	\$1,420.16
3	Earth Shoulder Construction	\$389.00	STA.	5.2	\$2,022.80		\$0.00	5.2	\$2,022.80
4	Subgrade Preparation	\$3.67	SY	304	\$1,115.68	13	\$47.71	317	\$1,163.39
5	Erosion Control	\$6.00	LF	30	\$180.00		\$0.00	30	\$180.00
6	Traffic Control	\$1,200.00	LS	1	\$1,200.00		\$0.00	1	\$1,200.00
7	Mobilization	\$1,111.00	LS	1	\$1,111.00		\$0.00	1	\$1,111.00
8	Erosion Control, Class 1D	\$6.01	SY	242	\$1,454.42	236	\$1,418.36	478	\$2,872.78
Subtotal					\$29,999.26		\$2,015.05		\$32,014.31

Change Order Estimate

Project Name: East Benjamin Avenue Trail Continuation		Project Number:	
Owner: City of Norfolk, NE		Change Order Number: 1F	
Contractor: A & R Construction Co.		Effective Date: 9/5/2023	
Item			
Bid Item No.	Description	Reason for Change	
1	Build 6" Concrete Trail	Adjustment to final quantity placed.	
2	Furnish and Install Detectable Warning Panel	Adjustment to final quantity placed.	
3	Earth Shoulder Construction		
4	Subgrade Preparation	Adjustment to final quantity placed.	
5	Erosion Control		
6	Traffic Control		
7	Mobilization		
8	Erosion Control, Class 1D	Adjustment to final quantity placed.	

WE
MAKE
IT
SIMPLE



Norfolk Public Library

3095 - Norfolk City Council Electronic Voting System (August 22, 2023 Revision)
August 22, 2023

Nate Wagner
Account Executive
402-323-4800 (direct)
402-323-4800 (main)
www.bizco.com
nwagner@bizco.com

AV Executive Summary (see .PDF version for detail)

■ Statement of Work

An important note from Bizco's AV Division Director...

Valued Clients,

Due to extreme circumstances with the supply chain, product availability is constrained and cannot be guaranteed. Bizco cannot accurately estimate project timelines, as many products may be backordered for months, with no realistic ETAs from our distributors. Our manufacturers have adopted a First-In/First-Out model (FIFO). This means that orders are shipped in the order in which they are received. The best course of action for our clients is to plan ahead, place orders to secure a place in line, and be patient as we navigate this challenging time.

Not all products are affected, but many of the ones that we count on to deliver superior performance are significantly constrained. This means that many of your items may be shipped immediately, while others may take several months. While we wait, additional personnel and warehouse space is required to manage and safely store excess inventory. Unfortunately, this is an additional cost that we must pass on in the form of a handling fee. We must also collect a down payment to cover the cost of the product, or if preferred, we can progressively invoice monthly for just the items that have been shipped.

Your sales representative will work to determine which products are constrained, make substitutions where they can be made, and do their best to provide ETAs when available. We look forward to working with you on your project, and ask for your patience as we get through this tough spot together. In time, I'm sure we will be able to return to business as usual, but for now we will do everything in our power to make the experience as painless as possible for our customers.

*Thank you for your business,
Jeffrey Erb*

Statement of Work

The following statement outlines the activities to be performed by Bizco technicians while on the jobsite. It lists all major components, installed location and functional intent. Our quoted price includes only the activities listed here. Any requested changes or additions will be processed, with your approval, as change orders to the original project. Please review carefully, and pay close attention to all owner requirements as these must be completed prior to the arrival of our team.

This project will provide the City of Norfolk with an electronic voting system for the Norfolk City Council Chambers, capable of display on the existing projection system in the space. The proposed system includes fifteen (15x) table-top stations each with touch panel voting and integrated microphone, which will replace fifteen of the existing table-top mics currently used in the space.

JUNE 20, 2023 QUOTE REVISION ADDITIONS (Remains current for Aug. 22, 2023 quote REV):

One new 60" wall-mounted 4K flat panel with adjustable wall bracket to be provided and mounted at the "audience-left side-wall."
Re-location of one AV-over-IP encoder previously used for the VGA/audio connection at the presenter podium to the AV Operator rack at the rear of the space.
Existing AV-over-IP encoder previously located in the ceiling above the "left audience wall" to be re-located to directly behind the new 60" flat panel.
Control system cabling added to this flat panel encoder to allow touch-panel control of the new flat panel.
Existing HDMI 1 gang wall plate behind new flat panel to be removed/replaced with wall feed-through plate. - Original plate returned to owner.
Existing VGA with audio-to-HDMI converter previously used inside the presenter podium to be de-installed and removed. - Converter returned to owner.
Touch-panel system programming changes provided. Changes to include one new on/off button added for the new flat panel, and page re-location/re-naming of multiple buttons per owner's request.

Manufacturer: Televic (Original System Option #1):

The Televic system proposed here is a wired voting plus microphone plus amplified loudspeaker solution that includes the manufacturer's (mandated) remote set-up support, plus a block of eight (8) total hours of owner/manufacturer direct support. This support block can be used in one-hour increments over three years, and can be very useful if/when your operators change, need refreshers on operation and/or you desire system changes. The fifteen microphones included with this option are all flexible "gooseneck" type approximately 16" long. Each connects directly to their touch-panel-enabled base-station.

This system offers a built-in loudspeaker at each station to enhance the ability for Council Members/Mayor to better hear the other room microphones. It also features the ability to plug-in owner/other-provided wired headphones or ear-buds at each station if desired.

Electronic voting is a feature of this system that will be loaded onto your Windows-based computer for potential display on your existing projection system AND/OR THE NEW WALL-MOUNTED FLAT PANEL DISPLAY. Archiving of the voting results will be possible via this computer and/or your IP network.

Bizco will install and configure the following components in The Main City Council Chamber:

- (1x) Wired "Audio Engine" for mic mixing [located in the owner's current AV rack - Requires

- having one IP connection to owner's IP network at this location]
- (15x) Wired "Voting/Microphone/Speaker" Table-top Units [will replace all fifteen wired gooseneck mics in the room]
- (Added for 6-20-2023 QUOTE REV) (1x) 60" 4K Flat Panel Monitor with Wall Bracket [permanently mounted on audience "left" side wall to display Voting Results]
- (Added for 6-20-2023 QUOTE REV) (1x) Existing AV-over-IP Encoder Removed from Podium (previous VGA laptop connection) and Relocated to AV Operator Area for Voting Laptop Connection (HDMI)
- (Added for 6-20-2023 QUOTE REV) (Lot) Bizco re-programming of existing touch-panel system to provide remote on/off control of new 60" 4K Flat Panel Monitor, as well as Various Touch-Panel Labelling and Button Location Page Changes

Owner Requirements (Remains current for Aug. 22, 2023 quote REV):

- (Added for 6-20-2023 QUOTE REV) (1x) Owner or Other De-Installation and Removal of Existing Wall-Mounted Voting "Light Board" including any desired post-install aesthetic wall re-finishing/re-painting of wall area behind board [to include safe disconnection and removal of any electrical connections and cabling, especially if unit is being powered at wall]
- (Added for 6-20-2023 QUOTE REV)(1x) Owner/Other-Provided New Installation or Re-Use (depending on existence of) of Duplex AC Outlet behind new 60"4K Flat Panel Monitor [side wall]
- (1x) Windows-based computer with HDMI Output [to be connected/used at AV Operator Area a rear of space]
- (Lot Management Software) "Voting Software" - Provided by Bizco, but to be installed/configured by the owner's IT team on owner's Windows-based computer
- (1x) Owner-Provided Managed Network IP Switch with PoE and adequate available connections
- (1x) Cabling connection pathway to/from the Owner's Network IP Switch for the Owner's Windows Computer including for the Included Mic/Voting System Components
- (Lot) Un-interrupted access to the Council Chambers space(s) for three to four full consecutive days with user training coordinated on final installation day

General Assumptions

- Project will enter internal design review process upon acceptance of quote, submission of all required contract documents and receipt of **70% DOWN PAYMENT**.
- Once review is complete, product will be ordered.
- **PRODUCT AVAILABILITY & PROJECT TIMELINE CANNOT BE GUARANTEED AT THIS TIME.**
- Unless otherwise specified in the statement of work, all work is to be completed during normal business hours, M-F, 8AM-5PM.
- Site must be ready for scheduled work. If owner's site is not ready when installers arrive, Bizco's project completion date is subject to change and additional charges will apply.

- All owner furnished equipment (OFE) is to be on-site, available at the time of our installation.
- If owner chooses to receive and store product at their location, the owner is responsible for examining product, upon receipt. Any shipment with damage should be refused by the owner. Displays should be unpackaged and checked immediately for breakage, functionality. Bizco is not responsible for any damaged, non-functional goods received at owner's location.
- Bizco is not responsible for owner furnished equipment that is deemed non-working or incompatible.
- In cases where the AV equipment will be connected to the customer's wired or wireless network, the following must be completed prior to our scheduled arrival onsite:
 - Customer must provide necessary information for connecting AV equipment to network.
 - All required network ports must be installed and activated.
 - Customer is responsible for configuring their network to accommodate networked AV equipment.
- All required electrical outlets must be installed prior to our scheduled arrival onsite.
- All equipment will be installed in accordance with manufacturer's specifications. Alterations to the installation due to unforeseen environment issues (building vibration) or perceived instability will result in a change order at the owner's expense.

Shipping & Handling

- Quote may not include shipping or applicable sales taxes. Please review carefully.
- Any included shipping is for estimation purposes only.
- Actual shipping charges will be billed and will be based on owner's preferred delivery/installation schedule.
- A handling fee is included to offset storage and handling costs as many products remain constrained while others must be stored for long periods of time.
- All quote prices listed are good for 30 days. After 30 days, Bizco reserves the right to adjust prices and re-issue a new quote.

Service & Warranty

- Bizco warrants parts and workmanship for one year from substantial completion of a project.
- Onsite services may be delayed up to 5 business days from the submission of a service ticket.
- For expedited service, please consider purchasing the priority service agreement that is offered as part of your project.
- Refer to the Service Agreement section of your quote for details
- For assistance, call **402 323 4842** or email **AVservice@bizco.com**

Warranty Statement

MFP#	Description	Qty	Price	Ext. Price
BizAV-Basic	<p>BizAV-BASIC - One year Included</p> <ul style="list-style-type: none"> • 1st year included with each new Bizco AV project <ul style="list-style-type: none"> ○ Includes service labor to troubleshoot, repair and/or replace warranted equipment sold & professionally installed by Bizco ○ Excludes service that is a result of changes made, post installation, by a 3rd party vendor ○ Excludes requests for additional labor that fall outside of the original project scope • After 1st year, one of the following will occur; <ul style="list-style-type: none"> ○ Client may purchase BizAV-Priority service contract ○ Client may request AV-Basic service (Time & Material) at the posted hourly rate ○ Bizco BizServe (IT Managed Services) clients will continue to get BizAV-Basic as part of their contract • Basic service wait times are up to 5 business days <ul style="list-style-type: none"> ○ Service hours are Monday-Friday, 7am to 6pm ○ Excludes US holidays <p>Equipment Warranty Repair/Replace <u>excludes</u> the following:</p> <ul style="list-style-type: none"> • Consumable items such as lamps, batteries, etc. • Equipment damaged by misuse • Equipment damaged by Force Majeure events • Consumer grade displays (may be warranted for an additional charge) <p>Current Posted "Time & Material" Service Rate (subject to change)</p> <ul style="list-style-type: none"> • <u>Hourly Rate</u> <ul style="list-style-type: none"> ○ \$135/hr ○ 2 hour minimum (includes drive time, to and from site) ○ Travel between Lincoln and Omaha, will only be billed one-way ○ Service manager may provide a "not to exceed" estimate* • <u>Material</u> <ul style="list-style-type: none"> ○ Equipment repair/replace subject to manufacturer's limited warranty ○ shipping & handling costs will be billed ○ bench fees will be billed ○ product replacement costs will be billed ○ any miscellaneous/material costs will be billed <p>*A detailed project quote may be prepared as an alternative to a "not to exceed" estimate. The project quote will run through our engineering department and may take up to 10 business days to complete.</p>	1	\$0.00	\$0.00

Warranty Statement Subtotal **\$0.00**

Quote Summary

Description	
15-Station Televic Wired Council Electronic Voting/Microphone/Speaker System Equipment	\$29,788.00
Flat Panel Video Display Equipment Additions and Changes	\$1,256.00
Cabling, Services and Shipping - Entire Project	\$20,928.00
Warranty Statement	\$0.00
Subtotal	\$51,972.00
Shipping	\$466.00
Total	\$52,438.00

*Optional Expenses

Description	
Payment and Equipment Storage Options	\$787.00
Optional Subtotal	\$787.00

All prices and descriptions are subject to change without notice. This price list is a quotation only and is not an order or offer to sell. No contract for sale will exist unless and until one of the following occur: 1.) a purchase order has been issued by you and accepted by Bizco or 2.) an order is place on-line and accepted by Bizco or 3.) a written proposal is accepted by you. The prices contained in this list may not be relied upon as the price at which Bizco will accept an offer to purchase products unless expressly agreed to by Bizco in writing. Product specifications may be changed by the manufacturer without notice. It is your responsibility to verify product conformance to specifications of any subsequent contract. All products are subject to availability from the manufacturer. Prices quoted may not include applicable taxes. Sales tax will be included on the invoice. Products are non-returnable unless approved in writing by Bizco Technologies within 30 days of invoice date. Those approved returns may be subject to a restocking fee. Payment terms are available upon credit approval; unless otherwise stated in writing, terms shall not exceed 30 days from date of invoice. Questions about these and other terms and conditions should be addressed by your sales representative.



LETTER AGREEMENT AMENDMENT #2

Date: August 29, 2023

This AMENDMENT (“Amendment”) shall amend and become a part of the Contract for Professional Design Services dated September 26, 2019 between City of Norfolk (“Client”) and Olsson, Inc. (“Olsson”) providing for professional services for the following Project (the “Agreement”):

PROJECT DESCRIPTION AND LOCATION

Project is located at: City of Norfolk Wellfield and surrounding areas (Omaha Avenue and S 37th Street)

Project Description: Wetland Mitigation Bank Design and Permitting

SCOPE OF SERVICES

This amendment outlines additional environmental services that will be required to establish a wetland mitigation bank for the City of Norfolk over approximately 110 acres located to the southwest of the intersection of Omaha Avenue and South 37th Street. This Scope of Services includes mitigation site design, permitting, and project management tasks needed to receive Corps approval and certify the mitigation bank. This amendment is associated with original contract executed September 26, 2019 between Olsson and the City of Norfolk for services related to Wetland Mitigation Bank development. The scope below includes:

- Project management and meetings
- Section 404 permitting
- Development of a mitigation bank plan
- Conceptual, preliminary, and final design engineering tasks
- Site geotechnical investigations and piezometers installation
- Water Budget
- Floodplain permitting
- Mitigation bank site monitoring (up to five years)

A. PROJECT MANAGEMENT AND MEETINGS

This task includes activities to initiate and monitor project schedules, workload assignments and internal cost controls throughout the project. Also included are efforts to prepare and process invoices, prepare project correspondence with the City of Norfolk; and maintain project records.

Consultant estimates up to three in-person meetings will be required including one on-site meeting with both City of Norfolk and Corps staff. The basis for these meetings will be to review Corps and agency recommendations, design details, and project implementation needs. The basis for the onsite visit will be to identify any potential issues with the Corps, verify existing site conditions, review land access as necessary, and identify and obtain photo documentation of areas of interest. This task includes development of agendas, exhibits, KMZ files, and meeting minutes.

Task Hours 40
Task Fee \$12,160

B. SECTION 404 NATIONWIDE PERMIT APPLICATION PACKAGE

Consultant shall prepare a 1st Draft of the 404 Permit Nationwide Permit Application Package consisting of 404 Permit Application and the Wetland Delineation Report, including USACE ENG FORM 4345, complete description of the project, and documentation of impacts to all wetlands and waters of the US. Consultant assumes that publicly available information to document compliance with Section 106 of the National Historic Preservation Act and Endangered Species Act will be sufficient to complete the permit. Field studies for cultural resources or threatened and endangered species are not included in this scope of work. Consultant assumes the project will be permitted with a CWA Section 404 Nationwide Permit 27 – Aquatic Habitat Restoration, Enhancement, and Establishment Activities.

Task Hours 46
Task Fee \$5,870

C. MITIGATION SITE DEVELOPMENT PLAN

The Consultant shall prepare materials for submittal of a mitigation bank plan for review by the Corps and IRT. This will involve incorporating materials into a single document to identify mitigation locations, types of wetlands to potentially develop, buffer areas associated with the mitigation areas, and a mitigation bank ledger. The mitigation bank plan will include site background, a site work plan, success criteria, monitoring requirements, and a credit release schedule. Consultant assumes responding to one round of comments from the City of Norfolk and the Corps/IRT. This task also includes time to collect up to 12 sets of piezometer readings over the course of the project as needed.

Task Hours 192
Task Fee \$27,254

D. MITIGATION ENGINEERING DESIGN

This scope provides for services associated with the preliminary and final design of a wetland mitigation bank site. This work includes development of the horizontal and vertical alignments, grading model development, plan production and quantity calculations associated with these design tasks. The design



will be intended to restore approximately 0.30 acres of PEMA/PEMC wetland, protect 1.89 acres of PFOA wetland, and create 85 acres of new wetland habitat.

Based on our understanding of the Project, Olsson anticipates the following scope of services:

- Site Evaluation – A scientist and engineer will examine the site and assess the wetland mitigation area.
- Site Survey and Data Collection– Olsson will conduct a field survey to determine existing topographic features as shown in exhibit, drive locations, this will include spot elevations, and will provide one-foot contours, building structures, perimeter outlines only of tree mass along creek channel and areas where the site is thickly wooded. Field personnel might utilize an ATV to drive cultivated fields after harvest and or open areas to gather data for the topographic survey within the area shown on the provided. Survey crew will establish bench marks and control points during the field survey. Olsson will prepare a site plan showing the information obtained during the field survey. No underground exploration for utilities will be provided. Platted lot lines will be shown on the site plan using the field location of any existing lot pins found. No Legal Boundary Survey will be performed to determine the property boundaries. Olsson will provide a signed PDF and an electronic copy in AutoCAD Civil3D format.
- Plans and Technical Specifications – Olsson will complete preliminary design and prepare a final plan set of the mitigation bank. The plan set is assumed to include a grading plan, and seeding and planting plan, and elevational cross sections required to construct the mitigation bank. Olsson will submit final plans and technical specifications to the City of Norfolk for the proposed wetland mitigation bank. The final plans are expected to cover no more than seven sheets with specifications described on the plan sheets. The scoped plan set does not include the design of water conveyance structures that may be required to supplement site hydrology.

As part of the Basic Services, Olsson will examine potential methods and areas to maximize environmental cost benefits to the mitigation bank. This could include areas for additional wetland mitigation, habitat improvements, educational benefits, etc.

Task Hours 203
Task Fee \$26,030

E. GEOTECHNICAL INVESTIGATIONS

Up to four open standpipe piezometers may need to be installed to monitor groundwater levels prior to construction of the wetland mitigation bank.



Olsson proposes to use a truck-mounted drill rig to install the following piezometers for the wetland mitigation bank monitoring:

- Four (4) 2-inch diameter, open standpipe piezometers to a depth of 20 feet each;
- Four (4) piezometer abandonments; and
- One (1) bulk sample.

The piezometers will be advanced to the depths proposed, or to refusal, whichever is shallower. This proposal is based on a total drilling footage of 80 linear feet.

- Soils will be sampled in general accordance with ASTM D1586 and ASTM D1587.
- Installation and abandonment of the piezometers to be installed under Nebraska Department of Health and Human Services Title 178 standards.
- To complete this work, Olsson shall provide, at a minimum, a two-person drilling crew under the direction of Dustin Z. Humann. Dustin holds a current State of Nebraska Well Drilling Contractor License (Certificate No. 19311).
- The abandonment of the piezometers will be completed with a separate mobilization to the site.

Field Exploration General Notes and Assumptions:

- Olsson will contact Nebraska 811 to issue utility locate tickets in areas where drilling services are to be performed. The Nebraska 811 utility locate center only notifies participating operators, which typically include water and sewer transmission, fiber optic or telecom transmission, natural gas pipelines, and electrical distribution (up to electric meter). To ensure the safety of the crew onsite, Client must inform Olsson of the location of all known private utilities and private utility service connections.
- Each piezometer location must be readily accessible by conventional truck-mounted drilling rig.
- Drilling equipment may cause disturbance to natural surroundings including but not limited to soil indentations, concrete and asphalt pavement damage, and damage to underground sprinkler systems.



We will present a summary of the soils encountered and piezometer installation materials used in a computer generated well log form for a deliverable to the client in addition to registering them with the Nebraska Department of Energy and Environment.

Exclusions:

- Fees for private utility locating and/or hydro-excavation are excluded from this scope of services.
- Fees resulting from the use of mud-matting, clearing, or other operations to achieve access to piezometer locations is Client's responsibility and is excluded from this scope of services.
- Fees for site restoration efforts of any site disturbance resulting from bringing drilling equipment onsite is Client's responsibility and is excluded from this scope of services.
- Traffic control; village, city, district, county, and state right-of-way occupation permitting; street use permitting; and utility permitting necessary to allow for drilling services are excluded from this scope of services.
- Fees for labor or trips associated with obtaining readings from the open standpipe piezometers is excluded from this scope of services.

Lump Sum
Task Fee \$15,450

F. WATER BUDGET

Olsson will gather data including historical precipitation records, infiltration rates of site soils (from site soil investigation performed by geotechnical group or field services group), and evaporation rate information. Olsson will evaluate historical precipitation records to find a historically dry year, where total annual precipitation is far less than average annual precipitation; an average year; and a wet year, where total annual precipitation is well above the average annual precipitation. Olsson will run the hydrologic model in continuous mode for each of the years, incorporating losses from evaporation and infiltration, to determine if the inflow can adequately support the proposed wetland areas, how much the water surface would lower/rise, and what volume/rate of inflow of water would be required to keep the wetland functional during the dry periods. Olsson will provide a summary memo detailing the results of the analysis and recommendations for wetland configuration to maintain minimum hydrology during dry years.

Task Hours 88
Task Fee \$16,060

G. FLOODPLAIN PERMITTING

Olsson will obtain a copy of the regulatory model for the Elkhorn River upstream of Norfolk. Olsson will prepare corrected effective, existing, and proposed conditions models to evaluate the impacts of the proposed wetland grading on flood elevations and flood flows. Olsson will provide recommendations for revisions to the preliminary grading plans to mitigate impacts to the floodplain (once). Olsson will prepare and submit a Floodplain Development Permit application package to the City of Norfolk, including the permit application, a memo detailing the hydraulic analysis, modeling results, and other supporting information. Olsson will spend up to 20 hours addressing review comments from the City of Norfolk.

Task Hours 68
Task Fee \$12,240

If the City of Norfolk requests review of the application package from the Nebraska Department of Natural Resources (NDNR), Olsson will spend up to 40 hours of additional time addressing review comments from the NDNR.

Task Hours 40
Task Fee \$8,320

Olsson cannot guarantee the proposed wetland bank can be configured to meet floodplain criteria. Olsson will prepare all models, materials, and submittals in accordance with a reasonable standard of care for similar projects, in the same region. Olsson cannot guarantee a permit will be issued by the City of Norfolk for the proposed wetland grading. If additional time, beyond the hours of effort identified above are required to address City of Norfolk or NDNR comments, Olsson will inform the Client prior to completing additional work. Additional time will require negotiation of a contract addendum.

H. MITIGATION SITE MONITORING (OPTIONAL)

After construction Olsson will monitor the mitigation bank according to Corps protocols. The number of growing seasons to be monitored will be determined by the Corps, likely to be between five and ten years. Monitoring is necessary to show that the wetland is thriving and sustainable. Monitoring should start the first calendar year after construction is completed. Prior to conducting monitoring services, Olsson will establish transects through the mitigation bank. These transects should be set up to evaluate different vegetative components within the bank. Monitoring will include wetlands sample points documenting vegetation, soils, and hydrology using Corps methods, representative photo points, wetland/upland boundaries determined via GPS, documentation of site conditions including corrective actions that may be needed, invasive species, and documentation of other site conditions needed to evaluate site success. Monitoring reports will be submitted to the Corps each year by Nov 15. Monitoring reports will include a brief narrative, mapping of site conditions, a photo log, and Corps data forms.



Optional mitigation monitoring tasks would only be initiated with written approval of the of the City of Norfolk each year.

Task Hours 48 (5% rate/fee escalation each year)

Year 1 Task Fee \$6,414

Year 2 Task Fee \$6,735

Year 3 Task Fee \$7,070

Year 4 Task Fee \$7,424

Year 5 Task Fee \$7,795

I. DELIVERABLES

- Section 404 nationwide permit application
- Mitigation bank site plan and ledger
- Mitigation site survey site plan and engineering plan set
- Water budget
- Geotechnical report
- Floodplain permit
- Mitigation site monitoring reports (Optional - 5 reports in total)

J. ASSUMPTIONS

2-person team for monitoring field work. Site visits shall be coordinated/consolidated, as appropriate. Twelve site visits to collect piezometer data are also included. It is assumed no additional travel required outside of trips included in project management task for on-site meetings.

FEE ESTIMATE

The fees for the piezometer installation services listed above will be invoiced monthly on a percent completed basis as follows:

Task Description	Hours	Total	Fee Type
<i>A. Project Management and Meetings</i>	40	\$12,160	Time and Material
<i>B. Section 404 Nationwide Permit</i>	46	\$5,870	Time and Material
<i>C. Mitigation Site Development Plan</i>	192	\$27,254	Time and Material
<i>D. Mitigation Engineering Design</i>	203	\$26,030	Time and Material
<i>E. Geotechnical Investigation</i>	-	\$15,450	Lump Sum
<i>F. Water Budget</i>	88	\$16,060	Time and Material
<i>G. Floodplain Permitting</i>	108	\$20,560	Time and Material
TOTAL	677	\$123,384	
Optional Tasks			
<i>H. Mitigation Site Monitoring</i>	240	\$35,438	Time and Material

For the additional Scope of Services specifically set forth in this Amendment, Client shall pay Olsson the following fee in addition to the fee(s) set forth in the Agreement:

Olsson’s Scope of Services will be provided on a time-and-expense basis not to exceed \$123,384.00. At the written request of the Client, Olsson will complete optional tasks on a time-and-expense basis not to exceed \$35,438.00. Should the Client request the optional tasks the overall contract total shall be \$158,822.00.

ESTIMATED SCHEDULE

Notice to Proceed: September 15, 2023

Contract End Date: December 31, 2025

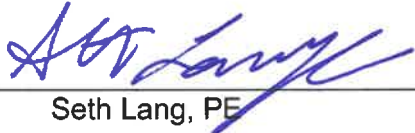

Detailed schedule will be developed upon project kickoff in coordination with the Corps.



TERMS AND CONDITIONS OF SERVICE

All provisions of the original Agreement not specifically amended herein shall remain unchanged. If this Contract Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.,

OLSSON, INC.

By  Seth Lang, PE By  Tony Baumert

By signing below, you acknowledge that you have full authority to bind Client to the terms of this Amendment. If you accept this Amendment, please sign:

CITY OF NORFOLK

By _____
Signature

Printed Name _____

Title _____

Dated: _____

ORDINANCE NO. 5847

AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 2-5 OF THE OFFICIAL CITY CODE TO UPDATE BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING PERMIT FEES; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, NEBRASKA:

Section 1. That Section 2-5 of the Official City Code be and the same are hereby amended to read as follows:

Sec. 2-5. Schedule of Fees.

(a) As used in this section:

Category 1 group shall mean a group physically located or having its principal place of business physically located within the city and its zoning jurisdiction.

Category 2 group shall mean a group physically located or having its principal place of business physically located outside of the city and its zoning jurisdiction.

In the event the description of any fee appearing in the Schedule of Fees in subsection (b) is inconsistent with the wording of the corresponding Code section, the wording of the Code section shall be deemed to control.

(b) Schedule of Fees:

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Ambulance Fees	Basic life support, non-emergency.	2-2	\$600.00	11/1/2022
Ambulance Fees	Basic life support, emergency.	2-2	\$775.00	11/1/2022
Ambulance Fees	Basic life support, assist only.	2-2	\$100.00	9/1/2015
Ambulance Fees	Advanced life support (1), non-emergency.	2-2	\$700.00	10/1/2019
Ambulance Fees	Advanced life support (1), emergency (one or two ALS interventions).	2-2	\$925.00	11/1/2022
Ambulance Fees	Advanced life support (2), emergency (at least three different medications/procedures).	2-2	\$1,200.00	11/1/2022
Ambulance Fees	Advanced life support, assist only.	2-2	\$250.00	10/1/2019
Ambulance Fees	Specialty care transport (inter-hospital service beyond scope of paramedic).	2-2	\$950.00	10/1/2019
Ambulance Fees	Fee per mile loaded outside Norfolk corporate city limits from 1 to 17 miles. Not including basic life support assistance or advanced life support assistance.	2-2	\$18.00	11/1/2022
Ambulance Fees	Fee per mile loaded outside Norfolk corporate city limits from 18-50 miles. Not including basic life support assistance or advanced life support assistance.	2-2	\$16.00	11/1/2022
Ambulance Fees	Fee per mile loaded outside Norfolk corporate city limits for 50+ miles. Not including basic life support assistance or advanced life support assistance.	2-2	\$14.00	11/1/2022
Blighted Property	Processing fee to declare real property blighted.	2-3	\$100.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Alarm Systems	False alarms (with current permit on file), not including fire alarms, occurring 7-10 times within a permit year, per occurrence.	2.5-5(a)	\$25.00	11/1/2022
Alarm Systems	False alarms (with current permit on file), not including fire alarms, occurring 11-15 times within a permit year, per occurrence.	2.5-5(a)	\$50.00	11/1/2022
Alarm Systems	False alarms (with current permit on file), not including fire alarms, occurring 16-20 times within a permit year, per occurrence.	2.5-5(a)	\$75.00	11/1/2022
Alarm Systems	False alarms (with current permit on file), not including fire alarms, occurring 21 or more times within a permit year, per occurrence.	2.5-5(a)	\$100.00	11/1/2022
Alarm Systems	False alarms (without current permit on file), not including fire alarms, occurring 1-6 times within any 12-month period, per occurrence.	2.5-5(a)	\$25.00	11/1/2022
Alarm Systems	False alarms (without current permit on file), not including fire alarms, occurring 7-10 times within any 12-month period, per occurrence.	2.5-5(a)	\$50.00	11/1/2022
Alarm Systems	False alarms (without current permit on file), not including fire alarms, occurring 11-15 times within any 12-month period, per occurrence.	2.5-5(a)	\$75.00	11/1/2022
Alarm Systems	False alarms (without current permit on file), not including fire alarms, occurring 16-20 times within any 12-month period, per occurrence.	2.5-5(a)	\$100.00	11/1/2022

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Alarm Systems	False alarms (without current permit on file), not including fire alarms, occurring 21 or more times within any 12-month period, per occurrence.	2.5-5(a)	\$125.00	11/1/2022
Alarm Systems	Fire false alarms occurring 7-10 times within a permit year, per occurrence.	2.5-5(b)	\$150.00	
Alarm Systems	Fire false alarms occurring 11-15 times within a permit year, per occurrence.	2.5-5(b)	\$500.00	
Alarm Systems	Fire false alarms occurring 16 or more times within a permit year, per occurrence.	2.5-5(b)	\$630.00	
Alcoholic Beverage Occupation Taxes	Manufacturer of alcohol and spirits.	3-27(a)	\$2,000.00	
Alcoholic Beverage Occupation Taxes	Manufacturer of beer.	3-27(a)	Same as license	
Alcoholic Beverage Occupation Taxes	Manufacturer of wine.	3-27(a)	\$500.00	
Alcoholic Beverage Occupation Taxes	Alcoholic liquors distributor.	3-27(a)	\$1,500.00	
Alcoholic Beverage Occupation Taxes	Beer distributor.	3-27(a)	\$1000.00	
Alcoholic Beverage Occupation Taxes	Retailer of beer only, for consumption on the premises.	3-27(a)	\$200.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Alcoholic Beverage Occupation Taxes	Retailer of beer only, for consumption off the premises.	3-27(a)	\$200.00	
Alcoholic Beverage Occupation Taxes	Retailer of alcoholic liquors for consumption on the premises and off the premises.	3-27(a)	\$600.00	
Alcoholic Beverage Occupation Taxes	Retailer of alcoholic liquors for consumption off the premises.	3-27(a)	\$400.00	
Alcoholic Beverage Occupation Taxes	Retailer of alcoholic liquors for consumption on the premises.	3-27(a)	\$500.00	
Alcoholic Beverage Occupation Taxes	Special designated permit, per day.	3-27(a)	\$80.00	
Alcoholic Beverage Occupation Taxes	Non-beverage user: Class 1.	3-27(a)	\$10.00	
Alcoholic Beverage Occupation Taxes	Non-beverage user: Class 2.	3-27(a)	\$50.00	
Alcoholic Beverage Occupation Taxes	Non-beverage user: Class 3.	3-27(a)	\$100.00	
Alcoholic Beverage Occupation Taxes	Non-beverage user: Class 4.	3-27(a)	\$200.00	
Alcoholic Beverage Occupation Taxes	Non-beverage user: Class 5.	3-27(a)	\$500.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Alcoholic Beverage Occupation Taxes	Catering permit for Class C, D or I licensees.	3-27(a)	\$200.00	
Alcoholic Beverage Occupation Taxes	Bottle club.	3-27(a)	\$500.00	
Animals and Fowl	Animal impoundment fee for returned loose animals.	4-6	\$10.00	
Animals and Fowl	Dog and cat pet licenses.	4-11	Free	
Animals and Fowl	Daily boarding fee, payable along with impoundment fee.	4-25	\$5.00	
Animals and Fowl	First violation per owner or animal, payable along with impoundment fee.	4-25	\$15.00	
Animals and Fowl	Second violation per owner or animal, payable along with impoundment fee.	4-25	\$20.00	
Animals and Fowl	Third violation per owner or animal, payable along with impoundment fee.	4-25	\$30.00	
Bicycles and Scooters	Bicycle registration.	5-2(b)	Free	11/1/2022
Bicycles and Scooters	Duplicate bicycle registration.	5-2(b)	Free	11/1/2022
Bicycles and Scooters	Motor scooter (gas/electric) registration.	5-25(c)	\$5.00	
Bicycles and Scooters	Duplicate scooter (gas/electric) registration.	5-25(c)	\$5.00	
Bicycles and Scooters	Release from impoundment (not inclusive of towing or removal fees).	5-27(c)	\$25.00	
Building (General) Contractor Registration Fees	Issuance of general building contractor's registration (issued in first year of 3-year registration cycle).	6-38 6-40	\$150.00	12/1/2020

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Building (General) Contractor Registration Fees	Issuance of general building contractor's registration (issued in second year of 3-year registration cycle)	6-38 6-40	\$100.00	12/1/2020
Building (General) Contractor Registration Fees	Issuance of general building contractor's registration (issued in third year of 3-year registration cycle).	6-38 6-40	\$50.00	12/1/2020
Building Permit Fees	Building permit fee per finished square foot for new construction and additions: ground floor and above.	6-18 6-162	\$0.024 \$0.025	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per square foot for new construction and additions: basement	6-18 6-162	\$0.17 \$0.175	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per finished square foot for new construction and additions: attached garage.	6-18 6-162	\$0.135 \$0.14	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per finished square foot for basement finish or remodel.	6-18 6-162	\$0.20 \$0.205	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per square foot for unfinished and accessory structures: detached garages, accessory buildings, decks and warehouses.	6-18 6-162	\$0.17 \$0.175 up to 100,000 sq. ft. and \$0.01 for each additional sq. ft.	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per foot of height for new communication towers.	6-18 6-162	\$6.00 \$6.18	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee per foot of height to co-locate on a tower.	6-18 6-162	\$3.00 \$3.09	11/1/2022 10-1-2023
Building Permit Fees	Permit fee to locate a manufactured home in a mobile home park.	6-18 6-162	\$120.00 \$123.00	11/1/2022 10-1-2023
Building Permit Fees	Permit fee to install an in-ground swimming pool.	6-18 6-162	\$120.00 \$123.00	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee to install a sign from 0-99 sq. ft.	6-18	\$33.50 \$34.50	11/1/2022 10-1-2023

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Building Permit Fees	Building permit fee to install a sign from 100-199 sq. ft.	6-18	\$60.50 \$62.30	11/1/2022 10-1-2023
Building Permit Fees	Building permit fee to install a sign from 200-300 sq. ft.	6-18	\$120.00 \$123.00	11/1/2022 10-1-2023
Building Permit Fees	Demolition permit	6-18 6-162	\$50.00 \$51.50	11/1/2022 10-1-2023
Building Permit Fees	Miscellaneous/minimum permit fee.	6-18 6-162	\$33.50 \$34.50	11/1/2022 10-1-2023
Building Permit Fees	Permit fee when work commences prior to permit application.	6-18 6-162	Triple normal permit fee	
Building Permit Fees	Re-inspection fee for third and subsequent re-inspection.	6-18 6-162	\$57.75 \$59.50	11/1/2022 10-1-2023
Building Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development.	6-18	\$500.00 + publication and court reporter costs	12/1/2020
Electrical Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-57	\$500.00 + publication and court reporter costs	12/1/2020
Electrical Contractor Registration Fees	First time issuance of State of Nebraska electrical contractor, Class B electrical contractor, Class A master electrician, Class B master electrician, special electrician, or a fire alarm installer's registration (issued in first year of 2-year registration cycle).	6-71	\$125.00	10/3/2016
Electrical Contractor Registration Fees	First time issuance of State of Nebraska electrical contractor, Class B electrical contractor, Class A master electrician, Class B master electrician, special electrician, or a fire alarm installer's registration (issued in second year of 2-year registration cycle).	6-71	\$75.00	12/1/2020

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Electrical Contractor Registration Fees	Renewal issuance of State of Nebraska electrical contractor, Class B electrical contractor, Class A master electrician, Class B master electrician, special electrician, or a fire alarm installer's registration.	6-71	\$100.00	12/1/2020
Electrical Permit Fees	Electrical permit fee based on valuation of work to be completed from \$1.00 - \$1,500.00.	6-94	\$33.50 \$34.50	11/1/2022 10-1-2023
Electrical Permit Fees	Electrical permit fee for work valued between \$1,501.00 and \$34,000.00. Permit cost calculated at \$5.00 per each \$500.00 value increase or fraction thereof, plus \$33.50 \$34.50 minimum permit fee.	6-94	\$33.50 \$34.50 (permit) +\$5.00/\$500.00 value increase	11/1/2022 10-1-2023
Electrical Permit Fees	Electrical permit fee for work valued at greater than \$34,000.00. Permit cost calculated at \$10.00 per each \$1,000.00 value increase or fraction thereof, after \$34,000.00, plus \$358.50 \$359.50 minimum permit fee.	6-94	\$358.50 \$359.50 (permit)+\$10.00/\$1000.00 value increase	11/1/2022 10-1-2023
Electrical Permit Fees	Minimum permit fee.	6-94	\$33.50 \$34.50	11/1/2022 10-1-2023
Electrical Permit Fees	Permit fee when work commences prior to permit application.	6-94	Triple normal permit fee	
Electrical Permit Fees	Re-inspection fee for third and subsequent re-inspections.	6-94	\$57.75 \$59.50	11/1/2022 10-1-2023
Energy Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-172	\$500.00 + publication and court reporter costs	12/1/2020
Mechanical Permit Fees	New installation fee, per number of square feet conditioned.	6-107	\$0.0325 \$0.035	11/1/2022 10-1-2023

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Mechanical Permit Fees	Heating unit permit fee, under 140,000 BTU.	6-107	\$40.00 \$41.20	11/1/2022 10-1-2023
Mechanical Permit Fees	Heating unit permit fee, 141,000 BTU - 499,000 BTU (per unit).	6-107	\$175.00 \$180.00	11/1/2022 10-1-2023
Mechanical Permit Fees	Heating unit permit fee, greater than 499,000 BTU (per unit).	6-107	\$290.00 \$295.00	11/1/2022 10-1-2023
Mechanical Permit Fees	Cooling unit permit fee, residential (per unit).	6-107	\$35.00 \$36.00	11/1/2022 10-1-2023
Mechanical Permit Fees	Cooling unit permit fee, commercial (per ton).	6-107	\$12.00 \$12.25	11/1/2022 10-1-2023
Mechanical Permit Fees	Cooling unit permit fee, industrial chillers (per unit).	6-107	\$830.00 \$840.00	11/1/2022 10-1-2023
Mechanical Permit Fees	Miscellaneous installation fee (not requiring new/replacement equipment).	6-107	\$33.50 \$34.50	11/1/2022 10-1-2023
Mechanical Permit Fees	Mixing/VAV (variable air volume) boxes.	6-107	\$33.50 \$34.50	11/1/2022 10-1-2023
Mechanical Permit Fees	Exhaust fans: (excludes one- and two-family dwellings)	6-107	\$0.075 \$0.08 x exhaust CFM)	11/1/2022 10-1-2023
Mechanical Permit Fees	Infrared pipe heating systems or hanging unit heaters permit fee (per unit).	6-107	\$40.00 \$41.00	11/1/2022 10-1-2023
Mechanical Permit Fees	Minimum permit fee.	6-107	\$33.50 \$34.50	11/1/2022 10-1-2023
Mechanical Permit Fees	Packaged Terminal Air Conditioner (PTAC Unit)	6-107	\$33.50 \$34.50 for first unit plus \$10.00 per each additional unit	11/1/2022 10-1-2023
Mechanical Permit Fees	Permit fee when work commences prior to permit application.	6-107	Triple normal permit fee	
Mechanical Permit Fees	Re-inspection fee for third and subsequent re-inspections.	6-107	\$57.75 \$59.50	11/1/2022 10-1-2023
Mechanical Contractor Registration Fees	First time issuance of mechanical contractor's 1 year registration.	6-109	\$75.00	10/3/2016

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Mechanical Contractor Registration Fees	Renewal of mechanical contractor's registration, 1year.	6-109	\$50.00	10/3/2016
Gas Contractor Registration Fees	Original gas contractor's registration.	6-111	\$75.00	
Gas Contractor Registration Fees	Renewal of gas contractor's registration.	6-111	\$50.00	
Mechanical Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-113	\$500.00 + publication and court reporter costs	12/1/2020
Plumbing Permit Fees	1st trap installation.	6-122	\$11.75 \$12.00	11/1/2022 10-1-2023
Plumbing Permit Fees	Additional trap installation fee (per trap).	6-122	\$6.00 \$6.10 plus \$0.0325 \$0.035 per finished square foot	11/1/2022 10-1-2023
Plumbing Permit Fees	Installation of 4 inch sanitary sewer line, per 100 feet of line or fraction thereof.	6-122	\$14.00 \$14.25	11/1/2022 10-1-2023
Plumbing Permit Fees	Installation of sanitary sewer line greater than 4 inches, per 100 feet of line or fraction thereof.	6-122	\$23.75 \$24.25	11/1/2022 10-1-2023
Plumbing Permit Fees	Installation of private water line up to and including 1 inch line, per 100 feet of line or fraction thereof.	6-122	\$14.00 \$14.25	11/1/2022 10-1-2023
Plumbing Permit Fees	Installation of private water line greater than 1-inch, per 100 feet of line or fraction thereof.	6-122	\$23.75 \$24.25	11/1/2022 10-1-2023
Plumbing Permit Fees	Minimum permit fee.	6-122	\$33.50 \$34.50	11/1/2022 10-1-2023
Plumbing Permit Fees	Permit fee when work commences prior to permit application.	6-122	Triple normal fee	3/19/2018

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Private Water Line Installation	Re-inspection fee for third and subsequent re-inspection.	6-122	\$57.75 \$59.50	11/1/2022 10-1-2023
Plumbing Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-124	\$500.00 + publication and court reporter costs	12/1/2020
Plumbing Contractor Registration Fee	Original plumbing contractor's registration.	6-143(a)	\$75.00	
Plumbing Contractor Registration Fee	Renewal of plumbing contractor's registration.	6-143(a)	\$50.00	
Journeyman and Apprentice Plumber's Registration Fees	Original journeyman plumber's registration fee.	6-144(b)	\$50.00	
Journeyman and Apprentice Plumber's Registration Fees	Renewal of journeyman plumber's registration fee.	6-144(b)	\$25.00	
Journeyman and Apprentice Plumber's Registration Fees	Apprentice plumber's registration fee.	6-145	\$10.00	
Well Driller Registration Fees	Well driller's registration fee.	6-146	\$25.00	12/1/2020
Private Wastewater (Septic) System Installer Registration Fees	Private wastewater (septic) system installer's registration fee.	6-146	\$25.00	12/1/2020

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
One- and Two-Family Dwelling Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-162	\$500.00 + publication and court reporter costs	12/1/2020
Property Maintenance	Application fee for appeal of a decision of a code official and/or the director of planning and development.	6-183	\$500.00 + publication and court reporter costs	10/1/2018
Fuel Gas Code Appeal	Application fee for appeal of a decision of a code official and/or the director of planning and development	6-18 6-192	\$500.00 + publication and court reporter costs	12/1/2020
Fireworks	Fireworks stand occupation tax (annually, per permit).	8-5	\$500.00	10/1/2018
Fire Code Permit Fees	L.P.G. tank, 20 - 500 gallon water capacity.	8-28	\$25.00	
Fire Code Permit Fees	L.P.G. tank, 501 - 90,000 gallon water capacity.	8-28	\$35.00	
Fire Code Permit Fees	Flammable and combustible liquid tanks, 50 - 20,000 gallon water capacity.	8-28	\$70.00	
Fire Sprinkler and Suppression Contractor Fees	Initial registration to install fire sprinkler and suppression systems.	8-29	\$75.00	
Fire Code Permit Fees	Annual re-registration to install fire sprinkler and suppression systems.	8-29	\$50.00	
Fire Sprinkler and Suppression Contractor Fees	Fire sprinkler system permit, per head.	8-29	\$1.50	
Fire Sprinkler and Suppression Contractor Fees	Fire suppression system permit, per extinguishing agent discharge point.	8-29	\$3.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Fire Alarm Installer Contractor Fees	First time issuance of fire alarm installer contractor 1 year registration.	8-31	\$75.00	10/3/2016
Fire Alarm Installer Contractor Fees	First time issuance of fire alarm installer contractor 2 year registration.	8-31	\$125.00	10/3/2016
Fire Alarm Installer Contractor Fees	Renewal of fire alarm installer contractor 2 year registration.	8-31	\$100.00	10/3/2016
Fire Alarm Installer Contractor Fees	Fire alarm system permit fee, per initiation and warning device.	8-31	\$2.00	3/19/2018
Fire Code Appeal	Application fee for appeal of a decision of the fire code official	8-45	\$500.00 + publication and court reporter costs	12/1/2020
Garbage and Trash	Typical municipal solid waste, per ton.	10-27(1)	\$78.80	11/1/2022
Garbage and Trash	NNSWC gate fee, per ton.	10-28(a)	\$24.00	
Garbage and Trash	Transfer station inspection fee, per load.	10-28(b)	\$8.00	
Garbage and Trash	Transfer station minimum MSW fee, per vehicle.	10-28(c)	\$12.00	
Garbage and Trash	Transfer station operating fee, per ton.	10-28(c)	\$54.80	11/1/2022
Garbage and Trash	Sale of compost and wood chips (after first 1,000 lbs.), per ton		\$10.00	10/1/2021
Garbage and Trash	Sorting/loading labor, per hour.	10-28(d)	\$40.00	11/4/2013
Garbage and Trash	Handling of items unacceptable for transfer to NNSWC landfill, per item	10-28(d)	\$10.00	6-01-2020
Garbage and Trash	Crematory, single animal.	10-28(d)	\$45.00	11/1/2022

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Garbage and Trash	Crematory, multiple animals.	10-28(d)	\$90.00	11/1/2022
Garbage and Trash	Crematory, contraband	10-28(d)	\$90.00	11/1/2022
Garbage and Trash	Automotive battery, each.	10-28(d)	\$5.00	
Garbage and Trash	Computer/TV monitors, each.	10-28(d)	\$15.00	10/1/2016
Garbage and Trash	Computer system disposal, each.	10-28(d)	\$15.00	
Garbage and Trash	Concrete, clean and un-coated, per ton.	10-28(d)	\$5.00	
Garbage and Trash	Concrete, coated and/or painted, per ton.	10-28(d)	\$5.00	
Garbage and Trash	Construction and demolition, untreated dimensional lumber, per ton.	10-28(d)	\$30.00	
Garbage and Trash	Car tires, each.	10-28(d)	\$5.00	11/1/2022
Garbage and Trash	Hazardous waste.	10-28(d)	Actual costs associated with handling, storage and disposal	
Garbage and Trash	Light truck tires, each.	10-28(d)	\$5.00	11/1/2022
Garbage and Trash	Truck tires/skid loader rubber tracks, each.	10-28(d)	\$15.00	10/6/2014
Garbage and Trash	Implement/racing/skid steer tires, each.	10-28(d)	\$35.00	10/1/2018
Garbage and Trash	Tire with rim, each.	10-28(d)	Twice the stated tire fee	
Garbage and Trash	Appliances, each.	10-30(a)	\$12.00	11/1/2022
Garbage and Trash	Appliances with Freon, each.	10-30(a)	\$35.00	11/1/2022
Garbage and Trash	Yard waste, per 36 gallon bag.	10-30(b)	\$0.60	
Garbage and Trash	Yard waste, per cubic yard.	10-30(b)	\$3.00	10/1/2011
Garbage and Trash	Yard waste, per ton.	10-30(b)	\$19.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Garbage and Trash	Yard waste, flat rate for standard size pickup boxes and smaller, each.	10-30(b)	\$3.00	
Garbage and Trash	Tree waste, per ton.	10-30(c)	\$19.00	
Garbage and Trash	Brush and limbs, flat rate for standard size pickup boxes and smaller, each.	10-30(c)	\$3.00	
Garbage and Trash	Floppy discs, flash drives, small tape back-ups shredding, each.	NA	\$0.50	11/4/2013
Garbage and Trash	Large tape back-ups, phones without batteries shredding, each.	NA	\$1.00	11/4/2013
Garbage and Trash	Hard drives shredding, each.	NA	\$2.00	10/1/2018
Garbage and Trash	Tractor tires/large rubber tractor tracks, each.	NA	\$100.00	10/1/2018
Garbage and Trash	Scale out weighing, one weight from stored weights, one weight is new.	NA	\$10.00	11/1/2022
Garbage and Trash	Scale in weighing, weigh a vehicle in and out.	NA	\$10.00	11/4/2013
Garbage and Trash	Sale of dirt, pickup or small trailer loaded by hand.	NA	\$5.00	11/4/2013
Garbage and Trash	Transfer trailer rent and transportation (within city limits and extraterritorial zoning jurisdiction only), per load.	10-29	\$250.00 plus landfill gate fee	10/1/2016
Health and Sanitation	Public pool operating permit (class B, C, D, E, or F pools).	11-47	\$50.00	10/1/2013
Permits and Business Regulations	Circus, annual fee (not required for non-profit or civic clubs).	13-17(a)	\$500.00	
Permits and Business Regulations	Carnival, daily fee.	13-17(b)	\$50.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Permits and Business Regulations	Salvage yard permit annual fee.	13-42(a)	\$50.00	
Permits and Business Regulations	Antique and used merchandise annual permit.	13-58(a)	\$25.00	
Permits and Business Regulations	Auction permit, annual fee.	13-58(a)	\$25.00	
Permits and Business Regulations	Second hand dealer permit, annual fee.	13-58(a)	\$25.00	
Permits and Business Regulations	Pawnbroker's permit, annual fee.	13-71(b)	\$100.00	11/21/2011
Permits and Business Regulations	Telecommunications occupation tax.	13-80(a)	3% gross receipts	
Permits and Business Regulations	Failure of telephone company to provide statement of quarterly gross receipts subject to occupation tax.	13-82(b)	\$25,000.00	
Permits and Business Regulations	Itinerant merchant, 30-day permit	13-113(a)	\$25.00	2/21/2017
Permits and Business Regulations	Itinerant merchant, 90-day permit	13-113(a)	\$60.00	2/21/2017
Permits and Business Regulations	Itinerant merchant, 180-day permit	13-113(a)	\$125.00	2/21/2017
Permits and Business Regulations	Itinerant merchant, annual permit	13-113(a)	\$250.00	2/21/2017
Permits and Business Regulations	Itinerant merchant (occupation tax), per vehicle.	13-113(a)	\$50.00	2/21/2017
Permits and Business Regulations	Peddler/solicitor, 30-day permit	13-113(b)	\$25.00	2/21/2017

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Permits and Business Regulations	Peddler/solicitor, 90-day permit	13-113(b)	\$60.00	2/21/2017
Permits and Business Regulations	Peddler/solicitor, 180-day permit	13-113(b)	\$125.00	2/21/2017
Permits and Business Regulations	Peddler/solicitor, annual permit	13-113(b)	\$250.00	2/21/2017
Permits and Business Regulations	Peddler/solicitor (occupation tax) per vehicle	13-113(b)	\$5.00	2/21/2017
Permits and Business Regulations	Street vendor/temporary merchant, 30-day permit	13-113(c)	\$25.00	2/21/2017
Permits and Business Regulations	Street vendor/temporary merchant, 90-day permit	13-113(c)	\$60.00	2/21/2017
Permits and Business Regulations	Street vendor/temporary merchant, 180-day permit	13-113(c)	\$125.00	2/21/2017
Permits and Business Regulations	Street vendor/temporary merchant, annual permit	13-113(c)	\$250.00	2/21/2017
Permits and Business Regulations	Street vendor/temporary merchant (occupation tax), per vehicle.	13-113(c)	\$5.00	2/21/2017
Permits and Business Regulations	Appeal of denied itinerant merchant, peddler, solicitor, street vendor, or temporary merchant permit, non-refundable.	13-117	\$100.00	11/21/2011
Permits and Business Regulations	Games of chance (occupation tax).	13-143	5% of gross receipts per quarter	
Permits and Business Regulations	Distributing gambling devices (occupation tax).	13-144	5% of gross receipts per quarter	
Permits and Business Regulations	Gambling device permit fee per location.	13-148	\$10.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Permits and Business Regulations	Horse-drawn carriage business license	13-202	\$25.00	11/21/2011
Permits and Business Regulations	Sidewalk café, annual license/renewal (May 1 through April 30)	13-311	\$250.00	5/6/2019
Permits and Business Regulations	Small wireless facilities, application fee for collocation on existing city pole, per facility (not to exceed \$500 for up to 5 facilities on same application)	13-231(a)	\$100.00	9/8/2020
Permits and Business Regulations	Small wireless facilities, application for installation modification, or replacement of utility pole and collocation of facility thereon, per pole	13-231(a)	\$250.00	9/8/2020
Permits and Business Regulations	Small wireless facilities, use of city's right of way, annually	13-231(b)	Occupation tax levied under Sec. 13-80(a)	9/8/2020
Permits and Business Regulations	Small wireless facilities, collocation of facility on city pole in city's right of way, per pole annually	13-231(b)	\$20.00	9/8/2020
Permits and Business Regulations	Sexually oriented business registration/renewal, annually	13-354(a)	\$250.00	6/7/2021
Permits and Business Regulations	Sexually oriented business manager's registration/renewal, annually	13-354(a)	\$50.00	6/7/2021
Permits and Business Regulations	Sexually oriented business, application fee for initial registration	13-354(b)	\$250.00	6/7/2021
Permits and Business Regulations	Short-term rental license, annually	13-373(e)	\$150.00	6/7/2021
Mobile Homes and Mobiles Home Parks	Mobile home park permit, plus \$1.00 per space.	15-33	\$25.00 + \$1.00 per space	
Nuisances	Administrative weed/litter/drainage fee.	17-16	\$25.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Nuisances	Weed abatement fee.	17-16	Cost as billed by contractor plus \$0.01 per square foot if weeds are controlled by the city	
Nuisances	Litter removal.	17-16	Actual cost of litter removal	
Nuisances	Stagnant water mitigation.	17-16	Actual cost of draining and filling to remove stagnant water	
Nuisances	Graffiti removal.	17-55(c)	Actual cost to remove graffiti	
Response to Large Parties	Large party response fee.	20-8	Actual cost	
Streets and Sidewalks	Sidewalk mobilization fee.	22-23(c)	\$100.00	
Streets and Sidewalks	Construction or repair of sidewalks per square foot.	22-23(c)	\$10.00	
Streets and Sidewalks	Under concrete pavement minimum fee, includes first 2 square yards.	22-68(a)	\$375.00	
Streets and Sidewalks	Under concrete pavement, cost per additional square yard or fraction thereof.	22-68(a)	\$75.00	
Streets and Sidewalks	Under gravel or earth roads minimum fee, includes first 2 square yards.	22-68(a)	\$120.00	
Streets and Sidewalks	Under gravel or earth roads, cost per additional square yard or fraction thereof.	22-68(a)	\$40.00	
Streets and Sidewalks	Concrete paving cuts, cost per foot.	22-68(a)	\$5.00	
Streets and Sidewalks	Concrete paving cuts, minimum fee.	22-68(a)	\$50.00	
Streets and Sidewalks	Sawing and removing curbs, cost per foot.	22-68(a)	\$8.00	
Streets and Sidewalks	Removing curb and gutter, cost per foot.	22-68(a)	\$5.00	
Streets and Sidewalks	Curb removal minimum fee.	22-68(a)	\$100.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Streets and Sidewalks	Curb removal by grinding, permit fee.	22-68(a)	\$15.00	
Streets and Sidewalks	Curb removal by grinding, cost per lineal foot.	22-68(a)	\$11.50	10/1/2019
Streets and Sidewalks	Curb removal by grinding, minimum fee (non-inclusive of permit fee).	22-68(a)	\$100.00	
Streets and Sidewalks	Curb removal by grinding, contractor permit fee.	22-68(a)	\$15.00	
Streets and Sidewalks	Fill material for backfilling, cost per cubic yard.	22-68(a)	\$7.00	
Streets and Sidewalks	Rental price per day: 12 foot barricade with legs.	22-68(b)	\$3.00	
Streets and Sidewalks	Rental price per day: solar lights.	22-68(b)	\$2.00	
Streets and Sidewalks	Rental price per day: plastic drum.	22-68(b)	\$3.50	
Streets and Sidewalks	Replacement fee: each 12 foot barricade.	22-68(b)	\$20.00	
Streets and Sidewalks	Replacement fee: each damaged "A" frame leg.	22-68(b)	\$20.00	
Streets and Sidewalks	Replacement fee: each solar light.	22-68(b)	\$25.00	
Streets and Sidewalks	Replacement fee: each plastic drum.	22-68(b)	\$75.00	
Moving Buildings	Annual building mover's registration.	22-88	\$105.00	10/1/2019
Moving Buildings	Single event building mover's fee.	22-88	\$55.00	10/1/2019
Moving Buildings	Permit to move buildings.	22-98	\$30.00	10/1/2019
Subdivisions	Lot boundary change filing fee.	23-16.1(b)	\$150.00	10/1/2019
Subdivisions	Preliminary plat approval.	23-21	\$300.00	11/1/2022
Subdivisions	Preliminary plat fee per lot.	23-21	\$15.00	10/1/2019
Subdivisions	Final plat approval.	23-21	\$300.00	11/1/2022
Subdivisions	Final plat fee per lot.	23-21	\$10.00	10/1/2019
Subdivisions	Request for a waiver of minimum subdivision improvements.	23-48	\$250.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Traffic	Impounded vehicle storage fee, first day.	24-152(c)	\$25.00	
Traffic	Impounded vehicle storage fee, subsequent days.	24-152(c)	\$5.00	
Traffic	Cost of towing an impounded vehicle.	24-152(c)	Actual cost	
Roll Off Refuse Boxes	Permit for placement on street right of way (10-day permit)	24-284(a)	\$50.00	10/3/2016
Roll Off Refuse Boxes	Permit for placement on street right of way (5-day extension)	24-284(a)	\$25.00	10/3/2016
Utility-type Vehicles	Registration plate and/or decal, annual fee.	24-356(a)(3)	\$50.00	6-01-2020
Utility-type Vehicles	Replacement for lost or damaged registration plate and/or decal.	24-356(a)(3)	\$25.00	6-01-2020
Golf Car Vehicles	Registration plate and/or decal, annual fee.	24-375(a)(3)	\$50.00	4-17-2023
Golf Car Vehicles	Replacement for lost or damaged registration plate and/or decal.	24-375(a)(3)	\$25.00	4-17-2023
Trees and Shrubbery	Failure to reimburse city for abatement of nuisance, in addition to cost of abatement.	25-2(d)	\$25.00	
Water	Final reading required before new water and/or sewer service.	26-2	\$30.00	
Water	Water and/or sewer service turn on fee for newly constructed residences and businesses.	26-2	\$30.00	
Water	Water system tap fee.	26-11(a)	\$115.00 + materials	10/1/2018
Water	Connection to water system, per front foot of property.	26-11(b)	Average of 5 most recent districts	12/1/2020
Water	Restoration of water service during normal business hours.	26-18	\$30.00	
Water	Restoration of water service outside of normal business hours.	26-18	\$45.00	
Water Rates and Charges	Water usage rate for the first 660 cubic feet of water inside city limits.	26-41(b)	minimum fee for meter size	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Water Rates and Charges	Water usage rate per 100 cubic feet from 660 to 6,660 cubic feet of water inside city limits.	26-41(b)	\$1.61	11/1/2022
Water Rates and Charges	Water usage rate per 100 cubic feet from 6,660 to 33,660 cubic feet of water inside city limits.	26-41(b)	\$1.29	11/1/2022
Water Rates and Charges	Water usage rater per 100 cubic feet for water usage over 33,660 cubic feet inside city limits.	26-41(b)	\$1.14	11/1/2022
Water Rates and Charges	Water usage rate for the first 660 cubic feet of water outside city limits.	26-41(b)	minimum fee for meter size	
Water Rates and Charges	Water usage rate per 100 cubic feet from 660 to 6,660 cubic feet of water outside city limits.	26-41(b)	\$3.24	11/1/2022
Water Rates and Charges	Water usage rate per 100 cubic feet from 6,660 to 33,660 cubic feet of water outside city limits.	26-41(b)	\$2.60	11/1/2022
Water Rates and Charges	Water usage rater per 100 cubic feet for water usage over 33,660 cubic feet outside city limits.	26-41(b)	\$1.91	11/1/2022
Water Rates and Charges	Minimum charge for 5/8 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$14.32	11/1/2022
Water Rates and Charges	Minimum charge for 3/4 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$15.51	11/1/2022
Water Rates and Charges	Minimum charge for 1 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$18.23	11/1/2022
Water Rates and Charges	Minimum charge for 1 1/2 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$33.32	11/1/2022
Water Rates and Charges	Minimum charge for 2 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$51.54	11/1/2022
Water Rates and Charges	Minimum charge for 3 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$98.05	11/1/2022

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Water Rates and Charges	Minimum charge for 4 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$150.85	11/1/2022
Water Rates and Charges	Minimum charge for 6 inch water meter within city limits, per bi-monthly billing period.	26-41(c)	\$289.12	11/1/2022
Water Rates and Charges	Minimum charge for 5/8 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$28.66	11/1/2022
Water Rates and Charges	Minimum charge for 3/4 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$31.05	11/1/2022
Water Rates and Charges	Minimum charge for 1 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$36.45	11/1/2022
Water Rates and Charges	Minimum charge for 1 1/2 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$66.63	11/1/2022
Water Rates and Charges	Minimum charge for 2 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$103.08	11/1/2022
Water Rates and Charges	Minimum charge for 3 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$196.10	11/1/2022
Water Rates and Charges	Minimum charge for 4 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$301.69	11/1/2022
Water Rates and Charges	Minimum charge for 6 inch water meter outside city limits, per bi-monthly billing period.	26-41(c)	\$578.24	11/1/2022
Water Rates and Charges	Service fee: delinquent charges collected more than once in a 12 month period.	26-46(a)	\$30.00	
Sewers	Connection to, extension or alteration of, existing sewer lines per front foot of property.	26-58(a)	Average of 5 most recent districts	12/1/2020
Sewers	Building sewer application, permit, and inspection fee (building sewer terminated in sewer main).	26-59(b)	\$20.00	12/2/2013

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Sewers	Building sewer application, permit, and inspection fee (building sewer terminated in manhole).	26-59(l)	\$20.00	12/2/2013
Sewers	Appeal of decision of city engineer.	26-64(a)	\$500.00 + publication and court reporter costs	11/4/2013
Sewers	Individual septic/sewage system construction permit filing fee.	26-80	\$25.00	3/19/2018
Water and Sewer Inspection	Inspection of water, sewer or disposal system as a condition of the sale of real estate or for the financing thereof.	26-86(c)	\$50.00	
Wastewater Treatment	Residential and commercial waste water treatment, minimum bi-monthly charge.	26-97(e)	\$30.44	11/1/2022
Wastewater Treatment	Additional charge per 100 cubic feet of waste water over 400 cubic feet of waste water per bi-monthly billing period.	26-97(e)	\$2.60	11/1/2022
Wastewater Treatment	Normal charge, per 1,000,000 gallons, for wastewater of greater strength than normal domestic sewage where BOD is equal or less than 250mg/L, TSS is equal or less than 250mg/L, and TKN is equal to or less than 30 mg/L.	26-97(f)	\$3,228.49	11/1/2022
Wastewater Treatment	Charge for biochemical oxygen demand (BOD) for high strength waste.	26-97(f)	\$0.1913 per pound above 250mg/L	11/1/2022
Wastewater Treatment	Charge for total suspended solids (TSS) for high strength waste.	26-97(f)	\$0.2153 per pound above 250 mg/L	11/1/2022
Wastewater Treatment	Charge for total Kjeldahl nitrogen for high strength waste.	26-97(f)	\$0.6986 per pound above 30 mg/L	11/1/2022
Wastewater Treatment	Minimum charge for mud pit waste disposed of at the wastewater plant's dump station.	26-97(i)	\$190.00, plus transfer station tipping fees established in section 10-28	10/1/2018

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Wastewater Treatment	Minimum charge for septic waste.	26-97(i)	\$0.04 per gallon	10/1/2018
Wastewater Treatment	Sewer reconnection fee, inside normal business hours for users of city sewer and water.	26-99.5	\$30.00	
Wastewater Treatment	Sewer reconnection fee, outside normal business hours for users of city sewer and water.	26-99.5	\$45.00	
Wastewater Treatment	Sewer only customers, second attempt to collect delinquent payment.	26-99.6	\$15.00	
Wastewater Treatment	Sewer only customers, third and subsequent attempts to collect delinquent payment.	26-99.6	\$30.00	
Wastewater Treatment	Exposure and disconnection of sewer.	26-99.6	Actual cost	
Wastewater Treatment	Permit to discharge waste industrial waste into a public sewer.	26-141(c)	\$100.00	
Stormwater	Appeal of decision of city engineer	26-193	\$500.00 + publication costs	(10-1-19)
Stormwater	Stormwater fee for residential customers, per month	26-201	\$2.00	11/1/2022
Stormwater	Stormwater fee for commercial and industrial customers, per month	26-201	\$6.00	11/1/2022
Zoning	Application of appeal to zoning board of adjustment.	27-31(3)	\$500.00 + publication costs	10/1/2013
Zoning	Amendment to zoning district map.	27-38(b)	\$325.00 + publication costs	11/1/2022
Zoning	Conditional use permit.	27-56(2)a 27-380	\$325.00 + publication costs	11/1/2022
Zoning	Permit to keep hens, bantam hens and/or ducks, annual permit or renewal	27-295(1)a	\$15.00	4/3/2023
Zoning	Release of a temporary sign removed from public right-of-way and held in the street division's enclosed yard.	27-323(a)4	\$50.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Zoning	Post-platting hard surface waiver filing fee.	27-351	\$250.00 + publication costs	
Zoning	Eligible facility permit	27-380	\$300.00	9/8/2020
Miscellaneous: Administration	Returned check or ACH fee	NA	\$30.00	11/1/2022
Miscellaneous: Baseball fields	Practice and games, annual per team.	NA	\$70.00	10/6/2014
Miscellaneous: Cabin Rentals	Club house daily rental fee.	NA	\$60.00	
Miscellaneous: Cabin Rentals	Club house refundable damage deposit (cash only).	NA	\$100.00	2/19/2013
Miscellaneous: Cabin Rentals	Elkhorn lodge daily rental fee.	NA	\$200.00	2/19/2013
Miscellaneous: Cabin Rentals	Elkhorn lodge refundable damage deposit (cash only).	NA	\$200.00	2/19/2013
Miscellaneous: Cabin Rentals	Shelter house daily rental fee.	NA	\$35.00	
Miscellaneous: Cabin Rentals	Shelter house refundable damage deposit (cash only).	NA	\$100.00	2/19/2013
Miscellaneous: Cabin Rentals	Woodland cabin daily rental fee.	NA	\$45.00	
Miscellaneous: Cabin Rentals	Woodland cabin refundable damage deposit (cash only).	NA	\$100.00	2/19/2013
Miscellaneous: Cross country course	Practice and meets, annual per team	NA	\$40.00	10/6/2014
Miscellaneous: Electric Vehicles	Vehicle charging fee for first 4 hours, flat fee	NA	\$2.00	6/7/2021
Miscellaneous: Electric Vehicles	Vehicle charging fee after first 4 hours, per hour	NA	\$1.00	6/7/2021
Miscellaneous: Fire Department	Copy of a fire report.	NA	\$10.00	
Miscellaneous: Planning & Development Department	Copy of plat, mailed.	NA	\$8.00	11/1/2022

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Planning & Development Department	Detailed zoning verification questionnaire response	NA	\$50.00	10/1/2011
Miscellaneous: Planning & Development Department	Detailed code compliance questionnaire response	NA	\$50.00	10/1/2011
Miscellaneous: Fire Department	Special operations/activities.	NA	Actual cost	
Miscellaneous: Fire Department	Subpoenaed copy of a rescue report.	NA	\$10.00	
Miscellaneous: Football/soccer Field	Adult practice Category 1 group, per hour (2 hour minimum)	NA	\$100.00	4/5/2012
Miscellaneous: Football/soccer Field	Adult practice Category 2 group, per hour (2 hour minimum)	NA	\$125.00	4/5/2012
Miscellaneous: Football/soccer Field	Adult game, single Category 1 group	NA	\$750.00	4/5/2012
Miscellaneous: Football/soccer Field	Adult game, single Category 2 group	NA	\$1,000.00	4/5/2012
Miscellaneous: Football/soccer Field	Adult tournament Category 1 group, per day	NA	\$1,000.00	4/5/2012
Miscellaneous: Football/soccer Field	Adult tournament Category 2 group, per day	NA	\$1,250.00	4/5/2012
Miscellaneous: Football/soccer Field	Youth practice, Category 1 group, per hour (2 hour minimum)	NA	\$50.00	4/5/2012
Miscellaneous: Football/soccer Field	Youth practice, Category 2 group, per hour (2 hour minimum)	NA	\$75.00	4/5/2012

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Football/soccer Field	Youth games outside of regular season, (i.e. tournaments) Category 1 groups	NA	\$250.00	4/5/2012
Miscellaneous: Football/soccer Field	Youth games outside of regular season, (i.e. tournaments) Category 2 groups	NA	\$250.00	4/5/2012
Miscellaneous: Football/soccer /baseball Field at Veterans Memorial Park	Special event	NA	To be determined by nature of event	10/1/2021
Miscellaneous: Football and Soccer fields (other than Veterans Memorial)	Practice and games, annual per team	NA	\$40.00	10/6/2014
Miscellaneous: Football/soccer Field	Adult, per day (depending upon availability)	NA	\$500.00	4/5/2012
Miscellaneous: Library	Late book fee, per day.	NA	\$0.10	10/1/2011
Miscellaneous: Library	Late DVD fee, per day.	NA	\$.25	
Miscellaneous: Library	Late hotspot fee, per day.	NA	\$1.00	10/1/2018
Miscellaneous: Library	Late audio book fee, per day.	NA	\$0.10	
Miscellaneous: Library	Late CD fee, per day.	NA	\$.25	10/1/2011
Miscellaneous: Library	Late video game fee, per day	NA	\$.25	10/1/2018
Miscellaneous: Library	Late magazine fee, per day	NA	\$.10	10/1/2018
Miscellaneous: Library	Photo copy, each.	NA	\$0.10	
Miscellaneous: Library	Lost materials.	NA	Actual cost of replacement	
Miscellaneous: Library	Genealogy research fee.	NA	\$10.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Library	Interlibrary loan: microfilm/roll.	NA	\$3.00	
Miscellaneous: Parking	Replacement parking tag	NA	\$25.00	2/3/2014
Miscellaneous: Parking stall rental	Annual fee	NA	\$80.00	9/8/2020
Miscellaneous: Parking stall rental	Quarterly fee	NA	\$17.50	11-20-2017
Miscellaneous: Parks	Overnight camping in Ta-Ha-Zouka Park, per night	NA	\$24.00	11/1/2022
Miscellaneous: Parks	Overnight camping in Ta-Ha-Zouka Park (primitive), per night	NA	\$16.00	11/1/2022
Miscellaneous: Parks	Reservable picnic shelter	NA	\$35.00	10/1/2011
Miscellaneous: Parks	Reservable stage at Central Park	NA	\$35.00	9/1/2015
Miscellaneous: Parks	Reservable stage at Skyview Park	NA	\$35.00	9/1/2015
Miscellaneous: Police Department	Copy of an accident report, picked up.	NA	\$3.00	
Miscellaneous: Police Department	Copy of an accident report, mailed.	NA	\$4.00	
Miscellaneous: Police Department	Records subpoena.	NA	\$18.00	
Miscellaneous: Police Department	Copy of a video.	NA	\$20.00	
Miscellaneous: Police Department	Copy of a photo.	NA	\$1.00/sheet	
Miscellaneous: Police Department	Criminal history check.	NA	\$5.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Police Department	Finger printing.	NA	\$10.00	
Miscellaneous: Police Department	Gun permit (background check).	NA	\$5.00	
Miscellaneous: Police Department	Breath test related to DUI.	NA	\$35.00	
Miscellaneous: Police Department	Blood/urine test related to DUI.	NA	\$155.00	10/1/2013
Miscellaneous: Recreational Programs	Recreation programs	NA	\$0-\$275.00 (To be determined by nature of program)	11/1/2022
Miscellaneous: Recreational Programs	Girls softball, per child.	NA	\$15.00	10/1/2011
Miscellaneous: Recreational Programs	Girls softball, late registration, per child.	NA	\$18.00	10/1/2011
Miscellaneous: Recreational Programs	Kreative Kids per child, per session.	NA	\$20.00	10/1/2011
Miscellaneous: Recreational Programs	Men's basketball, per team.	NA	\$255.00	10/1/2011
Miscellaneous: Recreational Programs	Women's volleyball, per team.	NA	\$160.00	10/1/2011
Miscellaneous: Recreational Programs	Coed volleyball, per team.	NA	\$160.00	10/1/2011
Miscellaneous: Recreational Programs	Summer girl's volleyball, per team.	NA	\$120.00	
Miscellaneous: Recreational Programs	Summer girl's basketball, per team.	NA	\$250.00	

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Recreational Programs	Men's flag football, per team.	NA	\$220.00	10/1/2011
Miscellaneous: Recreational Programs	Swimming lessons, per student.	NA	\$45.00	8/15/2016
Miscellaneous: Softball fields	Practice and games, annual per team.	NA	\$70.00	10/6/2014
Miscellaneous: Street Department	Special operations/activities.	NA	Actual cost	
Miscellaneous: Swimming Pool Admissions	AquaVenture Daily admission: youth (age 4-15).	NA	\$6.00	10/1/2012
Miscellaneous: Swimming Pool Admissions	AquaVenture Daily admission: adult (age 16-54).	NA	\$8.00	10/1/2012
Miscellaneous: Swimming Pool Admissions	AquaVenture Daily admission: senior (age 55 & up).	NA	\$7.00	10/1/2012
Miscellaneous: Swimming Pool Admissions	AquaVenture Group daily admission: (maximum 6 people).	NA	\$35.00	2/21/2017
Miscellaneous: Swimming Pool Admissions	Individual season pass: (all ages).	NA	\$100.00	2/21/2017
Miscellaneous: Swimming Pool Admissions	Group season pass (maximum 6 people).	NA	\$220.00	11-20-2017
Miscellaneous: Swimming Pool Admissions	Children 3 and under.	NA	Free	2/21/2017
Miscellaneous: Tennis	Practice and meets, annual per team.	NA	\$40.00	10/6/2014

Category	Description of Fee	Municipal Code Reference	Fee	Date Last Modified
Miscellaneous: Tournaments	Category 1 group		10% of gate fee or 5% of entry fee	10/6/2014
Miscellaneous: Tournaments	Category 2 group		20% of gate fee or 10% of entry fee	10/6/2014

Section 2. That the operative date of this Ordinance shall be October 1, 2023.

Section 3. That the effective date of this Ordinance shall be from and after its passage, approval and publication in pamphlet form as required by law.

PASSED AND APPROVED this _____ day of _____, 2023.

ATTEST:

Brianna Duerst, City Clerk

Josh Moening, Mayor

Approved as to form: _____
Danielle Myers-Noelle, City Attorney