

## 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 17th day of April, 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: Corey Granquist, Frank Arens, Justin Webb, Andrew McCarthy, Thad Murren, Shane Clausen and Kory Hildebrand. Absent: Justin Snorton.

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, Director of Administrative Services Lyle Lutt, Communications Manager Nick Stevenson, Parks and Recreation Director Nathan Powell, Arborist Lindsay Kudera, Water and Sewer Director Chad Roberts, Housing Director Gary Bretschneider, Administrative Assistant Jen Olson, City Planner Val Grimes, Fire Chief Tim Wragge, Assistant Fire Chief Trevor O'Brien, Fire Marshal Sean Lindgren 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 Clausen moved, seconded by Councilmember Granquist to approve the consent agenda as printed. Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton.

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

### **Consent Agenda Items Approved**

Minutes of the April 3, 2023 City Council meeting

Consent to assignment between Norfolk Crush, LLC, the City of Norfolk, Farm Credit Services of America, FLCA, and Farm Credit Services of America, PCA  
Norfolk Lions Club, Inc., a Nebraska Nonprofit Corporation, agreement allowing the use of Skyview Park and Lake to hold a fishing derby on Saturday, June 10, 2023

Michelle R. Madson agreement to serve as a campground host, in a voluntary capacity, at Ta-Ha-Zouka campground

Special Designated Liquor License for Midtown Event Center, to serve beer, wine and distilled spirits at the Midtown Event Center Cove, 1102, 1102 B, 1104 1/2 Riverside Blvd., on June 17, 2023, from 2:00 p.m. to 2:00 a.m. for an outdoor concert

Bills in the amount of \$2,028,605.81

### **Special Presentation**

The Mayor proclaimed April 28, 2023 as Arbor Day.

### **Public Hearings and Related Items**

#### Public Hearing

(Kensington Building Redevelopment Plan)

A public hearing was held to consider the Redevelopment Plan for the Kensington Building Redevelopment Project. City Finance Officer Randy Gates provided information to the Mayor and City Council.

On January 30, HCI Real Estate submitted a TIF application for the Kensington building. On February 21, the Economic Development Subcommittee reviewed the application and voted unanimously to move forward with acceptance of a Redevelopment Plan for this project. At the March 6 Community Development Agency meeting, the Agency accepted the Redevelopment Plan for this project and forwarded to the Planning Commission for review and recommendation.

On March 21, 2023, the Norfolk Planning Commission held a public hearing regarding the Kensington Building Redevelopment Plan and voted unanimously to approve the plan. The Agency approved Resolution No. 2023-6 on April 3, 2023 recommending approval of the Redevelopment Plan to the City Council.

The Project Site is approximately 1 acre located at the northeast corner of Norfolk Avenue and 4th Street in Downtown Norfolk. The Redevelopment Project will consist of the restoration and redevelopment of the Kensington into a boutique hotel with approximately 62 rooms, restaurant, meeting space, a fitness room, and a business center.

The redeveloper intends to purchase the property from the Norfolk Housing Agency and renovate for use as a hotel with work done to preserve the historic façade. North 4th Street, in front of the building, will be reconfigured to include a drop-off lane. Additionally, there will be changes to traffic controls, landscaping and streetscape improvements, improvements to sidewalks, curb and gutter. Total TIF-eligible costs are expected to be over \$2.6 million with total project costs is expected to be over \$14 million.

Andrew Willis, Cline Williams, representing the developer, said the project conforms to the goals of the city's comprehensive plan and will further the vibrancy of downtown. Construction is expected to begin later this year and should take approximately one year.

Housing Director Gary Bretschneider said the sale of the project has allowed the Norfolk Housing Agency to relocate and said the building is currently vacant.

Jim McKenzie, 1412 Longhorn Drive, asked about traffic improvements that are to be paid by the city and if those costs had been quantified. Public Works Director Steven Rames said, as the project has not begun, it is unknown if there will be any other improvements. McKenzie also asked about the 0% TIF indebtedness interest and plans for asbestos remediation. Willis said the redeveloper will be holding the bonds and said the redeveloper is aware there is asbestos that will need to be remediated.

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

Resolution No. 2023-18

(Kensington Building Redevelopment Plan)

Councilmember McCarthy moved, seconded by Councilmember Hildebrand, for adoption of Resolution No. 2023-18 approving the Redevelopment Plan for the Kensington Building Redevelopment Project.

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. Resolution No. 2023-18 was adopted.

**Regular Agenda Items**

Ordinance No. 5831

(above-ground storage (L.P.G.) tanks)

Councilmember Murren introduced, seconded by Councilmember McCarthy, Ordinance No. 5831 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 8-28 OF THE OFFICIAL CITY CODE TO UPDATE ADDITIONS, INSERTIONS AND CHANGES TO THE 2018 INTERNATIONAL FIRE CODE ADOPTED BY THE CITY TO ADD R-R TO THE LIST OF ZONING DISTRICTS WHERE ABOVE-GROUND STORAGE (L.P.G.) TANKS OF 500 GALLONS OR LESS CAN BE LOCATED; TO ALLOW (L.P.G.) TANKS OF 1000 GALLONS OR LESS TO BE LOCATED IN ZONING DISTRICTS A AND R-R ON PARCELS OF 10 ACRES OR MORE; 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.

Fire Chief Tim Wragge and Fire Marshal Sean Lindgren provided information to elected officials. Recent annexation of property into the city limits has highlighted the above ground (LPG) tank city codes and how the impact now and in the future. Currently, LPG tanks of 500 gallons or less are allowed in A, C-1, C-2, C-3, I-1, I-2 and I-3 zoning districts inside city limits. The proposed amendment would add R-R. Further, LPG tanks of more than 500 gallons are now allowed in within city limits. The proposed amendment would allow above ground LPG tanks of 1,000 gallons or less in properties zoned R-R or A that are 10 acres or more inside city limits. This change only applies to new installations.

Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. Ordinance No. 5831 passed on first reading.

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

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. 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 Murren moved, seconded by Councilmember McCarthy, 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. 5831 be passed and adopted?"

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. 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. 5831 as required by law.

Ordinance No. 5832

(Amend City Code Section 2-5, golf car annual registration plat and fee)

Councilmember Hildebrand introduced, seconded by Councilmember McCarthy, Ordinance No. 5832 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 2-5 OF THE OFFICIAL CITY CODE TO INCLUDE AN ANNUAL REGISTRATION PLATE AND/OR DECAL FEE FOR GOLF CAR VEHICLES; 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. Said ordinance was then read into the record by title by the City Clerk.

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. Ordinance No. 5832 passed on first reading.

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

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. 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 McCarthy, 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. 5832 be passed and adopted?"

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Clausen and Hildebrand. Nays: None. Absent: Snorton. 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. 5832 as required by law.

### **Administrative Reports**

#### Public Safety Annual Report

Police Chief Don Miller and Fire Chief Tim Wragge provided the Mayor & City Council with the Public Safety Annual Report.

#### ACFR, FY ended 9-30-2022

Finance Officer Randy Gates presented the Annual Comprehensive Financial Report for the fiscal year ended September 30, 2022 along with the related auditor's letter.

There being no further business, the Mayor declared the meeting adjourned at 7:00 p.m.

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Josh Moenning  
Mayor

ATTEST:

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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, April 17, 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.

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Brianna Duerst  
City Clerk

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