

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 3rd day of July, 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, Justin Snorton, Shane Clausen and Kory Hildebrand. Nays: None. Absent: None.

Staff members present were: City Administrator Andy Colvin, City Clerk Brianna Duerst, Finance Officer Randy Gates, Administrative Secretary Bethene Hoff, Public Works Director Steve Rames, Director of Administrative Services Lyle Lutt, Water and Sewer Director Chad Roberts, Communications Manager Nick Stevenson, Assistant City Engineer Anna Allen, City Planner Val Grimes, 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 Granquist moved, seconded by Councilmember Snorton to approve the consent agenda with Item #10, *Consideration of Resolution No. 2023-30 declaring the City's official intent under Internal Revenue Code regulations to incur indebtedness which includes reimbursement of expenditures for engineering fees for flood control recertification*, moved to the Regular Agenda. Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: None.

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

Consent Agenda Items Approved

Minutes of the June 20, 2023, City Council meeting

June sales tax report (April sales)

Mayor's appointment of Jordan Mason to the Norfolk Planning Commission to complete the term of Jacob Thone ending February 2026

Lori B. Langston easement agreement for the Michigan Avenue and 8th Street Reconstruction project for property located along 833 South 9th Street

Theresa M. Lange easement agreement for the Michigan Avenue and 8th Street Reconstruction project for property located along 834 South 8th Street

Rick C. Kubat easement agreement for the Michigan Avenue and 8th Street Reconstruction project for property located along 700 W Michigan Avenue

David Stolp easement agreement for the Michigan Avenue and 8th Street Reconstruction project for property located along 902 South 8th Street

GB Promotions, Inc. temporary and permanent easement agreements for the Michigan Avenue and 8th Street Reconstruction project for property located along 905 West Michigan Avenue

Debra S. Lingenfelter temporary and permanent easement agreements for the Michigan Avenue and 8th Street Reconstruction project for property located along 1001 South 13th Street.

Mayor to execute a Certificate of Substantial Completion #001 to Perry Reid Construction, LLC for the Norfolk Transfer Station Site Improvements project

McMill CPA PC, a Nebraska Professional Corporation, d/b/a McMill CPAs & Advisors, agreement to hold a free educational Lemonade Camp at Riverpoint Square on Tuesday, August 1, 2023 from 7:30 a.m. to 3:30 p.m.

Faith Regional Health Services, a Nebraska Nonprofit Corporation, agreement to hold a Day at the Lake event which may include, but is not limited to, holding a cornhole tournament, yoga, and paddleboat/canoe rentals, at Skyview Park and Lake on Saturday, August 5, 2023

Ratify an emergency payment in the amount of \$68,012.46 to Merit Mechanical for installation of the replacement heater at AquaVenture Waterpark

Parks and Recreation Board recommendations to include items regarding full agenda approval, officer elections, bylaw updates, and report approval

Bills in the amount of \$3,427,101.32

Regular Agenda ItemsResolution No. 2023-30

(declare City's intent to incur indebtedness, flood control recertification)

Councilmember Snorton moved, seconded by Councilmember Clausen, for consideration of Resolution No. 2023-30 declaring the City's official intent under Internal Revenue Code regulations to incur indebtedness which includes reimbursement of expenditures for engineering fees for flood control recertification.

Finance Officer Randy Gates provided information to elected officials. This is necessary for Phase IIIA of the flood control recertification to move forward, which will take us to 60% design.

Jim McKenzie, 1412 Longhorn Drive, had asked for this item to be moved to the regular agenda to have discussion on the long-term debt issued by the city. McKenzie noted that flood control is probably the most important and critical piece of infrastructure that we have in the city. McKenzie asked about the full estimated cost to completely recertify the flood control.

Public Works Director Steven Rames said the total cost of the project, with construction, is estimated at \$9,236,796. To date, we have spent approximately \$795,000.

McKenzie asked elected officials to really look at the full picture of the debt level of the city and the impact that it has on the citizens and to prioritize what is most important. McKenzie said he wanted to compare this issue with that of the recently discussed lift station, which is estimated at \$9.1 million, would increase the city's debt level even more, and have a significant effect on ratepayers. McKenzie urged elected officials to contrast the critical issue of the flood control recertification with other spending projects and prioritize spending as to not overburden the citizens of Norfolk with more tax and rate increases.

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand.
Nays: None. Absent: None. Resolution 2023-30 was adopted.

Crack Sealing Project

Councilmember Granquist moved, seconded by Councilmember Arens, for approval to advertise for request for proposals for a crack sealing project for the Street Division.

Public Works Director Steven Rames provided information to elected officials. The priority routes to seal are based on available budgets. The last time the City of Norfolk contracted a crack sealing project was in 2019.

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

Elkhorn Paving Construction

(Johnson's park Improvement Project Bid Package 2 – upper park improvements)

Councilmember Granquist moved, seconded by Councilmember Murren, for approval of awarding a contract to Elkhorn Paving Construction Company, Inc. of Norfolk, Nebraska for the Johnson's Park Improvement Project Bid Package 2 (upper park improvements) project for an amount of \$447,430.25.

Assistant City Engineer Anna Allen provided information to elected officials. On June 20, 2023 two bids were received. Elkhorn Paving Construction Company, Inc. was low bidder at \$447,430.25, the second low bidder was A & R Construction Company of Plainview, Nebraska for \$523,247.36. Engineers estimate was \$458,239.35. Staff recommend approval of a contract with Elkhorn Paving Construction Company, Inc. for the Johnson's Park Improvement Project Bid Package 2 (upper park improvements) project in an amount of \$447,430.25. The contract fits within the original budget for the overall Johnson Park project.

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

Perry Reid Construction, LLC Change Order No. 4F
(Norfolk Transfer Station Site Improvements project)

Councilmember Granquist moved, seconded by Councilmember McCarthy, for approval of Change Order No. 4F with Perry Reid Construction, LLC for the City of Norfolk - Norfolk Transfer Station Site Improvements project resulting in a net increase of \$749.17.

Public Works Director Steven Rames provided information to elected officials. On May 17, 2021, the Mayor and City Council awarded a \$4,350,000.00 contract with Perry Reid Construction, LLC for the Norfolk Transfer Station Site Improvements project. Change Order No. 1 was approved on September 7, 2021, resulting in a revised contract amount of \$4,444,815.00. Change Order No. 2 was approved on March 21, 2022, resulting in a revised contract amount of \$4,468,697.70. Change Order No. 3 was approved on April 4, 2022, resulting in a revised contract amount of \$4,561,392.80. Change Order No. 4F adjusts the contract sum and substantial completion date of the contract for all authorized construction change directives resulting in a revised contract amount of \$4,562,141.97.

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

Municipal Pipe Tool Co. Change Order No. 1F
(Sanitary Sewer Rehabilitation Omaha Avenue project)

Councilmember Webb moved, seconded by Councilmember Hildebrand, for approval of Change Order No. 1F with Municipal Pipe Tool Co. for the Sanitary Sewer Rehabilitation Omaha Avenue project resulting in a net decrease of \$8,052.66.

Water and Sewer Director Chad Roberts provided information to elected officials. On May 2, 2022, a \$768,436.75 contract with Municipal Pipe Tool Co. was awarded for the Sanitary Sewer Rehabilitation on Omaha Avenue project. Change Order No. 1F adjusts bid quantities to final quantities resulting in a final contract amount of \$760,384.09.

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

There being no further business, the Mayor declared the meeting adjourned at 6:15 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, July 3, 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

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