

CITY OF NORFOLK, NEBRASKA

The City Council of the City of Norfolk, Nebraska met in regular session in the Council Chambers, 309 North 5th Street, Norfolk, Nebraska on the 16th day of October, 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, Council President Shane Clausen 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. Absent: Mayor Josh Moenning.

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, Communications Manager Nick Stevenson, Economic Development Director Candice Alder, Streets Manager Will Elwell, Street Shop Supervisor Matt Ernesti, Parks and Recreation Director Nathan Powell, Operations Manager Lyle Lutt, City Planner Val Grimes, Police Chief Don Miller, Fire Chief Tim Wragge, Assistant Fire Chief Trevor O'Brien and several Fire Division personnel.

The Council President presided and the City Clerk recorded the proceedings.

The Council President 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 Arens to approve the consent agenda as printed. Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: None.

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

Consent Agenda Items Approved

Minutes of the October 2, 2023, City Council meeting

Keno comparison report for September 2023

Lutheran High School Association of Northeast Nebraska, Incorporated, a Nebraska Nonprofit Corporation, agreement to allow the use of City streets to hold a 5k Turkey Trot run on Thursday, November 23, 2023

Cable One, Inc., a Delaware Corporation, doing business as Sparklight, agreement allowing the closure of 3rd Street between Norfolk Avenue and Madison Avenue, to place inflatables during a downtown trick-or-treat event on Thursday, October 26, 2023

Purchase of replacement Regenerative Air Street Sweeper for the Street Division off the Minnesota State Contract #190619 with MacQueen Equipment of Lincoln, Nebraska in the amount of \$316,417.00

Michelle Kment Sanitary Sewer Easement for the Sanitary Sewer Replacement on Monroe Avenue to Logan Street project along property located along 2009 South 1st Street for \$447.42

Advertise for bids for the commercial pool heater replacement for the wave pool at Aquaventure waterpark

Special Designated Liquor License for Jim's Fine Wine and More, to serve wine and distilled spirits at Magnolia's, 432 West Norfolk Avenue, on November 5, 2023, from 12:00 p.m. to 6:00 p.m. for a wine and cordial tasting event

Mayor to sign a letter and all related documents in support of the Solar for All Notice of Funding Opportunity

Issue letters to the property owners at 125 & 223 Jefferson Avenue to repair or have a signed contract for the sidewalk repairs within 90 days according to Section 22-23 of the City Code

Bills in the amount of \$10,284,558.75

Special Presentations

The Council President proclaimed October 8-14, 2023, as "Fire Prevention Week."

Norfolk Morning and Noon Optimist Clubs recognized Firefighter/Paramedic Chris Kneifl of the Norfolk Fire Division

The Council President proclaimed November 1, 2023, as Extra Mile Day.

Public Hearings and Related Items

Public Hearing

(Cornhusker Auto Center zone change, 2125 Krenzien Drive)

A public hearing was held to consider a zone change from C-1 (Local Business District) to C-3 (Service Commercial District) on property addressed as 2125 Krenzien Drive at the request of Cornhusker Auto Center, Inc. City Planner Valerie Grimes provided information to the City Council. The current zoning of C-1 would require a conditional use permit to allow for automobile sales. Automobile sales are outright permitted in C-3, without the need for any other permits. Grimes noted the heavy commercial district is appropriate for this corridor.

On October 3, 2023, the Norfolk Planning Commission held a public hearing regarding the Cornhusker Auto Center 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. 5852

(Cornhusker Auto Center zone change, 2125 Krenzien Drive)

Councilmember Arens introduced, seconded by Councilmember Hildebrand, Ordinance No. 5852 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: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: None. Ordinance No. 5852 passed on first reading.

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

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: None. 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 Hildebrand 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 Council President then stated the question "Shall Ordinance No. 5852 be passed and adopted?"

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton, Clausen and Hildebrand. Nays: None. Absent: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Council President signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Council President then instructed the City Clerk to publish said Ordinance No. 5852 as required by law.

Regular Agenda Items

Ordinance No. 5851

(Madison Avenue parking restriction)

Councilmember Granquist introduced, seconded by Councilmember Snorton, Ordinance No. 5851 entitled: AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 24-164 OF THE OFFICIAL CITY CODE TO RESTRICT PARKING ON THE NORTH SIDE OF MADISON AVENUE FROM 3RD STREET TO 100 FEET WEST OF WEST PROPERTY LINE OF 3RD STREET; 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 third reading.

Ordinance No. 5851 passed on first reading at the September 18, 2023 City Council meeting and on second reading at the October 2, 2023 City Council meeting. Council President Shane Clausen noted there is no discussion on third reading of an ordinance.

Roll call: Ayes: Granquist, Arens, Webb, McCarthy, Murren, Snorton and Clausen. Nays: Hildebrand. Absent: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Council President signed and approved the ordinance and the City Clerk attested the passage and adoption of the same and affixed her signature thereto. The Council President then instructed the City Clerk to publish said Ordinance No. 5851 as required by law.

The Road Guy contract, 2023 Seal Coat Project

Councilmember Snorton moved, seconded by Councilmember Hildebrand, for approval of a contract with The Road Guy for the 2023 Seal Coat Project for an amount of \$28,032.99.

Assistant City Engineer Anna Allen provided information to elected officials. The Public Works Director/City Engineer requested quotes for seal coat work on Golfview Drive between 37th Street and 30th Street. Other quotes received were higher than the quote from The Road Guy. Allen said we anticipate the work being completed this fall and the seal coat should help protect the road for about five years.

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

Knife River Midwest, LLC, Change Order No. 1F
(Asphalt Overlays 2023-1 project)

Councilmember Arens moved, seconded by Councilmember Murren, for approval of Change Order No. 1F with Knife River Midwest, LLC for the Asphalt Overlays 2023-1 project resulting in a net decrease of \$263,670.46.

Assistant City Engineer Anna Allen provided information to elected officials. On May 15, 2023, the Mayor and City Council approved a \$1,942,930.75 contract with Knife River Midwest, LLC for the Asphalt Overlays 2023-1 project. Change Order No. 1F provides for balancing to actual quantities as well as cost savings due to removal of flagging on Victory Road, Knife River retaining ownership of asphalt millings, reduce mobilization due to milling parking lots sequentially, City providing crushed concrete, and a 10% reduction in asphalt paving resulting in a final contract of \$1,679,260.29.

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

There being no further business, the Council President declared the meeting adjourned at 5:53 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, October 16, 2023, had and done by the 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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