

FINANCE COMMITTEE MEETING

The Finance Committee of the City of Norfolk, Nebraska met in the City Council Chambers, 309 Madison Avenue, Norfolk, Nebraska, on Monday, March 14, 2005, beginning at 7:00 a.m.

Mayor Gordon D. Adams called the meeting to order.

Roll call found the following Committee members present: Mayor Gordon Adams and Councilpersons Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, and Wisnieski. Absent: Van Dyke.

Staff members present were City Administrator Mike Nolan, Public Works Director Dennis Smith, City Attorney Clint Schukei, City Clerk Beth Deck, Transportation, Building & Grounds Director Jim Koch, Water & Sewer Director Dennis Watts, Assistant City Engineer Dale Bohac, Building Official Steve Nordhues, Finance Officer Randy Gates and Prevention Manager Scott Cordes.

The media was represented by Gregg Wees, Norfolk Daily News, and Jim Curry, WJAG/KEXL.

Notice of the meeting was given in advance by publication in the Norfolk Daily News, and notice of the meeting was given to the Mayor and all members of the Council prior to the meeting.

The Mayor presided and the City Clerk recorded the proceedings.

Councilman Leshovsky moved, seconded by Councilwoman Kaspar-Beckman to approve the agenda as printed. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

The first item discussed was a proposed \$2,500 grant for *Nebraska Life Magazine* to relocate to Norfolk. Finance Officer Randy Gates stated Chris Amundson, Publisher for *Nebraska Life Magazine*, requests an economic development grant to assist in relocating the magazine to Norfolk. The Elkhorn Valley Economic Development Council (EVEDC) has pledged \$2,500 for the project. Gates stated the City's portion of the project would come from old Community Development Block Grant (CDBG) funds. The CDBG funds can be used for economic development or housing projects. Gates explained Nebraska Life Publishing agrees to bring four jobs to Norfolk and add two more jobs within a 24-month period. The current jobs average \$12.00 per hour and up. The new positions are to meet a \$10.00 per hour minimum wage. In the event the new jobs are not created and maintained for a 24-month period, the grant monies are to be repaid without interest.

Chris Amundson spoke to the Finance Committee. Amundson, a Norfolk resident, is buying the magazine and needs assistance with start-up operations and relocation expense. Amundson is relocating the company to 202 West Norfolk Avenue. The magazine is a well established publication with a positive reputation. The core business is magazine subscriptions. Advertising sales is growing at an annual rate of 15 percent. Amundson explained *Nebraska Life Magazine* is the only magazine in the state that explores Nebraska history, life styles, arts, culture, etc. Amundson feels Norfolk will benefit by the presence of the magazine in the following ways:

- Creation of 6-10 jobs
- Annual payroll of \$180,000-\$200,000
- A new downtown business to assist with revitalization efforts
- Increased recognition of Norfolk among the 70,000+ readers of *Nebraska Life*
- Influx of highly creative, college-educated professionals to Norfolk

Amundson explained three-fourths of the magazine's readers are from Nebraska. The remaining subscriptions are from other states and also nineteen (19) foreign countries. The magazine has approximately 14,000 subscribers and also sells 3,000 magazines at newsstands. It is estimated that four people read each magazine which equates to almost 70,000+ readers.

Councilwoman Kaspar-Beckman is impressed with the quality of the magazine.

Councilwoman Kaspar-Beckman moved, seconded by Councilman Wisnieski to approve a City economic development grant to *Nebraska Life Magazine* in the amount of \$2,500 from old

CDBG loan money for the business to relocate to Norfolk with the understanding that *Nebraska Life Magazine* will add two more jobs within a 24-month period from the date of the approval by the City and must retain the new jobs for a 24-month period otherwise the grant monies are to be repaid without interest. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

City Administrator Mike Nolan gave a Nebraska Department of Environmental Quality Power Point presentation on **storm water** regulations for Nebraska Municipalities. Nolan stated the regulations are a significant mandate.

The storm water program is a regulatory program implemented under the National Pollutant Discharge Elimination System (NPDES) and is the same permitting program for point source discharges that is applied to waste water treatment systems. The program includes large, medium and some small publicly owned/operated storm water sewer systems. Permits require implementation of Storm Water Management Plans (SWMPs).

Who is subject to storm water permitting? All Nebraska landowners planning construction activity that disturbs one (1) acre or more must seek coverage under NDEQ's Construction Storm Water (CSW) general permit; all Nebraska industrial facilities in applicable categories and/or with specific Standard Industrial Classification (SIC) codes must seek coverage under NDEQ's Industrial Storm Water (ISW) general permit; and all municipalities with Municipal Separate Storm Sewer Systems (MS4) over 10,000 population that are covered under an MS4 permit.

Nolan stated plans must be in place within 180 days after notification by NDEQ. The City received notification on February 10, 2005.

Review criteria used are: 1) impacts on impaired water bodies; 2) biological or habitat impacts; 3) consideration for the size of the metro area; 4) consideration for growth of the metro area; 5) consideration of industrial/commercial impacts; and 6) effectiveness of existing voluntary SWMP efforts.

Municipalities who must now file for an MS4 permit are: Columbus, Fremont, Grand Island, Lexington, Kearney, North Platte, Scottsbluff, Norfolk, Beatrice, and Hastings.

The storm water management plans basic requirements are: public service announcements (PSAs), information pamphlets, signs, public information meetings, inclusion into other events and joint efforts with others. Municipalities must follow the public notice/public participation process in development of applicable regulations.

A major area affected by the new regulations is construction site run-off. Municipalities should adopt an ordinance with application to sites to address the following: requirements for site operators to implement erosion and sediment control practices; waste disposal requirements; erosion and sediments control plan review; public comments and complaint response; and inspection & enforcement provisions. The City's program needs to parallel coverage under the NDEQ's NPDES General Permit for construction site storm water and must be at least as stringent as the State.

Methods for measuring and demonstrating the progress of the program are: regulations require that measurable goals be included in SWMPs; annual activity reports are required to document compliance with measurable goals and compliance schedules in SWMP; and some storm water and/or drainage basin water quality monitoring is required. Schedules for expedient implementations of BMPs need to be included in the SWMP. The maximum time allowance for implementation of SWMP elements is five (5) years.

Staff recommends setting up a town hall meeting to discuss the new storm sewer regulations. Recommended invitees include: contractors, homebuilders, realtors/developers, Lower Elkhorn NRD, Madison County, Stanton County, Nebraska Game & Parks, Fishing club/Bass club, Porter, Lyman Richie, Matteo, Ganskow, Local banks, NDEQ staff, League of Nebraska Municipalities staff. Other consideration are: venue of meeting (at night), participation by NDEQ staff, coordinate with Lower Elkhorn NRD, presentation to elected officials and Planning Commission, fact sheet/PowerPoint presentation, Cable TV/video, and formation of a stakeholder committee from affected constituencies.

Councilman Wisnieski questioned what agency will do policing of the storm sewer regulations.

Nolan stated Code Enforcement will probably do the policing since a lot of what the division does is with permitting. Nolan stated the new regulations will probably slow down projects and the public will need to be educated about the mandate.

Councilman Wisnieski said the regulations only affect projects on one acre or more so they probably won't affect all building projects.

Public Works Director Dennis Smith stated the North Highway 81 project was shut now for several days until a sub-contractor got erosion control in place. The regulations have the potential to affect all construction, including post-construction work. The regulations will probably get down to the actual building site, no matter how small. Among other things, building sites will need to have silt fencing and vegetation re-established. The City continues to clean sweep streets and clean out storm sewers. The City will probably need to clean out inlets on a routine basis, as well as clean sand off of streets and parking lots after the winter season. The new regulations also require municipalities to file progress reports.

Councilwoman Saunders questioned whether the storm sewer regulations are a federal mandate.

Nolan stated the storm sewer regulations are a federal mandate.

Smith explained the first groups affected by the mandate were municipalities with 50,000 to 100,000 citizens. The next groups were neighbors to the large cities. Now the mandate is for municipalities with 10,000 or more citizens.

Mayor Adams stressed that public education is important on the issue. An example is that people need to know they can't dump used oil in a storm sewer.

Councilman Lange questioned whether the size of the area changed because the previous regulation was for five (5) acres or more.

Smith stated the regulations previously only affected areas of five acres or more.

Councilman Brenneman questioned what the next step is for the City of Norfolk.

Smith explained the next step is probably having a town hall meeting with potential parties impacted by the new storm sewer regulations.

Councilwoman Saunders moved, seconded by Councilwoman Kaspar-Beckman to authorize staff to schedule a town hall meeting to include the recommended invitees previously mentioned to discuss the new storm sewer regulations. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

Councilman Wisnieski moved, seconded by Councilwoman Saunders to adjourn from regular session at 7:47 a.m. and convene into executive session to discuss property negotiations. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

Councilman Wisnieski moved, seconded by Councilwoman Kaspar-Beckman to adjourn from executive session and reconvene into regular session at 7:59 a.m. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

Councilman Wisnieski moved, seconded by Councilwoman Kaspar-Beckman to authorize City Administrator Mike Nolan to respond to Tom DeLay regarding the NRD's Elkhorn Wayside Area property that the City of Norfolk has no interest in purchasing the property ("or however Mike wants to word it"). Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

Councilman Fauss moved, seconded by Councilwoman Kaspar-Beckman to adjourn the meeting at 8:00 a.m. Roll call: Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Wisnieski, and Mayor. Nays: None. Absent: Van Dyke. Motion carried.

Elizabeth A. Deck
City Clerk