

## FINANCE COMMITTEE MEETING

The Finance Committee of the City of Norfolk, Nebraska met in the City's Conference Room, 309 Madison Avenue, Norfolk, Nebraska, on Monday, May 23, 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 Van Dyke (7:01 a.m.). Absent: Wisnieski.

Staff members present were City Administrator Mike Nolan, Public Works Director Dennis Smith, City Attorney Clint Schukei, Acting City Clerk Bethene Hoff, Assistant City Engineer Dale Bohac, and Transportation, Building & Grounds Director Jim Koch.

The media was represented by Greg 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 Acting City Clerk recorded the proceedings.

The first item discussed was a proposed **Stormwater Steering Committee** created to develop a stormwater management plan. The City of Norfolk will be required to file a stormwater management plan with the Nebraska Department of Environmental Quality on or before August 10, 2005. The plan will contain activities which will lessen the possibility of pollutants entering the City's waterways via watersheds. Six areas will be addressed as follows:

- Public education and outreach on stormwater impacts
- Public involvement/participation
- Illicit discharge detection/elimination
- Construction site stormwater runoff control
- Post-construction stormwater management in new development and redevelopment
- Pollution prevention/good housekeeping for municipal operations

Stormwater Steering Committee members and the agencies they represent are: City of Norfolk - Mayor Gordon Adams; Vicki Saunders, Jim Brenneman, Howard Leshovsky, Ivan Van Dyke Michael Nolan, Dennis Smith, Jim Koch, Dale Bohac; Stan Staab and Bob Huntley, Lower Elkhorn Nebraska Resource District; Jerry Weatherholt, Stanton County; Dick Johnson, Madison County; Jeff Schuckman, Nebraska Game and Parks; Rans Roman, Sanitary District; Jim Lange, General Contractors; Pete Becker, Residential Contractors; Ken Porter, Excavation/Utility Contractors; Larry Cloeter, Environmental Interests; Tom Dover, Sr., Land Developer and Realtor; Laurie Fuehrer, Lender; John Kinter, Industrial; Brian McDonald, Engineering; and Dan Mauk, Commercial.

Councilman Leshovsky moved, seconded by Councilwoman Kaspar-Beckman to approve the creation of a Stormwater Steering Committee to develop a stormwater management plan for the City of Norfolk. Roll call: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

The next item discussed was Public Works Director Dennis Smith's appointment to the League Water Subcommittee. The Water Subcommittee will discuss water issues that are critically important to cities and villages across the state. Interests to be addressed include: 1) the domestic needs for residential users as well as large and small commercial, industrial and manufacturing users served by municipalities; 2) the necessity for municipal officials to be able to commit by contract or otherwise whether they can provide necessary water service for prospective businesses and manufacturing and industrial companies wishing to locate in or near their municipalities; and 3) the need for an equal number of municipal representatives compared to ag representatives to represent municipal interests on the Governor's Water Police Task Force.

Smith will represent the City of Norfolk on the subcommittee. This will likely require all-day

sessions, once weekly for the next several months.

Councilwoman Saunders moved, seconded by Councilman Van Dyke to approve the appointment of Public Works Director Dennis Smith to the **League Water Subcommittee**. Roll call: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

The next item discussed was engineering services for downtown street improvements. In a letter dated February 14, 2005 to Dale Bohac, JEO Consulting Group Branch Manager Ron Benson requested an amendment to the original agreement for reimbursement of fees earned in excess of the agreement maximum fee by just under \$3,850.

Public Works Director Dennis Smith explained the added costs resulted from extra time JEO representatives spent in the field answering contractor questions due to discovery of items buried underground, including an old rail line and conduit that had to be relocated, and sub-grading of the alley by the Centrum.

Councilman Fauss asked how much allotted time equals the additional fee of \$3,850.

JEO Branch Manager Ron Benson stated the fee includes between 40 and 50 hours of time spent on the project.

Councilman Fauss asked if JEO could have anticipated the extra time spent on the project prior to the bid and included it in the original bid.

Benson said extra time spent on a project can be anticipated and included in a bid to a certain degree; however, the downtown street improvements project had unknowns and “got to be more than was ever anticipated”. The contract was specifically set up on an hourly basis.

Fauss asked what else was found besides the railroad tracks.

Assistant City Engineer Dale Bohac said the project was expanded when the alley west of 4th street was sub-graded further west than originally planned. Sub-grading the alley was very difficult to prepare because it was shaded all the time. City staff did not have the time to spend on the preparation so Bohac gave approval for JEO to spend the necessary time required for this additional work.

Councilman Van Dyke asked if JEO was responsible for re-bidding the project.

Smith said one of the contractors made a mistake with unit prices in the contract and extensions didn't match. JEO was not responsible for the project being re-bid.

Councilman Van Dyke moved, seconded by Councilwoman Kaspar-Beckman to approve the additional costs of engineering services for JEO for downtown street improvements. Roll call: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

The next item discussed was approval of staff recommendation to not participate in the CGI Communications Marketing Program.

Councilman Van Dyke moved, seconded by Councilman Brenneman to approve staff recommendation to not participate in the CGI Communications Marketing Program. Roll call: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

The last item discussed was a review of JEO's plans for Norfolk Avenue island beautification 1st to 6th Street. Troy Johnston, JEO, and Matt Carlile, Brian Clark and Associates, provided information and presented a diagram to the Finance Committee.

The initial study, Phase I, involves reconstruction of the existing five medians along Norfolk Avenue from 1st to 6th Street. The project includes: low maintenance plants, shrubs and trees, landscaping, bases for future light poles, pedestrian bollards, additional electrical outlets, mid-block crossings, and brick pavers. A spray-on application may be used instead of pavers if the project is over budget.

City Administrator Mike Nolan expressed concern about birds being attracted to certain types of trees and becoming a nuisance.

Councilman Leshovsky asked if pedestrians using the mid-block crossings will be ticketed for jay-walking.

City Attorney Clint Schukei said use of the mid-block crossing would be considered jay-walking and jay-walking is currently enforced. Schukei suggested creating crosswalks to comply with City Code. Schukei questioned the size of the rocks to be used in the landscaping. Schukei said the Nebraska Department of Roads made a business on South 13th Street (Taco John's) move landscaping rocks away from the entrance.

Matt Carlile feels rocks should not be a concern as long as they are out of the clear zone and visibility is clear.

City Administrator Mike Nolan said this is a local decision and the State would not have any regulatory authority.

Public Works Dennis Smith stated 2 feet of clear zone is a standard and everything will be kept back at least 2 feet from the curb.

Councilwoman Kaspar-Beckman moved, seconded by Councilwoman Saunders to approve and authorize City staff to move forward with Norfolk Avenue island beautification project (1st to 6th Street) and advertise for bids before the next City Council meeting.

Nick Leuschen, Business Improvement District (BID) president, explained there may be some federal funds available for the BID to apply for the downtown improvements. Because of the time involved in applying for federal funds, the BID decided to go ahead with Phase 1 instead of waiting and doing the entire project at this same time.

Roll call on the motion to move forward with the downtown beautification project: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

Councilman Van Dyke moved, seconded by Councilman Fauss to adjourn the meeting at 7:38 a.m. Roll call: Ayes: Council members Kaspar-Beckman, Brenneman, Fauss, Lange, Leshovsky, Saunders, Van Dyke, and Mayor Adams. Nays: None. Absent: Wisnieski. Motion carried.

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Bethene A. Hoff  
Acting City Clerk