

## WORK SESSION

The Mayor, City Council and City staff of the City of Norfolk, Nebraska met on Tuesday, July 5, 2022, beginning at 4:00 p.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska.

The following elected officials were present: Mayor Josh Moenning, Councilmembers Frank Arens, Corey Granquist, Kory Hildebrand, Gary L. Jackson, Andrew McCarthy, Rob Merrill and Thad Murren. Absent: Shane Clausen.

Staff members present were Assistant City Administrator Scott Cordes, City Clerk Brianna Duerst, City Planner Val Grimes, Finance Officer Randy Gates, Street Superintendent Will Elwell, City Engineer Steven Rames, Assistant City Engineer Anna Allen, Communications Manager Nick Stevenson, Fire Chief Tim Wragge, Police Chief Don Miller, Director of Administrative Services Lyle Lutt, Vicki Twedochlib with HDR and Willis Mahannah with Norfolk Daily News.

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.

The Mayor informed the public about the location of the current copy of the Open Meetings Act accessible to members of the public.

#### Levee Recertification Update

Public Works Director Steven Rames said the City has been working with HDR for the past several years on a multi-phase levee recertification. The levee system was built in the late 1960's. Since the levee has hit 5-0 years of age, the Corps requires recertification.

Vicki Twedochlib, HDR, said we have been though about half of the phases of the project and discussed the phasing timeline. Phase 1, 2a and 2b are all complete and we are currently negotiating Phase 3. Phase 1 – desktop review of the available data. Phase 2a – levee existing condition evaluation, Phase 2b – alternatives analysis. Phase 3 consists of design and permitting. Four main items were looked at for the alternatives analysis – underseepage, drainage structures, diversion weir structure, interior damage.

Underseepage - an area with underseepage deficiencies was identified at a remnant channel near the County Club golf course in which two areas are showing excessive underseepage. This will need some sort of mitigation. Parts of the remnant channel will either be filled or partially filled.

Drainage structures - replacements will need to take place just north of the Omaha Avenue bridge and just south of Norfolk Avenue on southwest side.

Drainage structure outfall channel regrading project – there was quite a bit of silt deposited during the 2019 flood. There were five outfall channels that were not part of a Corp of Engineers repair project due to some items they had requested be taken care of that were not taken care of in advance of the flood event. The design will be included in Phase 3 of the project to restore four drainage structures to their pre-flood condition.

Diversion Weir – sill wall needs to be replaced. Just the sill wall, not the diversion weir portion.

Interior drainage results – whenever there is a high river event, the interior drainage analysis requires looking at a variety of events on the wet side and variety of events on the dry side to determine the most probable ponding episode. Any area that is greater than one foot has to be mapped on the flood maps. There is some ponding showing in an area of development that is currently occurring (near the Nor-Park Development area). Have looked at a couple mitigation options for this area to help reduce the ponding since there is a lot of developable land. Looked at both a large retention pond and storm water pump station. The areas identified as possible retention pond area and storm water pump station were very expensive in order to get a half foot of reduction. Neither presented a great benefit cost to be able to reduce the ponding. The storm water pump station would cost over \$10,000,000 to reduce ponding by half a foot. A lot of money, not a lot of benefit. Grading and land acquisition to add a 60-acre retention pond would cost \$2-3 million and would also only reduce bonding by half a foot. Any development that were to occur in the area shown would need to go through the floodplain permit application process once remapped.

Merrill asked about structures or businesses that are already there. Twerdchib said any if there was any redevelopment, they would need to go through the floodplain permitting process. Anything with federally backed mortgage, would require flood insurance.

Phase 3 will include the design, permitting, bidding, contract approval, survey, subsurface investigation, permitting and Section 408 authorization through the Corp of Engineers. This is a FEMA project, but the Corp originally constructed the project, which means anything we do to the levee requires approval by the Corp. Regarding timeline, Phase 3, design, permitting, bidding, will begin this summer. Phase 4, construction, would go from Fall 2023 to Spring 2024. Phase 5, preparation and submission of certification package, is currently set to occur in Fall 2024.

A recent development with the Department of Natural Resources (DNR) had been under an active project to update the maps. FEMA has run into money challenges as a result of the pandemic and resource availability. Funding for some projects has been de-obligated. The mapping project for this area has been de-obligated. Based on the revised business plan, the NRD is projecting a revised map to be completed FY2026-2027. DNR has indicated, if FEMA is able to identify more dollars, they would be able to re-obligate those funds for Elkhorn basins and initiate this project again.

Granquist discussed the retention area near Nucor Detailing and expressed concern over properties not currently in the floodplain that may be in the floodplain once re-mapped.

Councilmembers discussed potential alternatives to the proposed and asked Twerdchlib to look at alternatives and pricing.

Moenning discussed filling in portion of remnant channel near Country Club and has concerns of the aesthetic near three holes on the golf course. Twerdchlib said a full fill will not be required in this area. A well will be installed to backfill the channel if ever low. County Club has indicated that, as long as there is a way to keep water in the channel at those three holes, could support project. Have had initial conversation with them, identifying where issues are. Moen asked about alternatives to solve underseepage problem. Twerdchlib said another option would be relief wells, but that was not identified as preferred option. Come at a cost of \$40,000 each and Corp would require them to be cleaned and inspected every five years. Moenning asked to look at a cost analysis of relief wells versus channel fill-in to compare to alternative.

### Fireworks

Assistant City Administrator Scott Cordes said the topic of fireworks has been multi-year conversation. Last year, a proposed ordinance was put before the Council that would have restricted the sales and discharge of fireworks down to seven days. At this meeting, there was opposition from firework vendors. Complaints from community members continue to come in. Concerns with pets, ability to sleep, etc. Question before the Council – is there still desire with elected officials to put the topic back on the agenda? Cordes noted outright approval in state statute is 10 days.

Fire Chief Tim Wragge discussed sales and discharge of fireworks allowed in other communities. Beatrice and Grand Island allow fireworks from June 28 to July 4. North Platte discharge time starts at noon from June 28-3. Columbus is most alike Norfolk with similar dates and times. Wragge said most fires this year were grass fires, driven potentially by drought.

Cordes discussed an addition to South Sioux City's fireworks regulations that would allow the Fire Chief and Mayor to determine, based on weather and safety concerns, to suspend the use of fireworks.

Arens said he felt the public did an excellent job this year when asked not to discharge fireworks on certain days to do dry and dangerous conditions. Majority of fireworks went off on July 4th. Limiting days did not seem to stop the celebration. Arens said he likes seven days, 11 to 11.

Hildebrand said, with dates reduced, sales are still taking place, just in a more condensed timeframe.

Granquist said we will always have someone breaking the law, and asked if enforcing firework times is something our law enforcement should to have to worry about. Granquist also noted he has heard more people say leave it alone than change it.

Moenning said council needs to decide if it is worth bringing forward an ordinance to public discussion. There are valid arguments for and against. Need to have the discussion.

Police Chief Don Miller said, from police standpoint, will defer to Fire staff. Whatever is decided, enforcement is the same. Sales and discharge needs to be the same. Miller does not have a problem either way. There will not be much of an effect on public safety staff.

Arens noted there is some concern out there that fireworks are disruptive and feels we should move forward with further discussion.

Moening said, at the very least, a provision allowing for calling a ban if certain conditions are met that would not require an emergency meeting, should be considered if an ordinance is brought forward.

Adjourned at 5:19 p.m.

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Josh Moening  
Mayor

ATTEST:

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Brianna Duerst  
City Clerk  
( S E A L )