

## COMMUNITY DEVELOPMENT AGENCY

The Community Development Agency of the City of Norfolk, Nebraska, met in the Council Chambers, 309 N 5th Street, Norfolk, Nebraska, on Monday, December 4, 2023, beginning at 5:15 p.m.

Chairman Moenning called the meeting to order.

Roll call found the following Agency members present: Frank Arens, Shane Clausen, Kory Hildebrand, Thad Murren, Justin Snorton, Justin Webb, and Josh Moenning. Absent: Corey Granquist and Andrew McCarthy.

City staff members present were City Administrator Andy Colvin, City Attorney Danielle Myers-Noell, Finance Officer Randy Gates, City Clerk Brianna Duerst, Public Works Director Steve Rames, Operations Manager Lyle Lutt, Assistant City Engineer Anna Allen, Communications Manager Nick Stevenson, Economic Development Director Candice Alder and City Planner Val Grimes.

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

The Chairman presided and the Secretary recorded the proceedings.

The Chairman informed the public about the location of the current copy of the Open Meetings Act posted in the meeting room and accessible to members of the public.

### Agenda

Arens moved, seconded by Murren, to approve the agenda as printed. Roll call: Ayes: Arens, Clausen, Hildebrand, Murren, Snorton, Webb and Moenning. Nays: None. Absent: Granquist and McCarthy. Motion carried.

### Minutes

(November 6, 2023 CDA Minutes)

Arens moved, seconded by Clausen to approve the minutes of the November 6, 2023, Agency meeting as printed. Roll call: Ayes: Arens, Clausen, Hildebrand, Murren, Snorton, Webb and Moenning. Nays: None. Absent: Granquist and McCarthy. Motion carried.

### Sunset Plaza Redevelopment Project

(Resolution 2023-19)

Arens moved, seconded by Snorton to approve Resolution No. 2023-19 recommending approval of the Redevelopment Plan for the Sunset Plaza Redevelopment Project and authorization to forward to the City Council.

Agency Treasurer Randy Gates provided information to agency members. The Project Site is approximately 20.68 acres of developed property. The Redevelopment Project will consist of the renovation and rehabilitation of the existing Sunset Plaza Mall, and it is anticipated that the associated renovations will occur in two phases. First, the redeveloper intends to undertake the renovations required by Kohl's, Planet Fitness and TJ Maxx in order to secure their occupancy (referred to herein as "Phase One"). The construction undertaken as part of Phase One will focus on retrofitting the prior Herberger's space into three separate spaces (anticipated to be Kohl's, Planet Fitness and TJ Maxx). The redevelopment plan anticipates the TIF will be used for Phase Two renovations. The Phase Two renovations will include, without limitation, replacement and/or repair of the associated sidewalks and parking lots, landscaping, exterior façade enhancements, renovation of hallways and food court, and interior tenant improvements for the remainder of the mall. While Redeveloper may be able to undertake the initial renovations without TIF, it could not complete the broader rehabilitation of Sunset Plaza Mall.

The cost of public improvements, site acquisition, and other TIF-eligible costs are expected to be approximately \$15,463,466. Total project costs, including private improvements, are expected to be more than \$22,500,000. The redeveloper is requesting TIF in the amount of \$3,500,000.

Jim McKenzie, 1412 Longhorn Drive, expressed concern with inconsistencies in the plan and said he doesn't feel the plan complies with Nebraska Community Development Law because the developer is proceeding with Phase I of the project without TIF. McKenzie said the base value contemplated in the plan is not consistent with the Madison County Assessor and said a base value post completion of Phase I should be used in order to calculate the amount of eligible TIF accurately. McKenzie asked if legal counsel had reviewed these issues.

Mark Nelson, 1503 Charolais Dr, expressed concern with the effect TIF has on citizens.

Russ Wilcox, 1627 Blackberry Dr, said TIF is an important part of economic development, one of the only tools for economic development in Norfolk. Wilcox noted that without TIF, these projects simply don't happen so, from a community perspective, TIF is valuable.

Tim Tighe, 2115 J Paul Dr, spoke in support of the project and said a project like this is where TIF needs to be used. Tighe also spoke of the increased sales taxes redevelopment of the mall will bring.

Gates said the city's TIF counsel has reviewed the plan and said there is no requirement in state statute that says part of the project can't be done before the redevelopment plan is approved. Expenses incurred prior to the redevelopment plan's approval cannot be reimbursed by TIF. Gates noted the bonds are paid from incremental taxes and the draw bond assumes the Assessor based value of \$9 million.

City Administrator Andy Colvin noted the project was started prior to approval of the redevelopment plan out of necessity and the owner/redeveloper is shouldering the risk.

Roll call: Ayes: Arens, Clausen, Hildebrand, Murren, Snorton, Webb, and Moenning. Nays: None. Absent: Granquist and McCarthy. Resolution 2023-19 was adopted.

There being no further business the Chairman adjourned the meeting at 5:46 p.m.

ATTEST:

\_\_\_\_\_  
Josh Moenning, Chairman

\_\_\_\_\_  
Brianna Duerst, Secretary

( S E A L )