

**MINUTES
CITY COUNCIL MEETING
December 18, 2012**

The Wayne City Council met in regular session at City Hall on Tuesday, December 18, 2012, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Jim Van Delden, Jon Haase, Dale Alexander, Kaki Ley, Jennifer Sievers and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 6, 2012, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

The next item on the agenda was the mayoral appointment of a First Ward candidate.

Mayor Chamberlain stated he had interviewed seven different individuals for this seat, and he would have been comfortable appointing any one of those seven.

Mayor Chamberlain requested Council consideration to the following mayoral appointment: Nick Muir to fill the vacancy in First Ward.

Councilmember Brodersen made a motion, which was seconded by Councilmember Ley, approving the mayoral appointment of Nick Muir as First Ward Councilmember. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Attorney Miller presented the oath of office to Nick Muir.

Councilmember Ley made a motion, which was seconded by Councilmember Brodersen, whereas, the Clerk has prepared copies of the Minutes of the meeting of December 4, 2012, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERITAS, SE, 1925.34; APPEARA, SE, 104.76; BAKER & TAYLOR BOOKS, SU, 567.09; BANK FIRST, FE, 150.00; BARONE SECURITY SYSTEMS, SE, 138.00; BIG T ENTERPRISES, SU, 233.95; BLACKBURN MANUFACTURING, SU, 167.83; BMI, FE, 288.00; BOARD OF EXAMINERS, FE, 10.00; BOMGAARS, SU, 711.50; BROWN SUPPLY, SU, 180.00; CARHART LUMBER CO, SU, 1359.57; CHARTWELLS, SE, 5186.00; CITY OF NORFOLK, SE, 142.20; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, SE, 90.00; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 20.00; CITY OF WAYNE, PY, 61621.34; CITY OF WAYNE, RE, 2483.77; COMMUNITY HEALTH, RE, 3.00; CONSOLIDATED MANAGEMENT, SE, 106.75; COPY WRITE, SE, 613.25; CITY EMPLOYEE, RE, 63.16; DAVE'S UNIFORM CLEANING, SE, 54.00; DE LAGE LANDEN FINANCIAL, SE, 394.00; DEARBORN NATIONAL LIFE, SE, 1582.02; DRT BIOSOLIDS, SE, 157,500.00; DUTTON-LAINSON, SU, 1255.21; ECHO GROUP, SU, 101.08; ED. M FELD EQUIPMENT, SU, 687.10; EKBERG AUTO, SU, 31.49; ELECTRIC FIXTURE, SU, 12875.03; EMPLOYERS MUTUAL CASUALTY, RE, 165.54; ENVIRONMENTAL SYSTEM, SE, 266.25; FLOOR MAINTENANCE, SU, 44.47; GROSSENBURG IMPLEMENT, SU, 22.76; HANSEN REPAIR, SE, 72.10; HANSEN, GENE, RE, 216.00; CITY EMPLOYEE, RE, 30.72; HARDING & SHULTZ, SE, 1752.50; CITY EMPLOYEE, RE, 198.73; HEIKES AUTOMOTIVE, SE, 58.58; HIRERIGHT SOLUTIONS, SE, 53.15; ICMA, SE, 5607.89; INGRAM BOOK CO, SU, 9.95; IRS, TX, 19817.54; CITY EMPLOYEE, RE, 201.14; KEPSCO, SU, 7.55; KRIZ-DAVIS, SU, 226.31; KTCH, SE, 605.00; CITY EMPLOYEE, RE, 97.56; MERCY MEDICAL CLINIC, SE, 72.00; MIDSTATES ERECTORS, SU, 34481.00; MIDWEST LABORATORIES, SE, 848.00; MIRIAN AGUIRRE, SE, 90.00; NE AIR FILTER, SU, 166.77; NE DEPT OF LABOR, SE, 144.00; NE DEPT OF REVENUE, TX, 3128.43; NE PUBLIC HEALTH, SE, 98.00; N.E.NE AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 12418.90; NORTHWEST ELECTRIC, SU, 1409.79; NOVA HEALTH EQUIPMENT, SU, 14827.00; ORIENTAL TRADING CO, SU, 8.75; OVERHEAD DOOR CO, SU, 114.00; PAC N SAVE, SU, 109.42; PAUL VELDKAMP, RE, 500.00; PRESTO X, SE, 103.96; QUALITY FOODS, SU, 7.50; RANDOM HOUSE, SU, 72.75; ROBERT WOehler & SONS, SE, 1722.50; SGP SERVICES, SE, 79.88; SHOPKO, SU, 21.28; SPARKLING KLEAN, SU, 2757.93; STATE NATIONAL BANK, RE,

28032.50; STEFFEN, SU, 206.12; THE DIAMOND CENTER, SU, 363.53; TRANS-IOWA EQUIPMENT, SU, 859.15; UNITED WAY, RE, 10.00; WAYNE AUTO PARTS, SU, 335.93; WAYNE COUNTY CLERK, SE, 192.00; WAYNE HERALD, SE, 891.73; WAYNE VETERINARY CLINIC, SE, 219.00; WESCO, SU, 208.74; WAPA, SE, 31977.31; WESTERN ENVIRONMENTAL, SU, 384.62; WRIEDT, RON, SE, 457.00; ZACH OIL CO, SU, 5706.07; ZEE MEDICAL SERVICE, SU, 30.47; APPEARA, SE, 56.98; CITY EMPLOYEE, RE, 797.18; BLUE CROSS BLUE SHIELD, SE, 24,854.78; CITY EMPLOYEE, RE, 318.10; CITY OF WAYNE, RE, 100.00; DAKOTA BUSINESS SYSTEMS, SE, 103.50; DELL MARKETING, SU, 3696.99; ED. M FELD EQUIPMENT, SU, 1000.35; ELECTRONIC ENGINEERING, SE, 269.50; ELLIS PLUMBING & HEATING, SE, 98.00; CITY EMPLOYEE, RE, 40.67; HOA SOLUTIONS, SE, 4491.46; KRIZ-DAVIS, SU, 112.35; LERNER PUBLISHING GROUP, SU, 216.54; MAIN STREET AUTO CARE, SE, 100.00; CITY EMPLOYEE, RE, 702.83; MERCY MEDICAL CLINIC, SE, 86.00; MIDWEST SERVICE & SALES, SU, 8900.00; MSC INDUSTRIAL, SU, 126.14; NE ECONOMIC DEVELOP ASSN, FE, 200.00; NPPD, SE, 246870.26; OLSSON ASSOCIATES, SE, 3200.39; ONE CALL CONCEPTS, SE, 60.05; PITNEY BOWES, SE, 648.00; CITY EMPLOYEE, RE, 138.59; ROBERT WOEHLE & SONS, SU, 37.70; RON'S RADIO, SE, 272.50; ROSE EQUIPMENT, SU, 4762.32; STADIUM SPORTING GOODS, SU, 40.00; STATE NATIONAL BANK, RE, 200.00; UNITED RENTALS, SE, 603.24; VAKOC BUILDER'S RESOURCE, SU, 39.59; WAED, RE, 1285.00; WAED, RE, 7383.33; WAYNE STATER, SE, 24.00; FIREMAN, RE, 202.50

Councilmember Haase made a motion, which was seconded by Councilmember Alexander to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Phil Monahan, Fire Chief, was present requesting Council consideration to approving the membership application of Peter Phillips to the Wayne Volunteer Fire Department. Mr. Phillips was present to answer questions.

Councilmember Brodersen made a motion, which was seconded by Councilmember Van Delden, approving the membership application of Peter Phillips to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, was also requesting Council consideration to approving the membership application of Abraham Rodriguez to the Wayne Volunteer Fire Department. Mr. Rodriguez was unable to be at the meeting.

Councilmember Brodersen moved to table action on this matter until the next meeting, but then withdrew the same.

Councilmember Alexander made a motion, which was seconded by Councilmember Van Delden, approving the membership application of Abraham Rodriguez to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to adopt the new Revolving Loan Fund Guidelines and to approve the Memorandum of Understanding between the City and Northeast Nebraska Economic Development District.

Holly Quinn, representing the District, was present to answer questions. Because the District will be taking over the administration of Wayne's revolving loan funds, new guidelines must be adopted.

City Clerk McGuire had not received any comments for or against this public hearing.

There being no further comments, Mayor Chamberlain closed the public hearing.

Councilmember Ley introduced Resolution No. 2012-92 and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2012-92

A RESOLUTION OF THE CITY COUNCIL OF WAYNE, NEBRASKA, ADOPTING THE BUSINESS REVOLVING LOAN FUND GUIDELINES, WHICH ARE ATTACHED HERETO.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution will approve the Memorandum of Understanding between the City and Northeast Economic Development, Inc., whereby the City agrees to assign all current CDBG (program income) economic development projects funded through the City of Wayne to Northeast Economic Development to be reused for economic development activities.

Councilmember Alexander introduced Resolution 2012-93 and moved for its approval; Councilmember Van Delden seconded.

RESOLUTION NO. 2012-93

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution will approve the Service/Consultant Agreement with NNEDD regarding the administration of Wayne's Revolving Loan Fund Program.

Councilmember Alexander introduced Resolution 2012-94 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2012-94

A RESOLUTION APPROVING SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT TO ASSIST THE CITY WITH ITS REVOLVING LOAN FUND PROGRAM.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley made a motion, which was seconded by Councilmember Alexander, to recess as Council and convene as the Community Development Agency. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Chair Haase called the meeting of the Community Development Agency to order. Those in attendance were: Members Cale Giese, Jim Van Delden, Dale Alexander, Ken Chamberlain, Nick Muir, Kaki Ley, Jennifer Sievers and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Chair Haase advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection.

Member Alexander made a motion and Member Ley seconded approving the minutes of the November 20, 2012, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the CDA agenda was to appoint a Chair for the CDA.

Member Ley made a motion to nominate or reappoint Member Haase as the Chair; Member Brodersen seconded. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the agenda was to consider and adopt CDA Resolution 2012-8 recommending approval of a Redevelopment Plan/Contract for MZRB Properties, LLC, a Limited Liability Company. This is for a market-rate rental duplex which will be built on the property that was purchased by MZRB Properties and is located at the corner of Windom and 4th Street.

Mike McManigal, representing MZRB Properties, LLC, was present to answer questions. There will be six, 3-bedroom apartments. He will have one parking stall per bedroom. He is proposing to install a privacy fence on the south side of the property.

Member Chamberlain introduced CDA Resolution No. 2012-8 titled as follows and moved for its passage and approval by the Agency:

CDA RESOLUTION NO. 2012-8

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA, RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN/CONTRACT FOR MZRB PROPERTIES, LLC.

Member Alexander seconded the motion.

On roll call vote, the following Agency Members voted in favor of the motion: Giese, Van Delden, Alexander, Chamberlain, Muir, Ley, Sievers, and Brodersen. The following Members voted against the motion: None; the following member was absent: None; and the following members abstained due to a conflict of interest: None. The Chair declared the motion carried.

Member Alexander made a motion and Member Van Delden seconded to adjourn as the Community Development Agency and reconvene as Council. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to obtain public comment prior to the consideration of a Resolution approving the Redevelopment Plan, including a redevelopment contract, for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”). The Mayor opened the public hearing and invited all interested persons to be heard.

City Clerk McGuire had not received any comments for or against this public hearing.

There being no further comments, Mayor Chamberlain closed the public hearing.

Councilmember Brodersen introduced Resolution No. 2012-95 and moved for its approval, contingent upon (1) a privacy fence being installed on the south side of the property (preferably to the front of the adjoining property owner’s property), and (2) two shade trees being planted; Councilmember Alexander seconded.

RESOLUTION NO. 2012-95

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA, APPROVING A REDEVELOPMENT PLAN/CONTRACT FOR MZRB PROPERTIES, LLC; AND RELATED MATTERS.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the “Blight and Substandard Area Determination” for Wayne “Central” Redevelopment Area.

A map showing the redevelopment areas in Wayne was distributed to the Council. We are limited to 35% of the total area of the City limits being blighted and substandard. We are approaching that limit. We can delineate some areas, such as the Oaks and Wayne East, which would bring our total area percentage down, and a proposal will be brought to the Council to decertify those areas in the near future.

No written or oral comments had been received by the City Clerk's Office concerning this public hearing.

BJ Woehler had a concern with the City using photos of someone's property in the blight study, but not giving those property owners a chance to improve their property with TIF funds. A lot of this money just goes towards new development.

There being no further comments, Mayor Chamberlain closed the public hearing.

Councilmember Ley introduced Resolution 2012-96, and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2012-96

A RESOLUTION OF THE CITY OF WAYNE, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

City Clerk McGuire stated the following Resolution would approve a proposal with American Legal Publishing to recodify the Municipal Code Book. The last time the Municipal Code Book was recodified was in 2000. Monies have been budgeted for this project. The estimated cost is \$8,550.

Councilmember Sievers introduced Resolution 2012-97, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2012-97

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING CODIFICATION AGREEMENT WITH AMERICAN LEGAL PUBLISHING CORPORATION FOR PROFESSIONAL SERVICES FOR THE RECODIFICATION OF THE CITY'S MUNICIPAL CODE BOOK.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would amend the winter months used for averaging sewer rates from December, January and February to January, February and March because of the mild fall/winter we have had. This would allow those people who were still watering their lawns in November to not be penalized with a higher sewer average.

Councilmember Brodersen had a concern because she hoped to be watering in March. A suggestion was to average two months (January and February) instead of three months.

Councilmember Brodersen introduced Resolution 2012-98, and moved for its approval subject to changing the months used in averaging residential sewer bills to January and February; Councilmember Ley seconded.

RESOLUTION NO. 2012-99

RESOLUTION AMENDING SEWER SERVICE AND USE RATES.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Joel Hansen, Zoning Administrator, brought forward new language concerning the Parking Ordinance that was tabled at the last meeting. He thought this addressed the issue of new construction. That language is as follows:

(b) Minimum off-street parking and loading requirements. Off-street motor vehicle parking and loading space shall be provided on any lot on which any of the indicated structures and uses are hereafter established. **These requirements are thus only applicable to construction of a new structure (regardless of whether or not another building previously existed on the property), when a structure's use changes from one use (as listed in the "Schedule of Minimum Off-Street Parking and Loading Requirements" in this chapter) to another, or to any existing multiple family structure to which an addition is constructed that results in more dwelling units than existed prior to the addition.**

In addition, a change was made to the table inset: Residential Structures (multiple family & townhouse).

Councilmember Sievers introduced Ordinance 2012-60, and moved for approval thereof; Councilmember Ley seconded.

ORDINANCE NO. 2012-60

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, BY AMENDING SECTION 90-710(c) PARKING OR DRIVEWAY SURFACES, INTERIOR OF THE LOT BY; AND BY ADDING SUBPARAGRAPH (f) DESIGN STANDARDS FOR PARKING LOTS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Brodersen seconded to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Brodersen seconded to move for final approval of Ordinance No. 2012-60. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley introduced Ordinance 2012-61, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2012-61

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE CHAPTER 78, ARTICLE III, PARKING, BY ADDING SECTION 78-143 RESTRICTED PARKING FROM 7:00 A.M. TO 9:00 A.M., MONDAY THROUGH FRIDAY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Ley seconded to suspend the statutory rules requiring ordinances to be read by title on three different days.

Councilmember Giese preferred not waiving the three reading requirement since school would not be in session at the time of the next Council meeting.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who voted Nay, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2012-61. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who voted Nay, the Mayor declared the motion carried.

City Attorney Miller reviewed the changes they are recommending be made to the ATV Ordinance. Those changes, which are under the Section entitled “Additional R requirements are:

- The ATV’s must be registered every year.
- There is a \$25 operating fee for anyone operating the ATV.
- The vehicle license shall be renewed no later than April 1st of each year. You can license the vehicle at any time, and the same would be prorated to April 1st.
- A person shall renew his or her annual registration within 30 days prior to the licensed date of expiration. Each and every owner of an ATV or a utility vehicle shall possess an ATV operator’s permit and carry said permit on his or her person while in operation of the ATV.

Every person that wants to operate the ATV also has to renew their operator’s permit every year as well.

Councilmember Ley introduced Ordinance 2012-62, and moved for approval thereof, including those changes recommended by the City Attorney’s office; Councilmember Giese seconded.

ORDINANCE NO. 2012-62

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78 BY ADDING ARTICLE VII. TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Police Chief Chinn advised the Council that there are only eight ATV’s registered at this time.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who voted Nay, the Mayor declared the motion carried. The second reading will take place at the next Council meeting.

Administrator Johnson stated a change order has been received on the Benscoter Addition – Phase 1 Paving and Utility Improvement Project in the amount of \$7,310.98.

Councilmember Alexander questioned the remobilization charges (\$3,500) on the change order, and the delay charges of \$4,280.

Administrator Johnson reminded Council that these additional costs are billed to the Improvement District, not the City, as an assessment. The City's share of this \$3,500 would be about \$525, the hotel's share would be around \$350, and the remainder would be assessed to Benscoter.

Garry Poutre, Supt. of Public Works & Utilities, stated when Sioux City Engineering came to Wayne, the project was not ready for them. This was due to a change in the grading (raising it up by 2'). When that decision was made, Sioux City Engineering took their grading machine off site and went to another project to work. There were also some things that weren't anticipated, such as the driveway at the Villa, and the fact that 4th Street went farther west than what was originally planned because of the storm sewer.

Councilmember Alexander stated he did not want this project to cost the City any more than it already has. It was bid out to be \$281,734 and now it's at \$316,473.

Councilmember Ley made a motion, which was seconded by Councilmember Giese approving Change Order No. 2 (Final) — \$7,310.98 for the Benscoter Addition – Phase 1 Paving and Utility Improvement Project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated a pay request has been received from Sioux City Engineering Company for the Benscoter Addition – Phase I Paving Project in the amount of \$48,775.62. The engineer on the project has approved the same.

Councilmember Brodersen made a motion, which was seconded by Councilmember Ley, approving Certificate of Payment No. 3 (Final) for the Benscoter Addition – Phase 1 Paving Project in the amount of \$48,775.62 to Sioux City Engineering Company. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated a change order has been received on the Western Ridge Paving – Phase II Project in the amount of \$950.98. This is an adjustment for final paving quantities.

Councilmember Alexander made a motion, which was seconded by Councilmember Giese, approving Change Order No. 1 for the Western Ridge Paving – Phase II Project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated a pay request has been received from Luxa Construction for the Western Ridge Paving – Phase II Project in the amount of \$8,084.21. The engineer on the project has approved the same and this is the final payout.

Councilmember Alexander made a motion, which was seconded by Councilmember Ley approving Certificate of Payment No. Final for the Western Ridge Paving – Phase II Project in the amount of \$8,084.21 to Luxa Construction. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to the appointment of Councilmembers Giese, Haase and Muir to the Audit Committee.

Councilmember Alexander made a motion, which was seconded by Councilmember Brodersen, approving the appointment of Councilmembers Giese, Haase, and Muir to the Audit Committee. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated that Agenda Item No. 26 has been pulled from the agenda.

Councilmember Brodersen made a motion, which was seconded by Councilmember Alexander, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 7:17 p.m.