

**AGENDA
CITY COUNCIL MEETING
March 19, 2013**

1. Approval of Minutes – March 5, 2013

2. Approval of Claims

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the south wall of the City Council Chambers.

The City 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.

3. Presentation of FY11-12 Audit – Terry Galloway, Almquist, Maltzahn, Galloway & Luth, PC

Background: This annual outside audit is required by State Law. The auditor will review the findings and make recommendations and comparisons of Wayne revenues and expenditures with other client cities that are similar in size.

4. Resolution 2013-22: Adopting Operations Plan for Disaster Response and Recovery

Background: The responsibility for the welfare of the residents during a disaster rests with the Mayor and the City Council. The Mayor will be responsible for the coordination and management of both the prevention preparations and the disaster operations and recovery. The elected officers of the jurisdiction shall be responsible for ensuring that emergency management services are provided to their citizens and for coordinating emergency operations in their respective jurisdictions, as well as making executive decisions necessary to provide an effective response and recovery to the disaster. The plan needs to be reviewed and updated every five years and approved by the elected officials.

Recommendation: The attached plan has been reviewed and submitted by city staff and Nick Kemnitz, Wayne County Emergency Manager, and submitted for Council approval.

5. Action on Request to close the following streets on Friday, July 12th, from 2:30 p.m. until 2:00 a.m. for the annual Henoween Celebration: Main Street from 1st Street to 4th Street (not including the end intersections); 2nd Street from Pearl Street to Logan Street; and 3rd Street from Pearl Street to Logan Street (not including the Pearl and Logan Street intersection). The Committee plans to hold a street dance on Main Street from approximately 10:00 p.m. to 1:00 a.m. on Friday night. — Irene Fletcher, Assistant Director WAED

Background: This is the annual request to use city streets for Henoween, and it meets the requirements of NDOR (Nebraska Department of Roads) for closing and

temporary use of a State highway. An additional requirement is that proof of liability insurance is provided by Wayne Area Economic Development.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the request.

6. Action on Request to close the following streets on Saturday, July 13th from 6:00 a.m. until 5:00 p.m. for the Annual Chicken Show Celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and Douglas Street from 8th Street to 10th Street. The intersections at 10th and Douglas and 10th and Lincoln Streets are requested to be closed. — Irene Fletcher, Assistant Director WAED

Background: This is the annual request to use city streets for the Chicken Show, and it meets the requirements of NDOR (Nebraska Department of Roads) for closing and temporary use of a State highway. An additional requirement is that proof of liability insurance is provided by Wayne Area Economic Development.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the request.

7. Action on Request to close the following Streets on Saturday, July 13th, for the Annual Chicken Show Parade from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. — Irene Fletcher, Assistant Director WAED

Background: This is the annual request to use city streets for the Chicken Show, and it meets the requirements of NDOR (Nebraska Department of Roads) for closing and temporary use of a State highway. An additional requirement is that proof of liability insurance is provided by Wayne Area Economic Development.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the request.

8. Resolution 2013-23: Acknowledging Requirements for the Temporary Use of the State Highway System for Special Events (Halloween and Chicken Show – July 12th and 13th)

Background: This is the annual request to use city streets for Halloween and the Chicken Show, and it meets the requirements of NDOR (Nebraska Department of Roads) for closing and temporary use of a State highway. An additional requirement is that proof of liability insurance is provided by Wayne Area Economic Development.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the request.

9. [Ordinance 2013-16: Amending Wayne Municipal Code Section 34-39 Nuisance; Duty of Owner or Occupant \(Third and Final Reading\)](#)
10. [Ordinance 2013-17: Amending Wayne Municipal Code Section 34-40 Abatement of Nuisance \(Third and Final Reading\)](#)
11. [Resolution 2013-24: Approving Reimbursement of Funds Temporarily Advanced for the 10th Street, Main to Windom Improvement Project](#)

Background: This action reserves the right of the City to allocate the costs of the Tenth Street project to the Tenth Street paving district and issue General Obligation Bonds to finance the cost of the project. This action is required even though there is no intent to assess costs to the abutting property owners.

12. [Resolution 2013-25: Approving Reimbursement of Funds Temporarily Advanced for the Milo Drive Street Improvement Project](#)

Background: This action reserves the right of the City to allocate the costs of the Milo Drive project to the Milo Drive paving district and issue General Obligation Bonds to finance the cost of the project.

13. [Resolution 2013-26: Accepting Proposal on the Staking and Construction Administration Proposal - 10th Street, Main to Windom Improvements Project](#)

Background: Every City street, water, and sewer project requires an engineer design. After the project is bid out and a bid is accepted, there is a need for a second engineering agreement to stake the project out, oversee the construction, and approve payment and final acceptance of the project as being built in compliance with the bid. This agreement is for engineering services for the construction engineering portion of the project. Joel submitted an RFP (Request for Proposals) to engineering firms that we usually work with and received three quotes for services.

Recommendation: The recommendation of Joel Hansen, Street Superintendent, is to accept the proposal from Advanced Engineering Services in West Point for the sum of \$40,500 to provide the staking and construction engineering services. This was the lowest cost quote received.

14. [Action Requesting the Nebraska Department of Environmental Quality to Place all of the City Limits of Wayne into the Wellhead Protection Area](#)

Background: This was included in the action at the last Council meeting to approve the Wellhead Protection Plan, but needs separate Council action.

15. [Action on Police Sergeant Job Description](#)

Background: We are reviewing and updating the City of Wayne job descriptions. They need approval by City Council action, and we will bring changes to you a few at a time. We will submit job descriptions for Supt. of Public Works and Utilities next.

Recommendation: The recommendation of Lowell Johnson, City Administrator, and Marlen Chinn, Chief of Police, is to approve this job description.

16. Action on Senior Patrolman Job Description

Recommendation: The recommendation of Lowell Johnson, City Administrator, and Marlen Chinn, Chief of Police, is to approve this job description.

17. Action on Administrative Assistant Job Description

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve this job description.

18. Action on Public Buildings Manager Job Description

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve this job description

19. Resolution 2013-28: Amending Wage and Salary Schedule

Background: This proposal includes a 2% upward cost-of-living adjustment of the entire City pay grid for 2013. In most non-election years we have acted on this at or before December 31st. This year we have delayed this process and recommend that whatever action the Mayor and Council take to approve, adjust or table, the wage changes be made retroactive to the first full pay period in 2013.

The policy of the Mayor and Council for the past 10+ years has been to adjust the hourly wage or salary range for each job description to match the "midpoint" of the wage and salary range for each job description to that of the annual League of Municipalities wage survey.

The League Survey for Wayne lists all of the job descriptions approved by the City Council and compares the pay range for each job with those of the 21 area cities in the survey that have populations between 1/2 the size of Wayne and twice the size of Wayne. Nebraska Statutes require public employees to be paid a comparable wage for their job description, but does not specify the model required for comparison.

Nancy Braden prepares the attached spreadsheet for direct comparison of Wayne pay ranges to the League Survey.

Nancy then uses the mathematical model approved by the Nebraska Commission on Industrial Relations to find the "midpoint" of the top pay range for each job description. We then readjust the starting wage for each job description to provide a 2.75% annual merit increase for 9 years in between the starting and top pay rate. We began using this method when we began negotiating labor agreements with the Wayne Police FOP bargaining unit because past Mayors and Councils have not wanted to treat civilian city employees different from the police department.

Using this mathematical model, some years have more adjustments for job descriptions than others. This year, we had more than normal outliers and ended

up in adjusting most pay ranges to catch up. We are preparing a financial impact statement to send on Monday for your review.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the wage proposal as presented to maintain comparable wages as required by State Statute.

20. Resolution 2013-29: Amending Wage and Salary Schedule for Police Department

Background: There is in place a negotiated wage scale in the Wayne FOP Labor Contract. In the FOP Labor Contract, the Council has retained the option to adjust the wage scale for cost-of-living for all police positions between 0% and 2% annually. This proposal in the wage scale attached proposes a 2% COLA for all positions for 2013.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve the 2% COLA for the labor agreement for 2013.

21. Action to authorize the Developer of Bencoter Subdivision to install a 6 ft partial Visual Barrier Fence on City Property on the Northwest Side of the Trail Bordering the Subdivision.

Background: The owner of the Bencoter Subdivision and the owners of the trailer court have agreed to each pay \$5,000 towards the cost of purchasing a \$15,000 white vinyl, non-contiguous, residential style fence (which is displayed in the City Council room) if the City will pay \$5,000. The fence would be installed in discontinuous segments in the right-of-way segments in the railroad as a visual distraction between the two developments. The fence would be accompanied by plantings of small shrubs and trees to create an open park area on the right-of-way, and the fence would be removed in 5 years and become property of the City for use at another site on City property that needs to be fenced.

22. Recess

- a. Convvene as Community Development Agency
- b. Approve Minutes – March 5, 2013
- c. Action on Proposed Purchase Agreement on Lot 2A and Lot 2B, Replat of Kardell Industrial Park — Robert Woehler & Sons Construction, Inc.

Background: Jon Haase, Mayor Chamberlain, and I have negotiated a proposal to sell 10 acres of Lots 2A and 2B in the Kardell Industrial Park for the Woehlers to relocate the concrete collection, crushing and sales to that site from their current location on Fairgrounds Avenue. Attached is a purchase agreement from Robert Woehler and Sons. The only change is that we have agreed to sell all 10 acres at the price of \$7,575 per acre, with a recommendation that Woehlers apply for LB840 funds to pay for Lot 2A. Because of the extreme topography of the site, there is also a lot of site preparation cost for them or any other buyer to be able to utilize the property, and they will seek LB840 funding for these costs also when they have completed the engineering plan.

Recommendation: The recommendation of CDA Chair, Haase, Mayor Chamberlain, and City Administrator Lowell Johnson is to approve the agreement with the change listed above and with the performance of terms in Item #2 (albeit adjusted for full price of \$7,575 per acre) included as the terms of the sale and transfer of title.

d. [CDA Res. 2013-4: Authorizing Issuance of Tax Increment Revenue Bond – McManigal – MZRB, LLC Project](#)

Background: This action is needed for Nancy to issue the TIF bond that has been already approved for the 6-plex apartment project at 4th and Windom by Hank Overin Field.

e. [Action on Recommendation to Make Offer to Purchase Property – 939 Main Street](#)

Background: The safety of the intersection of 10th and Main could be improved if we are able to encroach on this lot with a larger intersection. This property has been advertised for sale, and Joel and I would like to propose an offer to buy the property to clear the house off the lot for a bigger intersection. We have had this property appraised by a licensed appraiser. Discussion of price negotiations may be done in closed session.

f. [Action on Recommendation to Make Offer to Purchase Property – 109 E. 10th Street](#)

Background: This lot contains a 5 apartment residential unit on 10th Street and has been offered to the City for sale. WSC is looking for park and parking options on 10th Street, but is unable to purchase this at this time. The owner of this property is ready to begin complete renovation of this property if we aren't interested. We are seeking an appraisal of this property.

g. [Adjourn CDA and Reconvene as Council](#)

23. [Appointment to Wellhead Protection Committee – Cale Giese](#)

Background: This was included in the action at the last Council meeting to approve the Wellhead Protection Plan, but needs separate Council action. We have prepared a label list of the landowners in the original south and north wellhead areas as of the time the plan was adopted. We will use that label list to communicate with landowners and to invite additional persons in these areas to join the Committee.

24. [Adjourn](#)

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

March 5, 2013

The Wayne City Council met in regular session at City Hall on Tuesday, March 5, 2013, 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, Nick Muir, Kaki Ley, Jennifer Sievers and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Dale Alexander.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on February 21, 2013, 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.

Councilmember Haase made a motion, which was seconded by Councilmember Van Delden, whereas, the Clerk has prepared copies of the Minutes of the meeting of February 19, 2013, 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: CITY EMPLOYEE, RE, 121.00; AMAZON, SU, 401.44; AMERICAN BROADBAND, SE, 2428.25; AMERICAN LEGAL, SE, 855.00; AMERITAS, SE, 2013.53; APPEARA, SE, 214.36; ARNIE'S FORD-MERCURY, SU, 16.21; BANK FIRST, FE, 150.00; BLACK HILLS ENERGY, SE, 1711.35; BLUE CROSS BLUE SHIELD, SE, 24234.52; BOMGAARS, SU, 913.45; CARHART LUMBER, SU, 823.56; CENTURYLINK, SE, 310.97; CHEMQUEST, SE, 595.00; CITY OF NORFOLK, SE, 204.21; CITY OF WAYNE, RE, 700.00; CITY OF WAYNE, PY, 63973.09; CITY OF WAYNE, RE, 225.00; COLONIAL RESEARCH, SU, 181.08;

COMMUNITY HEALTH, RE, 4.00; CONSOLIDATED MANAGEMENT, RE, 32.75; DAKOTA BUSINESS SYSTEMS, SE, 103.50; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 106.64; ECHO GROUP, SU, 510.50; ELECTRIC FIXTURE & SUPPLY, SU, 127.69; ENVIROTECH SERVICES, SU, 5218.84; FASTENAL, SU, 89.76; FIRST CONCORD GROUP, SE, 3701.94; FLOOR MAINTENANCE, SU, 108.30; FREDRICKSON OIL, SU, 1656.60; GLEN'S AUTO BODY, SE, 180.79; GP GFOA, FE, 85.00; GROSSENBURG IMPLEMENT, SU, 232.07; HOLIDAY INN, SE, 259.90; HOUCHEN BINDERY, SU, 53.75; ICMA, SE, 5734.26; INDUSTRIAL TOOL, SU, 172.01; IRS, TX, 22262.59; CITY EMPLOYEE, RE, 1135.16; KTCH, SE, 88.00; LERNER PUBLISHING GROUP, SU, 284.50; LIVING HERE, SU, 27.00; LYDELL HEGGEMEYER, RE, 214.64; MAIN STREET AUTO CARE, SU, 1169.70; MARCO, SE, 970.46; MENARDS, SU, 227.11; CITY EMPLOYEE, RE, 3608.42; NE DEPT OF HEALTH, FE, 80.00; NE DEPT OF REVENUE, TX, 2951.49; NE PUBLIC HEALTH, SE, 963.00; NORFOLK DAILY NEWS, SE, 59.42; N.E. NE AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 5189.00; QUILL, SU, 202.33; CITY EMPLOYEE, RE, 206.00; SHARON M HUGHES, RE, 500.00; STATE FARM INSURANCE, SE, 563.00; STATE NATIONAL BANK, RE, 105.89; TASTE OF HOME BOOKS, SU, 31.98; TRANS-IOWA EQUIPMENT, SU, 163.51; TRI AIR TESTING, SE, 458.00; UNITED WAY, RE, 12.40; VAKOC CONSTRUCTION, SU, 31.99; VIAERO, SE, 206.03; VOSS LIGHTING, SU, 224.10; WAKEFIELD REPUBLICAN, SU, 27.00; WAYNE COUNTRY CLUB, RE, 6425.00; WAYNE COUNTY COURT, RE, 150.00; WESCO, SU, 402.57; AS CENTRAL SERVICES, SE, 448.00; BARONE SECURITY SYSTEMS, SE, 138.00; CITY EMPLOYEE, RE, 23.78; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 259.37; CONSOLIDATED MANAGEMENT, RE, 97.25; COPY WRITE, SE, 635.90; CITY EMPLOYEE, RE, 173.24; DAVE'S DRY CLEANING, SE, 60.00; EAKES OFFICE PLUS, SE, 40.55; EASYPERMIT POSTAGE, SU, 1712.66; CITY EMPLOYEE, RE, 1139.98; ED. M FELD EQUIPMENT, SU, 280.00; FASTENAL CO, SU, 34.85; FLOOR MAINTENANCE, SU, 73.10; GEMPLER'S, SU, 188.50; GILL HAULING, SE, 155.00; HEIKES AUTOMOTIVE, SE, 47.93; INTERSTATE ALL BATTERY, SU, 271.60; KLEIN ELECTRIC, SE, 2007.00; KNOEPFLER CHEVROLET, SU, 303.36; KRIZ-DAVIS, SU, 340.80; LEAGUE OF NEBRASKA, FE, 3751.00; CITY EMPLOYEE, RE, 274.36; MIDLAND COMPUTER, SE, 2236.50; MISS MOLLY'S COFFEE, SU, 53.25; NE RURAL WATER, FE, 1500.00; ONE CALL CONCEPTS, SE, 16.95; PAC N SAVE, SU, 125.64; PIEPER & MILLER, SE, 10994.35; PLUNKETT'S PEST CONTROL, SE, 43.26; QUILL, SU, 693.84; RAINBOW WORLD, RE, 500.00; SHOPKO, SU, 89.95; STATE NATIONAL BANK, SE, 59.60; UNITED COMMUNICATIONS, SE, 111.04; US BANK, SU, 12152.16; VERIZON, SE, 101.93; WAED, RE, 7383.33; WAYNE COMMUNITY HOUSING, SE, 575.00; WAYNE COUNTY CLERK, SE, 188.00; WAYNE HERALD, SE, 1438.35; WAYNE VETERINARY CLINIC, SE, 350.00; ZACH OIL, SU, 5858.81

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, to approve the claims. Mayor Chamberlain stated the motion,

and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, 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.

Mayor Chamberlain stated the following Resolution regarding the adoption of the Wellhead Protection Plan was tabled at the last meeting, so that Councilmembers could do some fact finding and get answers to any questions that they may have. Since a public hearing was held on this matter at the last council meeting, Mayor Chamberlain advised those in attendance that he would not be taking public comments on this matter this evening.

Councilmember Van Delden introduced Resolution No. 2013-9 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2013-9

A RESOLUTION ADOPTING A WELLHEAD PROTECTION PLAN.

Councilmember Ley stated recently a community member approached the City attorney stating that they believed she had a conflict of interest with this Wellhead Protection Plan vote. She believed they were referring to her connection with State National Bank and the perceived conflict it has created. Out of respect for the City and

the Bank, she advised the Mayor and Council that she would be abstaining from voting this evening.

Councilmember Brodersen stated she would like to see the city limits of Wayne included in the wellhead protection area.

Councilmember Giese stated that DEQ is going to take more measurements in the upcoming months, and a new map will be provided at no cost.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent and Councilmember Ley who abstained, the Mayor declared the motion carried.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Benscoter Addition PUD Replat 2. The Applicant is Windom Ridge, Inc.

Joel Hansen, Zoning Administrator, stated at the last Planning Commission meeting, a plat came before the Commission to re-plat some of the Benscoter Addition PUD; however, due to a number of errors and omissions on the re-plat, it was tabled. The errors have now been corrected, and the re-plat now includes the entire addition rather than just some of the lots.

The Planning Commission reviewed the Replat at their public hearing on March 4, 2013, and forwarded a recommendation to approve the same subject to the following "Findings of Fact":

1. Staff recommendation; and
2. Consistency with the Comprehensive Plan and the current and future land use maps.

Lou Benscoter was present to answer questions.

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 2013-12, and moved for approval thereof; Councilmember Ley seconded.

RESOLUTION NO. 2013-12

A RESOLUTION APPROVING THE REPLAT OF THE BENSCOTER ADDITION PLANNED UNIT DEVELOPMENT REPLAT 2.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Joel Hansen, Zoning Administrator, stated the following Ordinance would release and abandon all of the easements in the Angel Acres Subdivision. New easements will be established and drawn on the new plats.

Councilmember Van Delden introduced Ordinance 2013-18 and moved for approval thereof; Councilmember Giese seconded.

ORDINANCE NO. 2013-18

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF ALL UTILITY EASEMENTS IN ANGEL ACRES ADDITION.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Van Delden made a motion and Councilmember Giese 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Van Delden made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2013-18. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Preliminary and Final Plats for Angel Acres Addition. The Applicant is Windom Ridge, Inc.

The Planning Commission reviewed the preliminary and final plats at their public hearing on March 4, 2013, and forwarded a recommendation to approve the same subject to the following "Findings of Fact":

1. Staff recommendation; and
2. Consistency with the Comprehensive Plan and the current and future land use maps.

Lou and Mandy Benscoter were present to answer questions.

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

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

Councilmember Muir introduced Resolution 2013-13, and moved for approval thereof; Councilmember Ley seconded.

RESOLUTION NO. 2013-13

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLATS AND SUBDIVISION AGREEMENT FOR ANGEL ACRES, AND AUTHORIZING THE EXECUTION OF THE SUBDIVISION AGREEMENT.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Mayor Chamberlain stated that the Planning Commission held a public hearing on the rezoning request of Windom Ridge, Inc., to rezone Angel Acres Addition from R-1 Residential to R-2 Residential. The Planning Commission tabled the rezoning matter until their next regular meeting. Therefore, he was not going to open the scheduled public hearing, but was going to table the same until after the Planning Commission meets in April and forwards a recommendation to them on this matter.

The public hearing on the rezoning of Angel Acres Addition was tabled until the April 2nd Council meeting.

Councilmember Ley made a motion, which was seconded by Councilmember Sievers, 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, with the exception of Councilmembers Alexander who was absent, 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, Ken Chamberlain, Nick Muir, Kaki Ley, Jennifer Sievers, and Jill Brodersen; City Attorney Amy Miller;

City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Member Dale Alexander.

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 Van Delden made a motion, which was seconded by Member Chamberlain, to approve the minutes of the January 15, 2013, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Alexander who was absent, the Chair declared the motion carried.

The next item on the agenda was to approve the CDA Claims:

Kelby Herman Progressive Properties (incentive loan) - \$10,000

Kelby Herman (incentive loan) - \$20,000

Wayne County Treasurer (taxes on Kardell Industrial and Western Ridge) - \$4,998.31.

Member Chamberlain made a motion, which was seconded by Member Giese, to approve the CDA claims. Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Alexander who was absent, the Chair declared the motion carried.

Chair Haase stated the following CDA Resolution would recommend approval of a Redevelopment Plan Amendment for the Boyle's First Addition, Lot 2; Boyle's Second Addition, Lots 1, 2, 3, 4; and Lot 1, Admin Subdivision of Boyle's Outlot to the City of Wayne, Wayne, County, Nebraska (Angel Acres).

Administrator Johnson stated this involves the Tax Increment Financing Agreement regarding Angel Acres.

Questions had been raised regarding TIF and how they were disbursed. Nancy Braden, Finance Director, stated that those questions have been answered. The City

Attorney's office will advise staff on how to go about the paving of the subdivision. If the TIF dollars are not used for the water and sewer projects, it was the opinion of the City's Attorney, Mike Bacon, that this does not have to be bid, per subsection 4 of Sec. 16-321.

BJ Woehler was present and asked Council to table all of the TIF issues. He was the one who brought these questions up on Monday. In his opinion, the City's attorney and staff have not clearly answered his questions. He reviewed the applications today. The dates in these application of when the projects should be done (February 23, 2013) are expired. He would ask the Council to sit back and look at the money they are giving away to these developers. He is not against TIF, but wants to make sure it is done right and properly. In addition, he stated he had questions regarding fair bidding practices, along with not fully completed applications.

Mr. Woehler wanted any tax dollars used to follow the fair bidding practices. He also indicated he was going to start looking at the LB840 funds. As long as things follow State Statute, he does not have any problem with it. He wants to make sure the City is using these funds properly. He is also on the pool committee, and they found that TIF can go towards that project. He wanted to see included in these TIF agreements a 10 or 20% stipend to go towards the pool project.

Administrator Johnson stated Attorney Mike Bacon advised staff that the application forms are not legal documents. Therefore, the dates are insignificant. What is a legal document is the Redevelopment Contracts before them this evening. The wrong dates in the applications were not a legal issue for him. We are required to show that TIF

funds were used for an approved project that was built or started after the TIF was approved.

Attorney Miller stated Mike Bacon is the City's TIF Attorney. She thought tabling the matter might not be a bad idea, which would give her office more time to look at Mr. Woehler's concerns.

Lou Bencoter advised the Council that these are time sensitive projects. He has a \$400,000 grant riding on these documents getting approved this evening. They have houses sold in Angel Acres – they need to get going. If the Council tables this, it will cost him a lot of money.

Member Chamberlain introduced CDA Resolution 2013-1 and moved for its approval, with the requirement that any work being done using TIF funds be bid out; Member Sievers seconded.

CDA RESOLUTION NO. 2013-1

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT CONTRACT AND PLAN FOR THE ANGEL ACRES RESIDENTIAL DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Alexander who was absent and Member Ley who voted Nay, the Chair declared the motion carried.

Chair Haase stated the following CDA Resolution would recommend approval of Redevelopment Plan Amendment for Lot 4 of Bencoter Addition Planned Unit Development Replat 1 of the City of Wayne, Wayne County, Nebraska (Angel Village).

Louis and Mandy Bencoter were present to answer questions. This is their senior village project that will be built on Lot 4, which is southwest of the Cobblestone Hotel.

Member Chamberlain introduced CDA Resolution 2013-2 and moved for its approval, with the requirement that any work being done using TIF funds be bid out; Member Van Delden seconded.

CDA RESOLUTION NO. 2013-2

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT CONTRACT AND PLAN FOR THE ANGEL VILLAGE RESIDENTIAL DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Alexander who was absent, the Chair declared the motion carried.

Chair Haase stated the following CDA Resolution would recommend approval of Redevelopment Plan Amendment for Lots 3 and 25 of Benscoter Addition Planned Unit Development Replat 1 of the City of Wayne, Wayne County, Nebraska.

Nancy Braden, Finance Director, advised the CDA that the Redevelopment Contract will only relate to Lot 3. Lot 25 needs to be removed. This action is just amending the existing Redevelopment Plan. In regard to allocating a percentage to the pool, Ms. Braden thought that language would have to be in the Redevelopment Plan, but that question should be deferred to Attorney Mike Bacon.

Member Van Delden introduced CDA Resolution 2013-3 and moved for its approval, with the proviso that it relate only to Lot 3; Member Giese seconded.

CDA RESOLUTION NO. 2013-3

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT CONTRACT AND PLAN AMENDMENT FOR THE BENSCOTER SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Alexander who was absent, the Chair declared the motion carried.

Member Van Delden made a motion and Member Giese 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, with the exception of Member Alexander who was absent, the Chair declared the motion carried.

The Mayor stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan amendment 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”) — Boyle’s First Addition, Lot 2, Boyle’s Second Addition, Lots 1, 2, 3, 4, and Lot 1, Admin Subdivision of Boyle’s Outlot to the City of Wayne, Wayne County, Nebraska. The Clerk reported that notice of the public hearing had been published in the Wayne Herald on February 21, and 28, 2013, and that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The Mayor opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None.

All persons desiring to be heard having been heard, the Mayor closed the public hearing.

Councilmember Giese then introduced Resolution No. 2013-14 and moved for its passage and approval, with the requirement that any work being done using TIF funds be bid out.

RESOLUTION NO. 2013-14

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS.

Councilmember Haase seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Giese, Van Delden, Haase, Muir, Sievers, and Brodersen. The following Councilmembers were absent or did not vote: Alexander (absent) and Ley (nay).

The passage of Resolution No. 2013-14 having been agreed upon by a majority of the Council, the Mayor declared Resolution No. 2013-14 passed and, in the presence of the Council, signed and approved Resolution No. 2013-14. The Clerk attested to the passage of Resolution No. 2013-14 by signing the same and affixing the seal of the City to Resolution No. 2013-14.

The Mayor stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan amendment 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”) — Lot 4 of Benscoter Addition Planned Unit Development Replat 1 of the City of Wayne, Wayne County, Nebraska. The Clerk reported that notice of the public hearing had been published in the Wayne Herald on February 21, and 28, 2013, and that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-

2115 of the Act. The Mayor opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None.

All persons desiring to be heard having been heard, the Mayor closed the public hearing.

Councilmember Muir then introduced Resolution No. 2013-15 and moved for its passage and approval, with the requirement that any work being done using TIF funds be bid out.

RESOLUTION NO. 2013-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS.

Councilmember Giese seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Giese, Van Delden, Haase, Muir, Ley, Sievers and Brodersen. The following Councilmembers were absent or did not vote: Alexander (absent).

The Mayor stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan amendment 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”) — Lots 3 and 25 of Benscoter Addition Planned Unit Development Replat 1 of the City of Wayne, Wayne County, Nebraska. The Clerk reported that notice of the public hearing had been published in the Wayne Herald on February 21, and 28,

2013, and that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The Mayor opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None.

All persons desiring to be heard having been heard, the Mayor closed the public hearing.

Councilmember Van Delden then introduced Resolution No. 2013-16 and moved for its passage and approval, with the proviso that it pertain only to Lot 3.

RESOLUTION NO. 2013-16

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS.

Councilmember Muir seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Giese, Van Delden, Haase, Muir Ley, Sievers and Brodersen. The following Councilmembers were absent or did not vote: Alexander (absent).

Councilmember Brodersen introduced Ordinance 2013-9 and moved for approval of the third and final reading thereof; Councilmember Van Delden seconded.

ORDINANCE NO. 2013-9

AN ORDINANCE EXTENDING THE HOURS OF SALE OF ALCOHOLIC LIQUOR FOR THE ST. PATRICK'S DAY ACTIVITIES.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Van Delden introduced Ordinance 2013-10 and moved for approval of the third and final reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2013-10

AN ORDINANCE EXTENDING THE HOURS OF SALE OF ALCOHOLIC LIQUOR FOR THE WAYNE HIGH SCHOOL ALUMNI ACTIVITIES.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Ley introduced Ordinance 2013-14 and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2013-14

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 6 ALCOHOLIC BEVERAGES, SECTION 6-18 HOURS OF SALE; 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Giese made a motion and Councilmember Van Delden 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion and Councilmember Van Delden seconded to move for final approval of Ordinance No. 2013-14. Mayor Chamberlain

stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

No action was taken on Agenda Item No. 21 – Ordinance 2013-20 extending the Hours of Sale of Alcoholic Liquor to 2:00 a.m. on Friday, April 5th, and Saturday, April 6th, for the Wayne Rugby Tournaments.

Councilmember Sievers introduced Ordinance 2013-15 and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2013-15

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 34 ENVIRONMENT, ARTICLE II NUISANCES, SECTION 34-32 SPECIFIC ENUMERATION; 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, with the exception of Councilmember Alexander who was absent, 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. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2013-15. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance 2013-16 and moved for approval of the second reading thereof; Councilmember Van Delden seconded.

ORDINANCE NO. 2013-16

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 34 ENVIRONMENT, ARTICLE II NUISANCES, SECTION 34-39 NUISANCE; DUTY OF OWNER OR OCCUPANT; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Discussion took place regarding the fines, amounts, caps, etc.

BJ Woehler suggested that the first step in this process might be for Councilmembers to contact or reach out to those property owners to mow their lawns, etc.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Giese introduced Ordinance 2013-17 and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2013-17

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 34 ENVIRONMENT, ARTICLE II NUISANCES, SECTION 34-40 ABATEMENT OF NUISANCE; 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Johnson stated that four bids were received on the 10th Street, Main to Windom Improvement Project. The engineer, Eisenbraun & Associates, reviewed the same and is recommending awarding the contract to the low bidder, Steve Harris Construction, in the amount of \$504,776.06. The engineer's estimate was \$552,000.

Councilmember Haase introduced Resolution No. 2013-17 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2013-17

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE "10TH STREET, MAIN TO WINDOM IMPROVEMENT PROJECT."

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

The following Resolution would approve an agreement with Lamar Companies concerning the billboard that is located on Highway 35. If the billboard is not removed, the City will not be able to build Milo Drive. The amount that will be paid to Lamar is \$7,500. That \$7,500 will then be included as a cost to the improvement district and will get assessed back to the property.

Councilmember Giese introduced Resolution No. 2013-18 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2013-18

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF WAYNE AND THE LAMAR COMPANIES REGARDING THE TERMINATION OF A LEASE FOR AN ADVERTISING STRUCTURE LOCATED IN THE WESTERN RIDGE THIRD ADDITION.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

The following Resolution would approve an agreement with Olsson Associates for professional services regarding the “Milo Drive Paving & Utility Improvements Project” for a sum not to exceed \$37,950. This amount will also get assessed back to the property.

Councilmember Brodersen introduced Resolution No. 2013-19 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2013-19

A RESOLUTION APPROVING LETTER AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF WAYNE AND OLSSON ASSOCIATES FOR THE “MILO DRIVE PAVING & UTILITY IMPROVEMENTS PROJECT.”

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

The following Ordinance will create Street Improvement District No. 2013-1 (Milo Drive). Milo Drive will go north approximately two blocks.

Councilmember Haase introduced Ordinance 2013-21 and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2013-21

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2013-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Van Delden 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, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Van Delden seconded to move for final approval of Ordinance No. 2013-21. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Alexander who was absent, the Mayor declared the motion carried and the meeting adjourned at 7:08 p.m.

CLAIMS LISTING MARCH 19, 2013

AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,140.13
APPEARA	LINEN & MAT SERVICE	160.00
BACKUPWORKS.COM, INC	TAPE DRIVE	2,998.26
BAKER & TAYLOR BOOKS	BOOKS	707.63
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	150.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	428.12
CITY EMPLOYEE	VISION REIMBURSEMENT	176.72
CARROT-TOP INDUSTRIES	FLAGS	266.19
CHARTWELLS	SENIOR CENTER MEALS	9,976.65
CITY OF NORFOLK	INSPECTIONS	204.21
CITY OF WAYNE	BUILDING PERMIT DEPOSIT/FEE REFUNDS	703.50
CITY OF WAYNE	PAYROLL	59,215.55
CITY OF WAYNE	RAZING BOND REFUND	720.00
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
DAKOTA BUSINESS SYSTEMS	COPIER LEASE	103.50
DE LAGE LANDEN FINANCIAL	COPIER LEASE	394.00
DEARBORN NATIONAL LIFE	DISABILITY/LIFE INSURANCE	1,715.21
DOESCHER APPLIANCE	DRYER REPAIR	93.00
ECHO GROUP INC JESCO	PARKING LOT BULBS/BASE	311.58
ED. M FELD EQUIPMENT CO	EXTINGUISHER RECHARGE	86.00
EGAN SUPPLY CO	CARPET CLEANER/POLISH PADS	50.57
ELLIS PLUMBING & HEATING	TANK FILL LINE-COOLING TOWER	437.60
EMPLOYERS MUTUAL CASUALTY	WORK COMP	250.70
FLOOR MAINTENANCE	PLATES/NAPKINS/TISSUE/CLEANER	489.63
HARDING & SHULTZ P.C.	ATTORNEY FEES	547.00
HEWLETT-PACKARD	SERVER	5,049.07
ICC	MEMBERSHIP DUES-J HANSEN	125.00
ICMA RETIREMENT TRUST	ICMA RETIREMENT	5,737.85
INGRAM BOOK COMPANY	BOOKS	101.69
IRS	FEDERAL WITHHOLDING	21,167.90
JACK'S UNIFORMS	SPEAKERS	176.25
JEFF MORLOK	LIGHTING EFFICIENCY	840.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	1,220.70
KTCH AM/FM RADIO	RADIO ADS	827.48
LAYNE CHRISTENSEN CO	MAINTENANCE TESTING ON WELLS	1,323.30
LINCOLN COMMISSION	REGISTRATION	180.00
LUNDAHL, EARL	WELL SITE RENTAL	350.00
MAIN STREET AUTO CARE	TOWING CHARGES	70.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	137.83
MIDWEST LABORATORIES, INC	BOD TESTING	220.50
MIDWEST TAPE LLC	AUDIO TAPE	149.96
MILO MEYER CONSTRUCTION	HAUL ASHES-BURN PILE	200.00
MSC INDUSTRIAL	IMPACT SOCKETS/ROD ENDS	121.25
NE DEPT OF REVENUE	STATE WITHHOLDING	2,933.48
NE DEPT OF ROADS	MAINTENANCE AGMT 72	3,150.00

NE LAW ENFORCEMENT	FIELD TRAINING LODGING	90.00
NE LIBRARY ASSOCIATION	MEMBERSHIP DUES	235.00
NE PUBLIC HEALTH	FLUORIDE/COLIFORM TESTING	373.00
NE RURAL WATER	REGISTRATION-G POUTRE	375.00
NE SAFETY COUNCIL	CONFERENCE REGISTRATION-HANSEN	325.00
NEBR PUBLIC POWER DIST	ELECTRICITY	291,980.19
NMC EXCHANGE LLC	CIRCUIT BOARD REPAIR	1,141.91
NORTHEAST LIBRARY SYSTEM	REGISTRATION-J OSNES	20.00
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	13,024.70
NORTHWEST ELECTRIC LLC	RECIRCULATION PUMP MOTOR	731.47
OMAHA WORLD-HERALD	POLICE SERGEANT AD	389.29
CITY EMPLOYEE	HEALTH REIMBURSEMENT	475.30
CITY EMPLOYEE	HEALTH REIMBURSEMENT	96.29
PRESTO X COMPANY	PEST CONTROL	105.01
PUSH-PEDAL-PULL	RUBBER GRIP PLATES	6,149.60
QUALITY 1 GRAPHICS	DECAL	50.00
RANDOM HOUSE	CD'S	269.25
SIOUX CITY INSTALLATION	PVC	111.11
SPARKLING KLEAN	JANITORIAL SERVICES/SUPPLIES	1,235.43
STATE NATIONAL BANK	SERIES 2011 INTEREST	3,146.25
CITY EMPLOYEE	HEALTH REIMBURSEMENT	283.63
TACO'S AND MORE	FIREMEN'S APPRECIATION MEAL	1,280.00
THE PENDER TIMES	SUBSCRIPTION	37.95
TOM'S BODY & PAINT SHOP	VEHICLE REPAIR	706.37
UNITED COMMUNICATIONS	PAGER BATTERIES	79.00
WAYNE AUTO PARTS	FILTERS/BATTERY/ALTERNATOR/FUSES ETC	801.35
WAYNE COMMUNITY SCHOOLS	YEARBOOK	43.00
WAYNE COUNTY COURT	BOND	300.00
WESTERN AREA POWER ADMIN	ELECTRICITY	32,270.55
WESTERN IOWA TECH	FIRE SCHOOL	225.00
ZEE MEDICAL SERVICE CO	FIRST AID SUPPLIES	37.65

DELETE FROM CLAIMS LISTING 2/5/13

Chartwells – Senior Citizen Meals \$5,205.55

City of Wayne-Building permit refund \$250.00

RESOLUTION NO. 2013-22

A RESOLUTION ADOPTING THE CITY OF WAYNE OPERATIONS PLAN FOR DISASTER RESPONSE AND RECOVERY.

Councilmember _____ offers the following Resolution and moves its adoption, seconded by Councilmember _____:

RESOLVED, that in order to provide for a coordinated response to a disaster or emergency in Wayne County, the Wayne City Council deems it advisable and in the best interests of the community and the County to approve the City of Wayne Operations Plan for Disaster Response and Recovery which will be located in Annex A of the Wayne County Local Emergency Operations Plan. Acceptance of this 2012 City of Wayne Operations Plan for Disaster Response and Recovery supersedes all previous approved plans located in Annex A of the Wayne County Local Emergency Operations Plan.

PASSED AND APPROVED THIS 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**CITY
OF
WAYNE**

**OPERATIONS
PLAN**

**FOR
DISASTER
RESPONSE
AND
RECOVERY**

2012

CITY OF WAYNE EMERGENCY OPERATIONS PLAN

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CITY of WAYNE EMERGENCY OPERATIONS PLAN

I. PURPOSE

- A. The responsibility for the welfare of the residents during a disaster rests with the Mayor and the City Council. The Mayor will be responsible for the coordination and management of both the prevention preparations and the disaster operations and recovery. The elected officers of the jurisdiction shall be responsible for ensuring that emergency management services are provided to their citizens and for coordinating emergency operations in their respective jurisdictions, as well as making executive decisions necessary to provide an effective response and recovery to the disaster. (Nebraska Emergency Management Act, 1996, section 81-829.46).
- B. The Emergency Preparedness Mission for the City of Wayne is to ensure the coordination of city departments and personnel to effectively respond to and recover from a natural or manmade disaster so that the maximum number of people and the greatest amount of property in jeopardy from a disaster can be saved and order restored as soon as possible.
- C. This plan identifies the primary disaster responsibilities of city departments and personnel employed by the city. This plan is intended to supplement the Wayne County Local Emergency Operations Plan (LEOP); functions found in this plan are also discussed in the LEOP.
- D. It is in the best interest of the City of Wayne that the named key officials meet at least once a year and after each disaster to review the Plan with the County Emergency Manager to determine that the Plan is current and reflects the roles and responsibilities as defined by statutes, resolutions and field operations.

II. PLANNING FACTORS

A. All-Hazards Approach

- 1. This Plan uses an "all-hazards" approach that provides general direction for responding to any type of disaster across a full spectrum of hazards.

B. Vulnerable Populations

- 1. There are populations at risk in Wayne. These will require special considerations in warning, evacuation, and other areas of disaster response.

2. The community could use local radio stations, cable intercept and local TV station scrolls to warn the various access and functional needs populations.

C. Primary Responsibility For Disaster Response and Recovery

1. The responsibility for the welfare of the residents during a disaster rests with the Mayor and the City Council. The elected officers of the jurisdiction shall be responsible for ensuring that emergency management services are provided to their citizens and for coordinating emergency operations in their respective jurisdictions, as well as making executive decisions necessary to provide an effective response and recovery to the disaster.
2. In the absence of the Mayor, the established line of succession is:
 - a. President of the City Council
 - b. Senior member of the City Council
 - c. An official as appointed/elected by the City Council (special election as necessary)

III. BASIC DISASTER OPERATIONS

A. Operations - Warning Phase

1. When alerted of a disaster situation, the Communications Center (Wayne PD dispatch) of the Wayne Police Department will begin notification of those on their emergency notification list.
2. The public may have already been warned by sirens or through the electronic media. If there are no automated warnings, Wayne PD dispatch will sound the sirens as authorized.

B. Operations - Actual Disaster

1. The first priority after a disaster has struck is lifesaving activities and the subsequent preservation of property. First Responders will proceed to the scene of the disaster or staging area as soon as possible. Initial requests for Field Operations assistance will be channeled through Wayne PD dispatch.
2. After the initial response, the Emergency Operations Center (EOC) will likely be activated to provide a site for local officials and other designated

personnel to implement direction and provide coordination and support of Field Operations.

3. Other agencies and groups not defined as First Responders may be asked to provide additional disaster services as the city begins the process of recovery.
4. All responders in the field and officials at the EOC must maintain contact with each other to effectively coordinate response/recovery from the demands of the emergency.
5. All responding departments, agencies and jurisdictions will follow the National Incident Management System (NIMS) protocols when conducting either individual or joint disaster response and recovery activities. This includes but is not limited to establishing unified or area incident command systems, the use of staging areas as needed, implementing multi-agency coordination systems and resource management including the identification and listing of all department, agency and jurisdiction disaster response resources (equipment, trained personnel, supplies, facilities) using the NIMS resource identification process.

C. Operations - Departmental Responsibilities

The City has defined responsibilities for providing assistance to individuals suffering injury and/or loss and for providing government emergency services after a disaster. Disaster operations can encompass three areas:

1. Field Operations (Tactical and Operational)

- a. First Responders will provide the initial tactical response to a disaster.
- b. These First Responders will use the National Incident Management System by establishing Incident Command. A member of one of the First Responder emergency units will provide the initial Incident Commander. This will be determined by the nature of the disaster. Incident Command may be transferred to another agency as disaster priorities change.
- c. Because of the scope of the disaster, First Responders may incur additional responsibilities as defined in Section IV of this plan.
- d. When the EOC is activated, field operations will coordinate with the EOC; although the EOC will not dictate field actions, final authority for major decisions in response/recovery operations is the responsibility of the elected officials at the EOC.

2. Emergency Operations Center (EOC) (Strategic and Functional)

The Emergency Operations Center will be activated to coordinate disaster response and recovery with the site Incident Commander.

- a. Staffing will be determined by the severity of the situation.
- b. The EOC is located at City Hall, 306 Pearl Street. This location provides communications capability, auxiliary power, and ample space with support equipment for disaster operations.

3. Additional Disaster Services (Support)

Other agencies and groups may be asked for assistance after the initial response to the disaster. The Incident Command or the EOC Staff may request these services.

D. Field Operations: Incident Command and the EOC

1. Both the field responders and the EOC staff must interface during disaster operations so response efforts are channeled for the quickest, most effective recovery for the city. The use of the NIMS will help standardize communications and enhance coordination between incidents, initial responders, mutual aid, CEO's and supporting organizations.
2. Communications Capabilities: When the Incident Commander establishes a command post and the EOC is activated, each will maintain communications with each other.
3. EOC Briefings: The Incident Commander, first responders, City Departments and agencies working the disaster may be required to send a representative to report activities, accomplishments, needed support and supplies and the next operational priority in their area. From this report, the Incident Action Plan (IAP) is developed for the next specified operational period.
4. Security of the Disaster Area:
 - a. Security may be needed at all the highway points leading into Wayne. The Nebraska State Patrol can help with security.
 - b. Local resources will be used first for roadblocks and barricades; then other village/county/state roads departments may be asked to help. The Incident Commander or Law Enforcement will contact Wayne PD dispatch to request additional resources from these agencies.

- c. Identification cards for access to the disaster area will be issued in Wayne and the County. ID cards are needed for local officials, volunteers, the media, and residents when the disaster area has been secured. The Wayne County Emergency Management Director (or other authorized position) will distribute identification cards from the EOC or at the disaster access points.

E. Operations - Administration

1. Under the direction of the Mayor/City Administrator, either the City Clerk/Treasurer/Purchasing Officer will purchase or rent needed supplies, materials, and equipment or hire temporary help for disaster operations. All agreements and contracts on a temporary basis will be recorded in the City Clerk's/Treasurer's Office. Contracting for permanent repairs and/or new construction of public facilities will follow established, routine procedures. All labor, equipment, and material expenditures, including donated supplies, equipment, professional and volunteer services for the disaster will be submitted to and documented by the City Clerk/Treasurer.

IV. INCIDENT COMMAND / FIELD OPERATIONS - FIRST RESPONDERS

A. Primary Field Operational Control for the Disaster

1. All City Departments will become familiar with an Incident Command System per HSPD-5, NIMS. This Incident Command System will be used to ensure one point of contact for field coordination.
2. The Incident Commander may select staging area(s) if needed. The Incident Commander will inform the EOC of the location(s) of the staging area(s).

B. Responsibilities List for Field Operations

1. In preparing this plan, city officials have assigned responsibilities for disaster response and recovery. These responsibilities address an "all-hazards" approach; therefore, all activities listed for each department may not need to be applied to every disaster. However, the list is not all-inclusive; at the direction of either the Department Supervisor or the City Administrator (Mayor, if no City Administrator); city personnel may be requested to perform other disaster duties.
2. The task assignments for each City Department are written in general terms and purposely do not tell supervisors how to do their jobs. Each Department should develop guidelines (SOPs) for their specific operations in a disaster situation.

C. Police Department - Police Chief (LEOP - Annex H)

1. Among the First Responders to the disaster scene.
2. Implements the appropriate National Incident Management System.
3. Assesses communications capability as a priority action.
4. Notifies off-duty Police Department personnel and, if required, other law enforcement agencies for assistance. About 15 persons could be available from the Wayne Police Department, Wayne County Sheriff's Office, Nebraska State Patrol, and Game and Parks Commission.
5. If needed, in conjunction with the Fire Department, warns residents and businesses by public address systems, knocking on doors, or other means.
6. Conducts any evacuation as required; including coordination with Emergency Management to select the best evacuation routes to the selected shelter. See Annex E for evacuation planning and operations guidelines.
7. Implements established procedures for roadblock locations to isolate Wayne if entry control is necessary.
8. Warns the public to evacuate by public address system or door-to-door if time does not allow emergency information to be released through the Public Information Officer; the Fire Department may assist in contacting those affected. See Annexes B and D for communications capabilities and strategies.
9. Coordinates with the EOC and Incident Command for transportation of access and functional needs evacuees.
10. Coordinates with the EOC and Incident Command in selecting assembly points and exercises surveillance over the assembly points being used for loading buses used for evacuation.
11. Assesses and determines the immediate needs for cleared routes to the hospital and coordinates with the EOC and Incident Command.
12. Coordinates traffic control and crowd control in and around the disaster area.
13. Coordinates with the Street Department for barricades, signs, and flags at control points as established by the Police Department. This will also be coordinated with the EOC and Incident Command.

14. Conducts search and rescue operations with Fire Department personnel.
15. Assesses the need for other City Departments to respond, contacts the Superintendents of Departments and reports this to the EOC.
16. May request opening the EOC for assistance in coordinating disaster response.
17. Relocates to an alternate site, the Wayne County Sheriff's Office at 521 Lincoln Street, if the Police Station is damaged.
18. May initially advise the EOC of area affected and gives general damage information.
19. Refers inquiries from the general public regarding the disaster or the whereabouts of an individual to the EOC.
20. Sends a representative to the briefings at the EOC; informs the EOC/City Administrator/Mayor/Incident Commander of any problems.
21. Secures the disaster area:
 - a. To include critical public facilities and residences
 - b. Checks volunteer ID cards
 - c. Checks permanent ID cards of City personnel
 - d. Controls EOC security from any interference with emergency operations
 - e. Will issue temporary ID cards and ICS 214 Forms to all volunteers through the staging area into Wayne.
22. Prevents looting in disaster area.
23. Prevents re-entry into damaged or contaminated buildings.
24. Provides security at shelters, if needed.
25. Provides security for visiting dignitaries.
26. Notifies the EOC of possible flooding problems.
27. Picks up stray animals or implements other animal control measures using volunteers, veterinarians or animal control officers. See Annex H.
29. Deputizes additional personnel, as required.

30. Continues with police responsibilities and services in unaffected areas.
31. Designates and maintains the lines of succession in the absence of the Police Chief.

D. Communications Center - Police Department (LEOP - Annex B)

1. Maintains a current call-down roster of phones and pagers for key city personnel and others such as the hospital, care centers, schools, and businesses.
2. Provides warning through sirens; if the endangered area is isolated, telephones residents and/or businesses and initiates other warnings systems for identified special populations.
3. Monitors and disseminates further watches and/or warnings or advisories.
4. After the initial request for first response, makes the necessary notifications to include notifying the City Administrator, Mayor, and Wayne County Emergency Management Director.
5. Coordinates emergency radio traffic.
6. May request additional assistance through the EOC.

E. Fire Department - Fire Chief (LEOP - Annex F)

1. Among the First Responders to disaster scene.
2. Assumes the operational control for fire suppression and explosions.
3. If properly trained, serve as a hazardous materials responder; provides measures to minimize dangers from hazardous materials.
4. Provides radiological monitoring at radiological accidents, including the necessary coordination with Nebraska Health and Human Services System Regulation and Licensure and the Nebraska Emergency Management Agency.
5. Implements the Incident Command System per NIMS.
6. May request opening the EOC for assistance in coordinating and supporting disaster response.
7. Coordinates with Law Enforcement in search and rescue operations.

8. Assists Law Enforcement in evacuation efforts.
 9. Assists Law Enforcement in warning by public address system or door-to-door.
 10. Assists Law Enforcement in crowd control/security of the disaster area.
 11. Assesses need for other City Departments to respond and contacts the Department Superintendent(s); reports this to the EOC.
 12. Implements mutual aid agreements with other jurisdictions, as needed.
 13. Coordinates the staging area with the EOC and Incident Command.
 14. Provides back-up equipment for water pumping.
 15. Assists in safety inspections to assure the integrity of a structure before permitting re-occupancy.
 16. Sends a representative to briefings at the EOC; informs the EOC/City Administrator/Mayor/Incident Commander of any problems.
 17. Refers inquiries from the general public regarding the disaster or the whereabouts of an individual, to the EOC.
 18. Continues fire suppression operations.
 19. Establishes and maintains the lines of succession in the absence of the Fire Chief.
- F. Emergency Medical Services - Rescue Chief (LEOP - Annex G)
1. May be among the First Responders at the disaster scene.
 2. Implements the Incident Command System per NIMS.
 3. Conducts triage operations, if needed.
 4. Operates emergency medical units to provide emergency treatment to injured personnel at the scene.
 5. Transports injured to the hospital; checks with Police Department\EOC for open routes to hospital.
 6. Implements mutual aid agreements with other jurisdictions as necessary, allowing hospital staff to stay at their facility to receive injured.

7. Sends a representative to briefings at the EOC and informs the EOC/City Administrator/Mayor/Incident Commander of any problems.
8. Continues emergency medical services for the remainder of the City.
9. Establishes and maintains the lines of succession.

G. Public Works/Utilities (LEOP - Annex K)

1. The Public Works/Utilities Department includes these departments: Street, City Electric, Water/Waste Water, Parks and Recreation. If a staging area for the Public Works/Utilities function is established, it will be coordinated with the EOC and Incident Command.
2. Street Department – Superintendent of Public Works/Utilities

The call to respond to the disaster will probably come from Wayne PD dispatch. The Superintendent will coordinate with the Mayor/City Administrator/Incident Commander on disaster work assignments. Tasks may include but are not limited to:

- a. Developing a response priority/plan to clear debris from the primary routes needed for First Responders; then clearing the arterials and collectors.
- b. Assessing and reporting street damage to the EOC; systematically clearing the streets as prioritized at the EOC briefings with input from the City Administrator/Mayor/Incident Commander, Police Department, and other affected City Departments.
- c. Closing streets, if requested by Law Enforcement/Incident Commander, by transporting and erecting barricades, signs, and flags at control points established by Law Enforcement.
- d. Posting traffic directional signs, as needed, particularly for evacuation.
- e. Clearing debris from public areas, but only from private property as is necessary for the rescue or safety of the occupants.
- f. Performing priority repairs to streets.
- g. Clearing inlets and repairing storm sewers.
- h. Providing emergency repair and maintenance of vehicles and equipment during disaster operations.

- i. During flooding conditions, coordinating sandbagging operations for public buildings/entities.
 - j. Assisting the City Administrator/Mayor in meeting requirements for the disposal of disaster debris. Responsibilities for landfill operations are listed under City Administrator.
 - k. Establishing temporary debris collection or disposal sites, additional temporary tree burning areas, as needed and as approved by Dept. of Environmental Quality.
 - l. If not being utilized, furnishing heavy equipment and personnel to other City Departments.
 - m. Sending a representative to the briefings at the EOC; informing the EOC, City Administrator, Mayor and Incident Commander of accomplishments, needs and any problems.
 - n. Maintaining records of all overtime, operational expenses, repair costs, in-stock supplies used; supplies, equipment and labor procured during the response and recovery.
3. City Electric Department
- a. All department employees will report to their normal Street and/or Electric Shop for vehicles, mobile communications and assignments. If their work reporting stations are un-accessible, they will receive further information during the notification or recall process.
 - b. The first qualified employee reporting may survey the sub-stations; survey overall damage to see if outside assistance will be required and will alert the Superintendent if mutual aid is needed. This will also be reported to the EOC.
 - c. Electrical Supervisor/Superintendent of Public Works/Utilities/director will direct and coordinate activities that:
 - i. De-energizes downed power lines.
 - ii. Restores service as prioritized.
 - iii. Coordinates with the City Administrator/Mayor and Incident Command and supplier in finding a temporary source of electricity should the city need it to restore utility service.
 - iv. Keeps the City Administrator/Mayor and Incident Command and supplier informed of the current situation and when service may be restored.

- v. Sends representative to briefings at the EOC; inform the EOC/City Administrator/Mayor/Incident Commander of any problems.
 - vi. Safety inspects the electric systems on damaged public buildings; coordinates with the building inspector on these inspections.
 - vii. Provides emergency lighting where needed for disaster operations.
 - viii. Coordinates the use of emergency power generators with the EOC and Incident Command.
 - ix. Furnishes available heavy equipment and personnel to other City Departments.
4. Water and Wastewater Department – Superintendent of Public Works/Utilities
- a. Water Division
 - i. Can assess each house individually.
 - ii. Maintain water pressure and uncontaminated water supply.
 - iii. Where possible, ensures an adequate water supply to the fire hydrants in case of major fire.
 - iv. Is prepared to isolate the water system where there is a possibility of contamination from a hazardous materials spill.
 - v. Repairs the water tower and/or mains, as prioritized; isolates ruptured or damaged mains until repairs can be made.
 - vi. Coordinates water testing with the State Health and Human Services System.
 - vii. Provides potable emergency water supply.
 - a. Locates suitable containers; fills with uncontaminated, potable water.
 - b. Distributes water to locations as coordinated by the EOC; is aware of prioritized facilities needing water such as the hospital or care facilities.

- viii. Safety inspects the water system.
- b. Wastewater Division
 - i. Maintains the sanitary sewer operations.
 - ii. Is prepared to isolate in-flow if the incident involves a hazardous materials spill into the waste system.
 - iii. Safety inspects the wastewater system if damaged from the disaster.
 - iv. Contracts for portable toilets and for their maintenance.
- c. Both Water and Wastewater Divisions
 - i. If not being utilized, may be required to furnish equipment, such as vehicles, and personnel to other City Departments.
 - ii. Sends one person to EOC briefings to represent both Divisions; informs the EOC/City Administrator/Mayor/Incident Commander of any problems.
- 5. Parks and Recreation Department - Director
 - a. Surveys damage to parks.
 - b. Reports to the City Administrator/Mayor for disaster work assignment.
 - c. If not being utilized, furnishes equipment/personnel to other City Departments; will primarily assist Street Department.
 - d. Will attend or be represented at EOC briefings; informs the EOC/City Administrator/Mayor of any problems in disaster clean-up/repair.
- 6. Landfill Operation

The City Administrator/Mayor will primarily be responsible for coordinating disposal of disaster debris and will work with the Street Department in accomplishing this function. The following may be some of the requirements for disaster operations:

 - a. Meet the demand for greater disposal operations by:
 - i. Requesting an extension of hours as needed for debris disposal.

- ii. Requesting signs or guides in the landfill area to organize disposal efforts.
- b. Obtain permission from DEQ for normally unauthorized items (to the extent possible) to go to the landfill; find alternatives for disposal of unauthorized items.
- c. Maintain a "salvage depot" for recovered, unclaimed damaged property which is removed from public or private property.
- d. In coordination with other affected City Departments, the EOC, and Incident Commander establishes temporary site(s) for debris disposal/storage, separation, storage, recycling.
- e. Will establish an additional temporary tree-burning area, if the one "permitted" burn site in Wayne is not adequate.

V. EMERGENCY OPERATIONS CENTER

A. Mayor/City Council (LEOP - Annex A)

Responsibilities of the Mayor and City Council during disaster operations may include, but are not limited to:

1. Making executive decisions; establish effective disaster response policy.
2. Exercising emergency powers; provide policy decisions.
3. Signing the Disaster Declaration.
4. Exercising the final authority on subjects such as:
 - a. Curfews
 - b. Price restrictions
 - c. Standards for contractors, craftsmen
 - d. Temporary waivers for land use
 - e. Other related legal responsibilities
 - f. Evacuation decisions
5. Approving emergency legislation for the city.
6. Activating the EOC; notifying the Emergency Manager

7. Emergency Public Information (LEOP - Annex D)

- a. The Mayor will ensure that the public is given timely and accurate information through the Public Information Officer (PIO).
- b. The Mayor will designate a PIO at the time of the disaster if one is not appointed.
- c. The PIO will establish an Information Center to:
 - i. Release emergency directions and information to radio, television and newspaper.
 - ii. Work with outside media sources, providing timely, accurate information at scheduled media briefings or as the situation dictates.
 - iii. Maintains liaison with the EOC and the Incident Commander to stay abreast of current information.
 - iv. Serves as the source through which the media will gain access to public officials, if required.
 - v. Provides current and accurate information to the general public making inquiries.

B. City Administrator

The City Administrator is the administrative head of the city government and works under the direction of the Mayor who has final authority for all City Departments. The City Administrator may be delegated responsibility by the Mayor and Council to coordinate with the Wayne County Emergency Management Director in providing unified management of the direction and control functions for disaster response and recovery and for support of the Incident Command. The City Administrator's responsibilities may include, but are not limited to:

1. Coordinating with the Mayor/City Council members, the Wayne County Emergency Management Director and the Incident Commander during disaster operations.
2. The City Administrator will be alerted of a disaster situation by the dispatcher or Wayne County Emergency Management Director; normally, the City Administrator will, in turn, call the Mayor.
3. Activating the EOC.

4. Reporting to the EOC to monitor the disaster incident through situation reports and data coming into the EOC; visiting the various areas of the disaster, as necessary.
5. In conjunction with the Wayne County Emergency Management Director, determining EOC staffing.
6. Providing over-all coordination of all City Departments and purchasing for handling the disaster effort.
7. In conjunction with needs of Field Operations and Emergency Management:
 - a. Recruiting any city personnel not involved in disaster response who could assist in emergency duties.
 - b. Forming a clerical pool and provide any other support personnel needed to staff the EOC - may include recording disaster events, maintaining status boards, word processing, answering inquiries, telephoning, etc.
8. Maintaining current inventory and resource list of emergency equipment and supplies.
9. Coordinating citywide resources that may be used in disaster response/recovery.
10. Coordinating with the City Attorney on any legal emergency matters.
11. Responding to official inquiries.
12. If a number of public buildings and/or streets have been affected by the disaster, assisting in prioritizing the return to service.
13. Coordinating with the Building Inspector in recovery and rebuilding efforts.
14. Ensuring the Building Inspector has designated someone to photographically document damage should there be a later application for state or federal assistance.
15. Designating appropriate staff to photograph debris piles before disposal.
16. In conjunction with the Clerk/Treasurer, ensuring that the City Clerk/Treasurer documents expenses for the disaster including the donation of supplies, equipment, services and volunteer labor.

17. Assisting the Wayne County Emergency Management Director in determining the location(s) for the distribution of potable water and requesting the Water Department to provide potable water to the public; then through the Public Information Officer, notifying the public of the availability and location(s) of water.
18. Working with the Wayne County Emergency Management Director in providing liaison with local contractors, businesses, and industries to obtain the needed heavy equipment and operators, supplies, or specialized personnel as required in the disaster situation.
19. Advising disaster victims of temporary emergency housing.
20. Establishing a point of contact for cash donations from the community for disaster victims/efforts and establishing guidelines in distributing the money. Also maintain an accepted, standardized accounting system to track appropriate financial donations.
21. Maintaining a "salvage depot" for unclaimed items.

C. Emergency Management Director

The Wayne County Emergency Management Director will act as a disaster operations advisor to the Mayor and City Council. In performing the direction and control function for coordinating disaster operations, the Wayne County Emergency Management Director will work closely with the City Administrator. Disaster operations duties for the Wayne County Emergency Management Director may include, but are not limited to:

1. Being responsible for the EOC readiness to include adequate communications systems, status/ICS boards, maps, office supplies/equipment, printed logs/forms, alternate power or an alternate location.
2. Activating the EOC (normally called by the Dispatcher or Incident Commander); assumes overall operational management and coordination for the support of emergency functions of the disaster response and recovery.
3. In conjunction with the City Administrator/Mayor, determining who is needed on the EOC Staff.
4. Maintaining a current call-down list of EOC Staff with an established procedure for calling in the Staff.
5. Coordinating additional communications support, such as amateur radio operators, staff to take calls for "rumor control", etc.

6. Tracking and recording disaster events electronically, or on a status board or flip chart; plotting areas of destruction on maps; staff from the City Clerk/Treasurer's may be assigned this function.
7. Conducting EOC briefing(s) to coordinate disaster response/recovery efforts; determine with executives how often briefings are needed.
8. Coordinating with the City Departments as well as local businesses, private groups, volunteers, and adjacent jurisdictions called for mutual aid and with Wayne County government if the situation dictates.
9. Requesting the Public Information Officer to provide emergency information to the public concerning an evacuation.
10. Coordinating transportation that may be required for evacuation.
11. Advising in the selection of assembly points for transportation.
12. Coordinating shelter operations with the American Red Cross.
13. Recommending that the Mayor/Council declare an emergency; preparing the Disaster Declaration for the signature of the Mayor and the witness of the Clerk.
14. Coordinating with the City Attorney on any legal emergency matters.
15. Coordinating with the ARC/Social Services/Area Agency on Aging on disaster needs of individuals to provide necessary outreach services and assistance in recovery.
16. Coordinating staging areas with Field Operations.
17. Disseminating Identification cards for:
 - a. Emergency workers
 - b. Volunteers
 - c. Disaster area residents
 - d. Appointed/elected officials
18. Coordinating with the City Administrator in determining potable water distribution locations; assuring that the public is notified concerning the availability and location of water.

19. Working with the City Administrator in providing liaison with local contractors, businesses and industry to obtain the needed heavy equipment and operators, supplies, or specialized personnel as required.
20. Making formal requests to the next higher levels of government for assistance if the disaster response is beyond the capability of the City.
21. Providing pre-event training opportunities for personnel who will respond to a disaster.
22. Reviewing and updating this Plan for the City of Wayne, annually.

D. City Attorney

1. Reviews the Nebraska Emergency Management Act and provides emergency legal counsel to city officials on subjects such as:
 - a. Curfews
 - b. Price restrictions
 - c. Standards for contractors, craftsmen to ensure disaster victims are not further victims of unscrupulous practices
 - d. Temporary waivers for land use
 - e. Other related legal duties
2. Drafts emergency legislation for the city.
3. Provides assistance in negotiating contracts for emergency services.

E. Building Inspector (LEOP - Annex C)

1. May coordinate or assist the Debris Manager in damage assessment of:
 - a. Public entities
 - b. Homes
 - c. Businesses
2. Compiles information to define the property appraisals/values and insurance coverage as well as damage sustained.
3. Works with the American Red Cross damage assessment team to assure all homes have been surveyed for damage.

4. In conjunction with the City Administrator, assures someone is designated to photograph and record public and private damage should there be an application for state or federal assistance.
5. Compiles all damage assessment reports into a summary document for use by the EOC Staff.
6. Assures that safety inspections are conducted for public and private buildings and issues temporary occupancy permits for temporary housing.
7. Prepares demolition orders for all unsafe structures and provides assistance in the coordination of the demolition work.
8. Assures that rebuilding is in compliance with the City's master development plan.
9. Coordinates first with local contractors/lumber yards to restore damaged public facilities.
10. Coordinates with the City Administrator in establishing a point of contact for insurance adjusters and the influx of builders and repairmen.
11. Contracts, with the approval of the City Administrator, for needed structural engineering services.
12. Coordinates, as necessary, with the City Electric Superintendent on the safety inspections of the electric systems on damaged public buildings.
13. Ensures that all incoming contractors register through the Building Inspector's office.

F. City Clerk/Treasurer

1. Witnesses the Disaster Declaration.
2. Tracks and documents all expenses for the disaster operations from each City Department to include:
 - a. Labor (regular and overtime, temporary help and volunteer time).
 - b. Equipment usage, rentals, repairs due to the disaster.
 - c. Materials (to include parts and supplies used from the City's inventory) and
 - d. Accounts for the reception and disbursements of all appropriate financial aid, equipment, supplies, volunteer labor and donations.

3. Coordinates with the Purchasing Officer in assigning (at the time of the disaster) an account number for emergency expenditures.
4. Provides financial statistics and summaries for the cost of the disaster, when requested.
5. In conjunction with the City Administrator, prepares the necessary documentation required for state and federal disaster assistance applications.
6. In initial disaster response, may assist at the Communications Center.
7. Provides staff for the EOC to track and record disaster events.
8. Work as or closely with the Volunteer Coordinator in Wayne. Procedures are outlined in Attachment 3 to Annex L.

G. Purchasing Officer

1. Makes emergency purchases, as required.
2. When the Mayor declares a disaster, implements the policy that delegates authority to department superintendents to purchase or lease emergency supplies and/or equipment.
3. Coordinates with the City Clerk/Treasurer in assigning department superintendents an account number for emergency expenditures.



Economic Development
Chamber • Main Street

March 1, 2013

Chief of Police
City of Wayne
306 Pearl St.
PO Box 8
Wayne, NE 68787

Dear Chief:

On behalf of the Chicken Show Committee, this letter is a request for street closures during the 33rd Annual Chicken Show, Friday and Saturday, July 12 and 13, 2013.

On Friday, July 12, the Committee is requesting the closure of the following streets from 2:30 pm until 2 am for the Annual Henoween celebration: Main Street from 1st Street to 4th Street (not including the end intersections); 2nd Street from Pearl Street to Logan Street and; and 3rd Street from Pearl Street to Logan Street, not including the Pearl and Logan intersections. The committee plans to hold a street dance on Main Street from approximately 10pm to 1am on Friday night.

On Saturday, July 13, the Committee is requesting the closure of the following streets from 6:00 am until 5:00 pm, for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and, Douglas Street from 8th Street to 10th Street. Intersections at 10th and Douglas and 10th and Lincoln Streets are requested to be closed.

Finally, the Committee is requesting the closure of the following streets on Saturday, July 13 for the Annual Chicken Show Parade from 9:00 am until 11:30 am (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade.

We ask that all street closures be properly identified adequately prior to the street closing so that event set-up is not delayed. The committee suggests that signs be installed early Friday morning for downtown, and Friday evening for Bressler Park and the parade route on 10th and Lincoln Streets.

It is anticipated that additional events on Sunday July 14 will not require street closure.

The Chicken Show Committee appreciates your assistance during this event. Please contact us at 402-375-2240 if you have any questions or concerns regarding these requests.

Sincerely,

A handwritten signature in black ink that reads "Irene Fletcher".

Irene Fletcher
Assistant Director

RESOLUTION NO. 2013-23

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF ROADS REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

WHEREAS, the annual Wayne Henoween Celebration will be held on Main Street between the north side of the intersection from 1st Street to the south side of the intersection of 4th Street on July 12, 2013, from 2:30 p.m. to 2:00 a.m. (July 13, 2013), at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Roads; and

WHEREAS, the annual Wayne Chicken Show parade will be held on Main Street from 1st Street to 10th Street, including the intersections, on July 13, 2013, from 9:00 a.m. until 11:30 a.m., at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Roads; and

WHEREAS, the Wayne Area Chamber of Commerce, in compliance with City of Wayne policy for events held on public right-of-way, will provide special events insurance coverage for both events to indemnify, defend, and hold harmless the City of Wayne and the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

WHEREAS, during the above time periods of these events, the City of Wayne acknowledges all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359.

NOW, THEREFORE, BE IT RESOLVED, that during the above time periods of these events, the City of Wayne, Nebraska, accepts and will carry out all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that if a claim is made against the State of Nebraska, it shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-16

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 34 ENVIRONMENT, ARTICLE II NUISANCES, SECTION 34-39 NUISANCE; DUTY OF OWNER OR OCCUPANT; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 34, Article II, Section 34-39 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 34-39. Nuisance; duty of owner or occupant

- (a) The owner or occupant of any lot or piece of ground within the municipality shall:
- ~~1. Drain or fill such lot or piece of ground so as to prevent stagnant water or any other nuisance from accumulating thereon.~~
 1. Keep the lot or piece of ground and the adjoining streets and alleys to the center thereof free of any growth of 12 inches or more in height of weeds, grasses or worthless vegetation, **except for site designated by the City as habitat areas or stormwater management areas.**
 - ~~2. Prevent the throwing, depositing or accumulation of litter on any lot or piece of ground within the municipality; provided that grass, leaves and worthless vegetation may be used as a ground mulch or in a compost pile.~~
 2. Prevent the throwing, depositing or accumulation of litter on any lot or piece of ground within the municipality; **or request a hearing with the City Problem Resolution Team within five (5) days of notice** and no more than \$500.00. Each day a violation continues shall constitute a separate offense.
 3. Refrain from maintaining a disorderly house as defined by this Code.
- (b) Any owner or occupant who fails to abate a nuisance **or request a hearing with the City Problem Resolution Team within five (5) days of notice** shall, upon conviction, be guilty of a misdemeanor and be fined no less than \$100.00 ~~and no more than \$500.00~~. Each day a violation continues shall constitute a separate offense.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-17

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 34 ENVIRONMENT, ARTICLE II NUISANCES, SECTION 34-40 ABATEMENT OF NUISANCE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 34, Article II, Section 34-40 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 34-40. Abatement of nuisance

Before the municipality may act to abate and remove such nuisance, notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. **If notice by personal service or certified mail is unsuccessful, notice shall be given by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed.** Within five days of receipt of such notice, if the owner or occupant of the property does not request a hearing with the city or fails to comply with the order to abate and remove the nuisance, the City **Problem Resolution Team** may have such work done and may levy and assess the costs and expenses of the work upon the property so benefited in the same manner as other special taxes for improvements are levied and assessed

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-24

BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, as follows:

Section 1. The Mayor and Council hereby find and determine that it is necessary and appropriate to declare an official intent to issue tax-exempt bond anticipation notes or bonds by the City and, in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such bond anticipation notes or bonds as proposed to be issued by the City in connection with the construction of certain street improvements, storm drainage improvements, utility system improvements and other related appurtenant street improvements, water and sanitary sewer improvements and related appurtenant improvements now being or to be constructed in the City of Wayne, Nebraska.

Section 2. This resolution shall stand as a statement of the official intent of the City under Regulation Section 1.150-2 and for such purpose the following information is hereby given:

1. A general functional description of the project for which expenditures may be made and reimbursement from bond anticipation notes or bond proceeds for the construction of certain street improvements, storm drainage improvements, utility system improvements and other related appurtenant improvements now being or to be constructed in project areas referred to as the **10th Street, Main to Windom Improvement Project**, together with engineering, legal, financing and other related project costs in the City of Wayne, Nebraska.
2. The principal amount of notes or bonds expected to be issued by the City for that portion of improvements pertaining to this reimbursement resolution is estimated to be an amount not to exceed \$575,000.00.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-25

BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, as follows:

Section 1. The Mayor and Council hereby find and determine that it is necessary and appropriate to declare an official intent to issue tax-exempt bond anticipation notes or bonds by the City and, in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such bond anticipation notes or bonds as proposed to be issued by the City in connection with the construction of certain street improvements, storm drainage improvements, utility system improvements and other related appurtenant street improvements, water and sanitary sewer improvements and related appurtenant improvements now being or to be constructed in the City of Wayne, Nebraska.

Section 2. This resolution shall stand as a statement of the official intent of the City under Regulation Section 1.150-2 and for such purpose the following information is hereby given:

1. A general functional description of the project for which expenditures may be made and reimbursement from bond anticipation notes or bond proceeds for the construction of certain street improvements, storm drainage improvements, utility system improvements and other related appurtenant improvements now being or to be constructed in project areas referred to as the **Milo Drive Paving & Utility Improvement Project**, together with engineering, legal, financing and other related project costs in the City of Wayne, Nebraska.
2. The principal amount of notes or bonds expected to be issued by the City for that portion of improvements pertaining to this reimbursement resolution is estimated to be an amount not to exceed \$80,000.00.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-26

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AGREEMENT FOR THE STAKING AND CONSTRUCTION ENGINEERING SERVICES ON THE 10TH STREET, MAIN TO WINDOM IMPROVEMENTS PROJECT.

WHEREAS, three proposals were received for the staking and construction engineering services on the 10th Street, Main to Windom Improvements Project; and

WHEREAS, the proposals have been reviewed by city staff; and

WHEREAS, city staff is recommending that the proposal of Advanced Consulting Engineering Services for a lump sum cost of \$40,500 (\$28,000 for construction phase engineering and \$12,500 for staking services) be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the proposal or agreement for staking and construction engineering services for the 10th Street, Main to Windom Improvements Project, as submitted, is reasonable and responsive, and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the proposal or agreement, as set forth and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor be, and he is hereby instructed and authorized to enter into an agreement on behalf of the City of Wayne, Nebraska, for the above project.

PASSED AND APPROVED this 19th day of March, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



ADVANCED CONSULTING ENGINEERING SERVICES

133 W. Washington Street · P.O. Box 218
West Point, NE 68788
Office: 402-372-1923 · Fax: 402-372-6960

Mr. Joel Hansen
Inspector/Planner/Street Supt.
City of Wayne
306 Pearl Street
Wayne, NE 68787

March 14, 2013

Ref: Business Development – Wayne, Nebraska 10th Street Reconstruction Project
ACES#: 617.000

Advanced Consulting Engineering Services is pleased to have the opportunity to submit the following construction phase engineering and staking costs to the City of Wayne for the 10th Street, Main to Windom Reconstruction Project. The following is a detailed scope of the services that we would provide:

Construction Engineering:

- Assist City with construction contract documents,
- Review shop drawings,
- Conduct a pre-construction conference with the contractor and adjacent property owners,
- Interpret requirements of contract documents,
- Review progress estimates,
- Conduct bi-weekly progress meeting with adjacent property owners, City and contractor,
- Non-resident project observations,
 - Advanced Consulting Engineering Service is proposing to have a project representative on site for routine inspections a minimum of one day per week. The routine inspections will last approximately 3 hours, during that time our representative will review construction methods for compliance with contract documents, meet with City representative and contractor to discuss project concerns and compliance with schedules, analyze the construction site for potential problems that may arise.
 - Advanced Consulting Engineering Services shall have a project observer on-site to review paving sub-grade prior to concrete being placed, and when major paving pours occur.
- Give direction to geotechnical and concrete testing personnel,
- Review testing results,
- Review final pay applications,
- Conduct final walk thru observations,
- Certify construction,

- Complete as-built drawings to be completed from redlines provided by the Owner's representative and the contractor,
- Provide project close-out data to NHHS and NDEQ,
- Requirements of Articles 1 thru 17 of the *Standard General Conditions*.

LUMP SUM COST OF CONSTRUCTION PHASE ENGINEERING = \$28,000.

Staking:

Due to all of the components of the construction, the limited space that is available and discussions that we have had with the general contractor, Advanced Consulting Engineering Service is planning that 9 trips will be required to complete the staking. A breakdown of the services are:

- A painted and flagged lath will be placed on the North R-O-W line at 25 foot stations, this stationing can be used for proper record keeping in the field and to reference plans if questions occur during construction. On this trip removals will be marked and the Limits of Construction will be staked with a lath or paint markings.
- Upon completion of removals sanitary sewer improvements will be staked. We will provide a lath at the center of proposed structures, with a 20-foot offset hub and lath for vertical and horizontal control. Sewer service location will not be marked.
- Water main will be staked with a lath at all beginning and terminal points along with all bends, fittings, valves and fire hydrants. A 10-foot offset hub with horizontal and vertical control will be provided. Water service locations will not be staked.
- Storm sewer will be staked with a lath at the centerline of all structures and beginning and terminal points. A 10-foot offset hub and lath for vertical and horizontal control will be provided. Connections with downspouts will not be staked.
- Earthwork will be staked with a lath for vertical control at 50-intervals.
- Due to the changes in width of paving, paving will take place in four separate pours, we will stake paving in four trips so that the work is completed immediately ahead of the work being done. Paving will be staked at 25-foot intervals and offset hubs with lath for horizontal and vertical control will be provided. Beginning and ending radius points, grade breaks, beginning and ending points of vertical curves and inlet locations will be also staked for horizontal and vertical control.

LUMP SUM COST OF STAKING SERVICES = \$12,500.

Full-Time Project Observation:

For your information we have also put together the cost for providing full time project observation. We would propose to have a project representative on site at all times during the construction of the project. This representative would be responsible for the following:

- Report to our office on a daily basis,
- Interpret the data shown on plans and specifications and ensure that construction is compliant with the construction documents,

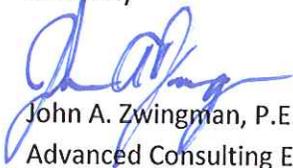
- Relay any questions or concerns that may come up during the construction to our project engineers,
- Complete and follow up on requests for information that the contractor may have,
- Complete daily reports on status of the project,
- Keep redline drawings for completion of As-Built drawings upon completion of the project,
- Keep up to date record of completed work and stored materials,
- Relay conflicts, clarifications, or corrections that may occur on the plans,
- Record contractor's daily work force or delays,
- Record contractor issues and conflicts,
- Mediate between contractor and property owners.

Full time project observation would be billed on an hourly plus reimbursable contract in accordance with our current schedule of rates and charges. **The estimated cost for these services is \$27,500.** This cost would not be exceeded without written authorization.

Enclosed is the proposal for which you provided via email.

Thank you for consideration of this proposal. Advanced Consulting Engineering Services looks forward to having the opportunity to work with you on this project.

Sincerely



John A. Zwingman, P.E.

Advanced Consulting Engineering Services

City of Wayne

SCOPE OF SERVICES

The engineering services that are needed to provide staking and construction engineering services for the 10th Street, Main to Windom Reconstruction Project in Wayne, Nebraska are listed below.

Construction Engineering Services

Post Bid and Construction Phase

- ENGINEER shall assist the OWNER with the proper execution of a contract between the OWNER and a construction contractor. The OWNER will submit the contract documents to its legal counsel for review and approval. Upon the proper execution of the aforesaid contract, ENGINEER will provide the following services in accordance with Articles 1 through 17, inclusive, of the Standard General Conditions of the Construction Contract. The extent and limitations of the duties, responsibilities and authority of ENGINEER are as assigned therein. ENGINEER shall conduct a preconstruction meeting with the successful Contractor, his subcontractors, the OWNER and other involved parties. ENGINEER will review for conformance with the design concept any necessary shop drawings furnished by Contractors. ENGINEER will review the Contractor's applications for progress and final payment and, when approved, submit same to the Owner for payment. ENGINEER will make a final review of the project prior to the issuance of the Statement of Substantial Completion of construction and submit a written report to the OWNER. Prior to submitting the final pay estimate, ENGINEER shall submit a statement of project completion to the OWNER. ENGINEER can neither guarantee the performance of the construction contracts by the Contractor nor assume responsibility for Contractor's failure to finish and perform its work in accordance with the Contract Documents.
- ENGINEER shall act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work thereunder and make decisions on all claims of OWNER and Contractor(s) relating to the acceptability of the work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the work. ENGINEER shall not be liable for the results of any such interpretations or decisions rendered in good faith.

- By recommending any payment, ENGINEER will not thereby be deemed to have represented that exhaustive, continuous or detailed reviews or examination have been made by ENGINEER to check the quality or quantity of Contractor(s)' work as it is furnished and performed beyond the responsibilities specifically assigned to ENGINEER in this Agreement and the Contract Documents. ENGINEER's review of Contractor(s)' work for the purposes of recommending payments will not impose of ENGINEER responsibility to supervise, direct or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto or Contractor(s) compliance with laws, rules, regulations, ordinances, codes or orders applicable to their furnishing and performing the work. It will not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials or equipment has passed to OWNER free and clear of any lien, claims, security interests or encumbrances, or that there may not be other matters at issue between OWNER and Contractor that might affect the amount that should be paid.
- ENGINEER shall provide construction staking of the project sufficient in detail to provide the Contractor with a baseline and horizontal and vertical control as required for construction of the project.
- ENGINEER shall verify that tests, equipment and systems startups, and operating and maintenance instructions are conducted as required by the Contract Documents and in the presence of the required personnel, and that the Contractor maintains adequate records thereof. Geotechnical testing services shall be provided by an independent testing lab hired by the OWNER. The OWNER shall coordinate with the testing lab for the testing services. ENGINEER will review all test results, but the costs of the geotechnical testing services are not a part of ENGINEER's agreement.
- ENGINEER shall consider and evaluate the Contractor's suggestions for modifications in drawings or specifications and in consultation with the OWNER make modifications to the benefit of the project. ENGINEER will prepare necessary construction control orders for approval of the OWNER and others on a timely basis.
- ENGINEER shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor(s) or subcontractor's or supplier's agents or employees or any other persons (except ENGINEER's own employees and agents) at the site or otherwise furnishing or performing any of the Contractor's work.

Project Close-Out

- Conduct a substantial completion walk through or Pre-Final Inspection which will identify any remaining work.
- Once all work is complete, prepare and submit to the Contractor and the OWNER a notice of completion.
- Create "As Built" Plans from red line plans provided by OWNER and Contractor.

OWNER'S Construction Responsibilities

- The OWNER shall provide a project inspector to monitor the project as it progresses. The inspector's efforts will be directed toward providing a greater degree of confidence for the OWNER and ENGINEER that the completed work of the Contractor will conform to the contract documents, but neither the OWNER nor ENGINEER shall be responsible for the failure of the Contractor to perform the work in accordance with the contract documents.
- The OWNER shall contract and coordinate with an independent testing lab for the geotechnical and concrete testing services. ENGINEER will review test results, but the costs of the geotechnical testing services are not a part of ENGINEER's agreement.
- The OWNER's inspector shall assist ENGINEER with monitoring changes made during construction and red line the construction plans to be used by ENGINEER to create "As Built" Plans.

PROFESSIONAL FEE AND TIME FRAME

ENGINEER's services will be provided on an hourly rate not to exceed fee basis as follows:

Staking and Construction Engineering Services.....\$ 40,500

ENGINEER assures OWNER they are capable of completing the above work for this street project which is scheduled to be constructed between May 6, 2013 and August 9, 2013.

Approved by:



ENGINEER

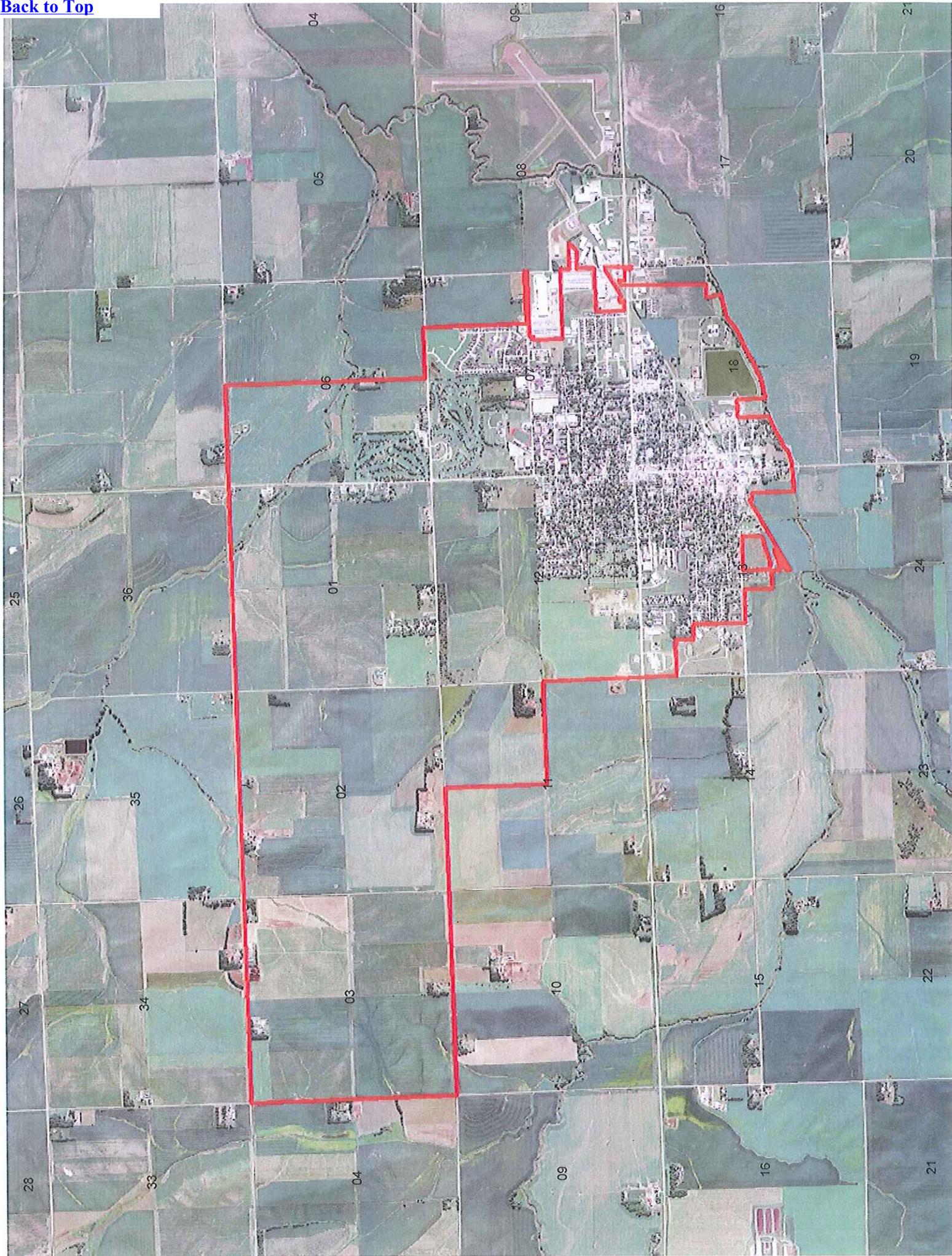
Accepted this ____ day of

_____, 2013.

City of Wayne, Nebraska.

By: _____

Mayor



Police Sergeant

Job Title: Police Sergeant
Department: Police
Reports To: Chief of Police
FLSA Status: Hourly

Summary: Under direction of Chief of Police, is a certified, sworn and armed officer. Directly supervises the police officers and dispatchers on the shift. Supervises criminal investigations, communications and record keeping of the department. Coordinates activities of police officers on an assigned shift or unit within the police department by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Recommends and assists in implementation of unit's goals and objectives. Directs and performs criminal investigations when assigned. Reviews and prepares various reports on operations and activities. Assumes active command in emergency situations. Conducts daily briefing sessions for members of unit and inspects uniforms and equipment. Detains and questions witnesses, victims, and suspects and makes arrests as necessary. Conducts preliminary investigations of incidents as necessary; collects and preserves physical evidence, protects crime scene, and reports and records all facts of incident. Maintains liaison with other law enforcement agencies, courts, community groups, and others as assigned. Notifies superior of major crimes or disturbances within area and takes necessary action until arrival of superior. Answers calls regarding service, illness, accidents, disturbances, crime, or distress and provides necessary assistance or takes appropriate action as needed. Provides general assistance and information to staff or public.

Supervises work of officers and communication personnel, briefs and hands out assignments, ensures conformance of rules and regulations. Transmits policies of department and trains subordinate personnel. Supervises and participates in investigation activities, assists officers with complex cases, evaluates subordinates, assists officers on calls, performs patrol duties, keeps records of and views officer's reports, handles complaints by citizens, assists in development programs, prepares and submits detailed reports of criminal and drug investigations along with other required reports, appears in court to testify, make arrests with and without warrants, assists in employee evaluations, performs other duties as required.

Supervisory Responsibilities

Directly supervises 5-12 employees in the Police Department. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include training employees; planning, assigning, scheduling and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.

Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.

Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.

Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.

Visionary Leadership - Inspires respect and trust; Mobilizes others to fulfill the vision; Provides vision and inspiration to peers and subordinates.

Change Management - Develops workable implementation plans; Communicates changes effectively; Builds commitment and overcomes resistance; Prepares and supports those affected by change; Monitors transition and evaluates results.

Delegation - Delegates work assignments; Matches the responsibility to the person; Gives authority to work independently; Sets expectations and monitors delegated activities; Provides recognition for results.

Leadership - Exhibits confidence in self and others; Inspires and motivates others to perform well; Effectively influences actions and opinions of others; Accepts feedback from others; Gives appropriate recognition to others.

Managing People - Includes staff in planning, decision-making, facilitating and process improvement; Takes responsibility for subordinates' activities; Makes self available to staff; Provides regular performance feedback; Develops subordinates' skills and encourages growth; Solicits and applies customer feedback (internal and external); Fosters quality focus in others; Improves processes, products and services.; Continually works to improve supervisory skills.

Judgement - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

Preferred minimum of Associates Degree or equivalent from a two year college or technical school; must be a Nebraska Certified Officer with a minimum of four years related experience and/or training.

~~Associate's degree (A. A.) or equivalent from two-year college or technical school; or Certified Officer with a minimum of four years related experience and/or training.~~

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

Computer Skills

Ability to use and operate computer software systems to complete necessary data entry and reports as required.

Certificates, Licenses, Registrations

State of Nebraska Officer Certification through the Nebraska Law Enforcement Training Center ~~or the ability to transfer another state's certification~~. Possess or obtain required Supervision level training through the training center within one year of promotion.

Other Skills and Abilities

Must be able to operate a police cruiser and necessary equipment associated within department; must be physically able to obtain and maintain certification in CPR and Department or personal issued firearms; must have fluent use of the English language for both oral and written communication; must be able to hear normal conversations; must be able to differentiate between the eight basic colors; must have 20/20 vision in both eyes or correctable to 20/20 in both eyes; must be able to lift to recover property and assist accident victims; must be physically able to pursue and effect the arrest of suspects in various areas of the City; ability to work in adverse weather conditions for extended periods of time if necessary.

Other Qualifications

Must be 21 years of age; must be a United States Citizen; must be a high school graduate or GED equivalent; must be able to pass a high school equivalency (TABE) test; must maintain a valid Nebraska motor vehicle operator's license; must be able to complete and maintain state firearms qualification.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; stoop, kneel, crouch, or crawl and talk or hear. The employee must occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision and distance vision.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is frequently exposed to outside weather conditions; extreme cold and extreme heat. The noise level in the work environment is usually moderate.

City of Wayne

Job Title: Senior Patrolman

Department: Police

Reports To: Police Sergeant

FLSA Status: Hourly

Summary

Under direction of the Sergeant, is a certified, sworn, and armed officer in charge of departmental training and certification and enforces laws related to the protection of life and property, directs and controls traffic, prevents crime or disturbance of peace, and arrests violators by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Patrols assigned area on foot, by motorcycle, in patrol car, or on bicycle to enforce laws, prevent and discover crimes, investigate crimes, maintain order, and answer calls and complaints. Answers radio-dispatched or citizens' requests for police services at the scene of accidents, domestic disputes, law violations, and peace disturbances. Familiarizes self with beat and with persons living in area. Investigates illegal or suspicious activities, persons, and establishments, and quells disturbances. Locates, searches, detains, and arrests law violators, following recognized police procedures. Interviews and questions victims, witnesses, and suspects. Gathers and preserves evidence. Performs first aid and provides other assistance to accident and other victims. Investigates causes and results of accidents. Directs and controls traffic, assists Fire Department on various calls. Issues written citations for traffic and other minor violations. Inspects public establishments requiring licenses to ensure compliance with rules and regulations. Checks security of homes and businesses. Operates police communication and computer equipment to obtain, disseminate, and report information. Attends community meetings to discuss crime prevention activities and crime problems. Writes detailed incident, investigation, activity, and other reports. Testifies in court to present evidence by describing conditions, situations, and actions. Works under the direction of the Sergeant to provide for training needed for the operation of the department. Maintains police vehicles and equipment and performs office duties as required or assigned.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.

Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.

Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.

Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.

Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.

Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.

Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives;

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

Other Skills, Abilities, and Qualifications

Must be 21 years of age; must be a United States citizen; must be a high school graduate or GED equivalent; must be able to pass a high school equivalency (TABE) test; must be able to operate a police cruiser; must maintain a valid Nebraska motor vehicle operators license; must be able to obtain Police Officer certification through the Nebraska Law Enforcement training Center; must be physically able to obtain and maintain certification in CPR and Department or personal issued firearms; must have fluent use of the English language for both oral and written communication; must be able to hear normal conversations; must be able to differentiate between the eight basic colors; must have 20/20 vision in both eyes or correctable to 20/20 in both eyes; must be able to lift to recover property and assist with accident

victims; must be physically able to pursue and effect the arrest of suspects in various areas of the City; ability to work in adverse weather conditions. Must live within the City of Wayne zoning jurisdiction if hired after January 1, 2012

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; stoop, kneel, crouch, or crawl and talk or hear. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision and color vision.

Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is occasionally exposed to outside weather conditions; extreme cold and extreme heat. The noise level in the work environment is usually moderate.

City of Wayne

Job Title: Administrative Assistant
Department: Administration
Reports To: City Administrator
FLSA Status: Hourly

Summary Schedules appointments, gives information to callers, takes dictation, and otherwise relieves officials of clerical work and minor administrative and business detail by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Reads and routes incoming mail. Locates and attaches appropriate file to correspondence to be answered by employer. Takes dictation in shorthand or by machine and transcribes notes on typewriter or computer, or transcribes from voice recordings. Composes and types routine correspondence. Organizes and maintains file system, and files correspondence and other records. Answers and screens manager's telephone calls, and arranges conference calls. Coordinates manager's schedule and makes appointments. Greets scheduled visitors and conducts to appropriate area or person. Arranges and coordinates travel schedules and reservations. Conducts research, and compiles and types statistical reports. Coordinates and arranges meetings, prepares agendas, reserves and prepares facilities, and records and transcribes minutes of meetings. Makes copies of correspondence or other printed materials. Prepares outgoing mail and correspondence, including e-mail and faxes.

Supervisory Responsibilities

This job has no supervisory responsibilities.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies :

Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically.

Judgement - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and

their tasks; Develops realistic action plans.

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

One year certificate from college or technical school; or three to six months related experience and/or training; or equivalent combination of education and experience.

Language Skills

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.

Mathematical Skills

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

Reasoning Ability

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

Computer Skills

To perform this job successfully, an individual should have knowledge of Word processing and Spreadsheet software.

Physical Demands The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit; use hands to finger, handle, or feel; reach with hands and arms and talk or hear. The employee is occasionally required to stand and walk. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision and distance vision.

Work Environment The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet.

City of Wayne

Job Title: Public Buildings Manager
Department: Administration
Reports To: City Administrator
FLSA Status: Salary

Summary

Under direction of the City Administrator, provides for the good condition, energy efficiency, repair, maintenance, safety, compliance with local, state and federal code, by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Monitors the physical condition of City Hall, Library/Sr. Center, City Auditorium and Community Activity Center. Monitors and maintains these buildings to provide for the safe and efficient operation of the lighting and mechanical systems. Advises on the hiring of city staff or commercial cleaning services and advises their duties. Advises City Administrator regarding the budgetary requirements and future capital project needs for the long term sustainability of the buildings.

Competencies

To perform the job successfully, an individual should demonstrate the following competencies:

Knowledge of building maintenance, surface maintenance and mechanical systems, Listens to others without interrupting; Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings; Writes clearly and informatively; Presents factual data effectively; Able to read and interpret written information; Balances staff needs and public needs for buildings; Exhibits objectivity and openness to others' views; Contributes to building a positive team spirit; Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Sets and achieves challenging goals; Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Develops realistic action plans; Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Monitors own work to ensure quality. Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly; Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Language Skills

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

Mathematical Skills

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

Reasoning Ability

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

Other Skills, Abilities, and Qualifications

Must be 21 years of age; must be a United States citizen; must be a high school graduate or GED equivalent; must maintain a valid Nebraska motor vehicle operators license; must have fluent use of the English language for both oral and written communication; must be able to hear normal conversations; must be able to differentiate between the eight basic colors; must have 20/20 vision in both eyes or correctable to 20/20 in both eyes

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; stoop, kneel, crouch, or crawl and talk or hear. The employee must occasionally lift and/or move more than 50 pounds. Specific vision abilities required by this job include close vision, distance vision and color vision.

Salary Range

\$300-\$400 per month

RESOLUTION NO. 2013-27

WHEREAS, the City of Wayne desires to amend Resolution No. 2012-8, a standard wage and salary schedule which was effective January 1, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the City of Wayne Wage & Salary Schedule shall be as follows:

CITY OF WAYNE
NON-EXEMPT WAGE AND EXEMPT SALARY SCHEDULES
Effective January 1, 2013

NON-EXEMPT WAGE SCHEDULE

<u>LABOR GRADE</u>	<u>HOURLY RATE RANGE</u>	<u>JOB CLASSIFICATION(S)</u>
5	7.25 — 9.70 7.40 9.89	Community Activity Center/Recreation Program Aide Part-Time General Help Laborer -- PW / PU Library Aide Senior Center Activities Assistant
6	7.61 — 10.18 7.76 10.38	Clerk/Secretary Life Guard
7	8.05 — 10.77 8.21 10.98	Custodian Recreation-Leisure Services Asst-I Senior Center Operations Assistant
8	8.45 — 11.31 8.62 11.56	Transfer Station Operator
9	8.88 — 11.88 9.06 12.12	Account Clerk-I Assistant Librarian-I Custodian
10	9.32 — 12.47 9.51 12.73	Assistant Librarian-I
11	9.80 — 13.12 10.00 13.38	Accountant Apprentice Light Plant Oper. Assistant Librarian II Handi-Van Driver Line Groundsman
12	10.28 — 13.76 10.49 14.05	Building Inspector/Planner-I

13	10.80 — 14.45 11.02 14.74	Chief Custodian Executive Secretary
14	11.32 — 15.16 11.55 15.45	Heavy Equipment Operator-I Light Plant Operator-I Public Works Operations Tech.-I Water/Sewer Operator-I
15	11.91 — 15.94 12.15 16.26	Apprentice Lineman Librarian-I Mechanic-I Staff Assistant Water/Sewer Operator-I
16	12.49 — 16.73 12.74 17.06	Account Clerk-II Accountant/Asst. Treasurer Administrative Assistant Building Manager/Custodian Heavy Equipment Operator-II Water/Wastewater Operator-II Community Activity Center Director
17	13.15 — 17.61 13.41 - 17.96	Accountant/Asst. Treasurer Light Plant Operator-II Lineman-I Public Works Operations Tech.-II
18	13.76 — 18.41 14.04 18.79	
19	14.45 — 19.35 14.74 19.74	Assistant Street Foreman Class A Licensed Electrician Mechanic-II Water/Wastewater Operator-II
20	15.13 — 20.25 15.43 20.66	Certified Street Superintendent
21	15.93 — 21.32 16.25 21.75	Power Plant Foreman Water/Wastewater Operator-III
22	16.69 — 22.34 17.02 22.77	Building Inspector/Planner-II Lineman-II Technology Support Specialist Street Foreman
23	17.52 — 23.46 17.87 23.93	Water/Wastewater Foreman Chief of Electric Production Street Foreman

24	18.91 25.31 19.29 25.81	Building Inspector/Planner-II Lineman-II Water/Wastewater Foreman
25	20.40 27.31 20.81 27.85	Line Foreman/Asst. Supt.
26	21.21 28.39 21.63 28.95	Line Foreman/Asst. Supt.

EXEMPT SALARY SCHEDULE

<u>JOB CLASSIFICATION</u>	<u>Hourly</u>	<u>MONTHLY SALARY RANGE</u>	<u>Hourly</u>
Recreation Services Director	\$13.00 \$13.26	\$2,253 - \$2,947 \$2,298 - \$3,006	(\$17.00) (\$17.34)
Sr. Citizens Center Coordinator	\$12.48 \$12.72	\$2,162 - \$3,287 \$2,205 - \$3,353	(\$18.96) (\$19.34)
Library Director	\$18.00 \$19.82	\$3,120 - \$4,160 \$3,435 - \$4,540	(\$24.00) (\$26.19)
Third Party Administrator MRP		\$250.00	
Airport Authority Administrator		\$250.00	
City Clerk	\$14.86 \$23.31	\$2,576 - \$4,751 \$4,040 - \$5,427	(\$27.41) (\$31.31)
Finance Director	\$14.86 \$24.40	\$2,576 - \$4,778 \$4,229 - \$5,264	(\$27.57) (\$30.37)
Electric Superintendent- Production	\$17.83 \$18.19	\$3,091 - \$4,782 \$3,153 - \$4,878	(\$27.59) (\$28.14)
Police Chief	\$16.78 \$27.75	\$2,908 - \$5,330 \$4,810 - \$6,133	(\$30.75) (\$35.38)
Supt. of Public Works & Utilities	\$18.72 \$19.00	\$3,245 - \$6,039 \$3,310 - \$6,160	(\$34.84) (\$35.54)
City Administrator		- \$7,545	(\$43.53)

BE IT FURTHER RESOLVED that upon satisfactory evaluation, the progression through the exempt salary schedule and the labor grade steps shall be at least twelve (12) months, unless otherwise deemed warranted and appropriate by the City Administrator.

BE IT FURTHER RESOLVED that employees receiving wage rates less than rates scheduled herein above shall have their wage rates adjusted only upon satisfactory evaluation.

PASSED AND APPROVED this 19^h day of March, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

City of Wayne 2013 wage Scale

	P	A	B	C	D	E	F	G	H	I	J	
	0/6 mo	6 mo/1 yr	1 - 2 yr	2 - 3 yr	3 - 4 yr	4 - 5 yr	5 - 6 yr	6 - 7 yr	7 - 8 yr	8 - 9 yr	9 yr & beyond	
5	7.40 - 9.89	7.40	7.60	7.81	8.03	8.25	8.48	8.71	8.95	9.20	9.45	9.89
6	7.76 - 10.38	7.76	8.13	8.35	8.58	8.82	9.06	9.31	9.57	9.83	10.10	10.38
7	8.21 - 10.98	8.21	8.60	8.84	9.08	9.33	9.59	9.85	10.12	10.40	10.69	10.98
8	8.62 - 11.56	8.62	9.05	9.30	9.56	9.82	10.09	10.37	10.65	10.95	11.25	11.56
9	9.06 - 12.12	9.06	9.49	9.75	10.02	10.30	10.58	10.87	11.17	11.48	11.79	12.12
10	9.51 - 12.73	9.51	9.97	10.24	10.53	10.82	11.11	11.42	11.74	12.06	12.39	12.73
11	10.00 - 13.38	9.99	10.48	10.77	11.07	11.37	11.68	12.01	12.34	12.68	13.03	13.38
12	10.49 - 14.05	10.49	11.00	11.30	11.61	11.93	12.26	12.60	12.95	13.30	13.67	14.05
13	11.02 - 14.74	11.01	11.54	11.86	12.18	12.52	12.87	13.22	13.58	13.96	14.34	14.74
14	11.55 - 15.45	11.55	12.10	12.43	12.78	13.13	13.49	13.86	14.24	14.64	15.04	15.45
15	12.15 - 16.26	12.15	12.73	13.08	13.44	13.81	14.19	14.58	14.98	15.40	15.82	16.26
16	12.74 - 17.06	12.74	13.36	13.73	14.11	14.49	14.89	15.30	15.73	16.16	16.60	17.06
17	13.41 - 17.96	13.41	14.06	14.45	14.85	15.25	15.67	16.11	16.55	17.01	17.47	17.96
18	14.04 - 18.79	14.03	14.71	15.12	15.53	15.96	16.40	16.85	17.32	17.79	18.28	18.79
19	14.74 - 19.74	14.74	15.15	15.88	16.32	16.77	17.23	17.70	18.19	18.69	19.21	19.74
20	15.43 - 20.66	15.43	16.18	16.63	17.08	17.55	18.04	18.54	19.05	19.57	20.11	20.66
21	16.25 - 21.75	16.25	17.03	17.50	17.98	18.48	18.99	19.51	20.05	20.60	21.17	21.75
22	17.02 - 22.77	17.02	17.83	18.32	18.83	19.34	19.88	20.43	20.99	21.57	22.16	22.77
23	17.87 - 23.93	17.87	18.74	19.26	19.79	20.33	20.89	21.47	22.06	22.67	23.29	23.93
24	19.29 - 25.81	19.29	20.21	20.77	21.34	21.93	22.53	23.15	23.79	24.44	25.12	25.81
25	20.81 - 27.85	20.81	21.81	22.41	23.03	23.66	24.31	24.98	25.67	26.38	27.11	27.85
26	21.63 - 28.95	21.63	22.67	23.29	23.94	24.60	25.27	25.97	26.69	27.42	28.18	28.95

RESOLUTION NO. 2013-28

WHEREAS, the City of Wayne shall establish a separate standard wage and salary schedule for the “Wayne Chapter No. 54 – Fraternal Order of Police 2012-2014” which shall be effective January 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the said Wage & Salary Schedule shall be as follows:

CITY OF WAYNE
WAYNE CHAPTER NO. 54 FRATERNAL ORDER OF POLICE
SALARY SCHEDULE
Effective January 1, 2013

<u>JOB CLASSIFICATION</u>	<u>HOURLY RATE RANGE</u>
Part-Time Dispatcher	\$10.08 - \$13.49 \$10.28 \$13.77
Dispatcher	\$12.25 - \$16.40 \$12.50 \$16.73
Dispatch Supervisor	\$13.14 - \$17.79 \$13.40 \$18.15
The following is based upon 2,184 hours per year:	
Patrolman	\$16.41 - \$22.36 \$16.74 \$22.83
Senior Patrolman	\$18.22 - \$24.25 \$18.58 - \$24.73
Police Sergeant	\$19.80 - \$25.55 \$20.20 \$26.11

BE IT FURTHER RESOLVED that upon satisfactory evaluation, the progression through the exempt salary schedule and the labor grade steps shall be at least twelve (12) months, unless otherwise deemed warranted and appropriate by the City Administrator.

BE IT FURTHER RESOLVED that employees receiving wage rates less than rates scheduled herein above shall have their wage rates adjusted only upon satisfactory evaluation.

PASSED AND APPROVED this 19th day of March, 2013

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

City of Wayne
2013 Wage Scale

	P	A	B	C	D	E	F	G	H	I	J
Range	0/6 mo	6 mo/1 yr	1 - 2 yr	2 - 3 yr	3 - 4 yr	4 - 5 yr	5 - 6 yr	6 - 7 yr	7 - 8 yr	8 - 9 yr	9 yr & beyond
Part time Dispatcher	10.28	10.78	11.08	11.38	11.70	12.02	12.35	12.69	13.04	13.40	13.77
Dispatcher	12.50	13.10	13.46	13.83	14.21	14.60	15.01	15.42	15.84	16.28	16.73
Dispatch Supervisor	13.40	14.07	14.47	14.89	15.32	15.76	16.21	16.67	17.15	17.64	18.15
This scale is based on 2184 hours per year											
Patrolman	16.74	17.27	17.81	18.37	18.95	19.55	20.16	20.80	21.45	22.13	22.83
Senior Patrolman	18.58	19.12	19.67	20.24	20.83	21.43	22.06	22.70	23.35	24.03	24.73
Police Sergeant	20.20	20.72	21.26	21.81	22.38	22.96	23.56	24.17	24.80	25.44	26.11

Police wage scale



Robert Woehler & Sons Construction, Inc.

123 Fairgrounds Ave.
Wayne NE 68787

Phone: 402-375-3744
Fax: 402-833-5363

March 8th 2013

The Community Development Agency of the City of Wayne, Nebraska
Attn: Chairman Jon Hasse
PO Box 8
Wayne NE 68787

Draft Purchase Agreement
For Discussion

Lots 2A (4.00 Acres) & Lot 2B (6.10 Acres)
Replat of Kardell Industrial Park, a Subdivision in Wayne County, Nebraska

1. Purchase price for Lot 2B (6.10) Acres for a price of \$7,575.00 for a total of \$45,450
2. Purchase price for Lot 2A (4) Acres for a price of \$1.00 for a total of \$4.00 with an agreement that we will not challenge the proposed concrete crushing zoning changes and will end our concrete crushing operation at its current site by the following time line. Quit receiving concrete rubble on date we take possession of this property, crush one last time by Dec 31st 2014 with the remaining stock piles to stay until gone.
3. All Zoning on the land be approved to operate the following.
 - a. Construction sales and services with outdoor storage, concrete/asphalt batch plant, and concrete crushing and all future construction related uses.
 - b. Towing service & storage
 - c. Junk / Salvage yard
4. A letter from the Airport Board stating that they have no Zoning authority over the property other than height restriction. (I have an email from Nancy stating she has found that they have no zoning authority regarding use(s) and or dust and would like that acknowledged by the board)
5. No current or future paving fees will be assessed, with a onetime water hook up fee of \$500 at the time of connection and a onetime sewer assessment of \$26,378.15 to be paid back over 10 years starting 3 years from the date of the agreement. If at any time the sewer assessment is waived or reduced for any other property along that sewer main draining into the lift station on Industrial Drive our fees will be refunded in full.

6. City will allow access to the South through/over the Drainage Swale and back out to Industrial Drive. They will also allow access to the North through the north/west edge of the Landfill site to East 14th St

7. City will have first right of refusal on the back 2 Acres at 123 Fairground Ave.

8. A 20 year \$1.00 lease on the landfill site for storage. Nothing will be put on the capped landfill area or within the flood plain.

9. If any landfill or other environmental issues are found on the purchased or leased property the city will be responsible for the cleanup and cost.

CDA RESOLUTION NO. 2013-4

A RESOLUTION OF THE CITY OF WAYNE, NEBRASKA, ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE ACTING AS THE GOVERNING BODY OF THE COMMUNITY DEVELOPMENT AGENCY OF SAID CITY; AUTHORIZING THE ISSUANCE OF A TAX INCREMENT REVENUE BOND; PROVIDING FOR THE TERMS AND PROVISIONS OF SAID BOND; PLEDGING REVENUES OF THE AGENCY PURSUANT TO THE COMMUNITY DEVELOPMENT LAW; AUTHORIZING THE SALE OF SAID BOND; PROVIDING FOR A GRANT; PROVIDING FOR A REDEVELOPMENT CONTRACT AND PROVIDING FOR THIS RESOLUTION TO TAKE EFFECT.

BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, acting as the governing body of the Community Development Agency of the City of Wayne, Nebraska, as follows:

Section 1. The Mayor and City Council hereby find and determine (a) that the Community Development Agency of the City of Wayne, Nebraska (the "Agency") was duly created by ordinance of the City of Wayne (the "City") for purposes of assisting with redevelopment of real estate located within the City; that the Agency has and may exercise all of the powers of a redevelopment authority provided for under the Community Development Law of the State of Nebraska; that there has been prepared a redevelopment plan entitled "Redevelopment Contract" [MZRB, LLC Project] which constitutes a Redevelopment Plan (the "Plan") for the redevelopment of the following described real estate:

The East ½ Lots 10, 11, and 12 and 8 feet of vacated alley abutting thereon, Block 2, Original Town, now the City of Wayne, Wayne County, Nebraska, as surveyed, platted and recorded, now being a part of the City of Wayne, all in Wayne County, Nebraska; (b) that prior to the preparation of the Plan an area which includes the Project Area was declared blighted and substandard by action of the Mayor and City Council of the City; (c) that the City has had in effect its general plan for the development of the City from the time prior to the establishment of the Agency and the preparation of Plan; (d) that the Plan was submitted to the City Planning

Commission of the City and approved and thereafter recommended by the Agency to the Mayor and City Council of the City; (e) the Mayor and City Council of the City held a public hearing on the Plan for which notice was given by publication done prior to such hearing pursuant to law, and after such hearing the Mayor and City Council gave their approval to the Plan; (f) that the Plan, among other things, calls for the construction of a commercial structure in the Project Area; (g) that MZRB, LLC, (hereafter referred to as the "Redeveloper") are interested in the redevelopment of the Project Area and the Agency has previously communicated its willingness to assist in the completion of the project in order to encourage the construction of the Project and to promote the economic development of the City as well as the redevelopment of a blighted and substandard area of the City; (h) that the Agency has agreed to assist the Redeveloper with a grant to pay part of the cost of such project improvements, and for such purpose it is necessary for the Agency to authorize the issuance of its tax increment revenue bond; (i) that all conditions, acts and things required by law to exist or to be done precedent to the authorizing of the Agency's tax increment revenue bond as provided for in this Resolution do exist and have been done as provided by law.

Section 2. A tax increment revenue bond in the principal amount and denomination of \$50,000.00, is hereby ordered issued in accordance with Section 18-2125, R.R.S. Neb. 2012, by the Agency and shall be designated as its "Tax Increment Revenue Bond" (MZRB, LLC Project) Series 2013 A" (hereinafter referred to as the "Bond"). The Bond shall be dated as of the date of its delivery. The Bond shall bear interest from the date of its issuance and delivery until maturity (or earlier redemption) at the rate of five percent (5.0%) per annum, provided, however, that if for any interest payment date (a) the real estate taxes with respect to the Project Area becoming delinquent upon the delinquency date next preceding such interest payment date have been paid in full and (b) such taxes available for deposit to or deposited in the Bond Fund (as hereinafter established and defined), together with any other monies in the Bond Fund, are insufficient to

pay the interest on the Bond then due and owing, the amount of interest accruing on the Bond shall not be reduced, but shall be paid from the Bond Fund as and to the extent of funds then available for deposit to or deposited in such Bond Fund. The principal of the Bond shall become due on December 31, 2028, provided that such principal amount shall be subject to mandatory redemption from "Available Funds" as described in Section 5 below on June 1 and October 1 of each year. All such interest upon the Bond shall be payable semiannually on June 1 and October 1 of each year, commencing June 1, 2015. The Bond shall be in fully registered form. The Agency's Treasurer (the City Clerk/ Treasurer of the City of Wayne) is hereby designated as paying agent and registrar for the Bond (the "Agent"). The Agent shall serve in such capacities pursuant to the terms of this Resolution. The interest due on each interest payment date prior to maturity shall be payable to the registered owner of record as of the last business day of the calendar month immediately preceding the calendar month in which such interest payment date occurs (the "Record Date"), subject to the provisions of Section 4 hereof. Payments of interest due on the Bond, except for payments due on final maturity date, or other final payment, shall be made by the Agent by mailing a check or draft in the amount then due for interest on the Bond to the registered owner of the Bond, as of the Record Date for such interest payment date, to such owner's registered addresses as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest due at final maturity or other final payment shall be made by the Agent to the registered owner upon presentation and surrender of the Bond to the Agent at the Agency's offices at City Hall in the City of Wayne, Nebraska. The Agency and the Agent may treat the registered owner of the Bond as the absolute owner of the Bond for the purpose of making payments thereon and for all other purposes and neither the Agency nor the Agent shall be affected by any notice or knowledge to the contrary, whether the

Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of the Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the Agency and the Agent, in respect of the liability upon the Bond or claims for interest to the extent of the sum or sums so paid.

Section 3. The Agent shall keep and maintain for the Agency books for the registration and transfer of the Bond at the Agency's offices at City Hall in Wayne, Nebraska. The name and registered address of the registered owner of the Bond shall at all times be recorded in such books. The Bond may be transferred pursuant to its provisions at the Agency's offices by surrender of such Bond for notation of transfer, accompanied by a written instrument of transfer, in form satisfactory to the Agent, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Agent on behalf of the Agency will register such transfer upon its books and make notation thereof on the Bond and deliver the Bond at its office to the transferee owner (or send it by registered mail to the transferee owner thereof at such transferee owner's expense). All transfers of the Bond shall be upon the basis of a private placement and each proposed transferee registered owner shall furnish the Agent with assurances in form satisfactory to the Agent that such Bond is being purchased for investment purposes only, without view to redistribution and upon the independent credit judgment and investigation of the proposed transferee. The Agency and the Agent shall not be required to transfer the Bond during any period from any Record Date until its immediately following interest payment date or to transfer the Bond when called for redemption, in whole or in part, for a period of 15 days next preceding any date fixed for redemption or partial redemption.

Section 4. In the event that payments of interest or for mandatory partial redemption due on the Bond on any interest payment date are not timely made, such interest or redemption price shall cease to be payable to the registered owner as of the Record Date for such interest payment date and shall be payable to the registered owner of the Bond as of a special date of record for payment of such defaulted interest or redemption price as shall be designated by the Agent whenever monies for the purpose of paying such defaulted interest or redemption price become available.

Section 5. At any time the Agency shall have the option of prepaying in whole or in part principal of the Bond. Any such optional prepayment of principal shall be accompanied by an amount equal to all accrued but unpaid interest on the principal amount being prepaid. Notice of any optional redemption for the Bond shall be given at the direction of the Agency by the Agent by mail not less than 15 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner at the Bond at said owner's registered address. Notice of call for redemption may be waived in writing by any registered owner. In the event of prepayment in whole the Bond shall be cancelled. The determination of the amount and timing of any optional redemption of the Bond shall be in the absolute discretion of the Agency. The Bond shall also be subject to mandatory partial redemption, without notice, on each interest payment date from all funds to be available in the Bond Fund (as hereinafter established and defined), excluding amounts, if any, from investment earnings for such fund which the Agency shall be entitled to apply to administrative costs related to the Bond, rounded down to the nearest one hundred dollars, after payment of all accrued but unpaid interest on each interest payment date (which funds are referred to in this Resolution as "Available Funds"). Available Funds shall be applied to the prepayment of principal on each interest payment date and shall be remitted to the

registered owner of the Bond with interest payments. The Agent shall mark the Agent's records with respect to each mandatory partial principal prepayment made from Available Funds and it shall not be necessary for the registered owner to present the Bond for notation of such prepayment. The records of the Agent shall govern as to any determination of the principal amount of the Bond outstanding at anytime and the registered owner shall have the right to request information in writing from the Agent at any time as to the principal amount outstanding upon the Bond.

In the event the monies collected and held in that special fund established under Section 18-2147 of the Nebraska Revised Statutes and pursuant to the Redevelopment Plan and the Resolution authorizing the issuance of this Bond are insufficient to pay in full all amounts due and owing at a date fifteen (15) years from the effective date of the Redevelopment Plan, and all excess ad valorem taxes generated by the Redevelopment Project, as set forth in the Redevelopment Plan, have been collected by the City of Wayne, Nebraska, and have been paid, as required by the Redevelopment Contract and this Resolution, towards the retirement of the amounts due hereunder, then, at said date fifteen (15) years from the effective date set forth in the Redevelopment Contract, neither the Community Development Agency or the City of Wayne, Nebraska, shall have any further payment or other obligations under the Bond and the Holder shall, in writing, waive and otherwise forgive any unpaid portion of the principal and interest upon the request of the Community Development Agency or the City.

Section 6. The Bond shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF WAYNE

TAX INCREMENT REVENUE BOND OF THE COMMUNITY
DEVELOPMENT AGENCY OF THE CITY
OF WAYNE, NEBRASKA
(MZRB, LLC Project)
SERIES 2013 A

<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Final Maturity Date</u>
\$50,000.00	5.0%	December 31, 2028

KNOW ALL PERSONS BY THESE PRESENTS: That the Community Development Agency of the City of Wayne, Nebraska, hereby acknowledges itself to owe and for value received promises to pay, but only from the sources herein designated, to the registered owner designated on the reverse hereof, or registered assigns, the principal sum shown above in lawful money of the United States of America with such principal sum to become due on the maturity date set forth above, with interest on the unpaid balance from date of delivery hereof until maturity or earlier redemption at the rate of five percent (5.0%) per annum, subject to limitation as set forth in the authorizing resolution. Said interest shall be payable semiannually on June 1 and October 1 of each year commencing on June 1, 2015. The payment of principal and interest due upon the final maturity is payable upon presentation and surrender of this bond to the Treasurer of said Agency, as Paying Agent and Registrar for said Agency, at the offices of the Community Development Agency of the City of Wayne at City Hall, in Wayne, Nebraska. The payments of interest and of mandatory redemption of principal on each interest payment date (other than at final payment) will be paid when due by a check or draft mailed by said Paying Agent and Registrar to the registered owner of this bond, as shown on the books or record maintained by the Paying Agent and Registrar, at the close of business on the last business day of the calendar month immediately preceding the calendar month in which the interest payment date occurs, to such owner's address as shown on such books and records. Any payment of interest or mandatory redemption of principal not timely paid when due shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable, and shall be payable to the person who is the registered owner of this bond on such special record date for payment of such defaulted interest or redemption price as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

The Agency, however, reserves the right and option of prepaying principal of this bond, in whole or in part, from any available sources at any time at the principal amount thereof plus accrued interest to the date fixed for redemption. Notice of any such optional prepayment shall be given by mail, sent to the registered owner of this bond at said registered owner's address in the manner provided in the resolution authorizing said bond. The principal of this bond shall be subject to mandatory redemptions made in part on any interest payment date from "Available Funds" (as defined in the resolution authorizing the issuance of this bond) without any requirement for notice. Such optional and mandatory prepayments shall be made upon such terms and conditions as are provided for in the resolution authorizing this bond.

This bond is a single bond in the total principal amount of Fifty Thousand Dollars and no cents (\$50,000.00) issued by the Agency for the purpose of paying the costs of redevelopment of certain real estate located in the City of Wayne, as designated in that redevelopment contract containing a redevelopment plan recommended by the Agency and approved by the Mayor and City Council of the City of Wayne, Nebraska, (the "Plan"), all in compliance with Article 21 of Chapter 18, Reissue Revised Statutes of Nebraska, 2012, as amended, and has been duly authorized by resolution passed and approved by the Mayor and City Council of the City of Wayne, acting as the governing body of the Agency (the "Resolution").

This bond constitutes a limited obligation of the Agency payable exclusively from that portion of the ad valorem real estate taxes mentioned in subdivision (1)(b) of Section 18-2147, R.R.S. Neb. 2012, as levied, collected and apportioned from year to year with respect to certain real estate located within the "Project Area" (as defined in the Resolution). Pursuant to the Resolution and Section 18-2150, R.R.S. Neb. 2012, said portion of taxes has been pledged for the payment of this bond, both principal and interest as the same fall due or become subject to mandatory redemption. This bond shall not constitute a general obligation of the Agency and the Agency shall be liable for the payment thereof only out of said portion of taxes as described in this paragraph. This bond shall not constitute an obligation of the State of Nebraska or of the City or Wayne (except for such receipts as have been pledged pursuant to Section 18-2150 R.R.S. Neb. 2012) and neither the State or Nebraska nor the City of Wayne shall be liable for the payment thereof from any fund or source including but not limited to tax monies belonging to either thereof (except for such receipts as have been pledged pursuant to Section 18-2150 R.R.S. Neb. 2012). Neither the members of the Agency's governing body nor any person executing this bond shall be liable personally on this bond by reason of the issuance hereof. The resolution authorizing said issue designates the terms upon which additional bonds payable from said taxes may be issued in the future.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender of this bond for notation of transfer as provided on the reverse hereof and subject to the conditions provided for in the resolution authorizing the issuance of this bond. The Agency, the Paying Agent and Registrar and any other person may treat the person whose name this bond is registered as the absolute owner hereof for the purposes of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

THIS BOND, UNDER CERTAIN TERMS SET FORTH IN THE RESOLUTION AUTHORIZING ITS ISSUANCE, MAY ONLY BE TRANSFERRED TO PERSONS OR ENTITIES DELIVERING AN INVESTMENT LETTER TO THE PAYING AGENT AND REGISTRAR CONFORMING TO REQUIREMENTS SET FORTH IN SAID RESOLUTION.

If the day for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Wayne, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

In the event the monies collected and held in that special fund established under Section 18-2147 of the Nebraska Revised Statutes and pursuant to the redevelopment plan and the Resolution authorizing the issuance of this Bond are insufficient to pay in full all amounts due and owing at a date fifteen (15) years from the effective date established in the redevelopment contract related to redevelopment project, and all excess ad valorem taxes generated by the Redevelopment Project, as set forth in the Redevelopment Plan, have been collected by the City of Wayne, Nebraska, and have been paid, as required by the redevelopment contract and this Bond, towards the retirement of the amounts due hereunder, then, at said date fifteen (15) years from such effective, neither the Community Development Agency or the City of Wayne, Nebraska, shall have any further payment or other obligations under this Bond and the Holder shall, in writing, waive and otherwise forgive any unpaid portion of the principal and interest upon the request of the Community Development Agency or the City.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond, did exist, did happen and were done and performed in regular and due form and time as required by law and that the indebtedness of said Agency, including this bond, does not exceed any limitation imposed by law.

IN WITNESS WHEREOF, the Mayor and City Council of the City of Wayne, Nebraska, as the governing body of the Community Development Agency of the City of Wayne have caused this bond to be executed on behalf of said Agency by being signed by the Chair and Secretary of the Agency and by causing the official seal of said Agency to be affixed hereto, all as of the date of issue shown above.

Delivered this ____th day of February, 2013.

(SEAL)

COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF
WAYNE, NEBRASKA

:

By: _____ (do not sign) _____
Chair

ATTEST:

_____(do not sign)_____
Secretary

PROVISION FOR REGISTRATION

The ownership of this Bond shall be registered as to both principal and interest on the books and records of the Community Development Agency of the City of Wayne, Nebraska, kept by the Paying Agent and Registrar identified in the foregoing bond, who shall make notation of such registration in the registration blank below, and the transfer of this Bond may thereafter be registered only upon an assignment duly executed by the registered owner or such owner's attorney or legal representative, in such form as shall be satisfactory to said Paying Agent and Registrar, such registration of transfer to be made on such books and endorsed hereon by said Paying Agent and Registrar

Date of Registration	Name of Registered Owner	Signature of Paying Agent and Registrar

Section 7. The Plan sets forth January 1, 2014, as the effective date after which ad valorem taxes on real property located within the Project Area may be apportioned pursuant to Section 18-2147, R.R.S. Neb. 2012. From and after said effective date that portion of the ad valorem taxes on all real estate located within the Project Area which is described in subdivision (1)(b) of Section 18-2147, R.R S. Neb 2012 (the "Project Area Tax Receipts"), shall be paid into a special fund of the Agency to be designated as the "MZRB, LLC, Project Fund" (the "Bond Fund") to be held by the Agent. The Agency hereby pledges for the payment of the Bond both principal and interest as the same fall due, equally and ratably, all Project Area Tax Receipts as so paid into the Bond Fund as a prior and first lien upon said receipts for the security and payment of the Bond.

Section 8. The Bond shall be executed on behalf of the Agency by the Mayor and City Clerk and sealed with the Agency's seal. Upon execution the Bond shall be registered by the Agent in the name of the initial registered owner as directed by the original purchaser and shall thereupon be delivered to the Redeveloper (or its designee, including any pledgee), as the original purchaser thereof for a price equal to the principal amount thereof. The original purchaser and initial registered owner shall deliver an investment representation letter satisfactory in form to the officers of the Agency, or any one of them.

Section 9. If the date for payment of the interest or principal on the Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Wayne, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking Institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 10. The City Clerk shall make and certify one or more transcripts of the Agency precedent to the issuance at the Bond one of which copies shall be delivered to the original purchaser of the Bond.

Section 11. The Chair, and Secretary of the Agency, and the Mayor and City Clerk or any one of them are hereby authorized to take any and all actions, and to execute any and all documents deemed by them necessary to effect the transactions authorized by this Resolution.

Section 12. The proceeds of the Bond after payment of issuance costs, shall be paid to the Agency and applied to make payment of a development grant to the Redeveloper with such grant to be made upon such conditions as are set forth in that Redevelopment Contract by and between the Agency and Redeveloper which Redevelopment Contract, as to its terms and conditions, is hereby approved in the form presented. The Chair, and Secretary of the Agency are hereby authorized to execute and deliver said Redevelopment Contract in substantially the form presented but with such changes as such executing officers shall deem appropriate for and on behalf of the Agency.

Section 13. The authorization for the Bond provided for in this Resolution is based upon expectations as to valuation and proposed tax rates suggested by the Redeveloper. The Agency has not given and hereby gives no assurances that such expectations will in fact be fulfilled.

Section 14. The Mayor and City Council sitting as the Community Development Agency of the City of Wayne, Nebraska, specifically find, as follows:

(a) The project described in the redevelopment contract and plan attached thereto, would not be economically feasible without the use of tax-increment financing;

(b) The project would not occur in the Redevelopment Area without the use of tax-increment financing; and

(c) The costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private

services have been analyzed by the governing body and have been found to be in the long term best interests of the community impacted by the project.

Section 15. The purchase price of the Bond may be off set against the grant provided in the Redevelopment Contract in the event that the Redeveloper is the purchaser of said Bond.

Section 16. This Resolution shall be in force and take effect from and after its adoption as provided by law.

PASSED AND APPROVE this 19th day of March, 2013.

COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WAYNE NEBRASKA

ATTEST:

By: _____
Chair

By: _____
Clerk