

(Amended: 8/5/13)

AGENDA
CITY COUNCIL MEETING
August 6, 2013

1. [Approval of Minutes – July 16, 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. [Public Hearing: Blighted and Substandard Area Determination \(Tax Lot 17-18-63 PT SE 1/4NW1/4 Wayne Tracts 18-26-4, Tax Lot 65 PT S1/2NW1/4 Wayne Tracts 12-26-4, and Fletcher & Feeders Subdivision Block 2 \(tax lot 427800\). The public street areas and street right-of-ways included are South Windom Street and Fairgrounds Avenue. The area which contains five grain bins is excluded from the area. \(Advertised Time: 5:30 p.m.\)](#)

Background: Breck Giese (developer) is negotiating a buyout of the remaining three Wayne grain elevator properties from Michael Foods. These elevator properties are in a condition that needs property maintenance or demolition/removal. The developer has plans for renewal/development of each of these locations. Demolition and redevelopment of these sites will be costly, and the buyer is proposing TIF (Tax Increment Financing) agreements for the sites with the City to help with the costs.

In any Tax Increment Financing agreement with the City, the developer agrees to build a new construction project, and in return, the City grants all the new incremental property taxes for the next 14 years to be set aside to pay off a TIF debt bond issued to help with the costs of the project. To be eligible for TIF assistance, the location of the project must be in an area of the city that has been evaluated and declared “blight and substandard” as described by Nebraska State Statutes. The site of the east elevator is currently not located in such an area, and a study was done for the Planning Commission and City Council (see the enclosed map of the study area) to help determine if this area is eligible, and if the Council wants to designate this area as “blighted and substandard” as defined by State law.

The purpose of this public hearing is to accept comments from the public about the study (the blight determination study for the marked area on the map is in the packet) that was completed and the consideration by the City Council to declare the area blighted and substandard.

4. [Resolution 2013-71: Making Findings and Declaring Portions of the City of Wayne to be Blighted and Substandard Pursuant to the Nebraska Community Development Act](#)

Recommendation: The recommendation of the Planning Commission is that the area meets requirements of the blight determination and conforms to the general provisions of the Community Comprehensive Plan. The recommendation of Joel Hansen, Building Official, and Lowell Johnson, City Administrator, is to approve the declaration to assist in the costs of the cleanup and redevelopment of these sites.

5. [Public Hearing: Amending the One and Six Year Street Improvement Program to add Extension of Hillside Drive \(Advertised Time: 5:30 p.m.\)](#)

Background: Wayne receives about \$350,000 in street funds assistance from the State each year. To be eligible, the City Council has to hold an annual public hearing in January for public input on our 1&6 year street improvement program/plan and where we will spend those State funds. A copy of our 2013 1&6 year plan is included in this packet. If we need to amend the plan during the year, we must hold another public hearing. The purpose of this hearing is to consider the addition of an extension of Hillside Drive south across Highway 35. This would provide a new highway access to the property east of McDonalds.

6. [Resolution 2013-72: Approving the One and Six Year Street Improvement Program as Amended](#)

Background: The NDOR (Nebraska Department of Roads) currently holds a highway right-of-way access deed for a street to extend south at this site. We have received a request from a developer, Ken Jorgensen, to activate this deed for highway access for a new business development east of McDonalds. In order to activate the access permit and open a street, we need to amend our 1&6 year street plan to include the extension of Hillside Drive.

Recommendation: The recommendation of Joel Hansen, Street Superintendent, and Lowell Johnson, City Administrator, is to approve the amendment to add an extension of Hillside Drive to our current 1&6 year street plan.

7. [Adjourn as Mayor and City Council and Reconvene as Board of Equalization](#)

8. [Public Hearing: Assessments for Street Improvement District No. 2011-1 \(Western Ridge Third Addition – Pheasant Run\) Advertised Time: 5:30 p.m.](#)

Background: Bomgaars was not able to secure an access to their new location directly off of Highway 35, so a paving district was created to construct a section of paved street on north Pheasant Run road past the Bomgaars property and past a second platted commercial lot north of Bomgaars.

Any paving district is created by the City Council and becomes a legal entity separate from and outside of the city budget. The abutting property owners that will be served by the paving project have 30 days after the Council creates the district to notify the City Clerk if they object. If the property owners of more than

half of the frontage along the paving do not object within 30 days, the district is permanent and the City Council becomes in charge of design, construction and financing of the street paving on behalf of the abutting property owners. The City borrows the money to design and build the street paving project on behalf of the abutting property owners. When the paving project is complete, all of the costs are totaled and assessed out to the abutting properties on the basis of front footage of the lots. The costs of the intersection and any alley crossings are assessed to the City as general obligations and paid by the City and not the property owners.

The purpose of this hearing is to accept public comment/or protest about the allocation of costs and the assessments by the project engineer.

9. [Resolution 2013-73: Approving Assessments in Street Improvement District No. 2011-1](#)

Recommendation: The recommendation of Joel Hansen, Street Superintendent and Lowell Johnson, City Administrator, is to approve the assessments as presented.

10. [Public Hearing: Assessments for Sanitary Sewer Extension District No. 2011-1 \(Western Ridge Third Addition\) Advertised Time: 5:30 p.m.](#)

Background: The assessment map included in this packet is the engineer's correct allocation of costs of the project. There are some pre-existing agreements that will alter these assessments:

1) In the negotiations to get access across the two Glenn's Body Shop lots, we agreed to set aside funds from the \$190,000 TIF incentive for Bomgaars to pay Glen's assessments so there would be no cost to him. We did not know what the final assessed cost would be at the time of the TIF agreement and the sewer extension access agreement. Now we know that final assessed sewer cost for Glen's two lots is \$4,909.87. That is appropriately listed on this assessment schedule, but the prior sewer access agreement is to pay the sewer assessments for the two lots on his behalf.

2) By previous Council Resolution, the \$10,894.52 sewer assessment to Northeast Nebraska Public Power will be paid by the city sewer utility and subsequently reimbursed through increased sewer hookup fees on new properties on the north side of Highway 35 that are located between a point 25 feet east of Glen Nichols' east lot boundary and the Kelby and Joelle Herman west boundary line. When Northeast built their new facility, we were unable to get sufficient property owner approval to create a sewer extension district to serve the new Northeast location. Northeast then agreed to pay all of the cost (both sides) of the sewer line to the northeast corner of their property in exchange for no future sewer assessment to extend the line west across their property to the intersection with Pheasant Run Road.

3) The \$14,439.36 sewer assessment to the Bowers' property will be carried, interest free, by the city sewer utility at the request of the owner for an agricultural deferment until such time in the future the Bowers' property is subdivided for development. Other agricultural deferments of assessments have been requested on the edge of Wayne, and are on file with the property deeds. Agricultural deferment

requests are allowed by State law upon request and do not require City Council approval.

11. [Resolution 2013-74: Approving Assessments in Sanitary Sewer Extension District No. 2011-1](#)

Recommendation: The recommendation of Garry Poutre, Superintendent of Public Works and Utilities, and Lowell Johnson, City Administrator, is to approve the assessments as presented.

12. [Public Hearing: Assessments for Water Extension District No. 2011-1 \(Western Ridge Third Addition\) Advertised Time: 5:30 p.m.](#)

Background: The assessment map included in this packet is the engineer's correct allocation of costs of the project. There are some pre-existing agreements that will alter these assessments:

1) In the negotiations to get water main access across the two Glenn's Body Shop lots we agreed to set aside funds from the \$190,000 TIF incentive for Bomgaars to pay Glen's assessments so there would be no cost to him. We did not know what the final assessed cost would be at the time we did the TIF agreement and the water main extension access agreement. Now we know that final assessed water line cost for Glen's two lots is \$4,764.39. That is appropriately listed on this assessment schedule, but the prior utility access agreement with Glen is to pay the sewer assessments for the two lots on his behalf.

2) By previous Council Resolution, the \$11,227.19 water assessment to Northeast Nebraska Public Power will be paid by the city water utility and subsequently reimbursed through increased water service hookup fees on new properties on the north side of Highway 35 that are located between a point 25 feet east of Glen Nichols' east lot boundary and the Kelby and Joelle Herman west boundary line. When Northeast built their new facility, we were unable to get sufficient property owner approval to create a water extension district to serve the new Northeast location. Northeast then agreed to pay all of the cost (both sides) of the water line to the northeast corner of their property in exchange for no future water main assessment to extend the line west across their property to the intersection with Pheasant Run Road.

3) The \$14,880.27 water main assessment to the Bowers' property will be carried interest free by the City water utility at the request of the owner for an agricultural deferment until such time in the future the Bowers' property is subdivided for development. Other agricultural deferments of assessments have been requested on the edge of Wayne and are on file with the property deeds. Agricultural deferment requests are allowed by State law upon request and do not require City Council approval.

13. [Resolution 2013-75: Approving Assessments in Water Extension District No. 2011-1](#)

Recommendation: The recommendation of Garry Poutre, Superintendent of Public Works and Utilities, and Lowell Johnson, City Administrator, is to approve the assessments as presented.

14. Adjourn as Board of Equalization and Reconvene as Mayor and City Council
15. Action on Recommendation from the LB840 Economic Development Advisory Committee Regarding the Request of Julie Cull d/b/a Geno's Steakhouse for \$37,000 in LB840 Funds to be used to assist in the renovation and remodel of the steakhouse, including new flooring, exterior windows, new siding and other improvements

Background: The recommendation of the LB840 Economic Advisory Committee is included in this packet.

16. Action on Recommendation from the LB840 Economic Development Advisory Committee Regarding the Request of Dale and Debbie Paulson, d/b/a Paulson Construction, for \$39,750 in LB840 Funds to be used in assisting in the relocation of the current business to within the city limits of Wayne, buying a downtown building, expanding into the equipment rental business, and making some property updates (roof, electrical, etc.)

Background: The recommendation of the LB840 Economic Advisory Committee is included in this packet.

17. Presentation by Chad Sebade of his proposal to construct a 3-plex apartment house at 4th and Nebraska and his request for a sense of the Council regarding approval of TIF incentive to demolish and clear the property and sense of the Council regarding his architectural design

Background: Chad has asked to be on the Council agenda to show you his proposal for a 3-plex market rate apartment project and to get a sense of the Council about whether they will approve another TIF project before he spends \$5,000 to have a TIF proposal prepared. The project should generate about \$50,000 in TIF funding less the \$5,000 legal fees for the TIF documents. This would be used for purchase and/or demolition of the property. Attached is his concept of the building.

18. Presentation by Ken Jorgensen of his concept plans for a sports bar/grill to be constructed on the property east of McDonalds and an offer to purchase the railroad right-of-way and relocate the existing trail and an offer to purchase a small triangle of property at the east end of 6th Street to continue the street into his property

Background: Ken has a plan for development of this property. The size of the project will need to use TIF funding, he'll need use of the 100 foot wide railroad right-of-way and the small triangle south of the McDonalds property owned by the city to access 6th Street, and an access to Highway 35. Ken is preparing detailed plans and wants a sense of the Council about the list above before proceeding with the cost of design.

19. [Ordinance 2013-34: Amending Wayne Municipal Code, Sec 34-61 Growth Permitted; Control and Maintenance](#)

Background: So far this year we have sent out about 120 mowing notices by certified mail to property owners who didn't mow and the grass and/or weed height exceeded 12 inches. Our current notification process has long delays and is costly. This proposal is lawful by State law effective September 6th, and is intended to expedite the notice and enforcement process and lower the cost of enforcement to the taxpayers.

Recommendation: The recommendation of Garry Poutre, Superintendent of Public Works and Utilities, and City Administrator Lowell Johnson, is to approve the changes.

20. [Resolution 2013-76: Amending Schedule of Fees and Charges](#)

Background: According to the 2010 US Census, there are 897 rental households in Wayne. Almost all of the 120 mowing notices we sent were to owners of rental properties. Some owners wait to mow until they get a notice from us. Most get the property mowed before the deadline in the notice. If the deadline passes with a lawn un-mowed, the City hires the property to be mowed and bagged and bills the owner. This amendment will increase the fee from \$90 per hour, with a one hour minimum charge to \$300 per hour, with a one hour minimum charge. We are finding that the \$90 that was established 12 years ago has become less of a deterrent forcing the taxpayers to pick up the costs for those that don't pay the City's bill for mowing. We file liens on properties for unpaid mowing bills, but those liens don't get paid until the property sells.

21. [Resolution 2013-77: Directing the City Clerk to certify Mowing Costs to the Wayne County Clerk and the Wayne County Treasurer to become a Lien on Lot 9, McPherran's Addition to Wayne, Wayne County, Nebraska, more commonly described as 908 Circle Drive, Wayne, Nebraska](#)

22. [Ordinance 2013-36: Amending Wayne Municipal Code Sec. 78-126 Relating to Parking; Prohibited Parking; Northeast Quadrant of the City of Wayne](#)

Background: This ordinance and the next two have been agreed upon by WSC and other property owners and will establish new parking regulations on Tenth Street. These will prohibit parking anytime on the south side of 10th from Main Street all the way east to Hillside Drive and allow daytime parking on the north side, except along the Willow Bowl.

Recommendation: The recommendation of Joel Hansen, Street Superintendent, and Lowell Johnson, City Administrator, is to approve all three ordinances.

23. [Ordinance 2013-37: Amending Wayne Municipal Code Sec. 78-127 Relating to Parking; Restricted Parking 12:00 midnight to 5:00 a.m.; Northeast Quadrant of the City](#)

24. Ordinance 2013-38: Amending Wayne Municipal Code Sec. 78-134 Relating to Parking Time Limits of 30 Minutes and One Hour; Location

25. Action on Change Order for 10th Street, Main to Windom Improvement Project

Background: This will provide for a longer and less steep slope to the circle drive extending north into the campus from Windom Street. There was a design flaw in the plans that dropped street elevation and shortened the slope, but made no accommodation for the unacceptable 14% steepness of the resulting slope of the street. This proposed change has been requested and approved by WSC on site. Because of the speed of this construction, this work will likely have already been done, but we bring this to the Council in an attempt to keep you abreast with developments.

26. Action on Change Order for the 10th Street, Main to Windom Improvement Project — (\$94.42)

27. Action on Pay Application No. 3 in the amount of \$228,645.07 to Steve Harris Construction, Inc., for the 10th Street, Main to Windom Improvement Project

28. Set Dates for Budget Work Sessions

29. Recess

a. Convene as Community Development Agency

b. Approve Minutes – July 2, 2013

c. Action to approve \$15,000 for the completion of the enclosure of the storm drain system on both sides of Haas Avenue where it crosses the drainage ditch coming from the north in the Western Ridge Subdivision

Background: This proposal will connect all stormwater pipes north of Haas Avenue and extend the enclosed storm drain system south farther along the access road and trail to the park. This mostly fixes a weedy, silty open drainage ditch that resulted from a design oversight in the Western Ridge project.

Recommendation: This costs more than we want, but will stop an endless need to weed-whip a large area that is wet and silty and will improve the appearance of the 30-foot wide alley owned by the City. The recommendation of Garry Poutre, Superintendent of Public Works and Utilities, and Lowell Johnson, City Administrator, is to enclose the gap in the storm drain system.

d. Adjourn CDA and Reconvene as Council

30. Action on Staff Recommendation to Request State Patrol Investigation of Fraudulent Use of LB840 Funds

31. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

[Planning Commission Meeting Minutes – June 3, 2013](#)

[Wayne Municipal Airport Authority Meeting Minutes – June 10 & 17, 2013](#)

July 16, 2013

The Wayne City Council met in regular session at City Hall on Tuesday, July 16, 2013, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Matt Eischeid and Jill Brodersen, City Attorney Amy Miller, City Administrator Lowell Johnson, and City Clerk Betty McGuire. Absent: Councilmember Kaki Ley.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 5, 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 Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of July 2, 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 Ley 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: ADAM SEVERSON, RE, 1200.00; AMERITAS, SE, 1988.82; APPEARA, SE, 86.79; ASSOC. FOR SMALL LIBRARIES, FE, 235.00; BANK FIRST, FE, 120.00; BARONE SECURITY SYSTEMS, SE, 1080.00; BATTERYZONE, SU, 689.64; CITY EMPLOYEE, RE, 31.02; BLUETARP FINANCIAL, SU, 44.08; CITY EMPLOYEE, RE, 153.01; BROWN SUPPLY, SU, 460.50; BSN SPORTS, SU, 298.95; CARHART LUMBER COMPANY, SU, 666.13; CITY EMPLOYEE, RE, 190.70; CERTIFIED TESTING SERVICE, SE, 1066.00; CITY OF WAYNE, RE, 400.00; CITY OF WAYNE, RE, 40.00; CITY OF WAYNE, RE, 50.00; CITY OF WAYNE, PY,

68852.04; CITY OF WAYNE, RE, 20.06; COMMUNITY HEALTH, RE, 4.00; COPY WRITE PUBLISHING, SU, 462.93; DE LAGE LANDEN FINANCIAL, SE, 394.00; DEARBORN NATIONAL LIFE, SE, 1723.81; CITY OF WAYNE, RE, 61.30; DONNA JACOBSEN, RE, 50.00; DOUGLAS CO COURT, RE, 348.00; ECHO GROUP, SU, 171.02; CITY EMPLOYEE, RE, 1173.40; FLOOR MAINTENANCE, SU, 324.31; FLOW CONTROL, SU, 1128.44; FREDRICKSON OIL, SE, 24.00; GEMPLER'S, SU, 128.05; GERHOLD CONCRETE, SU, 1892.25; GROSSENBURG IMPLEMENT, SU, 9.10; HANSEN, GENE, RE, 63.85; CITY EMPLOYEE, RE, 63.20; HAWKINS, SU, 884.65; HD SUPPLY WATERWORKS, SU, 5300.00; HIRERIGHT SOLUTIONS, SE, 53.15; HOBBY LOBBY, SU, 147.42; HTM SALES, SE, 225.00; ICMA, SE, 6272.87; INGRAM BOOK CO, SU, 145.17; IRS, TX, 24507.20; JASON CAROLLO, SE, 140.00; JEO CONSULTING GROUP, SE, 1225.00; JIM SPETHMAN, SU, 59.48; KEPSCO, SU, 16.05; KRIZ-DAVIS, SU, 56.80; LIED LODGE, SE, 93.00; MIDWEST LABORATORIES, SE, 241.40; MIDWEST TAPE, SU, 163.95; MITCH DEBOER, RE, 50.00; MOORE WALLACE, SU, 320.31; NAPA OF WAYNE, SE, 10.81; NE DEPT OF REVENUE, TX, 3308.71; NE SAFETY COUNCIL, SE, 138.72; NORFOLK DAILY NEWS, SE, 369.00; NNPPD, SE, 13024.70; OVERHEAD DOOR CO, SE, 756.05; PHILOMATHEAN PRESIDENT, SU, 50.00; PITNEY BOWES, SU, 19.00; PLUNKETT'S PEST CONTROL, SE, 97.34; QUILL, SU, 225.00; RANDOM HOUSE, SU, 127.50; ROBERTSON IMPLEMENT, SU, 78.46; SAYRE ANDERSEN, RE, 50.00; SCHMITZ, TOM, RE, 500.00; SPARKLING KLEANJ, SE, 1801.72; STEVE HARRIS CONSTRUCTION, SE, 42215.49; STEVE LUTT, RE, 40.38; DAVE'S UNIFORMS, SE, 57.00; US BANK, SU, 6065.27; VAN DIEST SUPPLY, SU, 104.00; VIC'S ENGINE SERVICE, SE, 123.65; WAYNE AUTO PARTS, SU, 343.90; WAYNE COUNTY CLERK, SE, 22.00; WAYNE HERALD, SE, 1582.98; WAYNE ROTARY, FE, 120.00; WAYNE VETERINARY CLINIC, SE, 105.00; WESCO, SU, 3562.43; WAPA, SE, 31979.60; ZACH HEATING & COOLING, SE, 78.50; ZACH OIL, SU, 6291.23; APPEARA, SE, 67.69; CITY EMPLOYEE, RE, 170.40; BROWN SUPPLY, SU, 274.50; CENTURION TECHNOLOGIES, FE, 192.00; CITY EMPLOYEE, RE, 640.48; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 278.50; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, RE, 1080.03; DUTTON-LAINSON, SU, 817.60; EAKES OFFICE PLUS, SE, 25.67; ELECTRIC FIXTURE & SUPPLY, SU, 4.99; GOV'T FINANCE OFFICERS, FE, 170.00; HACH COMPANY, SU, 53.05; HAWKINS, INC, SU, 743.25; HD SUPPLY WATERWORKS, SU, 71.39; CITY EMPLOYEE, RE, 76.50; HEWLETT-PACKARD, SU, 5464.85; INTERSTATE INDUSTRIAL, SE, 152.74; ITRON, SE, 2579.52; CITY EMPLOYEE, RE, 107.50; CITY EMPLOYEE, RE, 119.61; KRIZ-DAVIS, SU, 1291.74; KTCH, SE, 1266.60; CITY EMPLOYEE, RE, 86.33; NE AIR FILTER, SU, 94.39; NE CODE OFFICIAL, FE, 130.00; NPPD, SE, 349535.92; NEBRASKA U.C. FUND, RE, 294.00; NORFOLK IMPLEMENT, SU, 144.98; NORTHERN SAFETY CO, SU, 73.63; PAC N SAVE, SU, 94.59; PAGING & WIRELESS, SU, 23027.00; CITY EMPLOYEE, RE, 269.34; PIEPER & MILLER, SE, 4992.00; PITNEY BOWES, SU, 648.00; POSTMASTER, SU, 549.64; PRESTO X, SE, 106.59; QUALITY FOODS, SU, 297.60; REHAB SYSTEMS, SU, 4750.00; SHOPKO, SU, 245.55; STATE NATIONAL BANK, RE, 97.23; STEVE LAMOUREX, SE, 171.00; VOSS LIGHTING, SU, 105.72; WESCO, SU, 266.26; ZEE MEDICAL SERVICE, SU, 431.51

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley 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.

Andrew Ross, Energy Services Engineer, of the Municipal Energy Association of Nebraska (MEAN) gave a presentation on MEAN, their resources and customers, and the history of the association, etc. Mark Shults, General Manager of Northeast Nebraska Public Power District, along with Paul Bodlak, a Board member thereof, were present. In addition, Tom Goulette, City Administrator of West Point, whose City is a long-time member of MEAN, was also present.

Wes Blecke, Executive Director of Wayne Area Economic Development, provided the Council with the six-month LB 840 activity update. Mayor Chamberlain requested the LB840 Committee have the applicants exhaust their options with the local lenders before submitting an application to the City of Wayne.

Nancy Braden, Finance Director, gave a report on the airport operations and also on the potential Tradewinds Turbine Project northeast of Wayne.

The following Resolution would allocate \$64,000 in property tax to the Wayne Municipal Airport Authority. This is an annual request that the Airport Authority makes to the Council. This amount represents about \$.035 of the \$.45 property tax allocation that the City could receive. Last year's allocation was \$64,000.

Councilmember Brodersen introduced Resolution No. 2013-67 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2013-67

A RESOLUTION AUTHORIZING THE ALLOCATION OF PROPERTY TAXES TO THE WAYNE AIRPORT AUTHORITY.

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

Mayor Chamberlain declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding a rezoning request to rezone property from A-2 Agricultural Residential to R-1 Residential. The property is legally described as The Southeast Quarter of the Southeast Quarter of Section 6, Township 26 North, Range 4, East of the 6th P.M., Wayne County, Nebraska, also described as Tax Lot 7. The applicant is Windom Ridge, Inc.

Mayor Chamberlain advised the Council that Lou Bencoter, representing Windom Ridge, Inc., has asked that this matter be pulled from the agenda.

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

Councilmember Brodersen introduced Ordinance 2013-33, and moved for approval of the third and final reading thereof; Councilmember Sievers seconded.

ORDINANCE NO. 2013-33

AN ORDINANCE SETTING CLOSING HOURS FOR THE SUMMER SPORTS COMPLEX, RUGBY PARK AND SWIMMING POOL PARK.

Councilmember Giese requested an automatic timer be placed on the lights at the basketball court by the pool.

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

The following Resolution would approve the Council goals that were established at their retreats in January and July.

Councilmember Brodersen introduced Resolution No. 2013-68 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2013-68

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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

Joel Hansen, Zoning Administrator, stated that he received 3 proposals for the study of the City of Wayne's Floodplain on the Dog Creek Watershed. Staff has reviewed those proposals, and recommends the firm of Kirkham Michael with an estimated cost of \$30,000. A request will be made to NRD to consider cost-sharing in this project.

Councilmember Muir introduced Resolution No. 2013-69 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2013-69

A RESOLUTION ACCEPTING PROPOSAL OF KIRKHAM MICHAEL AND APPROVING AGREEMENT FOR THE STUDY OF THE CITY OF WAYNE'S FLOODPLAIN ON THE DOG CREEK WATERSHED.

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

The following Resolution would direct the City Clerk to file a lien against 615 West Third Street for the cost of work hired by the City to abate a violation of City Code after proper notice was given to the property owner.

Councilmember Giese introduced Resolution No. 2013-70 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2013-70

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST HALF (W1/2) OF LOT TEN (10), TAYLOR & WACHOB'S ADDITION TO WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 615 WEST THIRD STREET, WAYNE, NEBRASKA.

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

Garry Poutre, Supt. of Public Works & Utilities, stated a change order is being brought forward for fly ash to be used on the 10th Street, Main to Windom Improvement

Project. This was required because of the unsatisfactory sub-grade soil in an area of the project. The change order is approximately \$6,600.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving Change Order No. 1 on the 10th Street Main to Windom Improvement Project for \$6,600 for fly ash. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

The NPPD Board has proposed a new transmission line rate that will generally favor shifting more of the NPPD transmission line costs away from low load factor power users to high load factor electric customers. Examples of low load factor users are air conditioners, electric irrigation, hospital scanners and carwash air blowers that require large size power lines and transformers to meet high demand peaks, but over a year's time, buys very little power to bill for to recover the cost of the power lines.

There are 17 municipal NPPD customers that have organized the Municipal Energy Interests Group (MEIG) to negotiate rates and contract issues with NPPD. We oppose this change in the structure of NPPD's transmission line rate.

City Administrator Johnson requested formal Council action on this matter.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to oppose Nebraska Public Power District's position on transmission rate proposal for 12 cp. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

A request has been received to purchase 1,000 bricks or pavers for \$.75 per brick rather than \$1.00 per brick, which was the selling price Council agreed upon at their meeting on June 18, 2013.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving the offer to purchase 1,000 pavers or bricks for \$.75 each. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to approving the appointment of Rachele Rogers to the Planning Commission. This is a three-year term. She will be replacing Derek Hill.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving the appointment of Rachele Rogers to the Planning Commission. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried and the meeting adjourned at 7:59 p.m.

CLAIMS LISTING AUGUST 6, 2013

AMAZON.COM, LLC	DVD'S/DISINFECTING WIPES	160.20
AMERICAN BROADBAND	TELEPHONE CHARGES/FIBER LINE LEASE	2,585.39
AMERICAN PATRIOT PICTURES	BOOK	19.99
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,019.88
APPEARA	LINEN & MAT SERVICE	140.68
ARCADIAN MARKSMANSHIP	ANNUAL RANGE DUES	100.00
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
ASCAP	RADIO LICENSE FEE INCREASE	11.00
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	134.52
BLACK HILLS ENERGY	GAS BILLS	753.74
BLUE CROSS BLUE SHIELD	HEALTH INSURANCE PREMIUM	24,234.52
BOMGAARS	LIQUID NAIL	2.89
BROGIE, ED	HEAT PUMP INCENTIVE	500.00
BROWN SUPPLY CO	VALVE BOX EXTENSIONS/COUPLING	1,180.21
CITY OF WAYNE	HEALTH REIMBURSEMENT	103.87
CENTURYLINK	TELEPHONE CHARGES	314.27
CHEMQUEST, INC.	QUARTERLY MONITORING	595.00
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUNDS	600.00
CITY OF WAYNE	BUILDING PERMIT DEPOSIT REFUND	350.00
CITY OF WAYNE	PAYROLL	68,572.60
CITY OF WAYNE	SUMMER CLUB REFUND	160.00
CITY OF WAYNE	SWIM TEAM REFUND	25.00
CITY OF WAYNE	UTILITY REFUNDS	126.35
CLEAN TO A T	LIBRARY/SR CENTER CLEANING	975.00
COMMUNITY HEALTH	PAYROLL DEDUCTIONS	4.00
CONNECTING POINT	ANNUAL RENEWAL	1,533.75
DAKOTA BUSINESS SYSTEMS	LIBRARY COPY CHARGES	104.50
DE LAGE LANDEN FINANCIAL	SR CENTER COPIER LEASE	77.00
DEARBORN NATIONAL LIFE	VFD INSURANCE	227.04
DGR & ASSOCIATES CO	ELECTRIC SERVICES	546.00
DICK BROWN	BACKFLOW PREVENTOR	12.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	75.04
DONNA JACOBSEN	VACUUM FILTERS FOR FIRE DEPT	46.99
DOUG & TOM SCHMIT	ENERGY INCENTIVE	408.00
DUTTON-LAINSON COMPANY	FUSES	485.91
ECHO GROUP INC JESCO	POWER RECEPICAL/FUSES/LIGHTS	1,264.63
ED. M FELD EQUIPMENT CO	HYDROTEST FUNCTION TESTING/HELMETS	1,725.00
ELECTRIC INNOVATIONS	DOOR REPAIRS	550.00
ELKHORN FENCE LLC	FENCE SLATS	3,484.00
FASTENAL CO	BOLTS/WASHERS	12.12
FIRST CONCORD GROUP LLC	FLEX DEDUCTIONS	3,701.94
FLOOR MAINTENANCE	TOILET PAPER/TOWELS	242.36
GAYLORD BROS	BOOK JACKET COVERS	131.46
GERHOLD CONCRETE CO INC.	GRID MARKERS	136.05
GROSSENBURG IMPLEMENT INC	FILTER ELEMENT/STRING TRIM/OIL/LINK	107.88
CITY EMPLOYEE	COMPUTER PURCHASE	1,000.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	285.42
HAWKINS, INC	SODIUM HYPOCHLORITE/AZONE	1,314.84

HOMETOWN LEASING	POLICE COPIER LEASE	73.51
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	6,272.87
IRS	FEDERAL WITHHOLDING	24,171.04
IRS-DEPT OF TREASURY	HEALTH INSURANCE	40.00
JANE LUBBERSTEDT	ENERGY INCENTIVE	500.00
JOHNNY P LEMPKE	PEST CONTROL	73.00
CITY EMPLOYEE	SAFETY BOOTS	150.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	258.31
KRIZ-DAVIS COMPANY	PADMOUNT/TRANSFORMER	12,354.00
KTCH AM/FM RADIO	CAC RADIO ADS	80.00
LANGEMEIER, WAYNE	SIDEWALK COST SHARE	36.00
LIBRARY LANDSCAPE ACCOUNT	LIBRARY/SR CENTER LANDSCAPING	157.51
LORDAR INC	CORDLESS PHONE TROUBLESHOOT	109.00
MARK AHMANN	ENERGY INCENTIVE	500.00
MARK HEITHOLD	TREE INCENTIVE	150.00
MIKE TOWNE	NPPD COST RECOVERY/MEIG	3,900.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,240.95
NE LIBRARY COMMISSION	CAT EXPRESS RENEWAL	1,133.00
NE PUBLIC HEALTH	COLIFORM TESTING	338.00
N.E. NE AMERICAN RED CROSS	PAYROLL DEDUCTIONS	59.24
NORTHEAST NE PUBLIC POWER	ELECTRICITY	4,411.00
OLSSON ASSOCIATES	MILO DRIVE PAVING/CHIEFS WAY/RICE	2,996.96
OVERDRIVE, INC.	DEPOSIT ON FUTURE PURCHASES (BOOKS)	2,000.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	709.86
PHYLLIS HIX	EASEMENT	100.00
PIEPER & MILLER	ATTORNEY FEES	4,420.00
POLLARD PUMPING	CHIX DAYS PORTABLE TOILETS	990.00
PROGRESSIVE PROPERTIES	PROGRESSIVE PROPERTIES	130,000.00
QUILL CORPORATION	OFFICE SUPPLIES	249.28
REHAB SYSTEMS	MANHOLE REHABILITATION	14,490.00
SCOTT HOHENTHANER	ADULT SOFTBALL SANCTION FEES	500.00
SIOUXLAND TURF PRODUCTS	FERTILIZER	1,800.00
SKARSHAUG TESTING LAB INC	CLEAN & TEST HOSE/BLANKET/HOOD	399.90
STADIUM SPORTING GOODS	YOUTH SOCCER JERSEYS	775.00
STANLEY PETROLEUM	WATER FINDER PASTE	17.20
TOM ADAMSON	BOOK	8.00
TOM'S BODY & PAINT SHOP	TAILGATE HANDLE REPAIR	1,035.45
UNITED WAY	PAYROLL DEDUCTIONS	12.40
US BANK	MEALS/TEMP POWER BOX/MISC ITEMS	1,049.84
VERIZON WIRELESS SERVICES	CELL PHONES	328.91
VIAERO	CELL PHONES	245.57
VOLKMAN PLUMBING & HEAT	HVAC SERVICE-PRESSURE SWITCH	592.21
WAYNE AREA ECONOMIC DEVEL	CHICKEN SHOW LB 840	2,672.77
WAYNE HERALD	REISSUE ADS & NOTICES	1,228.98
WAYNE ROTARY	DUES-N BRADEN	40.00
WESCO DISTRIBUTION INC	CONDUIT/ELBOWS/GUARDS/RISERS	703.45
WILLIAM SHARPE	TREE INCENTIVE	50.00
ZEE MEDICAL SERVICE CO	FIRST AID SUPPLIES/TRUCK KITS	719.32

City of Wayne

Blight and Substandard Determination
Study for Area Referred to as

South Windom Street

June 26, 2013



Wayne-“South Window”

Table of Contents:

▪ Executive Summary	1
▪ Study Area	3
▪ Findings	
1) Documentation of Qualifying Conditions – Objective Criteria	4
2) Documentation of Qualifying Conditions – Subjective Criteria	5
▪ Conclusion	8
▪ Exhibits	
1) Maps	
2) Photos	

Executive Summary

The purpose of this Study is to determine if all or part of the designated study area has deteriorated and become substandard and blighted according to the Community Development Law established in Nebraska Statute 18-2102.

Community Development Law

18-2102. Community Development Law; purpose. It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, unsanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable lands uses. Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist, needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of municipalities, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general community-wide values. The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire, and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination.

18-2103(10). Substandard areas shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals, or welfare.

18-2103(11). Blighted area shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe condition, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or contributes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use, and (b) in which there is at least one of the following conditions; (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) that the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred per cent of the village as blighted.

Objective Criteria

State statute establishes a series of five quantitative or “objective” criteria. An area must meet at least one of these initial criteria.

- ***Underemployment.*** The qualifying condition is an unemployment rate in the designated area that is at least 120% of the state or national average. Block group data from the 2010 Census, as well as subsequent geographic area studies available through the Nebraska Department of Labor, were utilized to determine qualifying areas under this standard.
- ***Average age of residential or commercial units in the area.*** The qualifying condition is an average age that is at least forty (40) years old.
- ***Unimproved land.*** Compliance with this standard involved examining the corporate limits and defining areas within those limits which remain unimproved. The qualification is if more than half of the plotted and subdivided property in the area has been within the city for forty years and has remained unimproved during that time.
- ***Per capita income.*** The qualifying condition is a per capita income for the area that is lower than the average per capita income of the municipality in which the area is designated. Block group data from the 2010 Census was utilized to indicate the presence of this criterion.

- *Population.* The qualifying condition is that the area has had either stable or decreasing population based on the last two decennial censuses. Block group data from 1990, 2000, and 2010 was examined to indicate the presence of this criterion.

Subjective Criteria

If an area met one of the objective qualifying requirements, it would then be subject to further review under the “Subjective Criteria” section of the statute. If one or more of these qualifiers was met, the area in question was determined to be “blighted and substandard.” The subjective criteria include the following:

- A substantial number of deteriorated or deteriorating structures,
- The existence of defective or inadequate street layout,
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
- Unsanitary or unsafe conditions,
- Deterioration of site or other improvements,
- Diversity of ownership,
- Tax or special delinquency exceeding the fair value of the land,
- Defective or unusual conditions of title,
- Improper subdivision or obsolete platting,
- The existence of conditions which endanger life or property by fire and other causes, or
- Any combination of such factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.

Study Area:

The findings of this study are based upon analysis conducted for a location referred to as “South Windom” which is located in Wayne, Nebraska. The study area is identified on a map in Exhibit 1 and includes portions of the following properties: Tax Lot 17-18-63 PT SE 1/4NW1/4 Wayne Tracts 18-26-4, Tax Lot 65 PT S1/2NW1/4 Wayne Tracts 12-26-4, and Fletcher & Feeders Subdivision Block 2 (tax lot 427800). The public street areas and street right of ways included are South Windom Street and Fairgrounds Avenue. The area which contains five grain bins is excluded from the area.

See Exhibit 1 for map.

Findings

Documentation of Qualifying Conditions – Objective Criteria

1) Unemployment.

The study area consists of two parcels and does not contain any residences and therefore does not align with an area with valid data for the established criteria.

The study area does not meet the criteria of at least 120% of the state or national average.

2) Average age of residential or commercial units in the area. The qualifying condition is an average age that is at least 40 years old.

There are six commercial and one public structures within the redevelopment area which have dates of construction listed at the Wayne County Assessor's office or had dates verified by the property owner. The average age for the properties in the area is 42.71 years.

Building	Year Built	Age
Office/Warehouse	1983	30
Chief Metal Bin	1978	35
Bin	1977	36
Bin	1982	31
Original Elev/Office	1967	46
Storage Building	1948	65
City Building	1957	56
	Avg Age:	42.71

The study area does meet the qualifying condition for average age.

3) Unimproved land

The study area has two tax lot properties in the boundary with public and commercial improvements.

The study area does not meet the criteria of unimproved land.

4) Per capita income.

The study area consists of two parcels and does not contain any residences and therefore does not align with an area with valid data for the established criteria.

The study area does not meet the per capita income qualification.

5) Population.

The study area consists of two parcels and does not contain any residences and therefore does not align with an area with valid data for the established criteria.

The study area does not meet the criteria of decreasing population.

As a result of meeting at least one of the objective criteria, the redevelopment area is subject to further review under the “subjective criteria” section of the statute.

Documentation of Qualifying Conditions – Subjective Criteria

1) A substantial number of deteriorated or deteriorating structures.

A field analysis was conducted on May 21, 2013 to determine if parcels within the redevelopment area have significant combination of deteriorating factors present. The field survey included a detailed evaluation of the exteriors of the structures.

During analysis, the buildings were given a condition rating. The building conditions ratings were based on the following criteria:

Dilapidated: In need of more than one major repair, for example, to the roof, foundation, windows, and/or siding, etc. Severe visible damage to the foundation automatically leads to a classification of dilapidated. These structures are usually considered to be beyond rehabilitation.

Poor: Had visible signs of deterioration, especially to the windows, siding, roof, and porch. Asbestos shingles/siding automatically leads to a classification of poor. Could be rehabilitated, but substantial cost would be involved.

Fair: Usually had one sign visible of deterioration to the windows, siding, roof, etc. Not a significant amount of damage, but some work would be required to list the building for top dollar.

Good: Structure had no substantial signs of deterioration. However; cosmetic flaws were visible, such as outdated fixtures or very minor paint damage. This would require very little to no cost to sell the home for top dollar.

Excellent: Structure shows absolutely no signs of deterioration. No cosmetic flaws were visible. Only a very small percentage of structures will fall into this category.

Building Condition	Excellent	Good	Fair	Poor	Dilapidated	
Total: 7		4	1	1	1	
<u>1 of 7 buildings (14.28%) rated "Dilapidated"</u>						
<u>2 of 7 buildings (28.57%) rated "Poor" or "Dilapidated"</u>						

Of the total properties (buildings) assessed, 2 of the 7 were given ratings of poor or dilapidated. This accounts for 28.57% of the total properties in the redevelopment area.

The study area does meet the criteria of a substantial number of deteriorated or deteriorating structures.

- 2) The existence of defective or inadequate street layout.

The both lots of the study area have street access to South Windom Street and Fairgrounds Avenue. Street access is adequate for commercial purposes.

The study area does not meet the existence of defective or inadequate street layout criteria of blighted.

- 3) Faulty lot layout in relation to size, adequacy, accessibility or usefulness.

The lot layout is adequate for commercial business

The study area does not meet the faulty lot layout in relation to size, adequacy, accessibility or usefulness criteria of blighted.

- 4) Unsanitary or unsafe conditions.

The field survey evaluated the condition of the study area barrels, equipment, and debris stored around the building area. A large storage building was observed to have holes in the siding and dangling structural components.

See Exhibit 2.

The study area does meet the unsanitary or unsafe conditions criteria.

- 5) Deterioration of site or other improvements.

The field survey evaluated the condition of site improvements and documented the presence of deteriorating parking lots and driveways in the study area.

See Exhibit 2.

The study area does meet the deterioration of site or other improvements criteria.

6) Diversity of ownership.

The land in the study area is owned by two different property owners. Property ownership is not a factor which prevents development within the study area.

The study area does not meet the diversity of ownership criteria.

7) Tax or special delinquency exceeding the fair value of the land.

The Wayne County Assessor's office records did not reveal any excessive tax or special assessment.

The study area does not meet the tax or special delinquency criteria.

8) Defective or unusual conditions of title.

No defective or unusual conditions of title were identified.

The study area does not meet the defective or unusual conditions of title criteria.

9) Improper subdivision or obsolete platting.

The configuration of antiquated narrow lots, in both residential and commercial areas, can inhibit development within the study area. The lot size and configuration is adequate for commercial development

The study area does not meet the faulty lot layout in relation to size, adequacy, accessibility or usefulness criteria.

10) The existence of conditions that endanger life or property by fire and other causes.

Field analysis conducted on May 21, 2013 determined that there is not a predominance of conditions that endanger life or property by fire or other causes.

The study area does not meet the existence of conditions that endanger life or property by fire and other causes criteria.

11) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime and is detrimental to the public health, safety, morals, or welfare in its present condition and use.

The study area does not meet the existence of conditions other factors which are detrimental to the public health, safety, morals, or welfare in its present condition and use.

Conclusion

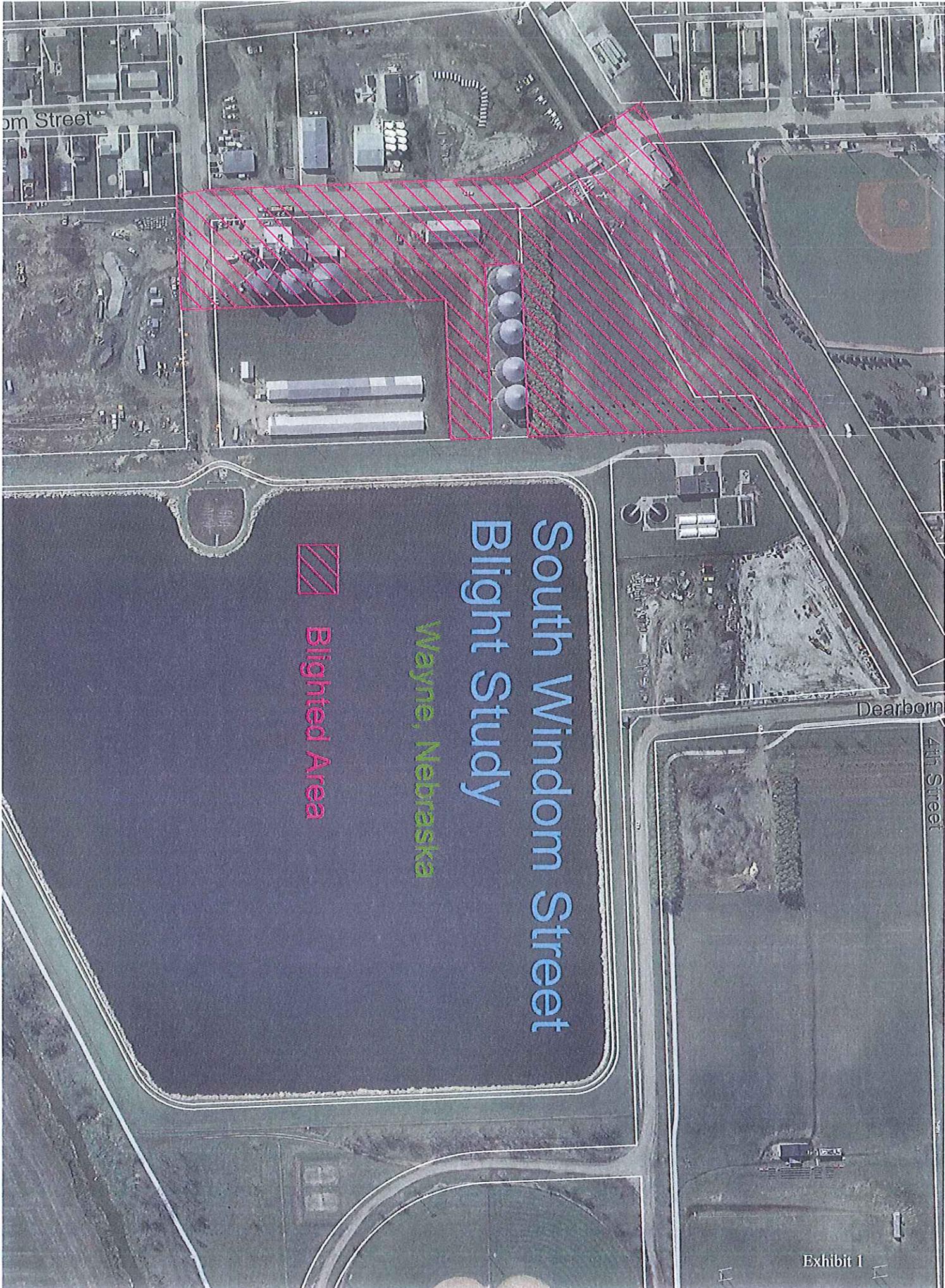
The purpose of this study is to determine if all or part of the designated study area is substandard and blighted. In order to make the determination of substandard and blighted, state statute establishes a series of five quantitative or objective criteria and that the area must meet at least one of these initial criteria. In this instance, it has been determined that the objective criteria of the following have been met:

- 2. Average age of residential or commercial units in the area. The qualifying condition is an average age that is at least forty (40) years old.

If an area met one of the objective qualifying requirements, it would then be subject to further review under the subjective criteria section of the statute. In this instance, it has been determined that the subjective criteria of the following have been met:

- 1. A substantial number of deteriorated or deteriorating structures.
- 4. Unsanitary or unsafe conditions,
- 5. Deterioration of site or other improvements,

Having met both objective and subjective criteria of substandard and blighted as defined by section 18-2103 (10) and 18-2103 (11) of the Nebraska Community Development Law, this study has determined that the study area is both substandard and blighted under the provisions identified and the general plan as required.



om Street

Dearborn

4th Street

South Windom Street Blight Study

Wayne, Nebraska



Blighted Area

South Windom Street Blight Study Wayne, NE

Top right: Undeveloped vacant land



Below: Undeveloped vacant land

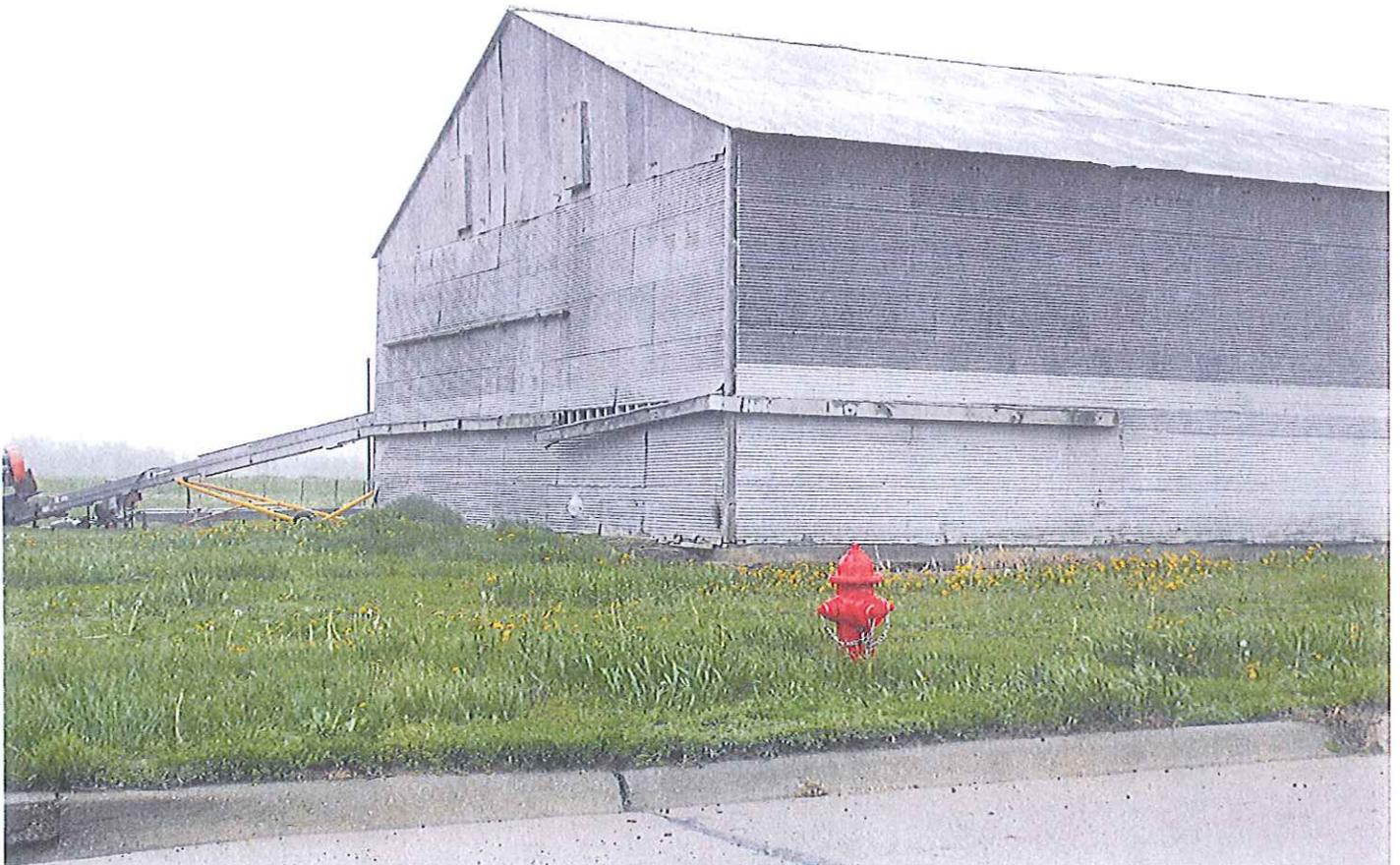


South Windom Street Blight Study Wayne, NE

Top right: Old
equipment and
construction debris



Bottom: Deteriorat-
ing storage building



South Windom Street Blight Study Wayne, NE



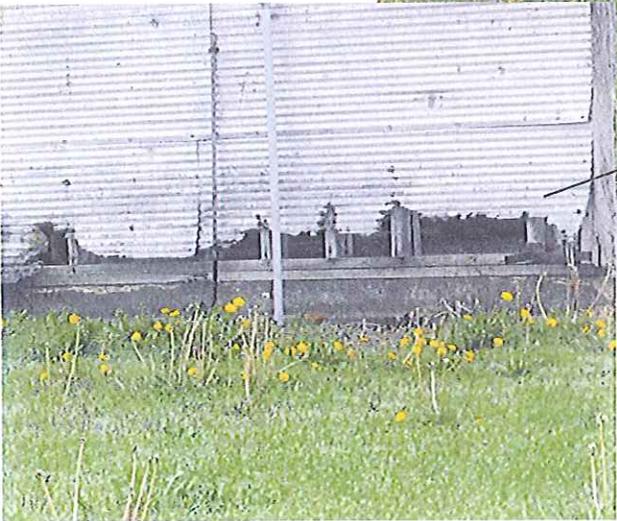
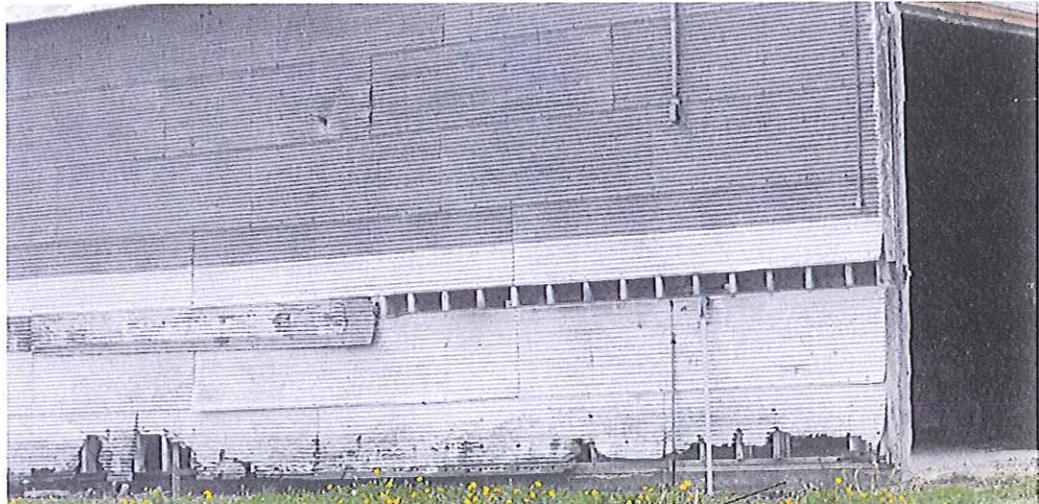
Left: Damaged siding

Right: Deteriorating
storage



South Windom Street Blight Study Wayne, NE

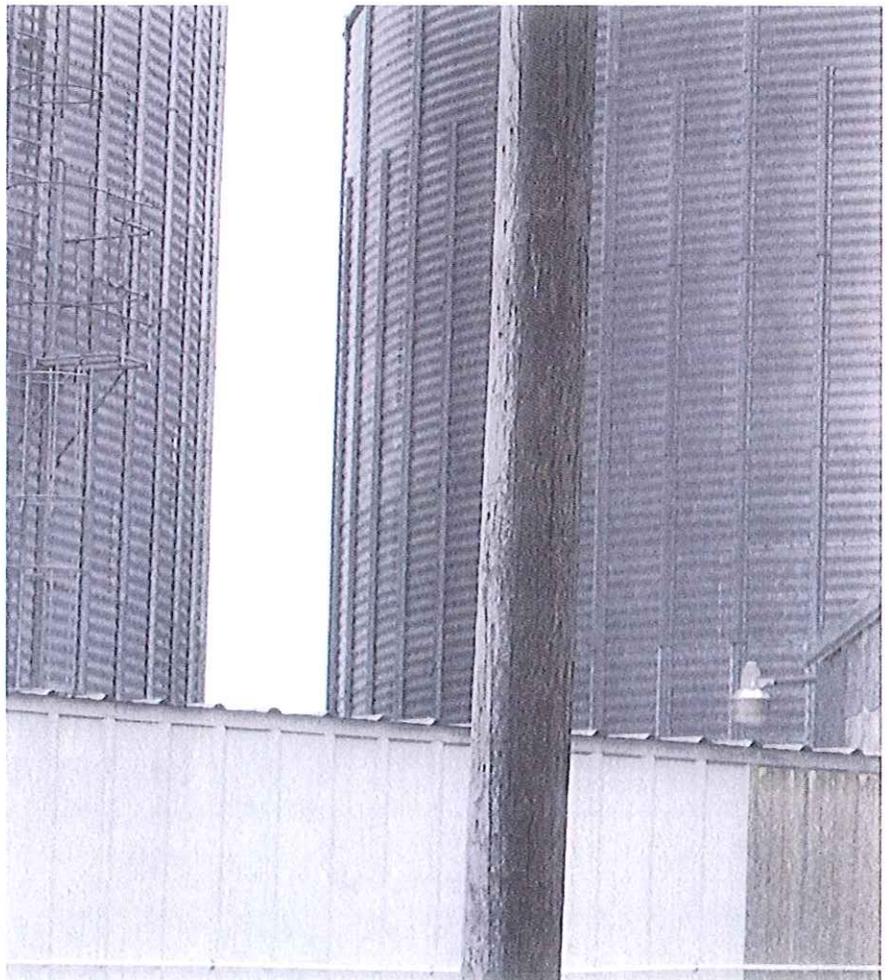
All photos:
Damaged siding



South Windom Street Blight Study

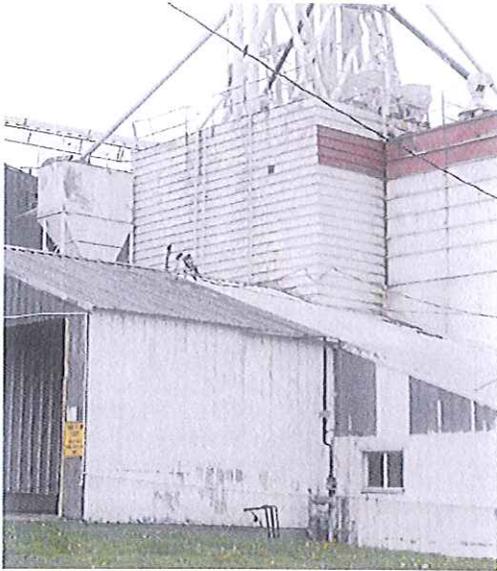
Wayne, NE

Top Right: Old equipment



South Windom Street Blight Study Wayne, NE

Top Left & Bottom: Elevator office in fair condition



South Windom Street Blight Study Wayne, NE



South Windom Street Blight Study Wayne, NE

Left: Deteriorating parking lot

Bottom Right: Old equipment

Bottom: Deteriorating building. Outdoor storage of barrels



CITY OF WAYNE
INTEROFFICE MEMORANDUM

DATE: July 3, 2013

TO: Mayor Chamberlain
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison

At their meeting held on July 1, 2013, the Wayne Planning Commission made a recommendation on the following public hearing and discussion item; the results of those recommendations are as follows:

Discussion and Recommendation: Blight and Substandard Determination Study for Area Referred to as South Windom Street

After deliberation and discussion by the Planning Commission, motion was made by Commissioner Braun and seconded by Commissioner Carstens to approve and forward a recommendation of approval to the City Council for the Blight and Substandard Determination Study for the area Referenced to as South Windom Street, with the findings of fact being as stated in Resolution No. 2013-007, 1) The Planning Commission has reviewed the Study (a copy of which is attached to this resolution as Exhibit "A") as to its conformity with the general plan for the development of the City as a whole; and 2) The Planning Commission confirms that the area described in the study meets the definition of blighted and substandard as set forth in the Act; and 3) The Planning Commission makes no other recommendation with regard to such study; and 4) staff's recommendation. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – abstain; Commissioner Piper – aye; Commissioner Braun – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously, with Commissioner Giese abstaining.

Public Hearing: Request to Rezone the Area Described as: Part of the SE ¼ of Section 6, Township 26 North, Range 4 East Described as Tax Lot 7 from A-2 Agricultural Residential to R-1 Residential, applicant Lou Benscoter

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, motion was made by Commissioner Sorenson and seconded by Commissioner Giese to forward a recommendation of denial to the City Council for the request to rezone the

Memo to Mayor & Council
July 3, 2013
Page Two

area described as: Part of SE ¼ of Section 6, Township 26 North, Range 4 East Described as Tax Lot 7 from A-2 Agricultural Residential to R-1 Residential. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorenson – aye; Commissioner Carstens – nay; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Braun – nay; and Chair Melena – nay. Chair Melena declared that due to the 3-3 tie vote, the recommendation forwarded to the City Council will be no recommendation of approval or denial.

Discussion and Recommendation: Future Use of Lagoon Site

After deliberation and discussion by the Planning Commission, motion was made by Commissioner Sorenson and seconded by Commissioner Carstens to forward the following recommendations to the City Council regarding the future use of the lagoon site: light industry, recreation, or a combination of both with a buffer between any industry area and recreation area. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorenson – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Braun – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

JJH:cb

RESOLUTION NO. 2013-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT; ORDERING PUBLICATION OF NOTICE AND OTHER MATTERS.

WHEREAS, it is desirable and in the public interest that the City of Wayne, Nebraska, a Municipal Corporation and City of the First Class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 19423 as amended, known as the Community Development Law, is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning implementation of urban redevelopment projects; and

WHEREAS, the City, in accordance with the Laws of the State of Nebraska applicable to Cities of the First Class, has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943 as amended; and

WHEREAS, the Planning and Zoning Commission of the City has recommended that the area described in Attachment "A" be declared blighted and substandard and in need of redevelopment; and

WHEREAS, this Council has held a public hearing, after notice as required by Sections 18-2109 and 18-2115, R.R.S. 1943, as amended, and has received and duly considered evidence relating to the present condition of the areas as shown and described on Attachment "A"; and

WHEREAS, Section 18-2109 R.R.S. 1943, as amended, required that prior to the preparation by the City of a redevelopment plan for a redevelopment project, this Council as governing body of the City, by Resolution, finds and determines that the area is a substandard and a blighted area as defined in said Urban Renewal and Redevelopment Law and in need of redevelopment; and

WHEREAS, the evidence demonstrates that said area, as shown and described on Attachment "A", constitutes a substandard and blighted area as defined in said Community Development Law, which area is in need of redevelopment;

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

1. That it is hereby found and determined that the area shown and described on Attachment "A" constitutes a substandard and blighted area as defined by Section 18-2103, R.R.S., 1943, as amended, and that said area is in need of redevelopment.
2. That it is hereby found and determined that a substandard and blighted condition exists as set forth and discussed in Attachment "A", "Blight and Substandard Area Determination Study."
3. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Community Development Law. The elimination of said substandard and blighted condition under the authority of the Community Development Law is found to be a public purpose and in the public interest.
4. That it is hereby found and determined that said area is an eligible site for an urban redevelopment project under the provisions of Chapter 18, Article 21, Revised Statutes of 1943, as amended.
5. That the City Clerk is directed to publish notice, according to law, inviting proposals from developers for the redevelopment of the area described on Attachment "A".
6. That the City Clerk shall refer all such proposals to the Planning and Zoning Commission of the City for their recommendation, on receipt of such proposals and publish notice of hearing thereon, as is required by the Community Development Law.

PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

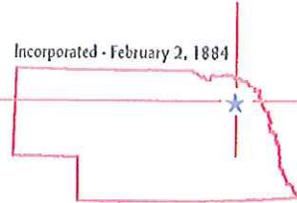
The study area identified on the above map includes portions of the following properties: Tax Lot 17-18-63 PT SE 1/4NW1/4 Wayne Tracts 18-26-4, Tax Lot 65 PT S1/2NW1/4 Wayne Tracts 12-26-4, and Fletcher & Feeders Subdivision Block 2 (tax lot 427800). The public street areas and street right-of-ways included are South Windom Street and Fairgrounds Avenue. The area which contains five grain bins is excluded from the area.

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



PROPOSED ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM FOR THE CITY OF WAYNE, NEBRASKA

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>

M-617(92)	2013	Windom Street from 645' N of Fairground Ave to E. 7 th - 1,750' Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$590,000
M-617(80)	2013	East 10 th Street from Main St. to Windom St. - 1,225' Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage	\$500,000
M-617(105)	2013	Tomar Drive & E. 4 th St. to the Summer Sports Complex - 1,800' Construct Concrete Paving	\$400,000
M-617(108)	2013	Milo Drive from W. 7 th to 420' N of W. 7 th - 420'	\$ 80,000
M-617(109)	2013	Hillside Drive from E. 7 th St. to 70' S of E. 7 th St. - 70'	\$20,000

M-617(91)	2014	Trail & Pedestrian Underpass on W. 7 th Street Located between CAC and Oak Drive	\$566,000

M-617(89)	2015	Lage Subdivision - South of Fairgrounds Avenue - 900' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 175,000

M-617(107)	2016	Clark Street & Pearl Street . - 745' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$180,000
M-617(104)	2016	S. Lincoln Street from W. 1 st St. to 300' S. of W. 1 st St. Construct Concrete Paving, Curb & Gutter	\$ 80,000

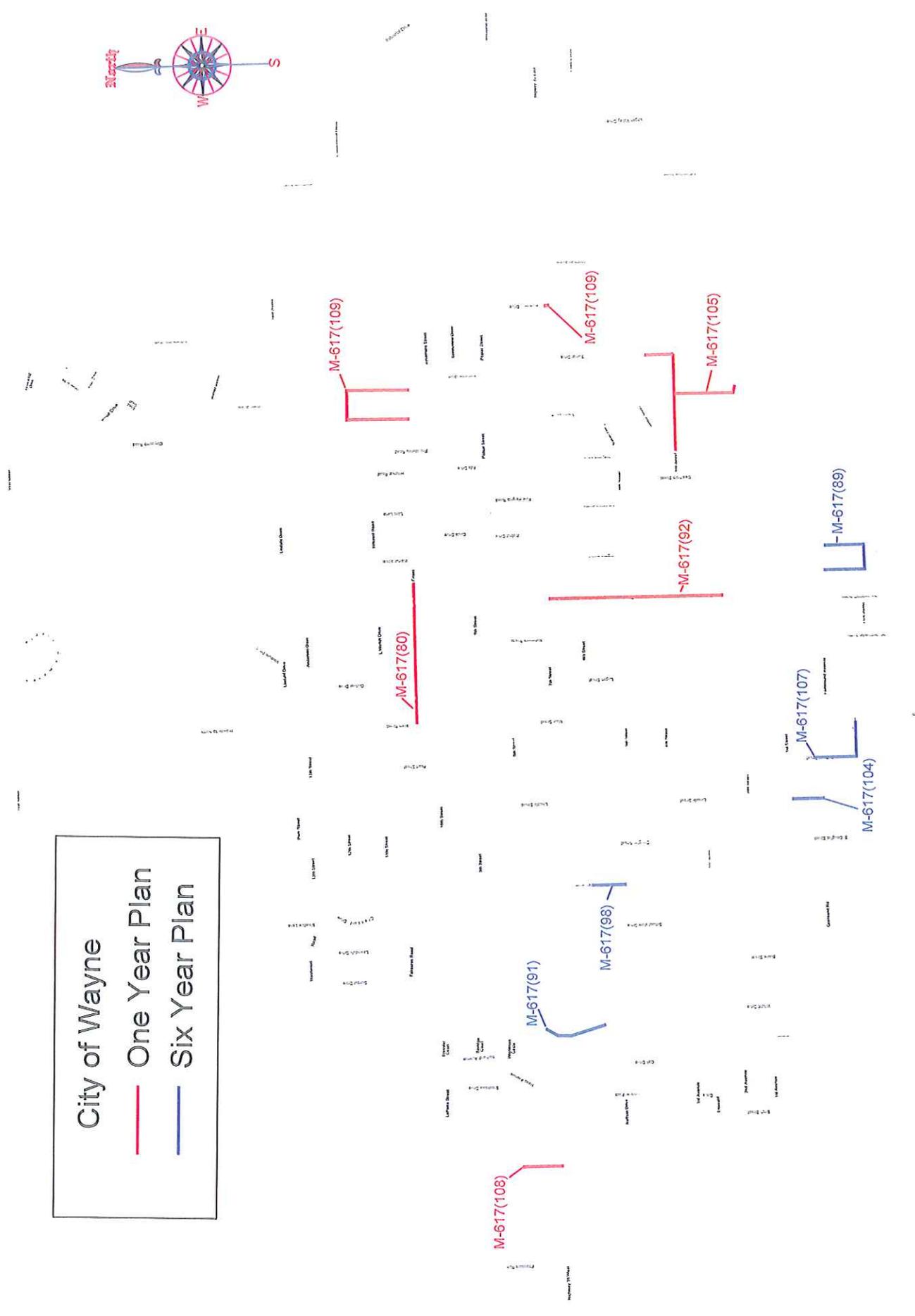
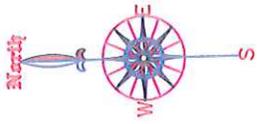
M-617(98)	2017	Sherman Street from W. 5 th St. to W. 6 th St. - 300' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 80,000

	2018	Maintenance Only	

No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.



City of Wayne
 — One Year Plan
 — Six Year Plan





RESOLUTION NO. 2013-72

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM AS AMENDED TO ADD THE EXTENSION OF HILLSIDE DRIVE.

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the One and Six Year Street Improvement Program, as prepared by the Certified Street Superintendent and City Administrator of the City of Wayne, Nebraska, and attached hereto be approved and adopted as amended to add the extension of Hillside Drive.

PASSED AND APPROVED this 6th day of August, 2013.

CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

**PHEASANT RUN
STREET IMPROVEMENT DISTRICT 2011-1**

Assessment	Property Owner	Address	Legals Description	Assessable Footage	Unit Cost	Balance
	Victoria C. Pick & Steven B. & Cynthia J. Meyer & Mark & Lona Meyer	1002 Industrial Drive Wayne, NE 68787	132' North of the SW Corner of SW1/4 of Section 12, T26N, R3E, Wayne County	221.47	\$ 90.52080	\$ 20,047.64
	A Fourth Generation Family Limited Partnership, An Iowa Partnership	1805 Zenith Drive Sioux City, IA 51103	Western Ridge 3rd Addition Section 12, T26N, R3E	526.84	\$ 90.52080	\$ 47,689.98
	Brian J. & Amy J. Bowers	812 Pheasant Run Wayne, NE 68787	SE1/4 Section 11, T26N, R3E, Wayne County	753.61	\$ 90.52080	\$ 68,217.38
Total Assessable Costs				1501.92		\$ 135,955.00

RESOLUTION NO. 2013-73

**A RESOLUTION MAKING ASSESSMENTS IN STREET IMPROVEMENT
DISTRICT NO. 2011-1.**

WHEREAS, Notice has been published as provided by law concerning the levy of special assessments in Street Improvement District No. 2011-1 in the Wayne Herald Newspaper on July 25, 2013, and August 1, 2013, and a copy of said Notice has been mailed to all resident and non-resident owners of property in each of said Districts as provided by law, and

WHEREAS, a hearing has been conducted as provided by law relative to the levy of special assessments in said Districts proposed to be levied against said lots and parcels of ground on account of the construction of the improvements hereinbefore described; and

BE IT FURTHER RESOLVED, that the special assessments are adjusted as follows: None

BE IT FURTHER RESOLVED, that the said assessments against said lots, parts of lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements;

BE IT FURTHER RESOLVED, that all special assessments above provided for shall become due in fifty (50) days after the date of the passage of this resolution and may be paid within that time without interest, but if not so paid, to bear interest thereafter at the rate of _____ per cent (____%) per annum from the date of this Resolution until delinquent; such assessments shall become delinquent as follows:

Delinquent installments shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. Installments may be prepaid at anytime at the option of the property owner as provided by law.

AND BE IT FURTHER RESOLVED, that a certified copy of said assessment schedules be filed by the City Clerk with the City Treasurer and with the County Treasurer and the County Clerk of Wayne County, as provided by law.

PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**WESTERN RIDGE III ADDITION
SANITARY SEWER EXTENSION DISTRICT 2011-1**

Assessment	Property Owner	Address	Legals Description	Assessable Footage	Unit Cost	Balance
	Victoria C. Pick & Steven B. & Cynthia J. Meyer & Mark & Lona Meyer	1002 Industrial Drive Wayne, NE 68787	132' North of the SW Corner of SW1/4 of Section 12, T26N, R3E, Wayne County	221.47	\$ 19,16026	\$ 4,243.42
	Victoria C. Pick & Steven B. & Cynthia J. Meyer & Mark & Lona Meyer		SW1/4, Section 12, T26N, R3E	30.75	\$ 19,16026	\$ 589.18
	A Fourth Generation Family Limited Partnership, An Iowa Partnership	1805 Zenith Drive Sioux City, IA 51103	Lot 1, Western Ridge 3rd Addition Section 12, T26N, R3E	333.82	\$ 19,16026	\$ 6,396.08
	Brian J. & Amy J. Bowers	812 Pheasant Run Wayne, NE 68787	SE1/4, Section 11, T26N, R3E, Wayne County	753.61	\$ 19,16026	\$ 14,439.36
	Glen C. & Sandra Nichols	57652 854th Road Wayne, NE 68787	Lot 3, Western Ridge 3rd Addition Section 12, T26N, R3E	142.23	\$ 19,16026	\$ 2,725.16
	Glen C. & Sandra Nichols		Lot 4 Western Ridge 3rd Addition Section 12, T26N, R3E	106.43	\$ 19,16026	\$ 2,039.23
	Northeast Nebraska Public Power District	1410 W 7th St Wayne, NE 68787	Lot 1 Western Heights Subdivision Wayne	568.6	\$ 19,16026	\$ 10,894.52
Total Assessable Costs						
				2156.91		\$ 41,326.95

Assessment	Property Owner	Address	Legals Description	Assessable Footage	Unit Cost	Balance
	Glen C. & Sandra Nichols	57652 854th Road Wayne, NE 68787	Lot 3, Western Ridge 3rd Addition Section 12, T26N, R3E	1610		\$ 1,610.00

RESOLUTION NO. 2013-74

**RESOLUTION MAKING ASSESSMENTS IN SANITARY SEWER EXTENSION
DISTRICT NO. 2011-1.**

WHEREAS, Notice has been published as provided by law concerning the levy of special assessments in Sanitary Sewer Extension District No. 2011-1 in the Wayne Herald Newspaper on July 25, 2013, and August 1, 2013, and a copy of said Notice has been mailed to all resident and non-resident owners of property in each of said Districts as provided by law, and

WHEREAS, a hearing has been conducted as provided by law relative to the levy of special assessments in said Districts proposed to be levied against said lots and parcels of ground on account of the construction of the improvements hereinbefore described; and

BE IT FURTHER RESOLVED, that the special assessments are adjusted as follows: None

BE IT FURTHER RESOLVED, that the said assessments against said lots, parts of lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements;

BE IT FURTHER RESOLVED, that all special assessments above provided for shall become due in fifty (50) days after the date of the passage of this resolution and may be paid within that time without interest, but if not so paid, to bear interest thereafter at the rate of _____ per cent (____%) per annum from the date of this Resolution until delinquent; such assessments shall become delinquent as follows:

Delinquent installments shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. Installments may be prepaid at anytime at the option of the property owner as provided by law.

AND BE IT FURTHER RESOLVED, that a certified copy of said assessment schedules be filed by the City Clerk with the City Treasurer and with the County Treasurer and the County Clerk of Wayne County, as provided by law.

PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**WESTERN RIDGE III ADDITION
WATER EXTENSION DISTRICT 2011-1**

Assessment	Property Owner	Address	Legals Description	Assessable Footage	Unit Cost	Balance
	Victoria C. Pick & Steven B. & Cynthia J. Meyer & Mark & Lona Meyer	1002 Industrial Drive Wayne, NE 68787	132' North of the SW Corner of SW1/4 of Section 12, T26N,R3E, Wayne County	221.47	\$ 19,74533	\$ 4,373.00
	Victoria C. Pick & Steven B. & Cynthia J. Meyer & Mark & Lona Meyer		SW1/4, Section 12, T26N, R3E Lot 1,	30.75	\$ 19,74533	\$ 483.56
	A Fourth Generation Family Limited Partnership, An Iowa Partnership	1805 Zenith Drive Sioux City, IA 51103	Western Ridge 3rd Addition Section 12, T26N, R3E	333.82	\$ 19,74533	\$ 6,591.38
	Brian J. & Amy J. Bowers	812 Pheasant Run Wayne, NE 68787	SE1/4, Section 11, T26N, R3E, Wayne County	753.61	\$ 19,74533	\$ 14,880.27
	Glen C. & Sandra Nichols	57652 854th Road Wayne, NE 68787	Lot 3, Western Ridge 3rd Addition Section 12, T26N, R3E	142.23	\$ 19,74533	\$ 2,808.38
	Glen C. & Sandra Nichols		Lot 4 Western Ridge 3rd Addition Section 12, T26N, R3E	106.43	\$ 19,74533	\$ 2,101.49
	Northeast Nebraska Public Power District	1410 W 7th St Wayne, NE 68787	Lot 1 Western Heights Subdivision Wayne, NE	568.6	\$ 19,74533	\$ 11,227.19
Total Assessable Costs				2156.91		\$ 42,465.27

Assessment	Property Owner	Address	Legals Description	Assessable Footage	Unit Cost	Balance
	Glen C. & Sandra Nichols	57652 854th Road Wayne, NE 68787	Lot 3, Western Ridge 3rd Addition Section 12, T26N, R3E		\$ 1,040.00	\$ 1,040.00

RESOLUTION NO. 2013-75

**RESOLUTION MAKING ASSESSMENTS IN WATER EXTENSION DISTRICT
NO. 2011-1.**

WHEREAS, Notice has been published as provided by law concerning the levy of special assessments in Water Extension District No. 2011-1 in the Wayne Herald Newspaper on July 25, 2013, and August 1, 2013, and a copy of said Notice has been mailed to all resident and non-resident owners of property in each of said Districts as provided by law, and

WHEREAS, a hearing has been conducted as provided by law relative to the levy of special assessments in said Districts proposed to be levied against said lots and parcels of ground on account of the construction of the improvements hereinbefore described; and

BE IT FURTHER RESOLVED, that the special assessments are adjusted as follows: None

BE IT FURTHER RESOLVED, that the said assessments against said lots, parts of lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements;

BE IT FURTHER RESOLVED, that all special assessments above provided for shall become due in fifty (50) days after the date of the passage of this resolution and may be paid within that time without interest, but if not so paid, to bear interest thereafter at the rate of _____ per cent (____%) per annum from the date of this Resolution until delinquent; such assessments shall become delinquent as follows:

Delinquent installments shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. Installments may be prepaid at anytime at the option of the property owner as provided by law.

AND BE IT FURTHER RESOLVED, that a certified copy of said assessment schedules be filed by the City Clerk with the City Treasurer and with the County Treasurer and the County Clerk of Wayne County, as provided by law.

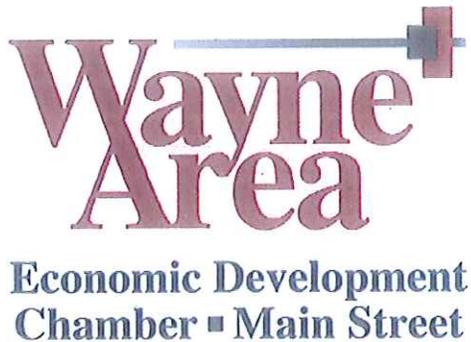
PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

The logo for the Wayne Area Economic Development Chamber. It features the words "Wayne Area" in a large, stylized, reddish-brown serif font. Above the word "Wayne" is a horizontal line with a small square at its right end. Below "Wayne Area" are the words "Economic Development Chamber" and "Main Street" in a smaller, blue, sans-serif font, stacked on two lines.

**Wayne
Area**
**Economic Development
Chamber ■ Main Street**

August 1, 2013

Lowell Johnson
City Administrator
306 Pearl Street
PO Box 8
Wayne, NE 68787

RE: Sales Tax Advisory Committee – recommendations for Geno’s Steakhouse (\$37,000) and Paulson Construction (\$39,750)

Dear Lowell,

The Sales Tax Advisory Committee met on Thursday, July 28, 2013, and reviewed two (2) applications to Wayne’s Economic Development Program fund.

The committee recommended approving a request by Geno’s Steakhouse for a \$37,000 low interest loan. The terms the committee agreed to included a ten (10) year note at 3% interest (or whatever the City is currently charging interest to the Wayne Economic Development Program fund). The Committee also suggested that payments from the fund be made directly to the contractor(s) completing the work. The funds would be used to assist in the renovation and remodel of the steakhouse including new flooring, exterior windows, new siding, and other improvements. The vote on the motion to recommend approving the request was unanimous with 4 members present.

Using its “LB 840 Application Review” matrix, the committee scored the project with the following: *Doesn’t Meet* scored 21; *Doesn’t Meet/Somewhat Meets* scored 5; *Somewhat Meets* scored 9; *Somewhat Meets/Meets* scored 6; and *Meets* scored 5. This scoring is used for deliberation. The committee does not use a raw number threshold to recommend projects to the Council.

The committee also recommended approving a request by Paulson Construction for a \$39,750 low interest loan. The terms the committee agreed to included a ten (10) year note at 3% interest (or whatever the City is currently charging interest to the Wayne Economic Development Program fund). The funds would be used to assist in relocating the current business to within the city limits of Wayne, buying a downtown building, expanding into the equipment rental business, and make some property updates (roof, electrical, etc). The vote on the motion to recommend approving the request was unanimous with 4 members present.

Using its “LB 840 Application Review” matrix, the committee scored the project with the following: *Doesn’t Meet* scored 9; *Doesn’t Meet/Somewhat Meets* scored 0; *Somewhat Meets* scored 3; *Somewhat Meets/Meets* scored 17; and *Meets* scored 15. This scoring is used for

deliberation. The committee does not use a raw number threshold to recommend projects to the Council.

Please convey this recommendation to the members of the City Council so necessary steps can be taken to complete the application process. Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Wes Blecke". The signature is written in a cursive style with a large initial "W" and a stylized "B".

Wes Blecke
Executive Director

L.B. 840

APPLICATION FOR WAYNE'S ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND

Application Number:
Date Received June 26, 2013

ED840 (form approved 07/31/09) 2013

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

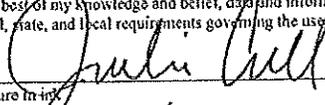
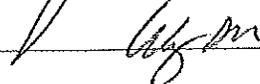
1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name	Julie Cull		Name/Business	Geno's Steakhouse	
Mailing Address	208 Douglas		Address	121 wt 1st	
	Wayne	NE 68787	Wayne	NE	68787
	(City)	(State)	(City)	(State)	(Zip)
Telephone Number	402-375-1154		Telephone Number	402-375-4774	
Fax Number			Federal Tax ID # / SSN		
Federal Tax ID Number	90-0141219				
Email Address	Jcull@aol.com		Email Address	J.cull@aol.com	
3. BUSINESS TYPE			5. FUNDING SOURCES		
<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company		WEDP Funds Requested	\$ 42,000	
<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Sole Proprietorship		Matching Funds	\$	
<input type="checkbox"/> Other			Other Funds	\$ 23,000	
4. ASSISTANCE TYPE REQUESTED			Total Project Funds	\$ 65,000	
<input checked="" type="checkbox"/> Low interest loan	<input type="checkbox"/> Interest buy down		<i>(Round amounts to the nearest hundred dollars.)</i>		
<input type="checkbox"/> Performance-based loan	<input type="checkbox"/> Grant				
<input type="checkbox"/> Other					

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested

See attached

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds.

To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources. This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

	Julie Cull	6-19-2013
	Typed Name and Title	Date Signed
		6/26/13
	Typed Name and Title	Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:

Wayne Area Economic Development
Wayne Economic Development Program Fund
108 W 3rd St
Wayne, NE 68787
(402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY
(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.	42,000		23,000	65,000	42K WEDP (LB 800) 10K WAEB RLF 13K Equity
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS	42,000		23,000	65,000	

APPLICANT CERTIFICATIONS

a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: *Julia Cull* Date: 6-19-2013

If benefiting business/organization is a Corporation, sign below:

By: _____ Date: _____

Attest *[Signature]* Typed Name/Title _____ Date 6/25/13

Geno's Steakhouse

Remove existing lounge entrance and replace. Extend 14 feet to the south, replace door facing west and add 3'x5' window. Remove wall between entrance area and lounge.

On north side of building install three 4'x6' windows and new entry door. Install Kura stone rock face with Hardie cement siding above. Install steel roofing in dining area.

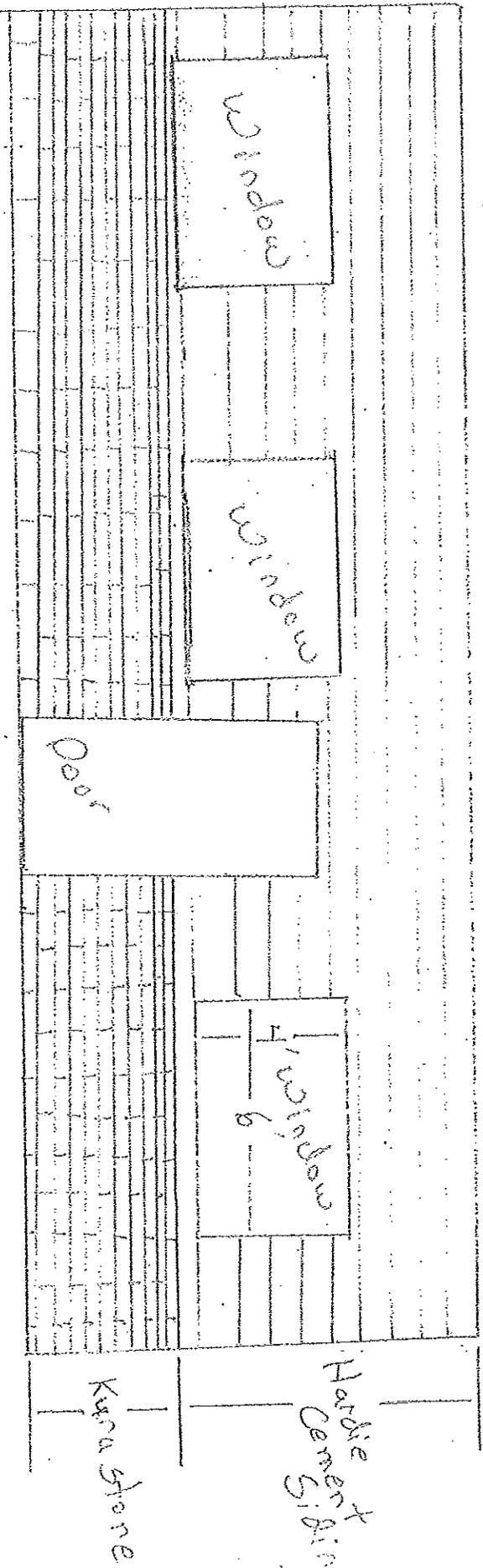
Replace sidewalk on west side of building. Replace concrete in parking area on west side.

Replace flooring in dining area and lounge area. Replace tables and chairs in dining area.

Remodel men's restroom and restroom entry area.

Reinsulate walk-in cooler. Replace walls and floor. Add five new 48" racks.

Paint dining, lounge and party room. Install oak wainscot in dining area. Replace bar top.



North Side

Hardie X
Cemen
S/Bin

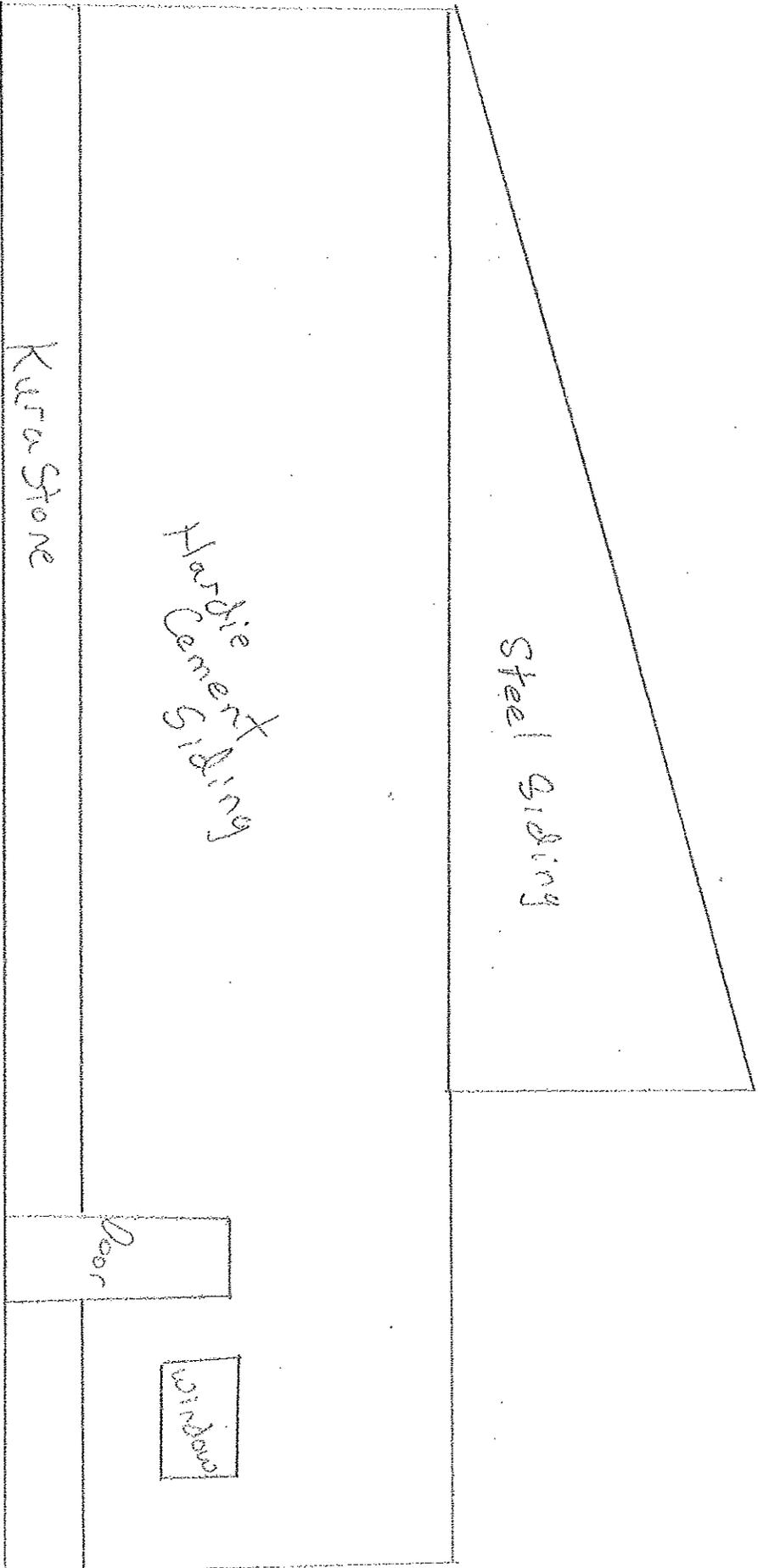
Karna Stone

Window

Window

Door

Window



Steel Siding

Hardie Cement Siding

Kura Stone

Door

Window

West Side

Roof	# 6,800
Kurastone	6,810
Hardie board	2,600
Bathroom Remodel	4,900
walk-in Cooler Remodd	2,800
Flooring	11,500
chairs & tables	12,500
Concrete sidewalk & parking	9,000
Windows	2,000
Front door	800
Lounge entry remodel	5,500
	<hr/>
	65,210

**APPLICATION FOR WAYNE'S
ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND**

Application Number:
Date Received 7/19/13

EB 30 (form approved 07/3/09) 2013
PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name: <u>Dale - Debbie Paulson</u>			Name/Business: <u>Dale Paulson / Paulson Const</u>		
Mailing Address: <u>57415 849th Rd</u>			Address: <u>57415 849th Rd</u>		
<u>Wayne</u>	<u>NE</u>	<u>68787</u>	<u>Wayne</u>	<u>Ne</u>	<u>68787</u>
(City)	(State)	(ZIP)	(City)	(State)	(Zip)
Telephone Number: <u>402-680-8770</u>			Telephone Number: <u>402-680-8770</u>		
Fax Number: <u>Debs Cell 402-369-6744</u>			Federal Tax ID # / SS#: <u>47-0669900</u>		
Federal Tax ID Number: <u>47-0669900</u>			Email Address:		
Email Address:			Email Address:		
3. BUSINESS TYPE			5. FUNDING SOURCES		
<input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other			WEDP Funds Requested: \$ <u>29,750.00</u>		
			Matching Funds: \$ <u>10,000.00</u>		
			Other Funds: \$ <u>65,250.00</u>		
			Total Project Funds: \$ <u>105,000.00</u>		
			<i>(Round amounts to the nearest hundred dollars.)</i>		
4. ASSISTANCE TYPE REQUESTED					
<input checked="" type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <input type="checkbox"/> Performance-based loan <input type="checkbox"/> Grant <input type="checkbox"/> Other					

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested

To move tire business to town & office. And to start a equipment rental business. We will need to upgrade Electrical & Interior Work with some roof repairs

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds.

To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources. This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

<u>Dale Paulson</u> Signature in ink	<u>Dale Paulson</u> Typed Name and Title	<u>7-19-13</u> Date Signed
<u>[Signature]</u> Attest	<u>Wes Blacke</u> Typed Name and Title	<u>7/19/13</u> Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:

Wayne Area Economic Development
 Wayne Economic Development Program Fund
 108 W 3rd St
 Wayne, NE 68787
 (402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY

(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements	29,750 ^X		55,250	85,000	Bank
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.	10,000 ^X	10,000		20,000	Personal Equity in kind labor
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS	39,750	10,000	55,250	105,000⁻	

APPLICANT CERTIFICATIONS

- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: _____ Date: _____

If benefiting business/organization is a Corporation, sign below:

By: _____ Date: _____

Attest 

Wes Blecke
Typed Name/Title

7/19/13
Date



Elkhorn Valley
BANK
& TRUST

Member FDIC

112 S. MAIN STREET
P.O. BOX 70
HOSKINS, NE 68740-0070

PHONE (402) 565-4226
FAX (402) 565-4229

July 15, 2013

Wes Blecke
Chamber of Commerce and
Economic Development
108 W 3rd
Wayne, Nebraska

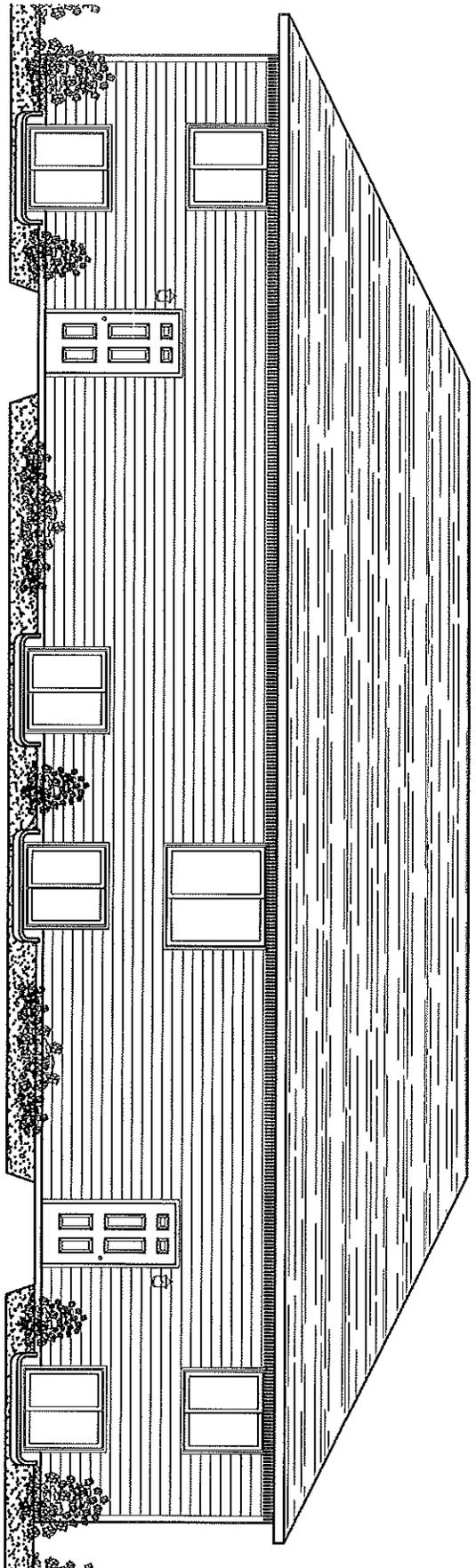
Dear Wes:

We are in the process of working with Dale and Debbie Paulsons in purchasing the building at 10t North Pearl Street, Wayne, Nebraska. The purchase price will be \$85,000.00 and we are willing to loan the Paulson's \$55,250.00. They are asking for your help in getting some help throught the Wayne Economic Development.

If you have any questions please feel free to give me a call.

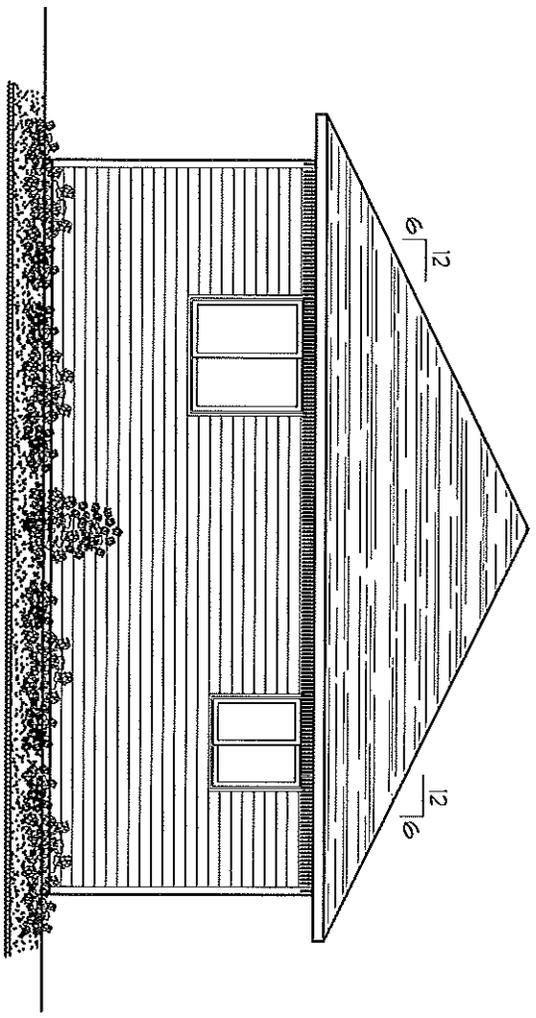
Sincerely,

James Miller
Vice President



EAST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

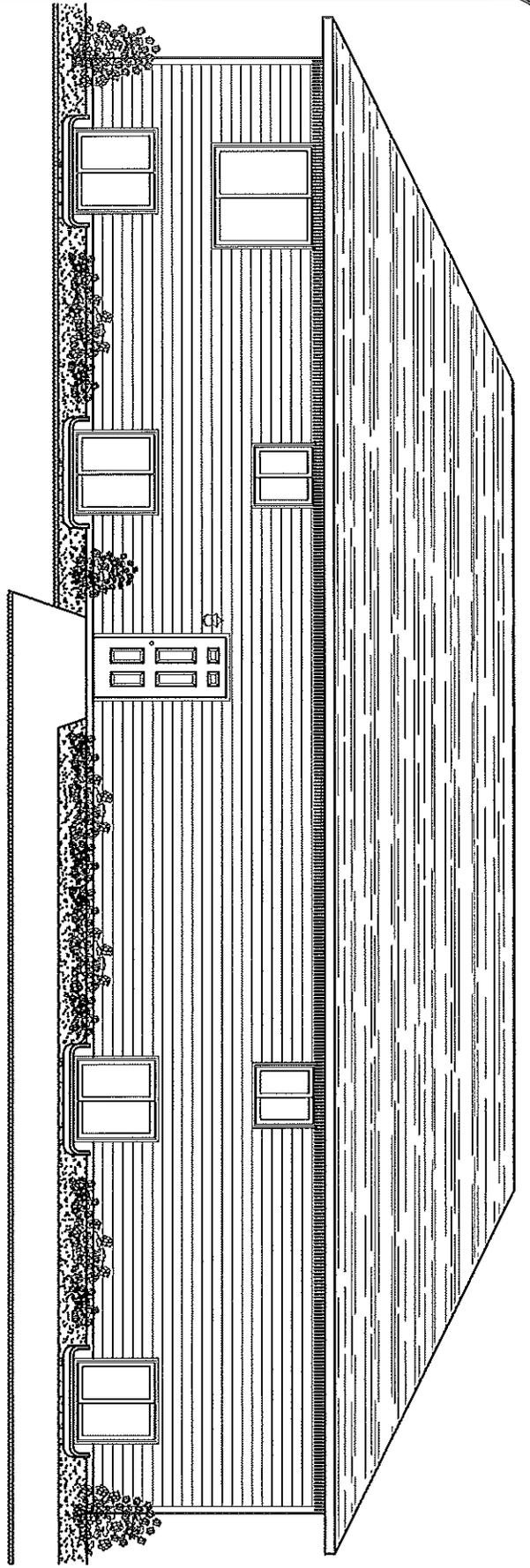
1 of 3

CJT Custom Designs
 (402) 369-3555
 604 West 2nd Street
 Wayne, NE 68787

CUSTOM DESIGNED FOR: CHAD
SEBADE
 LOCATION: WAYNE, NE

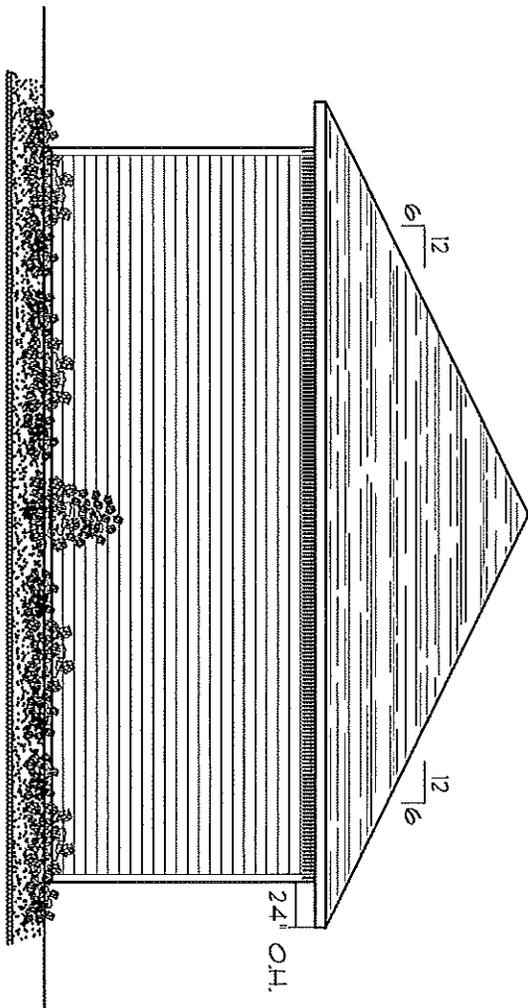
THESE PLANS HAVE BEEN DESIGNED
 ACCORDING TO OWNER SPECIFICATIONS
 AND DEFER ALL ENGINEERING TO THE
 OWNER. A STRUCTURAL ARCHITECT WAS
 NOT USED IN ENGINEERING THIS PLAN,
 THEREFORE ALL STRUCTURAL SUPPORT
 AND WARRANTIES REFER TO THE
 CONTRACTOR AND OWNER.

DATE
 7/20/15



WEST ELEVATION

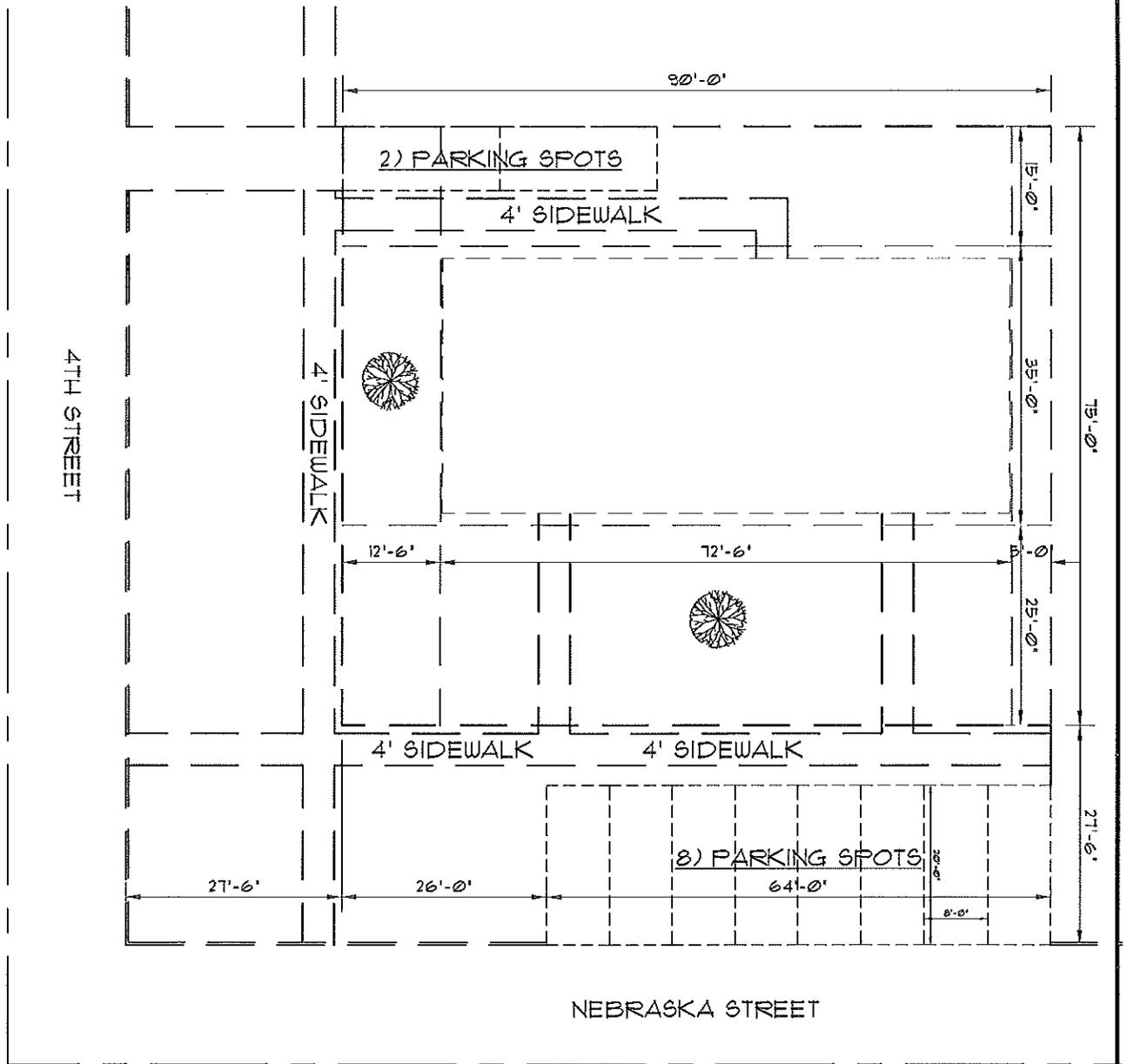
SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

SITE PLAN
SCALE: 1" = 20'-0"

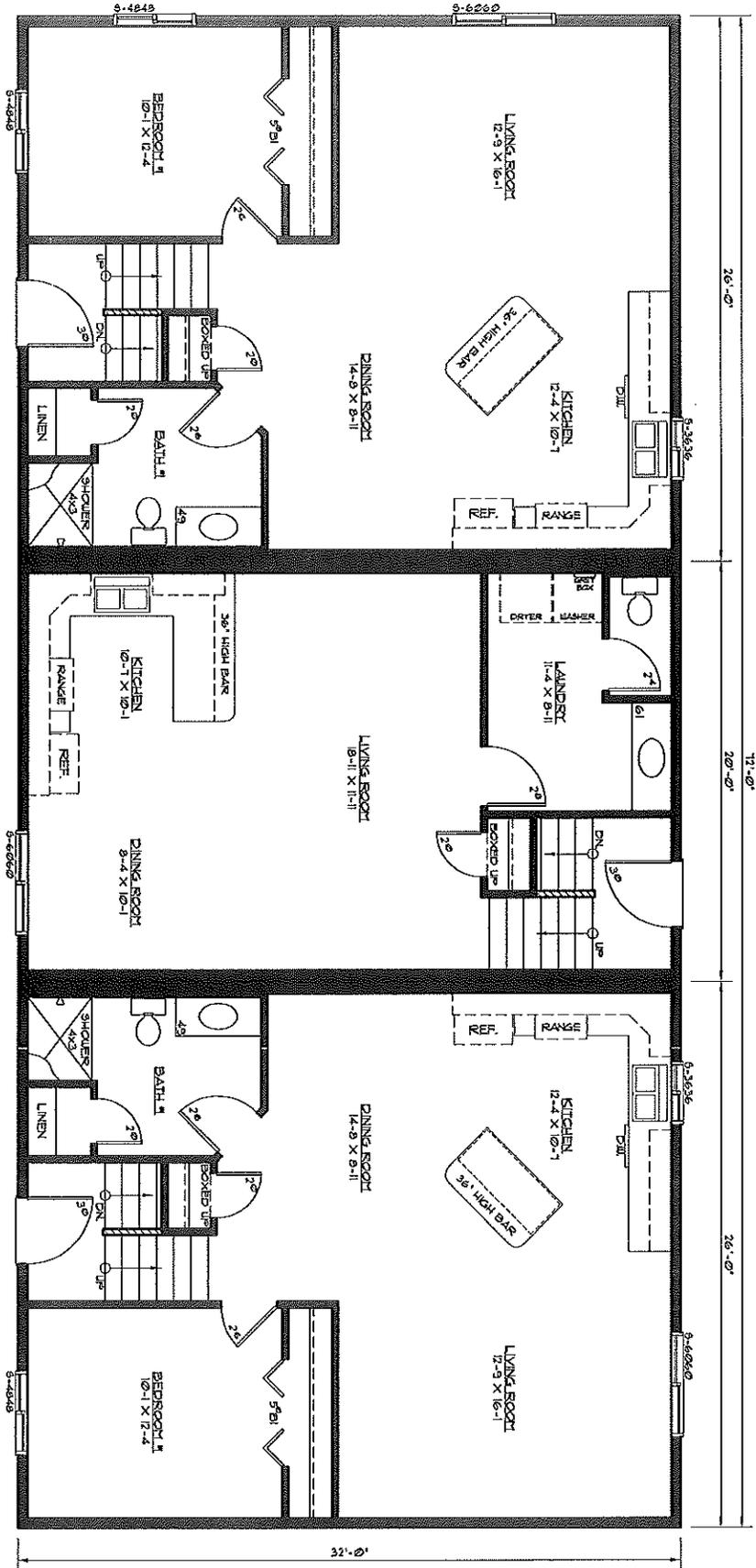


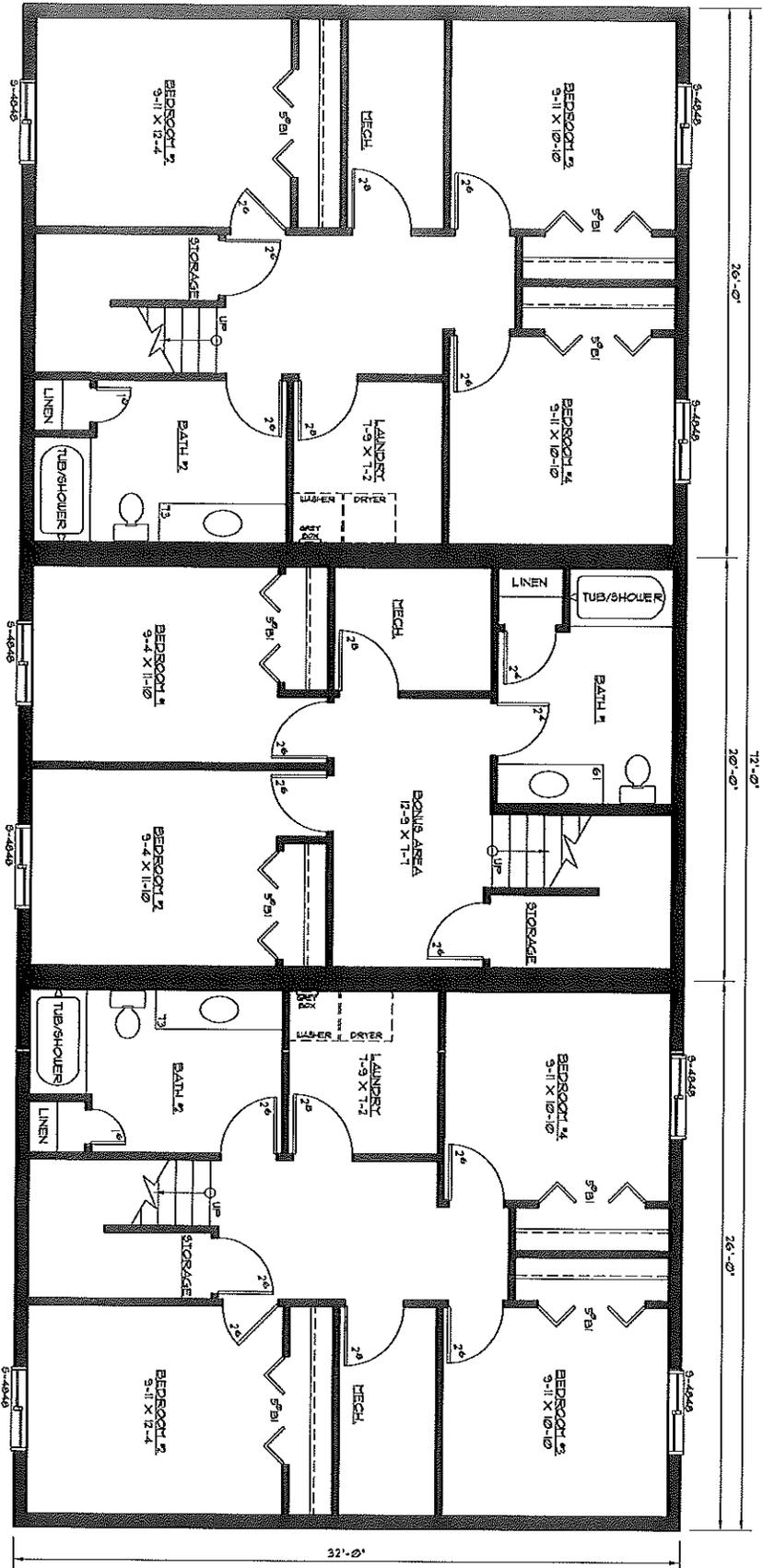
UNIT #1
 833 SQ. FT. UPPER LEVEL
 833 SQ. FT. LOWER LEVEL
 1664 SQ. FT. TOTAL

UNIT #2
 640 SQ. FT. UPPER LEVEL
 640 SQ. FT. LOWER LEVEL
 1280 SQ. FT. TOTAL

UNIT #3
 833 SQ. FT. UPPER LEVEL
 833 SQ. FT. LOWER LEVEL
 1664 SQ. FT. TOTAL

UPPER LEVEL PLAN
 SCALE: 1/8" = 1'-0"





LOWER LEVEL PLAN

SCALE: 1/8" = 1'-0"

UNIT #1
 832 SQ. FT. UPPER LEVEL
 832 SQ. FT. LOWER LEVEL
 1664 SQ. FT. TOTAL

UNIT #2
 640 SQ. FT. UPPER LEVEL
 640 SQ. FT. LOWER LEVEL
 1280 SQ. FT. TOTAL

UNIT #3
 832 SQ. FT. UPPER LEVEL
 832 SQ. FT. LOWER LEVEL
 1664 SQ. FT. TOTAL

CJH Custom Designs
 (402) 369-3555
 604 West 2nd Street
 Wayne, NE 68787

CUSTOM DESIGNED FOR: CHAD SEBADA
 LOCATION: WAYNE, NE

THESE PLANS HAVE BEEN DESIGNED ACCORDING TO OWNER SPECIFICATIONS AND DEFER ALL ENGINEERING TO THE OWNER. A STRUCTURAL ARCHITECT WAS NOT USED IN ENGINEERING THIS PLAN, THEREFORE ALL STRUCTURAL SUPPORT AND WARRANTIES REFER TO THE CONTRACTOR AND OWNER.

DATE
 7/30/15

To: Mayor, City Administrator, City Clerk and City Council

I would like your consideration on three different topics before I can make the final decision on the size of my building, for the land that is east of McDonalds. (The land is outlined in the green area on the enclosed photo).

First, I would like my building to be between 9,500 – 10,000 sq. ft. In order for this I would need to acquire the cities property, adjoined with the McCright's property that is located east of McDonalds. (outlined in red). The city would then have to maintain a permanent easement because of buried utilities that are located underground. I would not be able to build on the property, however I would be able to use it for additional parking, sand volleyball etc. For this I would like to make an offer of \$5,000 for the city land, and again maintain the easement to not build on top of this land.

Second, I would need the ability to use T.I.F. in order for me to gather funds to make this project happen.

Third, I would like the council to consider bringing Keno to Wayne. Without this, the building would be almost a third smaller. I have already contacted the state and they have forwarded all necessary material to the city attorney, and no general election would be needed, just simple majority of the council. I have also contacted a gentleman by the name of John Hassett, who will be attending the ~~October~~ ^{Aug.} 20th city council meeting, to explain the benefits of bringing Keno to Wayne.

In order to make this project happen I would need all three requests to be fulfilled to utilize the size of my building. Without the above, I would have to change my plans.

I am also trying to purchase the land inside of the blue zone on the enclosed photo, which is from Northeast Nebraska Investors, and use the land for sand volleyball, three on three basketball courts, horseshoes, archery range and possibly a hitting cage.

Also for anyone that is a golfer, we will also have two PGA golf simulators located inside the building.

Ken Jorgensen
411 Sherman St
Wayne, NE

ORDINANCE NO. 2013-34

AN ORDINANCE AMENDING CHAPTER 34, ARTICLE II, SECTION 34-61 GROWTH PERMITTED; CONTROL AND MAINTENANCE; 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 34-61 of the Wayne Municipal Code is amended to read as follows:

Sec. 34-61. Growth permitted; control and maintenance

- (a) It shall be the duty of each owner, **owner's** agent, **and** occupant ~~or person in possession, charge or control~~ of any lot, tract or parcel of land in the city to cut and remove from such lot, tract, or parcel of land, together with half of the abutting streets or alleys, ~~all weeds and other rank vegetation 12 inches in height or greater~~ **excessive growth of weeds, grasses or worthless vegetation**. Such ~~weeds and other rank growth of vegetation~~ **growth** shall be cut as close to the ground level as possible and shall be maintained as close to the ground level as possible throughout the period of May 1 to October 15 of each year. Growing or permitting the growing of weeds, **grasses, or vegetation** ~~or other rank growth of vegetation~~ in violation of this subsection is a nuisance and is prohibited.
- (b) It shall be unlawful for any owner, **owner's** agent **or** occupant ~~or person in possession, charge or control~~ of any premises described in subsection (a) of this section to allow to grow or to maintain any weeds, ~~or other rank growth of~~ **grasses, or worthless vegetation 12 inches in height or greater**. ~~so as to be injurious to the public health, declared to be noxious by the state, conducive to fires or combustion, or creating a nuisance.~~
- (c) The **City Administrator or his or her designee** ~~superintendent of public works~~ shall cause to be published in a legal newspaper of general circulation throughout the city for one time at least ten days before May 1, and on any other date designated by resolution of the council, a general notice to owners, **owner's** agents, **or** occupants ~~or persons in possession, charge or control~~ of real estate within the city to cut and remove **excessive weeds, grasses and worthless vegetation 12 inches in height or greater and other rank growth of vegetation** from such premises. The notice shall specify that the weeds and other rank growth of vegetation shall be cut as close to the ground level as possible throughout the period of May 1 to October 15.
- (d) The **City Administrator or his or her designee** ~~public works superintendent~~ is authorized and empowered to notify, in writing, the owner, **or owner's** agent, **and** occupant ~~or person in possession, charge or control~~ of any such lot, place or area within the city to cut, destroy and remove any such weeds, **grasses or worthless vegetation 12 inches in height or greater** ~~or deleterious unhealthful growths, or other noxious matter, found growing, lying or located on such property.~~
- (e) Such notice shall be ~~by United States mail, postage prepaid, addressed to such owner, agent, occupant or person at his last known address, or shall be served~~

~~personally,~~ given by first class mail, and shall be conspicuously marked as to its importance. Within five days after receipt of such notice, the owner or occupant of the lot or piece of ground may request a hearing with the City to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the City Clerk. A hearing on the appeal shall be held within 14 days after the filing of the appeal and shall be conducted by the City Administrator. The City Administrator shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the City may have such work done.

(f) If the owner or occupant of the lot or piece of ground does not request a hearing with the City, or upon the failure, neglect or refusal of any such owner, owner's agent, or occupant or person in possession so notified to cut, destroy and remove such weeds, grasses or worthless vegetation 12 inches in height or greater or deleterious unhealthful growths, or other noxious matter, growing, lying or located upon such property, within five days after receipt, personal service of written notice provided for in subsection (d) of this section, **the City may have such work done.** ~~or within seven days after the mailing date of such notice, the public works superintendent is authorized and empowered to pay for the cutting, destroying and removal of such weeds, grass or deleterious unhealthful growths or other noxious matter, or to order the removal by the city.~~ The costs and expenses of any such work shall be paid by the owner. ~~of any such cutting, destroying or removing shall be at the expense of the owner, agent, occupant, or person in possession, charge or control of such property.~~

(g) If the costs and expenses mentioned in subsection (f) of this section are of cutting, destroying or removing weeds, and other rank growth of vegetation and costs of removing any refuse, debris or other obstructions to permit such cutting unpaid for two months after such work is done, the City may either (i) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed or (ii) recover in a civil action the costs and expenses of the work upon the lot or piece of ground. ~~the city clerk shall certify to the county treasurer the amount of such expense, and such expense shall become a lien on the property upon which the removal measures were taken as a special assessment levied on the date of such measures. The county treasurer shall add such expense to and it shall become and form a part of the taxes on such land and shall bear interest at the same rate as taxes. Nothing contained in this section shall be construed to limit satisfaction of the obligation imposed by this section in whole or in part by tax foreclosure. The expense may be collected by suit instituted for the purpose as a debt due the city or by any other or additional remedy otherwise available. Amounts collected under this section shall be paid over to the city treasurer.~~

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

Section 3. This Ordinance shall be in full force and effect on September 6, 2013.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-76

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES

WHEREAS, the City Council, by and through the City Code and as a matter of general policy, establish certain rates, fees and charges for purposes of raising operating revenue and covering costs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Wayne, Nebraska, that the attached schedule of rates, fees and charges are hereby amended and the same shall, if not already in effect, become effective upon the passage and approval of this Resolution.

PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Cler

SCHEDULE OF FEES

Utility Deposits	2013	Proposed Changes
Electric	\$ 125.00	
Water	\$ 50.00	
Sewer	\$ 50.00	
Reconnect Fees	\$ 50.00	
Overtime Rate	\$ 75.00	
Bad Checks	\$ 30.00	
Dog License	\$ 6.00	
Fingerprints	\$ 20.00	
Vendor's Permit	\$ 25.00	
Vehicle Storage (Per Day Outside)	\$ 10.00	
(Per Day Inside)	\$ 25.00	
Impounded Vehicle	\$ 150.00	
Parking Fines:		
Paid within first five days	\$ 15.00	
Paid between 6-15 days	\$ 30.00	
Paid after 15 days	\$ 45.00	
Police Reports	\$5.00 up to 6 pgs	
Copies	\$ 0.25	
Color	\$ 1.00	
CAD Maps (24" wide)	\$ 15.00	
CAD Maps (36" wide)	\$ 25.00	
Electronic Media (i.e. CD's)	\$25.00	
Faxes (per page)	\$ 2.00	
International Faxes (per page)	\$ 6.00	
Clearing Snow and Ice (per hr w/ min. of 1 hr)	\$ 75.00	
Mowing (per hr w/ min. of 1 hr)	\$ 90.00	\$ 300.00
Route Vendor	\$ 100.00	

SCHEDULE OF FEES

Water/Sewer Hook-ups	2013	Proposed Changes
Residential	\$ 250.00	
Commercial	\$ 500.00	
Well Permit Fee		
Non-Domestic - over 100 gpm	200 + Engineering Fee	
Domestic - less than 100 gpm		
Pool		
Family Ticket	\$ 95.00	
Pre-Season Discount	\$ 85.00	
Individual Ticket	\$ 55.00	
Pre-Season Discount	\$ 50.00	
Daily Admissions - Over 12	\$ 4.50	
Ages 6-12	\$ 3.50	
Age 5 and below	\$ 3.00	
Swimming Lessons	\$ 30.00	
Swimming Parties	\$ 75.00	
Auditorium		
Rental	\$ 225.00	
State Registered	\$ 100.00	
Youth	\$ 35.00	
North Meeting Room	\$ 75.00	
State Registered	\$ 45.00	
Breakfast/Lunch Mtgs	\$ 45.00	
Damage Deposit	\$ 150.00	
With Sound System	\$ 200.00	
Library/Sr Center Mtg Rm	\$ 25.00	
Senior Center Rental	\$ 150.00	
Damage Deposit	\$ 150.00	
Fire Hall Rental	\$ 150.00	
Damage Deposit	\$ 150.00	

SCHEDULE OF FEES

Activity Center		2013	Proposed Changes
Family	\$	268.49	
Adult Married Couple	\$	207.46	
Single Adult	\$	152.55	
Senior Married Couple	\$	99.72	
Single Senior	\$	74.77	
College			
Year	\$	104.69	
9-months	\$	86.66	
Semester	\$	61.50	
College Married Couple	\$	166.15	
High School (Grades 9-12)	\$	88.39	
Middle School (Grades 5-8)	\$	71.27	
Elementary School (Grades K-4)	\$	55.00	
Punch Card (10 visits)	\$	31.95	
Punch Card (5 visits)	\$	21.30	
CORPORATE RATES			
Family			
6 - 25 Members	\$	246.46	
26+	\$	235.28	
Adult Couple			
6 - 25 Members	\$	192.22	
26+	\$	186.63	
Adult Single			
6 - 25 Members	\$	141.18	
26+	\$	132.79	
Excavation Permit	\$	25.00	
Annual Fee	\$	250.00	
Moving Permit	\$	200.00	
Razing Permits			
Residential & Commercial	\$	60.00	
Accessory Structures (includes garages)	\$	20.00	

SCHEDULE OF FEES

Plan Review Fee (non-refundable)

2013

Proposed Changes

1. Inspections outside of normal business hours; \$35 plus \$25/hour after first hour and expenses at actual cost.
2. Reinspections fees assessed under the provisions of Sec. 305(g), \$35 plus \$25/hour after first hour and expenses at actual cost.
3. Inspections for which no fee is specifically indicated; \$35 plus \$25/hour after first hour and expenses at actual cost.
4. Additional plan review required by changes, additions, or revisions to approve plans; \$35 plus \$25/hour after first hour and expenses at actual cost.
5. Inspections for Property Maintenance Code - \$35 plus \$25/hour after first hour and expenses at actual cost.

Sidewalk

\$25 plus Bond

Property Maintenance Fees

Initial Code Complaint Inspection; \$35 plus \$25/ hour after first hour and expenses at actual cost

Final Inspection to Verify Compliance

\$ -

Failure to Meet 1st Notice Compliance Deadline

\$ 300.00

Failure to Meet 2nd Notice Compliance Deadline

\$ 300.00

Driveway/Apron Cons. Permit

\$ 35.00

Zoning Regulation

Amendment Text

\$ 100.00

Amendment District/Map

\$ 200.00

Variance Application (Board of Adjustment)

\$ 200.00

Conditional Use Application

Ag and Residential Dist.

\$ 200.00

All Other Districts

\$ 200.00

Subdivision

Preliminary Plat

\$250 + \$5 /lot

Final

\$150 + \$1.50/lot

Variance

\$ 150.00

Lot Split/Admin. Subdivision

\$ 175.00

Meter Testing

Residential

\$ 15.00

Non-Residential

\$ 25.00

Specially Req. Bldg Inspect.

\$ 30.00

Garbage Haulers

Class A Permit

\$ 400.00

Class B Permit

\$ 30.00

SCHEDULE OF FEES

	2013	Proposed Changes
Special Designated Liquor Permits		
(For Those without Catering License)	\$	40.00
Plumber Permits		
New	\$	100.00
Renewal	\$	50.00
Electrician Permits		
New	\$	100.00
Renewal	\$	50.00
Pawnbroker Permit	\$	50.00
ATV & Utility Vehicle Permit	\$	75.00
ATV & Utility Vehicle Operator's Permit	\$	25.00
Occupation Taxes:		
Telephone & Telecommunication		5%
Fireworks	\$	100.00
Natural Gas Companies		
Residential		\$2.50 per month
Commercial		\$5.00 per month
Industrial		\$50.00 per month
Utility Franchise Fees:		
Electric		8.50%
Water		7.00%
Sewer		7%
Hotel		5%
Alcoholic Liquors		2x License Fee
Non-Profit Class C		\$150

RESOLUTION NO. 2013-77

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON LOT 9, MCPHERRAN'S ADDITION TO WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 908 CIRCLE DRIVE, WAYNE, NEBRASKA.

WHEREAS, the City of Wayne has incurred costs associated with the mowing of the property located at 908 Circle Drive, Wayne, Nebraska, and legally described as Lot 9, McPherran's Addition to Wayne, Wayne County, Nebraska; and

WHEREAS, Section 34-61 of the Wayne Municipal Code requires each owner of any lot or parcel of land in the City of Wayne to cut and remove all weeds and other rank growth of vegetation on such property as close to the ground level as possible throughout the period of May 1st to October 15th of each year; and

WHEREAS, the Superintendent of Public Works & Utilities has caused to be published in the Wayne Herald the notice required under Section 34-61 specifying that said weeds and other rank growth vegetation shall be cut during the above-referenced period; and

WHEREAS, the City's Public Works Department is authorized under said Section to notify in writing the owner of any property within the City to cut any such weeds found growing on such property by United States mail, postage prepaid, addressed to such owner at his or her last known address or served personally; and

WHEREAS, on the failure, neglect or refusal of any such owner to cut or destroy such weeds located upon such property within seven days after the mailing or personal service date of such notice, the City's Public Works Department is authorized to pay for the cutting of such weeds or to order the removal by the City; and

WHEREAS, the cost of any such cutting, destroying, or removing such weeds shall be at the expense of the owner of such property; and

WHEREAS, if the costs of cutting, destroying or removing weeds and other rank growth of vegetation and costs of removing any refuse, debris, or other obstructions, to permit such cutting are unpaid for two months, pursuant to said Section 34-61, the City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the amount of such expense, and such expense shall become a lien on the property upon which the removal measures were taken as a special assessment levied on the date of such measures; and

WHEREAS, the City's Public Works Department has notified Richard Keenan, the owner of 908 Circle Drive, Wayne, Nebraska, and legally described as Lot 9, McPherran's Addition to Wayne, Wayne County, Nebraska, to cut, destroy, and remove any such weeds, grass or unhealthful growth located on

such property by United States mail, postage prepaid, at the last known address of Richard Keenan or served personally; and

WHEREAS, upon the failure, neglect or refusal of Richard Keenan to cut, destroy, and remove such weeds from said property within seven days after the mailing or personal service date of such notice, the City Public Works Department did then undertake the removal of such weeds from said property, pursuant to Section 34-61 during the time period of May, 2012, through and including June, 2012 and

WHEREAS, the cost of such cutting, destroying or removal of such weeds in the total amount of \$360.00 has been sent to Richard Keenan for payment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Wayne City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the total amount of \$360.00 in expenses incurred by the Wayne Public Works Department in removing weeds and other rank growth of vegetation from the property owned by Richard Keenan and upon certification to the Wayne County Treasurer, such expense shall become a lien on the property described herein below, said property owned by Richard Keenan on which the removal measures were taken, as a special assessment levied on the date of such measures. The property is described to wit:

Lot 9, McPherran's Addition to Wayne, Wayne County, Nebraska.

BE IT FURTHER RESOLVED that pursuant to Section 34-61 of the Wayne Municipal Code, the Wayne County Treasurer shall add such expense to, and it shall become and form a part of the taxes on such property described herein and shall bear interest at the same rate as taxes.

Passed and approved this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA

BY _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-36

AN ORDINANCE TO AMEND SECTION 78-126 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY; 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 78, Article III, Section 78-126 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-126 PARKING; PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY OF WAYNE. No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

1. The south side of the center line of east 14th Street from the west line of Walnut Street west to the College campus.
2. The north side of the center line of east 13th Street from the west line of Walnut Street west to the College campus.
3. The south side of the center line of east 13th Street from the west line of Walnut Street west to the College campus.
4. The north side of the center line of east 12th Street from the west line of Walnut Street to the College campus.
5. The south side of the center line of east 12th Street from the west line of Walnut Street to the College campus.
6. The south side of the center line of Hillcrest Road from the east line of Walnut Street east to the point where Hillcrest Road turns south and then on the east side of the center line to the north line of east 10th Street.
7. The north side of the center line of east 10th Street from the east line of Main Street east to the west line of Logan Street.
8. The north side of the center line of east 10th Street from the east line of Windom Street to the west line of Walnut Street.
9. The south side of the center line of east 10th Street from the east line of Main Street east to the west line of ~~Logan Street~~ **Hillside Drive**.

- ~~10. The south side of the center line of east 10th Street from the east line of Nebraska Street east to the City limits.~~
11. The south side of the center line of east 9th Street from the east line of Main Street east to the west line of Pine Heights Road.
12. The south side of the center line of east 8th Street from the east line of Main Street to the north-south alley east of Windom Street.
13. The east side of the center line of Logan Street from the north line of east 7th Street north to the south line of east 10th Street.
14. The east side of the center line of Nebraska Street from the north line of east 7th Street north to the south line of east 10th Street.
15. The east side of the center line of Windom Street from the north line of east 7th Street north to the south line of east 10th Street.
16. The east side of the center line of Walnut Drive from the north line of east 7th Street north to the south line of east 9th Street.
17. The east side of the center line of Walnut Street from the north line of east 9th Street north to the south line of east 14th Street.
18. The east side of the center line of the north-south alley between Walnut Street and the College campus from the north line of east 10th Street north to the south line of east 14th Street.
19. The west side of the center line of Circle Drive from the north line of East 9th Street north to the circle and the entire circle.
20. The east side of the center line of Pine Heights Road from the north line of east 7th Street north to the south line of east 10th Street.
21. The east side of the center line of Lilac Lane from the north line of east 10th Street north to the south line of Hillcrest Road.
22. The east side of the center line of Providence Road from the north line of east 7th Street north to the south line of East 14th Street.
23. The west side of the center line of Providence Road from the north line of east 7th Street north to the south line of east 14th Street.
24. The south side of the center line of east 14th Street from the east line of Providence Road east to the City limits.

25. The east side of the center line of Claycomb Road from the north line of east 14th Street north to the City limits.
26. The east side of the center line of Linden Street from the north line of east 14th Street north to the south line of Aspen Street.
27. The south side of the center line of Aspen Street from the east line of Claycomb Road east to the City limits.
28. The north side of the center line of east 14th Street from the west line of Walnut Street west to the College campus.
29. The west side of the center line of Logan Street from the north line of east 7th Street north for a distance of one hundred fifty (150') feet.
30. The north side of the center line of east 7th Street from the east line of Main Street east to the City limits.
31. The east side of the center line of north Main Street from the north line of east 7th Street north to the south line of east 14th Street.
32. The east side of the center line of Hillside Drive from the north line of east 7th Street north to the City limits.
33. The south side of the center line of Poplar Street from the west line of Hillside Drive to the east line of Eastview Drive.
34. The south side of the center line of Sunnyview Drive from the west line of Hillside Drive to the east line of Providence Road.
35. The east side of the center line of Providence Road from the north line of east 7th Street north to the south line of east 10th Street.
36. The west side of the center line of Providence Road from the north line of east 7th Street north to the south line of east 10th Street.
37. The east side of the center line of Eastview Drive from the north line of Poplar Street to the south line of Sycamore Street.
38. The west side of the center line of Pine Heights Road from the north line of east 7th Street north for a distance of 25 feet.
39. The south side of the center line of Sycamore Street from the west line of Hillside Drive to the east line of Eastview Drive.
40. The east side of the center line of Vintage Hill Drive from East 14th Street north of the City limits.
41. The south side of the center line of Brooke Drive from the east line of Claycomb Road east to the City limits.

42. The south side of the center line of Sycamore Street from the west line of Hillside Drive to the east line of Eastview Drive.
43. All of Lloyd Court from the southerly line of Brooke Drive to and including the entire circle.
44. The south side of the center line of Sunnyview Drive from the west side of Providence Road to the east line of Ada Drive.
45. The east side of the center line of Ada Drive from Sunnyview Drive to the north line of Poplar Street.
46. The south side of the center line of Poplar Street from the west line of Ada Drive to the west line of Providence Road.
47. The west side of the center line of Walnut Street from 10th Street north to J. G. Lewis Drive.
48. The north side of the center line of 14th Street between the east boundary of the Wayne State College Technology Building Lot on the quarter section line east to Claycomb Road.
49. The south side of the center line of 14th Street from Providence Road east to Claycomb Road.
50. The west side of Claycomb Road from the north line of 14th Street going north a distance of 104'.

Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

Section 2. Any and all provisions of the Wayne Municipal Code in conflict with this Ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication according to law.

PASSED AND APPROVED this _____ day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-37

AN ORDINANCE TO AMEND SECTION 78-127 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHEAST QUADRANT OF THE CITY; 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 78, Article III, Section 78-127 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-127 PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHEAST QUADRANT OF THE CITY.

- (a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:
- (1) The north side of the centerline of Hillcrest Road from the east line of Walnut Street east to where Hillcrest Road turns south and then on the west side of the centerline to the north line of East Tenth Street.
 - (2) The north side of the centerline of East Tenth Street from the east line of **Logan** ~~Nebraska~~ Street to the west line of Windom Street.
 - (3) The north side of the centerline of East Tenth Street from the east line of Walnut Street east to the city limits.
 - (4) The south side of the centerline of East Tenth Street from the east line of Logan Street east to the west line of Nebraska Street.
 - (5) The north side of the centerline of East Ninth Street from the east line of Main Street east to the west line of Pine Heights Road.
 - (6) The north side of the centerline of East Eighth Street from the east line of Main Street east to the north-south alley east of Windom Street.
 - (7) The west side of the centerline of Logan Street from a point 25 feet north of the north line of East Seventh Street north to the south line of East Tenth Street.
 - (8) The west side of the centerline of Nebraska Street from the north line of East Seventh Street north to the south line of East Tenth Street.
 - (9) The west side of the centerline of Windom Street from the north line of East Seventh Street north to the south line of East Tenth Street.
 - (10) The west side of the centerline of Walnut Street from a point 190 feet north of the north line of East Seventh Street north to the south line of East Ninth Street.

- (11) The west side of the centerline of Walnut Street from the north line of East Ninth Street north to the south line of Hillcrest Road.
- (12) The west side of the centerline of Pine Heights Road from the north line of East Seventh Street north to the south line of East Tenth Street.
- (13) The west side of the centerline of Lilac Lane from the north line of East Tenth Street north to the south line of Hillcrest Road.
- (14) The west side of the centerline of Walnut Street from the north line of Hillcrest Road north to the south line of East 14th Street.
- (15) The east side of the centerline of Circle Drive from the north line of East Ninth Street north to the circle.
- (16) The west side of the centerline of Claycomb Road from the north line of East 14th Street north to the city limits.
- (17) The west side of the centerline of Linden Street from the north line of East 14th Street north to the south line of Aspen Street.
- (18) The north side of the centerline of Aspen Street from the east line of Claycomb Road east to the city limits.
- (19) The west side of the centerline of Hillside Drive from the north line of Seventh Street north to the city limits.
- (20) The west side of the centerline of Eastview Drive from the north line of Poplar Street north to the south line of Sunnyview Drive.
- (21) The north side of the centerline of Poplar Street from the east line of Eastview Drive to the west line of Hillside Drive.
- (22) The north side of the centerline of Sunnyview Drive from the east line of Providence Road east to the west line of Hillside Drive.

- (b) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this _____ day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-38

AN ORDINANCE TO AMEND SECTION 78-134 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING TIME LIMITS OF 30 MINUTES AND ONE HOUR; LOCATION; 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 78, Article III, Section 78-134 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

78-134 Parking time limits of 30 minutes and one hour; location

- ~~(a) No person shall, at any time, park a vehicle between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, for more than 30 minutes upon the south side of the centerline of East Tenth Street from the east line of Logan Street east to west line of Nebraska Street.~~
- (b) No person shall, at any time, park a vehicle between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, for more than one hour upon the west side of Pearl Street from 140 feet 8 inches south of the centerline of Third Street to 200 feet 8 inches south of the centerline of Third Street.
- (c) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this ____ day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Change Order

No. 1

Date of Issuance: July 31, 2013 Effective Date: August 6, 2013

Project: 10 th Street Paving Improvements Main to Windom	Owner: City of Wayne, Nebraska	Owner's Contract No.:
Contract:		Date of Contract:
Contractor: Steve Harris Construction		Engineer's Project No.: 617-006

The Contract Documents are modified as follows upon execution of this Change Order:

Description:
Construction of an 8" live tap to the existing main rather than a wet tap, tee, valves and miscellaneous items

Attachments: (List documents supporting change):

Please see attached sheet for quantities and prices

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$504,766.06

[Decrease] from previously approved Change Orders
No. N/A to No. N/A ;
\$

Contract Price prior to this Change Order:
\$504,766.06

[Decrease] of this Change Order:
\$94.42

Contract Price incorporating this Change Order:
\$504,681.64

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days
Substantial completion (days or date):
Ready for final payment (days or date):

[Increase] [Decrease] from previously approved Change Orders
No. to No. ;
Substantial completion (days):
Ready for final payment (days):

Contract Times prior to this Change Order:
Substantial completion (days or date):
Ready for final payment (days or date):

[Increase] [Decrease] of this Change Order:
Substantial completion (days or date):
Ready for final payment (days or date):

Contract Times with all approved Change Orders:
Substantial completion (days or date):
Ready for final payment (days or date):

RECOMMENDED:
By: 
Engineer (Authorized Signature)

Date: 7/01/2013

Approved by Funding Agency (if applicable):

ACCEPTED:
By:
Owner (Authorized Signature)

Date:

ACCEPTED:
By:
Contractor (Authorized Signature)

Date:

Date:

Change Order #1

Owner: City of Wayne
Project: 10th Street Main to Windom
Contractor: Steve Harris Construction
Project #: 617-006

Description: Install an 8" live tap on the water main instead of a wet tie into the existing 10" main

ITEM	QUANTITY	UNITS	UNIT COST	TOTAL COST
8" LIVE TAP	1	EACH	\$3,115.58	\$3,115.58
10" WATER MAIN	-5	L.F.	\$32.00	-\$160.00
10" GATE VALVE	-1	EACH	\$1,800.00	-\$1,800.00
10"x10"x8" TEE	-1	EACH	\$250.00	-\$250.00
10" SLEEVE	-1	EACH	\$150.00	-\$150.00
10" RETAINER GLAND	-6	EACH	\$100.00	-\$600.00
WET CUT IN	-1	EACH	\$250.00	-\$250.00
TOTAL AMOUNT CHANGE ORDER #1			-\$94.42	

APPLICATION #3

LOCATION: WAYNE, NEBRASKA

PROJECT: 10TH STREET, MAIN TO WINDOM

DATE: 7/30/2013

ITEM #	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNITS	UNIT PRICE	WORK DONE TO DATE	TOTAL COST WORK DONE
1	MOBILIZATION	1	LS	18,300.00	0.8	\$14,640.00
2	UNCLASSIFIED EXCAVATION	1246	CY	7.00	1246	\$8,722.00
3	SALVAGE AND PLACE TOPSOIL	3165	SY	1.65	1583	\$2,611.95
4	12" COMPACTED SUBGRADE	4723	SY	4.75	3545	\$16,838.75
5	SCARIFY AND RECOMPACT 6" SUBGRADE	4723	SY	2.00	3545	\$7,090.00
6	CLEARING AND GRUBBING	1	LS	1,500.00	1	\$1,500.00
7	MILL AND REMOVE ASPHALT SURFACING	2822.8	SY	3.29	2822.8	\$9,287.01
8	REMOVE PCC PAVEMENT	4987.7	SY	1.00	4950	\$4,950.00
9	REMOVE PCC CURB AND GUTTER	2917	LF	1.00	2900	\$2,900.00
10	REMOVE AND SALVAGE BRICK PAVERS	92.3	SY	1.25	92.3	\$115.38
11	REMOVE PCC SIDEWALK	707.3	SY	1.00	700	\$700.00
12	REMOVE RETAINING WALLS	118.2	LF	4.00	118.2	\$472.80
13	REMOVE STORM SEWER MANHOLE	2	EACH	250.00	2	\$500.00
14	REMOVE STORM SEWER INLET	7	EACH	250.00	7	\$1,750.00
15	REMOVE STORM SEWER PIPE	241	LF	4.00	241	\$964.00
16	REMOVE SANITARY SEWER MANHOLE	2	EACH	250.00	2	\$500.00
17	REMOVE EXISTING FIRE HYDRANT	2	EACH	250.00	2	\$500.00
18	REMOVE AND REPLACE SPRINKLER IRRIGATION SYSTEM	1	LS	100.00	0	\$0.00
19	8" NON REINFORCED PCC PAVING W/ MONO CURB AND GUTTER	5341.2	SY	35.07	4100	\$143,787.00
20	4" PCC SIDEWALK	919.3	SY	36.52	0	\$0.00
21	6" PCC DRIVEWAY PAVEMENT	567	SY	36.43	0	\$0.00
22	DETECTABLE WARNING PANEL	80	SF	35.00	0	\$0.00
23	MSE SEGMENTAL BLOCK WALL	320	SF	20.00	0	\$0.00
24	CONCRETE ACCESS RAMP	1	LS	9,750.00	0	\$0.00
25	SPECIAL DRAINAGE GUTTER	60	LF	51.00	0	\$0.00
26	8" PVC SANITARY SEWER MAIN W/ BEDDING	416	LF	18.00	470	\$8,460.00
27	6" PVC SANITARY SEWER SERVICE LINE W/ BEDDING	5	LF	21.00	0	\$0.00
28	4" PVC SANITARY SEWER SERVICE LINE W/ BEDDING	5	LF	20.00	46	\$920.00
29	48" PRECAST CONCRETE MANHOLE W/ FRAME AND LID	2	EACH	2,500.00	3	\$7,500.00
30	CONNECT TO EXISTING 8" SANITARY SEWER MAIN	2	EACH	200.00	4	\$800.00
31	8"x6" WYE	1	EACH	100.00	1	\$100.00
32	8"x4" WYE	1	EACH	100.00	3	\$300.00
33	ADJUST SANITARY SEWER MANHOLE	1	EACH	250.00	1	\$250.00
34	10" PVC WATER MAIN	5	LF	32.00	5	\$160.00
35	8" PVC WATER MAIN	1443	LF	15.00	1443	\$21,645.00
36	6" PVC WATER MAIN	9	LF	31.00	9	\$279.00
37	4" PVC WATER MAIN	4	LF	30.00	4	\$120.00
38	10" GATE VALVE	1	EACH	1,800.00	1	\$1,800.00
39	8" GATE VALVE	5	EACH	1,500.00	7	\$10,500.00
40	6" GATE VALVE	2	EACH	1,200.00	2	\$2,400.00
41	6" STANDARD HYDRANT	2	EACH	2,250.00	2	\$4,500.00
42	10"x10"x8" TEE	1	EACH	250.00	1	\$250.00
43	8"x8"x8" TEE	3	EACH	250.00	3	\$750.00
44	8"x8"x6" TEE	2	EACH	200.00	2	\$400.00

45	8" x 90 DEG. BEND	2	EACH	150.00	2	\$300.00
46	8" x 45 DEG. BEND	6	EACH	150.00	8	\$1,200.00
47	8" x 4" REDUCER	4	EACH	100.00	4	\$400.00
48	10" SLEEVE	1	EACH	150.00	1	\$150.00
49	4" SLEEVE	4	EACH	75.00	0	\$0.00
50	4" CAP	2	EACH	50.00	5	\$250.00
51	4" MJ PLUG	1	EACH	50.00	0	\$0.00
52	10" RETAINER GLAND	6	EACH	100.00	5	\$500.00
53	8" RETAINER GLAND	44	EACH	60.00	46	\$2,760.00
54	6" RETAINER GLAND	8	EACH	45.00	8	\$360.00
55	4" RETAINER GLAND	12	EACH	35.00	5	\$175.00
56	CUT AND TIE TO EXISTING WATER MAIN	6	EACH	250.00	6	\$1,500.00
57	1" POLYETHYLENE WATER SERVICE LINE	57	EACH	15.00	82	\$1,230.00
58	CURB AND CORP STOP	7	EACH	750.00	8	\$6,000.00
59	TEMPORARY FIRE HYDRANT	1	EACH	500.00	0	\$0.00
60	36" RCP CLASS 3 STORM SEWER W/ BEDDING	6	LF	85.00	6	\$510.00
61	30" RCP CLASS 3 STORM SEWER W/ BEDDING	62	LF	62.00	62	\$3,844.00
62	24" RCP CLASS 3 STORM SEWER W/ BEDDING	25	LF	49.00	25	\$1,225.00
63	18" RCP CLASS 3 STORM SEWER W/ BEDDING	66	LF	41.00	34	\$1,394.00
64	7'x11' TYPE S DROP INLET	1	EACH	15,000.00	1	\$15,000.00
65	4'x11' TYPE S DROP INLET	2	EACH	10,000.00	1	\$10,000.00
66	4'x6' TYPE S DROP INLET	3	EACH	6,500.00	3	\$19,500.00
67	2'x3' TYPE B DROP INLET	1	EACH	2,500.00	0	\$0.00
68	3'x4' TYPE C DROP INLET	1	EACH	4,500.00	0	\$0.00
69	CONNECT TO EXISTING 48" STORM SEWER PIPE	1	EACH	500.00	1	\$500.00
70	CONNECT DOWNSPOUTS TO NE DROP INLET	1	EACH	250.00	1	\$250.00
71	HYDRO-SEEDING	1	LS	6,200.00	0	\$0.00
72	EROSION CONTROL BLANKET	1031	SY	1.36	0	\$0.00
73	CURB INLET PROTECTION	100	LF	0.75	50	\$37.50
74	FABRIC SILT FENCE - HIGH POROSITY	100	LF	4.00	50	\$200.00
75	BARRICADE, TYPE II	2856	BDAY	1.52	2427.6	\$3,689.95
76	CONTRACTOR FURNISHED SIGN DAY	2856	EACH	0.76	2427.6	\$1,844.98
TOTAL WORK COMPLETED TO DATE						\$351,783.32
CAHNGE ORDER #1 (8" LIVE TAP)						-\$94.42
TOTAL WORK COMPLETED TO DATE						\$351,688.90

ORIGINAL CONTRACT PRICE	\$504,776.06	
CHANGE ORDER #1	-\$94.42	
NET CHANGE BY CHANGE ORDERS	-\$94.42	
CURRENT CONTRACT PRICE	\$504,681.64	
TOTAL COMPLETED AND STORED TO DATE	\$351,688.90	
RETAINAGE BASED ON % OF WORK COMPLETED	5%	\$17,584.44
RETAINAGE BASED ON % OF STORED MATERIALS	5%	\$0.00
TOTAL RETAINAGE	\$17,584.44	
AMOUNT ELGIBLE FOR PAYMENT	\$334,104.45	
LESS PREVIOUS PAYMENTS	\$105,459.38	
AMOUNT DUE THIS APPLICATION	\$228,645.07	
BALANCE TO FINISH	\$170,577.19	

July 2, 2013

The Wayne City Council met in regular session at City Hall on Tuesday, July 2, 2013, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Kaki Ley, and Jill Brodersen, City Attorney Amy Miller, City Administrator Lowell Johnson, and City Clerk Betty McGuire.

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

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

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

Member Brodersen made a motion, which was seconded by Member Chamberlain, to approve the minutes of the June 4, 2013, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the agenda was to take action on CDA Res. 2013-9 amending the Redevelopment Contract for Angel Acres and authorizing additional bonds of \$150,000 for the Angel Acres project. The first bond was for \$210,000.

Lou Bencoter was present to answer questions. He stated when he began this project last year, his intent was to only do half of it or the first phase at that time. He is moving forward with the second phase, and this action would amend the Redevelopment Contract amount to finish the remainder of the project.

Member Brodersen introduced CDA Resolution 2013-9 and moved for its approval; Member Giese seconded.

CDA RESOLUTION NO. 2013-9

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 AN AMENDED REDEVELOPMENT CONTRACT AND PROVIDING FOR THIS RESOLUTION TO TAKE EFFECT.

Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Member Giese made a motion, which was seconded by Member Brodersen, to adjourn as the Community Development Agency and reconvene as Council. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

**Wayne Planning Commission Meeting Minutes
Monday, June 3, 2013**

Chair Pat Melena called the regular meeting of the Wayne Planning Commission to order at 7:00 P.M., on Monday, June 3, 2013, in the Council Chambers of the Municipal Building. Roll call was taken with the following members present: Lee Brogie, Mark Sorensen, Jeff Carstens, Breck Giese, Jessie Piper, Sharon Braun, Chair Pat Melena, and Inspector/Planner Joel Hansen. Absent: Jill Sweetland and Derek Hill.

Motion was made by Commissioner Brogie and seconded by Commissioner Giese to approve the minutes for May 6, 2013, as presented. Chair Melena stated the motion and second. All were in favor; motion carried unanimously.

Chair Melena read the Open Meetings Act and advised that anyone desiring to speak should limit themselves to three minutes and wait until being recognized by the Chair.

The first discussion item, future use of lagoon site, was tabled until the next regular meeting.

Motion was made by Commissioner Sorensen and seconded by Commissioner Carstens to forward a recommendation to the City Council to undertake a study of the Dog Creek Watershed to remove the area north of Wayne from the floodplain. Chair Melena stated the motion and second. Roll call vote: Commissioner Brogie – aye; Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Braun – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

There being no further discussion, motion was made by Commissioner Sorensen and seconded by Commissioner Braun to adjourn the meeting. All were in favor; motion carried unanimously; meeting was adjourned.

WAYNE MUNICIPAL AIRPORT AUTHORITY
June 10 & 17, 2013
7:00 P.M.

The regular meeting of the Airport Authority of the City of Wayne was called to order at the Airport Pilots Lounge on the above date and time by Chairman Mitchell Nissen. The following members were present: Mitchell Nissen, Jerome Conradt, Todd Luedeke, Carl Rump and David Ley. Also, attending the meeting were Nancy Braden Treasurer, Dawn Navrkal, Tom Becker FBO & Airport Manager, Karma Schulte, Kyle Dahl Airport Authority Attorney, Alan Soll and George Babcock from HAR-MOR AG, AIR, INC, Brice Barton and Jim Martone from TradeWind Energy, David Zach, and Clay Bode.

Luedeke moved and Conradt 2nd to accept the Minutes of May 13, 1013 with corrections. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Conradt 2nd to accept the Claims as presented on June 10, 2013. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Luedeke moved and Conradt 2nd to continue to investigate and work with TradeWind Energy Inc. concerning further development of the airport and how that might relate to both parties. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried and appointed a committee of Todd Luedeke from the Airport, Tom Becker Airport Manager, Nancy Braden from the City, and Dana Tompkins to look into the matter further and report back to the Authority.

Luedeke moved and Conradt 2nd to accept the bid from Otte Construction for hail damage repairs on the Wayne airport house in the amount of \$7,431.00. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Conradt 2nd to accept a job estimate from Zach Heating and Cooling to install an air conditioner in the airport house for \$2,373.00. Roll was called with the following result: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Conradt moved and Luedeke 2nd to recess the meeting until Monday June 17th for the purpose of allowing HAR-MOR AG, AIR, INC. Attorney George Babcock and Wayne Airport Authority Attorney Kyle Dahl work out the details of a lease, addendum to lease and Aerial applicators lease beneficial to both parties. Roll was called with the following result. Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The chairman declared the motion carried

The regular meeting of the Airport Authority of the City of Wayne was called out of recess at the Airport Pilots Lounge on July 17th, 2013 at 7:00 PM. The following members were present: Mitchell Nissen, Jerome Conradt, Todd Luedeke, Cart Rump and David Ley.

Luedeke moved and Ley 2nd to approve purchase of a culvert for approximately \$2,300 for the access road to the airport. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Conradt 2nd that we sign the NDA Summary of Project Costs, Statement No. 38-Final on runway construction project. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

Luedeke moved and Conradt 2nd to amend the minutes of April 8th meeting to make note of a conversation on the hanger leases where Clay Bode C-4 and David Zach D-4 were going to switch hangers and the board stated that since we already had a party on the waiting list for C-4 we would move Dave to B-5 as that hanger was available and Dave said he didn't need that large of a hangar. That seemed to be agreeable. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Ley. Rump abstained for he did not attend that meeting.

Luedeke moved and Conradt 2nd to send a 15 day eviction notice on hanger D-4 to Clay Bode as follow up to Letter from the Authority on May 1, 2013 allowing his trading of hangers from C-4 to D-4. Clay had felt that we had rented him a third additional hanger instead of the trading that was clearly stated in the Authority letter. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, and Ley. Nays: Rump. The Chairman declared the motion carried.

Luedeke moved and Ley 2nd that we approve the Har-Mor land lease with corrections and amendments as presented. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Conradt 2nd that we approve the aerial applicators lease for Har-Mor as presented. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Conradt moved and Luedeke 2nd that we approve a bill from OCC Builders for Estimate #5 in the amount of \$68,346.79 to approved claims of June 10, 2013. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Other matters requiring the attention of the Authority were discussed and it was determined that no further formal actions on these matters were needed.

There being no further business Luedeke moved and Conradt 2nd that the meeting be adjourned. All voting in the affirmative the meeting was adjourned.

David R. Ley
Secretary