

**MINUTES
CITY COUNCIL MEETING
September 3, 2013**

The Wayne City Council met in regular session at City Hall on Tuesday, September 3, 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, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 22, 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 Sievers made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meetings of August 19 and 20, 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

CORRECTIONS TO CLAIMS LIST OF 8/20/13: Delete City Employee, Re, 726.81
VARIOUS FUNDS: 4IMPRINT, SU, 954.81; AMERICAN TEST CENTER, SE, 500.00; AMERITAS, SE, 2046.92; APPEARA, SE, 202.26; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, FE, 135.00; CITY EMPLOYEE, RE, 66.14; BLACK HILLS ENERGY, SE, 218.59; BLUE CROSS BLUE SHIELD, SE, 24234.52; BOMGAARS, SU, 566.88; CITY EMPLOYEE, RE, 3346.22; BROWN SUPPLY, SU, 411.40; BSN SPORTS, SU, 167.94; CARROT-TOP INDUSTRIES, SU, 248.40; CITY EMPLOYEE, RE, 93.01; CENTRAL COMMUNITY COLLEGE, SE, 110.00; CENTURYLINK, SE,

315.69; CITY OF WAYNE, RE, 1000.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, PY, 71524.71; CITY OF WAYNE, RE, 155.17; COMMUNITY HEALTH, RE, 4.00; CITY EMPLOYEE, RE, 182.99; DALE ALEXANDER, RE, 488.25; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 86.00; CITY EMPLOYEE, RE, 390.21; CITY EMPLOYEE, RE, 178.36; ECHO GROUP, SU, 742.50; ELECTRONIC ENGINEERING, SE, 95.00; FASTENAL, SU, 80.49; FIRST CONCORD GROUP, SE, 3700.86; FIRST SOURCE TITLE&ESCROW, SE, 468.00; FIVE STAR ENTERPRISES, SU, 8.20; FLOOR MAINTENANCE, SU, 90.24; GERHOLD CONCRETE, SU, 800.00; HOMETOWN LEASING, SE, 73.51; ICMA, SE, 6276.45; IRS, TX, 24791.64; GODFATHERS PIZZA, SU, 112.00; JANWAY, SU, 371.25; JERRY BAIER, RE, 200.25; CITY EMPLOYEE, RE, 200.99; KRIZ-DAVIS, SU, 791.29; CITY EMPLOYEE, RE, 875.00; CITY EMPLOYEE, RE, 32.09; MADISON COUNTY COURT, RE, 300.00; MIKE TOWNE, SE, 1200.00; NLA/NSLA, FE, 485.00; NE DEPT OF ENVIRONMENTAL, FE, 500.00; NE DEPT OF REVENUE, TX, 3297.01; NORFOLK SPORTING GOODS, SU, 60.00; NNPPD, SE, 5702.00; OLSSON ASSOCIATES, SE, 1315.84; OVERHEAD DOOR, SE, 382.35; CITY EMPLOYEE, RE, 67.08; PIEPER & MILLER, SE, 7666.00; RON'S RADIO, SE, 235.00; SIOUX CITY WINNELSON, SU, 412.78; VERIZON, SE, 101.86; VIAERO, SE, 245.80; VOSS LIGHTING, SU, 129.60; WAED, SE, 6453.33; WESCO, SU, 766.80; CITY EMPLOYEE, RE, 279.99; CITY EMPLOYEE, RE, 460.00; CITY EMPLOYEE, RE, 201.53; CITY EMPLOYEE, RE, 2939.23; CITY EMPLOYEE, RE, 1107.44; BLR - BUSINESS & LEGAL, SU, 417.00; CLEAN TO A T, SE, 1300.00; COPY WRITE, SE, 42.75; DAHL LAW OFFICES TRUST, SE, 14719.86; ED. M FELD EQUIPMENT, SE, 84.00; FASTENAL, SU, 13.31; GILL HAULING, SE, 155.00; GROSSENBURG IMPLEMENT, SU, 14.28; HD SUPPLY WATERWORKS, SU, 4058.16; HEARTLAND STAINLESS, SE, 17.40; HUNTEL, SE, 990.00; JEO CONSULTING GROUP, SE, 612.50; MERCY MEDICAL CLINIC, SE, 104.00; PAC N SAVE, RE, 500.00; SPARLING INSTRUMENTS, SU, 1109.69; STADIUM SPORTING GOODS, SU, 36.25; UNITED STATES PLASTIC, SU, 61.99; UTILITY CUSTOMERS, RE, 662.16; VOSS LIGHTING, SU, 2096.78; WASTE CONNECTIONS, SE, 59.60; WAYNE COUNTY COURT, RE, 150.00

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

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless

injury to the reputation of an individual and if such individual has not requested a public hearing.

Mayor Chamberlain declared September as “Stand for the Silent Month.”

At the last Council meeting a presentation was given by John Hasset of Advanced Gaming Technology on Keno in Wayne. There seemed to be interest from the Council, however, before a contract is approved with Advanced Gaming Technology, staff thought it would be prudent to see what else is out there on the market.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, directing staff to prepare “Request for Proposals” for Keno in Wayne. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Lorenzen, D.A. Davidson, the city’s bond underwriter, stated the following four Resolutions are housekeeping items. In order to build a history for bond counsel and given today’s demands in the financial role for disclosure and ongoing requirements by the IRS for annual reviews, etc., it is critical that there be a good paper trail.

Councilmember Giese introduced Resolution No. 2013-87 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2013-87

A RESOLUTION ACCEPTING WORK IN STREET IMPROVEMENT DISTRICT NO. 2010-1 AND STREET (SIDEWALK) IMPROVEMENT DISTRICT NOS. 2010-2, 2010-3 AND 2010-4 IN THE CITY OF WAYNE, NEBRASKA.

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

Councilmember Giese introduced Resolution No. 2013-88 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2013-88

A RESOLUTION ACCEPTING WORK IN STREET IMPROVEMENT DISTRICT NO. 2010-5, IN SANITARY SEWER EXTENSION DISTRICT NO. 2010-1 AND IN WATER EXTENSION DISTRICT NO. 2010-1 IN THE CITY OF WAYNE, NEBRASKA.

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

Councilmember Giese introduced Resolution No. 2013-89 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2013-89

A RESOLUTION ACCEPTING WORK CONSISTING OF PHEASANT RUN ROAD IMPROVEMENTS IN THE CITY OF WAYNE, NEBRASKA.

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

Councilmember Brodersen introduced Resolution No. 2013-90 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2013-90

A RESOLUTION ACCEPTING WORK CONSISTING OF WESTERN RIDGE PHASE III ROAD IMPROVEMENTS IN THE CITY OF WAYNE, NEBRASKA.

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

Mr. Lorenzen stated the following ordinance would authorize the issuance of bonds to pay a portion of the cost of improvements in Street Improvement District Nos. 2010-1 and 2010-5; Street (Sidewalk) Improvement District Nos. 2010-2, 2010-3, and

2010-4; Water Extension District No. 2010-1; and Sanitary Sewer Extension District No. 2010-1.

Councilmember Muir introduced Ordinance 2013-42, and moved for its approval; Councilmember Brodersen seconded.

ORDINANCE NO. 2013-42

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2013 OF THE CITY OF WAYNE, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$1,165,000) TO PAY A PORTION OF THE COST OF IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 2010-1 AND 2010-5; STREET (SIDEWALK) IMPROVEMENT DISTRICT NOS. 2010-2, 2010-3 AND 2010-4; WATER EXTENSION DISTRICT 2010-1; AND SANITARY SEWER EXTENSION DISTRICT 2010-1; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Mr. Lorenzen stated that the City's total debt with these new bond issues would be \$3,340,000. That represents a ratio of 1.80% of Wayne's taxable valuation. Nebraska has no limit on what that debt ratio can be. He stated he likes to see the ratio at under 3% for a community Wayne's size. The interest rate on all of our bonds is quite low and quite attractive. In addition, Wayne will have a rapid pay down of the principal balance, which will afford the City an opportunity to do other projects (e.g. pool). This did not make Mr. Lorenzen uneasy or nervous. Wayne is in good shape.

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

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

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

Councilmember Muir made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2013-42. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen introduced Ordinance 2013-43, and moved for its approval; Councilmember Giese seconded.

ORDINANCE NO. 2013-43

AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE CITY OF WAYNE, NEBRASKA, SERIES 2013B, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED EIGHTY THOUSAND DOLLARS (\$380,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTION OF CERTAIN STREETS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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

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

Councilmember Brodersen made a motion and Councilmember Giese seconded to move for final approval of Ordinance No. 2013-43. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the proposed FY2013-2014 budget.

The total of the FY2013-2014 budget is \$29,731,687. The property tax proposal for the General Fund operation is \$664,200, which compares to the 2012 tax asking of \$651,961. Pursuant to State Law, the maximum levy for a municipality is \$0.45 per \$100 of property valuation. When combined with the debt service asking, the combined amount for the proposed budget year is \$746,200 or \$.402255 per \$100 of property valuation. The valuation in the community, as reported by the County Assessor for 2013 is \$185,504,295, which is up \$1,700,323 from last year.

The amendments to the budget were:

- Senior Center Building Maintenance – Add \$5,500 for window replacement
- Rugby/Soccer Field – Add \$35,000
- Cash Reserves – Decrease \$40,500

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

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

Councilmember Giese introduced Ordinance 2013-44, and moved for its approval; Councilmember Greve seconded.

ORDINANCE NO. 2013-44

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

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

Councilmember Sievers made a motion and Councilmember Greve seconded to move for final approval of Ordinance No. 2013-44. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The base year started in 1998. The restricted funds are the property taxes, payments in lieu of property taxes, local option sales taxes, motor vehicle taxes, state aid, transfers of surpluses from any user fee, and any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements, but which were not spent and are not expected to be spent for capital improvements. Cities are given the opportunity to increase the base limitation of the restricted funds budget by 1%. The State Auditor is also recommending that entities pass this 1% increase. This increases our base number we can use for our restricted fund revenues.

Councilmember Muir made a motion, which was seconded by Councilmember Ley, approving the allowable 1% increase in base limitation of the restricted funds

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

Councilmember Sievers introduced Resolution 2013-91, and moved for its approval; Councilmember Muir seconded

RESOLUTION NO. 2013-91

A RESOLUTION TO ADOPT THE 2013-2014 BUDGET FOR THE CITY OF WAYNE.

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

Mayor Chamberlain declared the time was at hand for the public hearing regarding the tax asking/property tax levy.

To support the proposed general operating and debt service budgets for the City and the Airport Authority, a total property tax levy of \$.457523 per hundred dollars of property value is included. The levy equates to a tax request of \$848,724. Last year's tax levy was \$.411612 per hundred dollars of valuation; this year it is \$.402255, excluding the airport.

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

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

The following Resolution would approve the final property tax request of \$746,200. This Resolution does not include the airport levy.

Councilmember Sievers introduced Resolution 2013-92, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2013-92

A RESOLUTION APPROVING FINAL PROPERTY TAX REQUEST FOR FY2013-2014.

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

Finance Director, Nancy Braden, reviewed the sales tax projects and potential projects funded by the city sales tax that were discussed at the budget work session.

Councilmember Muir made a motion, which was seconded by Councilmember Ley, approving the capital project's city sales tax budget. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance 2013-34, and moved for approval of the third and final reading thereof; Councilmember Ley seconded.

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.

Attorney Miller reviewed the changes made to the ordinance since the second reading.

Delete the following sentence in subsection 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."

Delete the word "written" in subsection 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 of any such owner, owner's agent, or occupant so notified to cut, destroy and remove such weeds,

grasses or worthless vegetation 12 inches in height or greater within five days after receipt of **written** notice provided for in subsection (d) of this section, the City may have such work done.

Councilmember Sievers amended her motion to include the amendments recommended by Attorney Miller, and Councilmember Ley seconded.

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

Attorney Miller stated the following Ordinance would add Section 34-62 to the Municipal Code. The same would read as follows:

“For any notice provided for in Sec. 34-61, notice shall be given by either certified mail, first-class mail, or by posting on the property. If notice is given by first-class mail, such mail shall be conspicuously marked as to its importance. If notice is given by posting, the notice shall be posted in a conspicuous place on the property.”

Councilmember Ley introduced Ordinance 2013-45, and moved for approval thereof; Councilmember Muir seconded.

ORDINANCE NO. 2013-45

AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE II, BY ADDING SECTION 34-62 NOTICE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Joel Hansen, Zoning Administrator, stated that since the last Council meeting, the architectural review committee met and suggested changes to the proposed ordinance.

The changes would remove multi-family dwellings completely from the R-2 District and only allow them in an R-3 District. Single-family dwellings, two-family dwellings, and townhouses would still be permitted uses in the R-2 District. Townhouses are defined as one of a group or row of not less than two or more than 12 attached single-family dwellings designed and built as a single structure facing upon a street in which the individual townhouse may or may not be owned separately. For the purpose of the side yard regulations, the structure containing the row or group of townhouses shall be considered as one building occupying a single lot. Townhouses thus do not have upstairs units and downstairs units, but rather side-by-side units, such as a triplex. The requirements for a multi-family dwelling in an R-3 changed to also address the front door for each dwelling unit and better defined that the landscaping area can't be paved or used for parking.

Councilmember Sievers had concerns about all of the multi-family units (apartment buildings) being moved to the R-3 zone.

BJ Woehler suggested having this as a “use by exception” in R-2. If it is completely taken out, then everything is pushed into R-3.

Mr. Hansen stated the only difference between an R-2 zone and an R-3 zone is the density for multi-family dwelling units.

It was noted that “Use by Exceptions” cannot be denied; however, restrictions can be placed thereon.

Mr. Hansen stated that if Council wants consistency, then it should remain a conditional use, so there isn't a moving target for each individual and the added cost of \$400 for two public hearings. Essentially, a conditional use is the same as a use by

exception, but Council sets the conditions ahead of time and they are the same for everybody. Mr. Hansen stated when the Zoning Steering Committee was meeting, they were considering reducing the amount of R-1 and adding more R-3 zones, especially near the college to the west and to the south.

After a lengthy discussion, Councilmember Brodersen introduced Ordinance 2013-40, and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2013-40

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 90, ARTICLE IV RESIDENTIAL DISTRICTS, DIVISION 3 R-2 RESIDENTIAL DISTRICT, SECTION 90-232 PERMITTED PRINCIPAL USES AND STRUCTURES; SECTION 90-234 PERMITTED CONDITIONAL USES; AND SECTION 90-238 HEIGHT AND AREA REGULATIONS; AND

DIVISION 4 R-3 RESIDENTIAL DISTRICT, SECTION 90-262 PERMITTED PRINCIPAL USES AND STRUCTURES; SECTION 90-264 PERMITTED CONDITIONAL USES; AND SECTION 90-268 HEIGHT AND AREA REGULATIONS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Councilmember Giese opined that before this ordinance is approved on the third and final reading, Council needed to pin down where they wanted to see high density growth in Wayne, especially in relation to where the college is going to develop in the next twenty years. In addition, he wanted the Planning Commission to review the current R-1, R-2 and R-3 zoning districts, especially around the college from the 900 block to the 1300 block, between Douglas and Walnut Streets.

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

The following Resolution will remove an 18-acre parcel of land north of the west water tower from the blight determination and make it ineligible for tax increment financing benefits. This is needed because the Council has had a request to blight another area of the City, which would put Wayne over the statutory limit of 35% of the city being declared blighted and substandard. In order to blight more areas, other areas need to be un-blighted. However, once an area is deleted from a blighted area, it can never be declared blighted again.

Councilmember Eischeid had concerns about this process. He thought they needed to slow down, so that a map of the whole City could be reviewed to see what other areas, if any, might be better to take out of the blighted designation.

A motion was made by Councilmember Eischeid to table action on Resolution 2013-93 until the Council is provided with a current map of the City of Wayne showing what is blighted and what is not so that the Council can discuss this matter further at the next meeting; Councilmember Giese seconded. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would set the Board of Equalization hearing date regarding Street Improvement District No. 2010-5, Water Extension District No. 2010-1, and Sanitary Sewer Extension District No. 2010-1 (Benscoter Addition) for October 1, 2013, at or about 5:30 p.m.

Councilmember Sievers introduced Resolution No. 2013-94 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2013-94

A RESOLUTION ORDERING PUBLICATION AND SETTING THE BOARD OF EQUALIZATION HEARING DATE REGARDING STREET IMPROVEMENT DISTRICT NO. 2010-5, WATER EXTENSION DISTRICT NO. 2010-1, AND SANITARY SEWER EXTENSION DISTRICT NO. 2010-1.

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

The following Resolution would approve an agreement with Northeast Nebraska Economic Development District to conduct a blight study on an area west of the Wayne State College campus, a/k/a “College First Addition Blight Study.” The cost of said study is not to exceed \$1,945.20. This will come out of the general fund budget.

Council wanted this area looked at before formally declaring it blighted and substandard. They were of the opinion that some sections needed to be eliminated. These changes can be made as NNEDD is undertaking the study.

After discussion, Councilmember Muir introduced Resolution 2013-95, and moved for its approval, leaving the blight study area as is; Councilmember Ley seconded.

RESOLUTION NO. 2013-95

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) TO CONDUCT A BLIGHT STUDY IN THE CITY OF WAYNE.

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

Administrator Johnson stated that UNL, Nebraska Energy Office and a group of Nebraska cities are trying to put together a statewide system of high voltage charging stations to service electric plug-in cars and an on-line map for motorists. They are

offering to cover the costs above \$3,500 for Wayne to install one to fill a gap in their network. It could be located either on public or private property.

Councilmember Ley made a motion, which was seconded by Councilmember Giese approving a statewide system electric charging system to be located in Wayne. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley made a motion, which was seconded by Councilmember Giese, 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 Chamberlain made a motion, which was seconded by Member Giese, to approve the minutes of the August 6, 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 the following CDA claims:

CDS Inspections & Beyond (asbestos inspections):	\$1,010.00
Pieper & Miller (Woehler closing):	\$1,500.00
City of Wayne (Title search less rent):	\$ 109.66

Member Giese made a motion, which was seconded by Member Chamberlain, approving the CDA Claims. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The following Resolutions are needed to issue the tax increment financing bonds that have already been approved for the Angel Acres and Western Ridge III Addition (Pick/Meyer) projects.

Member Chamberlain introduced CDA Resolution 2013-10 and moved for its approval; Member Muir seconded.

CDA RESOLUTION NO. 2013-10

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX INCREMENT REVENUE BONDS — ANGEL ACRES PROJECT.

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

Member Ley introduced CDA Resolution 2013-11 and moved for its approval; Member Chamberlain seconded.

CDA RESOLUTION NO. 2013-11

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX INCREMENT REVENUE BONDS — WESTERN RIDGE III ADDITION (PICK/MEYER) PROJECT.

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.

Mayor Chamberlain requested Council consideration to approving the appointment of Lois Shelton to the Civil Service Commission.

Councilmember Brodersen made a motion, which was seconded by Councilmember Haase, approving the appointment of Lois Shelton to the Civil Service Commission.

Lois Shelton will replace Darrel Heier. Mayor Chamberlain thanked Mr. Heier for his time and dedication of service on the Civil Service Commission.

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

Mayor Chamberlain requested Council consideration to approving the reappointment of Dave Hix and Don Buryanek to the Board of Appeals.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, approving the reappointment of Dave Hix and Don Buryanek to the Board of Appeals. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Haase made a motion, which was seconded by Councilmember Giese, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 7:47 p.m.