

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

1. Approval of Minutes – November 5, 2013

2. Approval of Claims

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

The City Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

3. Presentation of Framed Photo of Tornado Damage with Unidentified Firefighter to the Wayne Fire Department in appreciation of their Professional Work During the Tornado Response
4. Presentation of Proposal for a Wayne State College Service Learning Project With the City of Wayne to Establish a Historical Marker Along Highway 35 Commemorating the October 4, 2013, Tornado Event — Jason Karsky and Lisa Nelson

Background: Wayne State College has done tree planting and green bicycle service learning projects with us in the past. There is modest cost to the City, but it provides a good joint encounter for the Wayne State College students with the community.

5. Action to give notice to Nebraska Public Power District on Intent to Reduce Contract Power Purchase

Background: Our current 20-year wholesale power total purchase contract with NPPD contains a reduction option that allows us to give NPPD official notice that we will reduce our purchases from them after a 3-year wait and begin buying power from another supplier. The contract contains unclear terms for this reduction, and they have never been tested before. The reason that Wayne and others are considering giving a reduction notice at this time is that last winter, NPPD gave all 160 wholesale power customers notice we would be asked to sign new 20-year contracts by December 31, 2013. In doing the due diligence required for a contract of this size, we have found several good open market options that are better. In the meantime, NPPD backed off its December 31st deadline and have given no new date. The attorneys for Wayne and Northeast Nebraska Public Power District have been in contact with NPPD to clarify the conflicting language in its own contract, and they have declined to clarify their interpretation at this time. It appears that two options might be determined in the contract to be allowed: 1) Give notice to reduce our purchases from NPPD by 30% beginning in January 2017 and then by 10% per year thereafter; and 2) Give notice to reduce by 90% beginning in January 2019.

Attorneys from Wayne, Northeast Nebraska Public Power, Wakefield, Emerson and South Sioux City are discussing how they will recommend proceeding with a notice, but have not reached a recommendation at this date.

Recommendation: All options we are considering provide savings over the projected rates from NPPD, but we'll have no recommendation to proceed until we have a legal opinion. The deadline for submitting a notice to reduce is December 31st of each year, so we have two more regular Council meetings before that time. If we miss that deadline, we will wait another 12 months.

6. [Resolution 2013-126: Accepting an Offer to Purchase Bulk Power to be Delivered from Generating Plants Controlled by the Mid-Continent Independent System Operator \(MISO\). The new purchase agreement will supplement the District's existing bulk power purchases from NPPD through 2021 and then provide power to meet all of the District's needs through 2027. The competitive offer from the MISO supplier was the result of the District's competitive bid process and complies with the District's existing contract with NPPD.](#)

Background: The developing consensus of the five utilities is to go with an offer from a public utility in Kentucky that guarantees a rate for 10 years, beginning in 2017 that will be 10% below whatever NPPD's rate is. That is the safest, most predictable way to transition out of the current NPPD contract and provides substantial savings. We have the terms of this agreement, but we don't have the contract in hand yet. Two other options we are looking at are: 1) Give the required notice to reduce to NPPD and begin buying open market energy only as we reduce in the years after 2017 or 2019; and 2) Ride out the current NPPD contract till 2022 and then after that, buy energy only through MEAN as Neligh does or on the market and use the value of our power plant to avoid paying demand charges to any generator. This option appears to be viable only if NPPD interprets our Lease Capacity Agreement to end or reduce at the time we begin reducing purchases instead of ending it this January when we give notice.

Attached are spreadsheets with projected savings prepared by one of our rate consultants for different options. We'll review these at the Council meeting.

Recommendation: One or both of our rate analysts will be at the Council meeting. We have no recommendation as of today.

7. [Presentation, Recommendation and Action Regarding New Health Insurance Plan Proposal — Gary Boehle, First National Insurance Agency](#)

Background: We bid out our group health coverage this fall and have selected a newly formed company called CoOpportunity to contract with in 2014. The premium cost goes up quite a bit, but the CoOpportunity plan reduces the value of our self-insurance exposure substantially over our current plan.

Our employee deductible will still be relatively low at \$500 per employee and \$500 for the spouse, provided both get an annual physical and the employee doesn't use tobacco. The employee share of the monthly premium will be approximately \$9 per single employee, \$50 for a couple with no kids, \$36.50 for an employee with children, and \$74 per month for a family with children. The city's share of the monthly premium will be \$386 for a single employee, \$780 for a couple with no kids, \$660 for an employee with just the kids, and \$1030 per month for a family with children.

A detailed list of the terms of the CoOpportunity plan is attached in this packet for your review.

Recommendation: The recommendation of Lowell Johnson, City Administrator, and Betty McGuire, City Clerk and Third Party MRP Self Insurance Administrator, is to adopt the plan as presented from CoOpportunity for 2014, to require employee spouses that have group health insurance provided as a benefit at a different employer to move to the spouse's employer's group health plan beginning in January of 2015, and to modify this plan, as necessary, to comply with the City of Wayne Fraternal Order of Police Labor Agreement until June 1, 2014.

8. [Action on Recommendation from the LB840 Economic Development Advisory Committee Regarding the Request of Brent L. Pick for a \\$50,000 Loan to Purchase Property and Rebuild a Building Destroyed by the October 4, 2013, tornado – The property is known as the Estes/Digital Blue/NAPA Building at 1614 Chief's Way](#)

Recommendation: A letter of recommendation is attached from the LB840 Committee.

9. [Action on Recommendation from the LB840 Economic Development Advisory Committee Regarding the Request of the City of Wayne for up to \\$30,000 in LB840 Funds to be used to Replace four "Welcome to Wayne" Signs](#)

Recommendation: A letter of recommendation is attached from the LB840 Committee. The tornado slightly damaged the sign by the airport.

10. [Public Hearing: To Consider the Planning Commission's Recommendation in regard to Amending Chapter 90 Zoning, Division 4 PUD Planned Unit Development, Section 90-641 Intent \(a\) and \(b\) to more clearly define where a PUD may be placed. The applicant is the City of Wayne \(Advertised Time: 5:30 p.m.\)](#)

Background: We have discovered conflicting language in our own Zoning Code regarding whether a Planned Unit Development zoning area can be permitted within the 2-mile extraterritorial zoning jurisdiction outside the Wayne city limits. A Planned Unit Development is a zoning district allowed in our zoning code that allows the Planning Commission and City Council to approve new subdivisions to set some of their own street widths, minimum lot sizes, set-back distances and other special conditions, as long as the land use stays the same for the zoning area where the new subdivision is to be located. Western Ridge II is a PUD and has reduced setbacks and other special code changes to make the development denser and the lots smaller.

The current language of the code is unclear about whether the Planning Commission and City Council can approve a PUD subdivision outside the city limits.

11. Ordinance 2013-51: Amending Chapter 90 Zoning, Division 4 PUD Planned Unit Development, Section 90-641 Intent (a) and (b) to more clearly define where a PUD may be placed

Recommendation: The recommendation of the Planning Commission is to amend the code to allow PUD's to be within the city limits.

12. Public Hearing: Blighted and Substandard Area Determination – North Central Redevelopment Area (The Property Affected by this Notice is described as follows: Beginning at the center of the intersection of Main Street and 10th street; thence east along the centerline of 10th Street to the intersection of Walnut Street and 10th Street; thence north along the centerline of Walnut Street to the intersection Hillcrest Road and Walnut Street; thence east along the centerline of Hillcrest Road to the intersection of Hillcrest Road and Lilac Lane; thence south along the centerline of Lilac Lane to the center of the intersection south right of way of 10th Street; thence west along the south right of way of 10th Street to the east right of way of Walnut Street; thence south to the southwest corner of McPherran's Addition Lot 15; thence west along the south boundary of McPherran's Addition Lot 23 to the southwest corner of McPherran's Addition Lot 23; thence south along the centerline of the alley , continuing south along the property lines of John Lakes Addition Block 1, lots 1, 2, 3, 4, 5, 6, and John Lakes Addition Block 2, lots 1, 2, 3, 4, 5, 6, to a point at the centerline of 7th Street; thence west along the centerline of 7th Street to the center of the intersection of 7th Street and Main Street; thence north along the center line of Main Street, ending at the intersection Main Street and 10th Street. The John Lakes 2 Redevelopment Area is not included in this study.

Background: The Council approved the study of this area to make TIF incentives available for a renovation project of the 10th Street apartment house that the City purchased. The project did not move forward, and we now plan to remove the building to widen 10th Street to add a third lane as it approaches Main Street. No other redevelopment projects are proposed at this time, but this is an area of long-term future interest for Wayne State College campus housing.

13. Resolution 2013-123: Making Findings and Declaring Portions of the City of Wayne to be Blighted and Substandard Pursuant to the Nebraska Community Development Act — North Central Redevelopment Area

Recommendation: If you want to have this designation already in place for future Wayne State College joint projects with the City or other developers that may propose projects, the recommendation of Lowell Johnson, City Administrator, is to approve the study and the designation of the area. The approval of any future TIF incentives is on a case-by-case basis.

14. Recess

- a. [Convene as Community Development Agency](#)
- b. [Approve Minutes – November 5, 2013](#)
- c. [Approve Claims](#)
- d. [Consideration and Adoption of CDA Res. 2013-15 Authorizing the Issuance of a Tax Increment Revenue Bond — Progressive Property Inspections, LLC](#)

Recommendation: This redevelopment agreement for this project has already been approved. This action is needed for Nancy to issue the TIF Bond for the project.

- e. [Consideration and Action on CDA Res. 2013-16 Authorizing the Issuance of a Tax Increment Revenue Bond — Sebade Housing, LLC](#)

Recommendation: This Redevelopment Agreement for this project has already been approved. This action is needed for Nancy to issue the TIF Bond for the project.

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

15. [Resolution 2013-118: Establishing Hook-up Fees for the Chief’s Way Sewer Main Extension Project](#)

Background: The City of Wayne has extended sanitary sewer outside the city limits and into the Wayne Industrial Park in the past and is now extending that sanitary sewer south across Highway 35 to serve those businesses located along Chief’s Way. Several businesses wanted sewer connections, and this line is being built using the City sewer utility funds. No sewer extension district was created to assess the costs to properties to be served. The purpose of this Resolution is to establish the hookup fees to recover the construction and engineering costs from the properties to be served.

The hookup fees were calculated by the project engineer from Olsson Associates and costs are allocated to the properties on the basis of front footage, similar to the calculation of what the assessments would have been.

Recommendation: Recommendation of the project engineer, Lowell Johnson, City Administrator and Garry Poutre, Supt of Public works and Utilities is to approve the hook up fees as calculated and presented.

16. [Ordinance 2013-50: Annexing Certain Real Estate to the City of Wayne and Extending the Corporate Limits in the Northeast Quadrant of the City of Wayne to Include said Real Estate \(Second Reading\)](#)

17. [Action to Set Date for the Council Annual Retreat](#)

Background: The past corresponding dates for the Mayor and Council Retreat have been the last weekend in January or the first or second weekend in February. The retreats are open meetings and are usually held in Wayne.

18. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

[Wayne Airport Authority Meeting Minutes – October 15, 2013](#)

[Planning Commission Meeting Minutes – September 9, 2013](#)

[Wayne Public Library Board of Trustees Meeting Minutes – October 1, 2013](#)

November 5, 2013

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

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on October 24, 2013, and a copy of the meeting notice and agenda were simultaneously given to the Council President 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 Muir, whereas, the Clerk has prepared copies of the Minutes of the meeting of October 15, 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. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

CORRECTIONS TO CLAIMS LIST OF 10/1/13: DELETE THOM OSNES, RE, 50.00

VARIOUS FUNDS:

FISCAL YEAR 2012-2013: AMAZON.COM, SU, 382.47; BAKER & TAYLOR, SU, 835.34; BIG T ENTERPRISES, SU, 18.95; ECHO GROUP, SU, 247.03; INTERSTATE ELECTRIC MOTOR, SU, 19302.64; KELLY SUPPLY, SU, 216.22; MERIT MECHANICAL, SE, 17021.84; MIDWEST SERVICE & SALES, SU, 9082.00; NPPD, SE, 369119.70; ODEYS, SU, 1812.95; STALP GRAVEL, SU, 1129.39; STATE TREASURER OF NE, SE, 556.78

FISCAL YEAR 2013-2014: 4IMPRINT, SU, 825.61; AMERICAN BROADBAND, SE, 2797.30; AMERITAS, SE, 4388.60; ANDREW CONTRERAS, RE, 3000.00; APPEARA, SE, 181.96; ARNIE'S FORD-MERCURY, SU, 24528.00; ARNIE'S FORD-MERCURY, SU, 25747.00; ARNIE'S FORD-MERCURY, SU, 598.73; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, FE, 240.00; BARNES DISTRIBUTION, SU, 144.18; CITY EMPLOYEE, RE, 165.65; BIG T ENTERPRISES, SU, 33.95; BLACK HILLS ENERGY, SE, 217.73; CITY EMPLOYEE, RE, 2450.30; BLUE CROSS BLUE SHIELD, SE, 24160.68; BLUETARP FINANCIAL, SU, 42.59; BOMGAARS, SU, 13.78; CITY EMPLOYEE, RE, 142.70; CITY EMPLOYEE, RE, 150.00; CITY EMPLOYEE, RE, 1143.91; CITY EMPLOYEE, RE, 150.24; CENTURYLINK, SE, 314.02; CHEMQUEST, SE, 3302.50; CITIZENS STATE BANK, RE, 150000.00; CITY OF NORFOLK, SE, 691.87; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 350.00; CITY OF WAYNE, RE, 300.00; CITY OF WAYNE, PY, 134353.08; CITY OF WAYNE, RE, 794.88; CLAUSSEN & SONS IRRIG., SE, 150.00; CLEAN TO A T, SE, 1300.00; COLFAX CO COURT, RE, 250.00; COMMUNITY HEALTH, RE, 8.00; CITY EMPLOYEE, RE, 585.77; COUNTRY NURSERY, SE, 2790.50; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 106.64; DUNRITE, SU, 104.21; DUTTON-LAINSON, SU, 125.88; EAKES OFFICE PLUS, SU, 1199.60; ECHO GROUP, SU, 55.46; ERIC KNUTSON, RE, 303.40; ED. M FELD EQUIPMENT, SU, 1023.35; EDM PUBLISHERS, SU, 98.78; EISCHEID ARTIFICIAL RAIN, SU, 65.85; ELECTRIC FIXTURE, SU, 85.34; EXHAUST PROS, SE, 282.99; FIREMAN'S ASSOCIATION, RE, 5000.00; FLOOR MAINTENANCE, SU, 419.00; FREDRICKSON OIL, SE, 33.00; GAMBLE LANDSCAPING, SE, 2732.00; GAYLORD BROS, SU, 283.41; GEORGINA CASTANEDA, SE, 25.00; GERHOLD CONCRETE, SU, 144.28; GODFATHERS, SU, 100.00; GROSSENBURG IMPLEMENT, SE, 1526.51; GUARANTEE ROOFING, SE, 400.50; HAWKINS, SU, 501.32; CITY EMPLOYEE, RE, 329.46; HEIDI CLAUSSEN, RE, 500.00; HOA SOLUTIONS, SU, 350.45; HOLIDAY INN-DOWNTOWN, SE, 830.60; ICMA, SE, 12646.08; IRS, TX, 52327.90; JEO CONSULTING GROUP, SE, 1115.00; CITY EMPLOYEE, RE, 129.69; JOYCE TREVETT, RE, 500.00; CITY EMPLOYEE, RE, 150.00; KIRKHAM MICHAEL, SE, 3887.00; KRIZ-DAVIS, SE, 1082.90; LAACKE & JOY, SE, 120.00; LOREN PARK, RE, 500.00; LUCAS GUBBELS, RE, 376.96; CITY EMPLOYEE, RE, 135.64; MATT SALTZMAN, SU, 320.00; MES-MIDAM, SU, 632.52; MIRIAN AGUIRRE, SE, 50.00; JIM PAIGE, RE, 500.00; NE DEPT OF LABOR, SE, 144.00; NE DEPT OF REVENUE, TX, 7619.73; NE DEPT OF ROADS, FE, 500.00; NE HARVESTORE, SU, 238.91; NE MUNICIPAL CLERKS ASSOC, FE, 35.00; NE NEB INS AGENCY, SE, 61.00; NE PUBLIC HEALTH, SU, 741.00; NE SAFETY COUNCIL, SE, 78.08; NNPPD, SE, 4923.00; ORIENTAL TRADING CO, SU, 91.71; PARTS ENGINEERING, SU, 277.69; CITY EMPLOYEE, RE, 84.37; PITNEY BOWES, SU, 648.00; CITY EMPLOYEE, RE, 77.40; CITY EMPLOYEE, RE, 311.12; PROVIDENCE MEDICAL CENTER, RE, 10000.00; PUBLIC POWER, SE, 5171.62; QUILL, SU, 861.90; CITY EMPLOYEES, RE, 52.02; RUTJENS CONSTRUCTION, SE, 186723.75; SALT CREEK SOFTWARE, SE, 1065.00; SCOT ANDERSON, SU, 935.00; SINCLAIR/DAYLIGHT DONUT, SU, 380.20; SIOUX CITY JOURNAL, SU, 203.84; SIOUXLAND TURF PRODUCTS, SU, 1260.00; STADIUM SPORTING GOODS, SU, 318.00; STATE NATIONAL BANK, RE, 9455.00; STATE

NATIONAL BANK, RE, 100.95; STEVE'S PLUMBING, SE, 187.00; THE GROUNDWATER FOUNDATION, FE, 35.00; THOM OSNES, RE, 50.00; TOM'S BODY & PAINT SHOP, SE, 222.88; TOP SAFETY, SU, 138.60; CITY EMPLOYEE, RE, 248.32; TRIVIEW COMMUNICATION, SU, 270.76; UNITED RENTALS, SU, 8250.00; US BANK, SU, 3363.02; UTILITIES SECTION, FE, 120.00; VERIZON, SE, 352.01; VIAERO, SE, 271.93; CITY EMPLOYEE, RE, 665.34; VOSS LIGHTING, SU, 322.72; W.T. COX SUBSCRIPTIONS, SU, 1902.83; WAED, SE, 6383.33; WAYNE COUNTY COURT, RE, 186.50; WAYNE COUNTY TREASURER, FE, 3332.83; WAYNE RENTALS, RE, 5000.00; WENDY TAAKE, FE, 200.00; WESCO, SU, 4398.93; WSC FOUNDATION, SU, 100.00; ADVANCED ENERGY FUELS, SU, 69.77; APPEARA, SE, 186.43; BAKER & TAYLOR BOOKS, SU, 1263.12; BARONE SECURITY SYSTEMS, SE, 81.96; BROWN SUPPLY, SU, 9640.00; CHARTWELLS, SE, 6685.04; CITY OF NORFOLK, SE, 162.87; CITY OF PONCA, RE, 12719.91; CITY OF WEST POINT, RE, 18463.56; CITY OF WISNER, RE, 1922.44; COPY WRITE, SE, 183.86; CITY EMPLOYEE, RE, 305.20; DUGAN BUSINESS FORMS, SU, 1418.90; DUTTON-LAINSON, SU, 629.42; EASYPERMIT POSTAGE, SU, 1723.61; ELECTRONIC ENGINEERING, SE, 1070.00; FREDRICKSON OIL, SE, 28.00; GILL HAULING, SE, 155.00; HD SUPPLY WATERWORKS, SU, 658.39; CITY EMPLOYEE, RE, 399.92; HOLIDAY INN OF KEARNEY, SE, 165.90; INGRAM BOOK COMPANY, SU, 110.35; JASON CAROLLO, SE, 140.00; JOHN'S WELDING AND TOOL, SE, 45.00; KRIZ-DAVIS, SU, 1214.84; MARCO INC, SE, 1295.81; MIDSTATES ERECTORS, SU, 15186.20; MIKE TOWNE, SE, 1200.00; NE EXPRESSWAYS, SE, 883.44; NE NEB INS AGENCY, SE, 104.00; NE NEB AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 3700.00; ONE CALL CONCEPTS, SE, 107.05; PIEPER & MILLER, SE, 2704.00; PONCA RURAL FIRE BOARD, RE, 3043.80; PROGRESSIVE BUSINESS PUBL, SU, 299.00; RANDOM HOUSE, SU, 251.25; SIOUX CITY JOURNAL, SU, 203.84; STATE NATIONAL BANK, SE, 66.16; THE GLASS EDGE, SE, 193.00; TRIVIEW COMMUNICATION, SU, 30.00; UNITED WAY, RE, 12.40; UTILITIES SECTION, FE, 645.00; VILLAGE OF WINSIDE, RE, 4068.92; WAED, SE, 8049.99; WAYNE AUTO PARTS, RE, 476.00; WAYNE COMMUNITY HOUSING, RE, 252.86; WAYNE COMMUNITY SCHOOLS, SE, 80.00; WAYNE COUNTY CLERK, SE, 40.00; WAYNE HERALD, SE, 464.00; WAYNE VETERINARY CLINIC, SE, 459.00; WESCO, SU, 1080.76; FIREMAN, RE, 429.33; ZACH OIL, SU, 7072.11

Councilmember Haase made a motion, which was seconded by Councilmember Ley, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen 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, she 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.

Jim McNally, City Attorney of Neligh, gave a presentation to Council on how the City of Neligh purchases electric energy from the daily market through MEAN and how their cost of power compares to Nebraska Public Power District contract costs. Joe McNally was also present.

Administrator Johnson stated there has been a request from members of the Lion's Club to restore the Lion's Club Park back to its original condition before the tornado. They had some concerns regarding the future of the park.

It was noted that the City may also be looking at installing a concrete restroom for the park which will also serve as a tornado shelter.

Councilmember Muir made a motion, which was seconded by Councilmember Ley, approving the request of the Lion's Club to restore the Lion's Club Park back to its original condition before the tornado. Council President Brodersen state the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Johnson requested Council consideration to waiving the temporary hook-up fees for electric services for those affected in the tornado area. These will be waived for storm damage only.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, to waive the temporary hook-up fees for electric services for those affected in the tornado area and related to storm damage only. Council President Brodersen stated the

motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Johnson stated the loan application received from OCC Builders, d/b/a Otte Construction (Keith Moje), is for \$37,000. This loan would be a zero percent interest loan, with a payback period of 15 years. These would be equal annual payments. A lien would be filed against the property.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, approving the application of OCC builders, d/b/a Otte Construction (Keith Moje), for \$37,000 in LB840 funds to be used as an emergency business loan in the tornado disaster recovery, with an interest rate of 0% and a payback period of 15 years. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Johnson stated the loan application received from Innovative Protectives, Inc., (Pat Garvin), is for \$10,000. Again, this loan would be a zero percent interest loan, with a payback period of 15 years. These would be equal annual payments, and a lien would also be filed against the property.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving the application of Innovative Protectives, Inc., (Pat Garvin) for \$10,000 in LB840 funds to be used as an emergency business loan in the tornado disaster recovery, with an interest rate of 0%, and a payback period of 15 years. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Final Plat for the Jorgensen Addition.

Ken Jorgensen wants to build a sports bar/restaurant east of McDonald's that would include property he will purchase from the City. The plat will provide for a public access off of Highway 35 for his project, dedicate a portion of the Fire Hall property as Tomar Drive, and create a legal description for the Fire Hall as one lot rather than parts of three separate lots.

Joel Hansen, Zoning Administrator, stated the Planning Commission reviewed the Final Plat for the Jorgensen Addition and forwarded a recommendation to approve the same subject to the following "Findings of Fact":

- Staff's recommendation; and
- The same is consistent with the current and future land use maps, and it is consistent with the Comprehensive Plan.

Ken Jorgensen was present to answer questions.

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

There being no further comments, Council President Brodersen closed the public hearing.

Councilmember Giese introduced Resolution 2013-97, and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2013-97

A RESOLUTION APPROVING THE FINAL PLAT FOR THE JORGENSEN ADDITION.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council Brodersen declared the time was at hand for the public hearing on the “Blight and Substandard Area Determination” known as College Hill First Redevelopment Area.

Northeast Nebraska Economic Development District prepared the blight study.

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

There being no further comments, Council President Brodersen closed the public hearing.

Councilmember Eischeid introduced Resolution 2013-112, and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2013-112

A RESOLUTION OF THE CITY OF WAYNE, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT – COLLEGE HILL FIRST REDEVELOPMENT AREA.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, to recess as Council and convene as the Community Development Agency. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President 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, Nick

Muir, Kaki Ley, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Member Ken Chamberlain.

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 Sievers made a motion, which was seconded by Member Muir, to approve the minutes of the October 1, 2013, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Chamberlain who was absent, the Chair declared the motion carried.

The following Memorandums of Understanding are basically fast start documents so the developers can start before all of the tax increment financing documents are finalized. This allows them to break ground, etc., but at their own risk.

Member Muir made a motion, which was seconded by Member Giese, approving the Memorandum of Understanding between Kenneth Jorgensen and the Community Development Agency of Wayne to complete a tax increment financing agreement for new construction. Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member Chamberlain who was absent, the Chair declared the motion carried.

Member Eischeid made a motion, which was seconded by Member Greve, approving the Memorandum of Understanding between Mid Plains Grain, LLC, (Breck Giese) and the Community Development Agency of Wayne to complete a tax increment financing agreement for demolition and new construction. Chair Haase stated the motion, and the result of roll call being all Yeas, with the exception of Member

Chamberlain who was absent and Member Giese who abstained due to a conflict of interest, the Chair declared the motion carried.

Chair Haase stated the following CDA Resolution would recommend approval of a Redevelopment Contract for the following real estate:

The East 60 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The West 90 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The vacated portion of North Pearl Street lying North of West 13th Street and abutting on Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, and terminating at the northern edge of Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, being 80 feet by 180 feet.

Tom Jacobsen was present to answer questions.

Member Sievers introduced CDA Resolution 2013-14 and moved for its approval;

Member Greve seconded the motion.

CDA RESOLUTION NO. 2013-14

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA, RECOMMENDING APPROVAL OF A REDEVELOPMENT CONTRACT.

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

City Attorney Amy Miller advised the Council that the following agenda item, if approved, would allow the homeowner to purchase the lots that are referenced in Kelby Herman's First Right of Refusal agreement, in lieu of Kelby Herman, but still grant him a

25% discount on the lots as stated therein, provided that all other conditions required by the CDA and Council are met. This is being requested due to the fact that homeowners who need to get a construction loan can't because they are not the owners of the properties/lots in question. If approved, this would allow Mr. Herman to still receive the 25% discount, and enable the homeowners to receive the construction loans. She would prepare a document and keep it on file that basically states:

- That the intent was for Kelby Herman to purchase the property;
- That Kelby Herman is the home builder;
- That in order for the homeowner to obtain a loan, they would be the titleholders to the properties/lots in question; and
- Kelby Herman would still receive the 25% discount.

Member Sievers made a motion, which was seconded by Member Muir approving to allow the homeowner to purchase the lots referenced in the "First Right of Refusal" in lieu of Kelby Herman, and grant Kelby Herman the 25% discount on the lots as provided for in the "First Right of Refusal", provided all other conditions required by the Community Development Agency and the City Council are met. 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 and Member Sievers seconded to adjourn as the Community Development Agency and reconvene as Council. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Council President Brodersen stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community

Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”) for the following real estate:

The East 60 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The West 90 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The vacated portion of North Pearl Street lying North of West 13th Street and abutting on Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, and terminating at the northern edge of Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, being 80 feet by 180 feet.

The notice of the public hearing was published in the Wayne Herald on October 17 and 24, 2013, and was also mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The Council President opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: Tom Jacobsen, d/b/a Wayne Rentals, LLC.

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

Councilmember Sievers then introduced Resolution No. 2013-113 and moved for its passage and approval.

RESOLUTION NO. 2013-113

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, APPROVING A REDEVELOPMENT PLAN AS CONTAINED IN A REDEVELOPMENT CONTRACT; MAKING FINDINGS WITH REGARD TO SUCH PLAN AND APPROVING OTHER ACTION THEREON (WAYNE

RENTALS, LLC).

Councilmember Eischeid seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Giese, Greve, Haase, Sievers, Muir, Ley, Eischeid and Brodersen.

The passage of Resolution No. 2013-113 having been agreed upon by a majority of the Council, the Council President declared Resolution No. 2013-113 passed and approved.

Council President Brodersen declared the time was at hand for the public hearing on the Annexation Plan for the area that includes Pacific Coast Feather, Williams Form, Robert Woehler & Sons Construction, S&M Liquid Tire Fill, the Railroad Right-of-Way and the Wayne Municipal Airport.

This annexation plan is a result of meetings that took place regarding incentives to help Pacific Coast make a decision on whether or not to stay in Wayne. This ordinance must have three readings. Even though Pacific Coast Feather has not yet made a decision on whether or not to stay in Wayne, the intent is to move this process forward until they have made a decision.

Councilmember Eischeid stated the issue he sees is that if Pacific Coast does not rebuild, which would then leave a prime industrial spot open for another business to build, it may be hard to sell once the business(es) realize the property is inside city limits. Most companies prefer being outside city limits for the tax breaks. It also bothered him that the City is potentially rewarding a business that cannot make a decision on what they want to do. He felt they have had an adequate amount of time to make a decision on whether or they intend to rebuild..

Councilmember Sievers agreed, but thought they should move forward. However, when it gets to the third and final reading of the ordinance, the same can be tabled for a long time.

Attorney Miller noted that the annexation process can be cancelled at any time.

City Clerk McGuire had not received any verbal or written comments for or against the public hearing.

There being no further comments, Council President Brodersen closed the public hearing.

Councilmember Sievers introduced Ordinance 2013-50, and moved for its approval; Councilmember Muir seconded.

ORDINANCE NO. 2013-50

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.

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

Councilmember Sievers introduced Resolution No. 2013-114 and moved for its approval; Councilmember Giese seconded.

RESOLUTION NO. 2013-114

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND KENNETH JORGENSEN TO COMPLETE A TAX INCREMENT FINANCING AGREEMENT.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Sievers introduced Resolution No. 2013-115 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2013-115

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND MID PLAINS GRAIN, LLC, TO COMPLETE A TAX INCREMENT FINANCING AGREEMENT.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who abstained due to a conflict of interest, the Council President declared the motion carried.

Garry Poutre, Superintendent of Public Works & Utilities, stated after the tornado, Grossenburg Implement indicated they would like to hook onto the city water system because their new building will require a sprinkler system. Their well will not support this, at least not without a lot of cost. The intent is to take the water line and extend it east across Grossenburg's property. The additional engineering services will be \$2,800.

Councilmember Eischeid introduced Resolution No. 2013-116 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2013-116

A RESOLUTION APPROVING LETTER AGREEMENT AMENDMENT #1 FOR ADDITIONAL PROFESSIONAL SERVICES BETWEEN THE CITY OF WAYNE AND OLSSON ASSOCIATES FOR THE "CHIEF'S WAY SANITARY SEWER PROJECT."

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Agenda Item Nos. 20 and 21 – Resolutions establishing hook-up fees for the Chief's Way Water Main Extension Project and the Chief's Way Sewer Main Extension Project were pulled from the agenda.

The following Resolution would approve an agreement with JEO Consulting Group, Inc., for the Highway 35/Tomar Drive/Hillside Drive Trail Relocation Project. The fee will be \$4,500 (hourly, not to exceed).

Councilmember Giese introduced Resolution No. 2013-119 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2013-119

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH JEO CONSULTING GROUP, INC., FOR THE DESIGN, BIDDING, CONSTRUCTION AND POST CONSTRUCTION PHASE SERVICES RELATED TO THE HIGHWAY 35/TOMAR DRIVE/HILLSIDE DRIVE TRAIL RELOCATION PROJECT.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Nancy Braden, Finance Director, advised the Council that the auditors have required that if we borrow money from ourselves (e.g. Electric Fund) to fund other projects, we must obtain approval or authorization from the Council. Council approved \$500,000 in LB840 funds to go towards helping those businesses in the tornado damaged area to rebuild. The City will pay back 3% interest to the Electric Fund.

Councilmember Sievers introduced Resolution No. 2013-120 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2013-120

A RESOLUTION OF THE LB840 ECONOMIC DEVELOPMENT PLAN OF THE CITY OF WAYNE, NEBRASKA, AUTHORIZING THE BORROWING OF FUNDS FROM THE CITY OF WAYNE ELECTRIC FUND, WAYNE, NEBRASKA.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

The following Resolution would adopt the new Down Payment Housing Loan Incentive Program Guidelines. These guidelines will simplify the construction incentives and make it easier for both the lenders and the borrowers. There is a \$10,000 maximum incentive per house. There are no income guideline requirements in this proposal.

It was noted that the requirement that the loan must be paid back in 10 years would be included in the loan documents. In addition, there is approximately \$120,000 currently available for this incentive.

Councilmember Giese introduced Resolution No. 2013-121 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2013-121

A RESOLUTION AMENDING GUIDELINES FOR THE NEW CONSTRUCTION AND DOWN PAYMENT ASSISTANCE PROGRAM.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

The following Resolution is a requirement by the Nebraska Department of Roads when a state highway will be closed for a celebration/parade. This Resolution pertains to the Annual Christmas on Main Street – Parade of Lights on November 21, 2013.

Councilmember Giese introduced Resolution No. 2013-122 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2013-122

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

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Haase, approving Change Order Nos. 2 (\$20,048.00), 3 (-\$3,020.00), 4 (\$6,536.96), 5 (\$4,741.67), and 6 (-\$11,802.03) for the 10th Street, Main to Windom improvement Project. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

A pay request has been received from Steve Harris Construction, Inc., for the 10th Street, Main to Windom Improvement Project in the amount of \$187,081.79. The engineer on the project has approved the same.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, approving Pay Application No. 4 (Final) in the amount of \$187,081.79 to Steve Harris Construction, Inc., for the 10th Street, Main to Windom Improvement Project. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Rod Hansen, Engineer with Olsson Associates, was present to explain Change Order No. 1 (\$29,135.65) on the Chief's Way Sanitary Sewer & Water Extension Project.

This is a quantity change due to the inclusion or addition of the water main extension to Grossenburg Implement.

These costs will be reimbursed back to the City by way of hook-up fees.

Councilmember Ley made a motion, which was seconded by Councilmember Giese, approving Change Order No. 1 in the amount of \$29,135.65 for the Chief's Way Sanitary Sewer & Water Extension Project. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

A pay request has been received from Robert Woehler & Sons Construction for the Chief's Way Sanitary Sewer & Water Extension Project in the amount of \$100,944.73. The engineer on the project has approved the same.

Councilmember Muir made a motion, which was seconded by Councilmember Greve, approving Pay Application No. 2 in the amount of \$100,944.73 to Robert Woehler & Sons Construction for the Chief's Way Sanitary Sewer & Water Extension Project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated no action would be taken on Agenda Item No. 30 - Action Regarding Authorization of the use of \$20,000 of the WAED Marketing Reserve Fund to Participate in the Production and Airing of the "Cities of Distinction" Show, pending final approval of the Mayor and Council President if a Final Approval is needed before the next Council Meeting.

Council President Brodersen requested Council consideration to approving the appointment of Chad Maas to the Recreation-Leisure Services Commission.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving the appointment of Chad Maas to the Recreation-Leisure Services Commission. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to adjourn the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the meeting adjourned at 6:34 p.m.

CLAIMS LISTING NOVEMBER 19, 2013

AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,011.61
APPEARA	MAT SERVICE	86.79
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	30.61
BSN SPORTS, INC	RACKS/BALLS	995.87
BUCK'S	PORTABLE TOILETS-RUGBY	502.68
CITY EMPLOYEE	HEALTH REIMBURSEMENT	84.37
CHEMQUEST, INC.	COOLING WATER TREATMENT	1,622.50
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUND	150.00
CITY OF WAYNE	INTERPRETING	61.25
CITY OF WAYNE	PAYROLL	60,265.87
CITY OF WAYNE	REFFING	80.00
CITY OF WAYNE	UTILITY REFUND	225.00
CLAUSSEN & SONS IRRIG.	IRRIGATION BLOW OUTS	185.00
COMMUNITY HEALTH	HEALTH CHARITIES-PAYROLL DEDUCTION	4.00
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	87.00
DE LAGE LANDEN FINANCIAL	COPIER LEASE	394.00
ED. M FELD EQUIPMENT CO	HOSES/STRAPS	2,477.50
ELECTRIC FIXTURE & SUPPLY	ADAPTER/CONDUIT	8.87
FASTENAL CO	BOLTS/NUTS/SCREWS	31.32
FLOOR MAINTENANCE	SPONGES/POLISH/TOWELS/LINERS	358.02
GODFATHERS	PIZZA-RUBICON	98.00
GUARANTEE ROOFING	CITY HALL ROOF REPAIRS	363.00
CITY EMPLOYEE	HEALTH/VISION REIMBURSEMENTS	274.69
HAWKINS, INC	AZONE/INJECTION VALVE	416.96
HOMETOWN LEASING	POLICE COPIER LEASE	73.51
ICMA RETIREMENT TRUST-457	RETIREMENT	6,372.35
INNOVATIVE PROTECTIVES	LB 840 LOAN	10,000.00
IRS	FEDERAL WITHHOLDING	22,396.20
JOHNNY P LEMPKE	PEST CONTROL	73.00
FIREMAN	FIRE SCHOOL REIMBURSEMENT	414.70
KRIZ-DAVIS COMPANY	CONNECTORS/LED ROAD FLARES	139.79
KTCH AM/FM RADIO	RADIO ADS	1,565.14
LEAGUE OF NEBRASKA	ANNUAL CONFERENCE	990.00
MAXIMUM SOLUTIONS, INC.	CAC SOFTWARE	16,400.00
MIDWEST LABORATORIES, INC	BOD TESTING	72.45
MISS MOLLY'S COFFEE	COFFEE/COOKIES	74.00
MSC INDUSTRIAL	LIFTING SLINGS	66.95
NE DEPT OF REVENUE	STATE WITHHOLDING	3,169.83
NE HARVESTORE	GRAPPLE	3,500.00
NE SAFETY COUNCIL	SHIPPING ON SAFETY VIDEOS	8.38
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	13,185.52
OCC BUILDERS LLC	LB 840 LOAN	37,000.00
OTTE CONSTRUCTION COMPANY	DOOR REPAIR/CONCRETE STREET REPAIR	3,400.00
PAC N SAVE	AFTERSCHOOL/READING SUPPLIES	241.64

CITY EMPLOYEE	HEALTH REIMBURSEMENT	36.50
PUSH-PEDAL-PULL	CABLE/SEAT SLEEVE REPAIR	183.80
ROBERT WOehler & SONS	CHIEF'S WAY SANITARY SEWER	100,944.73
S & S WILLERS, INC.	FILL SAND	257.91
SPARKLING KLEAN	JANITORIAL CLEANING/SUPPLIES	1,878.58
STADIUM SPORTING GOODS	FIRE PUP SHIRTS	260.00
STATE NATIONAL BANK	EL REV REF SERIES 09 & 12	24,722.50
STEVE HARRIS CONSTRUCTION	10TH STREET	187,081.79
TRITECH SOFTWARE SYSTEMS	E911 SUPPORT	4,555.75
WAYNE COUNTY COURT	RETURN RESTITUTION	170.06
WAYNE HERALD	ADS AND NOTICES	2,660.46
CITY EMPLOYEE	HEALTH REIMBURSEMENT	823.93
WESCO DISTRIBUTION INC	BOX PAD	1,837.13
WESTERN AREA POWER ADMIN	ELECTRICITY	26,572.00
WINGATE INN	LODGING-D ECHTENKAMP	269.85

Assumptions:

1. NPPD purchases of approx. 57.8 GWh in test year 2013 and escalating at 1.5%/yr. thereafter;
2. Firm NPPD generation cost of \$54/MWh, beginning in 2013, and escalating at NPPD rates and 4.8%/yr. thereafter - this includes the % necessary to bring in Wayne's prorata share of the proposed \$1.3B new NPPD debt, with collection beginning in 2015 (\$4.5M over 20 yrs);
3. Wayne takes the maximum % reductions in firm commitment allowed by the existing contract with NPPD (10% x (effective year - 2010)) with 5 year notice given this year - this yields a 90% reduction in 2019, which is the maximum 90% of "Base Demand and Energy" during the contract term (no further reductions after 2019); Alternative is 30% w/3 yr. notice, 20% thereafter, as noted.
5. Capacity lease contract states payments may be reduced in proportion to load reduction or eliminated (presumed eliminated);
6. "Base Demand and Energy" approximates actual load (referred to, but not found, as an exhibit accompanying contract).

**Projected Impact of NPPD Wholesale Contract Opt-Out - Wayne, NE
Case Assuming 3 Year Notice and Maximum Reduction**

		Base Case				Estimated Cost with Opt-Out Provision				Cost Diff (\$)				
Escal>	Purchases (kWh)	Firm (\$/kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Firm Reduct.	BREC Purch (kWh)	BREC (\$/kWh)	BREC (\$)	Firm Purch (kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Cost Diff (\$)
	1.50%	4.80%												
2013	57,754,000	0.054	3,117,561	(640,000)	2,477,561		-	\$ 0.047	-	57,754,000	3,117,561	(640,000)	2,477,561	-
2014	58,620,000	0.054	3,164,308	(640,000)	2,524,308		-	\$ 0.047	-	58,620,000	3,164,308	(640,000)	2,524,308	-
2015	59,499,000	0.056	3,346,819	(640,000)	2,706,819		-	\$ 0.049	-	59,499,000	3,346,819	(640,000)	2,706,819	-
2016	60,391,000	0.053	3,186,833	(640,000)	2,546,833		-	\$ 0.046	-	60,391,000	3,186,833	(640,000)	2,546,833	-
2017	61,297,000	0.059	3,590,778	(640,000)	2,950,778	30%	18,389,100	\$ 0.051	937,193	42,907,900	2,513,545	(342,000)	3,108,738	157,960
2018	62,216,000	0.060	3,706,207	(640,000)	3,066,207	60%	37,329,600	\$ 0.052	1,934,640	24,886,400	1,482,483	(342,000)	3,075,123	8,916
2019	63,149,000	0.060	3,795,886	(640,000)	3,155,886	90%	56,834,100	\$ 0.052	2,972,179	6,314,900	379,589	(342,000)	3,009,768	(146,119)
2020	64,096,000	0.061	3,887,422	(640,000)	3,247,422	90%	57,686,400	\$ 0.053	3,043,852	6,409,600	388,742	(342,000)	3,090,594	(156,828)
2021	65,057,000	0.064	4,135,101	(640,000)	3,495,101	90%	58,551,300	\$ 0.055	3,237,784	6,503,700	413,510	(342,000)	3,309,294	(185,807)
2022	66,033,000	0.067	4,398,599	-	4,398,599	100%	66,033,000	\$ 0.058	3,826,781	-	-	(342,000)	3,484,781	(913,818)
2023	67,023,000	0.070	4,678,843	-	4,678,843	100%	67,023,000	\$ 0.061	4,070,594	-	-	(342,000)	3,728,594	(950,250)
2024	68,028,000	0.073	4,976,954	-	4,976,954	100%	68,028,000	\$ 0.064	4,329,950	-	-	(342,000)	3,987,950	(989,004)
2025	69,048,000	0.077	5,294,053	-	5,294,053	100%	69,048,000	\$ 0.067	4,605,827	-	-	(342,000)	4,263,827	(1,030,227)
2026	70,084,000	0.080	5,631,413	-	5,631,413	100%	70,084,000	\$ 0.070	4,899,329	-	-	(342,000)	4,557,329	(1,074,084)
Totals	892,295,000		56,910,779	(5,760,000)	51,150,779		569,006,500		33,858,129	323,288,500	17,993,389	(5,980,000)	45,871,518	(5,279,261)

**Projected Impact of NPPD Wholesale Contract Opt-Out - Wayne, NE
Case Assuming 3 Year Notice and Minimum Reduction**

Base Case				Estimated Cost with Opt-Out Provision						Cost Diff (\$)		
Escal.>	Purchases (kWh)	Firm (\$/kWh)	Firm Cost (\$)	Firm Reduct.	BREC Purch (kWh)	BREC (\$/kWh)	BREC (\$)	Firm Purch (kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Cost Diff (\$)
	1.50%	4.80%										
2013	57,754,000	0.054	3,117,561		-	\$ 0.047	-	57,754,000	3,117,561	(640,000)	2,477,561	-
2014	58,620,000	0.054	3,164,308		-	\$ 0.047	-	58,620,000	3,164,308	(640,000)	2,524,308	-
2015	59,499,000	0.056	3,346,819		-	\$ 0.049	-	59,499,000	3,346,819	(640,000)	2,706,819	-
2016	60,391,000	0.053	3,186,833		-	\$ 0.046	-	60,391,000	3,186,833	(640,000)	2,546,833	-
2017	61,297,000	0.059	3,590,778	30%	18,389,100	\$ 0.051	937,193	42,907,900	2,513,545	(342,000)	3,108,738	157,960
2018	62,216,000	0.060	3,706,207	40%	24,886,400	\$ 0.052	1,289,760	37,329,600	2,223,724	(342,000)	3,171,484	105,277
2019	63,149,000	0.060	3,795,886	50%	31,574,500	\$ 0.052	1,651,211	31,574,500	1,897,943	(342,000)	3,207,154	51,267
2020	64,096,000	0.061	3,887,422	60%	38,457,600	\$ 0.053	2,029,234	25,638,400	1,554,969	(342,000)	3,242,203	(5,219)
2021	65,057,000	0.064	4,135,101	70%	45,539,900	\$ 0.055	2,518,277	19,517,100	1,240,530	(342,000)	3,416,807	(78,294)
2022	66,033,000	0.067	4,398,599	100%	66,033,000	\$ 0.058	3,826,781	-	-	(342,000)	3,484,781	(913,818)
2023	67,023,000	0.070	4,678,843	100%	67,023,000	\$ 0.061	4,070,594	-	-	(342,000)	3,728,594	(950,250)
2024	68,028,000	0.073	4,976,954	100%	68,028,000	\$ 0.064	4,329,950	-	-	(342,000)	3,987,950	(989,004)
2025	69,048,000	0.077	5,294,053	100%	69,048,000	\$ 0.067	4,605,827	-	-	(342,000)	4,263,827	(1,030,227)
2026	70,084,000	0.080	5,631,413	100%	70,084,000	\$ 0.070	4,899,329	-	-	(342,000)	4,557,329	(1,074,084)
Totals	892,295,000		56,910,779		499,063,500		30,158,156	393,231,500	22,246,232	(5,980,000)	46,424,388	(4,726,391)

**Projected Impact of NPPD Wholesale Contract Opt-Out - Wayne, NE
Case Assuming 5 Year Notice and Maximum Reduction**

		Base Case				Estimated Cost with Opt-Out Provision						Cost Diff (\$)		
Escal>	Purchases (kWh)	Firm (\$/kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Firm Reduct.	BREC Purch (kWh)	BREC (\$/kWh)	BREC (\$)	Firm Purch (kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Cost Diff (\$)
	1.50%	4.80%												
2013	57,754,000	0.054	3,117,561	(640,000)	2,477,561		-	\$ 0.047	-	57,754,000	3,117,561	(640,000)	2,477,561	-
2014	58,620,000	0.054	3,164,308	(640,000)	2,524,308		-	\$ 0.047	-	58,620,000	3,164,308	(640,000)	2,524,308	-
2015	59,499,000	0.056	3,346,819	(640,000)	2,706,819		-	\$ 0.049	-	59,499,000	3,346,819	(640,000)	2,706,819	-
2016	60,391,000	0.053	3,186,833	(640,000)	2,546,833		-	\$ 0.046	-	60,391,000	3,186,833	(640,000)	2,546,833	-
2017	61,297,000	0.059	3,590,778	(640,000)	2,950,778	0%	-	\$ 0.051	-	61,297,000	3,590,778	(640,000)	2,950,778	-
2018	62,216,000	0.060	3,706,207	(640,000)	3,066,207	0%	-	\$ 0.052	-	62,216,000	3,706,207	(640,000)	3,066,207	-
2019	63,149,000	0.060	3,795,886	(640,000)	3,155,886	90%	56,834,100	\$ 0.052	2,972,179	6,314,900	379,589	(330,600)	3,021,168	(134,719)
2020	64,096,000	0.061	3,887,422	(640,000)	3,247,422	90%	57,686,400	\$ 0.053	3,043,852	6,409,600	388,742	(330,600)	3,101,994	(145,428)
2021	65,057,000	0.064	4,135,101	(640,000)	3,495,101	90%	58,551,300	\$ 0.055	3,237,784	6,505,700	413,510	(330,600)	3,320,694	(174,407)
2022	66,033,000	0.067	4,398,599	-	4,398,599	100%	66,033,000	\$ 0.058	3,826,781	-	-	(330,600)	3,496,181	(902,418)
2023	67,023,000	0.070	4,678,843	-	4,678,843	100%	67,023,000	\$ 0.061	4,070,594	-	-	(342,000)	3,728,594	(950,250)
2024	68,028,000	0.073	4,976,954	-	4,976,954	100%	68,028,000	\$ 0.064	4,329,950	-	-	(342,000)	3,987,950	(989,004)
2025	69,048,000	0.077	5,294,053	-	5,294,053	100%	69,048,000	\$ 0.067	4,605,827	-	-	(342,000)	4,263,827	(1,030,227)
2026	70,084,000	0.080	5,631,413	-	5,631,413	100%	70,084,000	\$ 0.070	4,899,329	-	-	(342,000)	4,557,329	(1,074,084)
Totals	892,295,000		56,910,779	(5,760,000)	51,150,779		513,287,800		30,986,296	379,007,200	21,294,347	(6,530,400)	45,750,243	(5,400,536)

**Projected Impact of NPPD Wholesale Contract Opt-Out - Wayne, NE
Case Assuming 5 Year Notice and Maximum Reduction**

		Base Case						Estimated Cost with Opt-Out Provision						Cost Diff (\$)
Escal>	Purchases (kWh)	Firm (\$/kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Firm Reduct.	ECON Purch (kWh)	ECON (\$/kWh)	ECON (\$)	Firm Purch (kWh)	Firm Cost (\$)	Capacity Lease (\$)	Net Cost (\$)	Cost Diff (\$)
	1.50%	4.80%												
2013	57,754,000	0.054	3,117,561	(640,000)	2,477,561		-	\$ -	-	57,754,000	3,117,561	(640,000)	2,477,561	-
2014	58,620,000	0.054	3,164,308	(640,000)	2,524,308		-	\$ -	-	58,620,000	3,164,308	(640,000)	2,524,308	-
2015	59,499,000	0.056	3,346,819	(640,000)	2,706,819		-	\$ -	-	59,499,000	3,346,819	(640,000)	2,706,819	-
2016	60,391,000	0.053	3,186,833	(640,000)	2,546,833		-	\$ -	-	60,391,000	3,186,833	(640,000)	2,546,833	-
2017	61,297,000	0.059	3,590,778	(640,000)	2,950,778	0%	-	\$ -	-	61,297,000	3,590,778	(640,000)	2,950,778	-
2018	62,216,000	0.060	3,706,207	(640,000)	3,066,207	0%	-	\$ -	-	62,216,000	3,706,207	(640,000)	3,066,207	-
2019	63,149,000	0.060	3,795,886	(640,000)	3,155,886	90%	56,834,100	\$ 0.050	2,841,705	6,314,900	379,589	-	3,221,294	65,407
2020	64,096,000	0.061	3,887,422	(640,000)	3,247,422	90%	57,686,400	\$ 0.050	2,884,320	6,409,600	388,742	-	3,273,062	25,640
2021	65,057,000	0.064	4,135,101	(640,000)	3,495,101	90%	58,551,300	\$ 0.050	2,927,565	6,505,700	413,510	-	3,341,075	(154,026)
2022	66,033,000	0.067	4,398,599	-	4,398,599	100%	66,033,000	\$ 0.050	3,301,650	-	-	-	3,301,650	(1,096,949)
2023	67,023,000	0.070	4,678,843	-	4,678,843	100%	67,023,000	\$ 0.061	4,070,594	-	-	-	4,070,594	(608,250)
2024	68,028,000	0.073	4,976,954	-	4,976,954	100%	68,028,000	\$ 0.064	4,329,950	-	-	-	4,329,950	(647,004)
2025	69,048,000	0.077	5,294,053	-	5,294,053	100%	69,048,000	\$ 0.067	4,605,827	-	-	-	4,605,827	(688,227)
2026	70,084,000	0.080	5,631,413	-	5,631,413	100%	70,084,000	\$ 0.070	4,899,329	-	-	-	4,899,329	(732,084)
Totals	892,295,000		56,910,779	(5,760,000)	51,150,779		513,287,800		29,860,940	379,007,200	21,294,347	(3,840,000)	47,315,286	(3,835,492)

**RECOMMENDED CHANGES REGARDING
GROUP HEALTH INSURANCE PLAN**

We will be changing insurance providers from Blue Cross Blue Shield to CoOpportunity (Federal Marketplace Plan) due to the fact that BC is increasing rates by 19.4%. This proposed "Marketplace" plan includes a prescription co-pay, as well as an office co-pay.

The plan recommended would be the "Gold" which has a \$1600 single/\$3200 family deductible; maximum out of pocket expenses of \$3200 single/\$6400 family. The plan would be to still self-insure the deductible but make the following changes:

2014:

Employee:

Wellness Incentive - must be non-smoker/non-tobacco user and get annual physical - the deductible would increase from \$250 to **\$500**

If employee is a smoker/tobacco user and/or does not get an annual physical - the deductible would increase from \$600 to **\$1000**

Spouse:

If not, the following would apply:

Wellness Incentive - must get annual physical - the deductible would increase from \$250 to **\$500**

If spouse does not get annual physical - the deductible would increase from \$600 to **\$1000**

2015:

Recommendation will be to go to a higher deductible plan - (e.g. **\$3200 single/\$6400 family** and still self-insure). Other proposed changes would be to increase the employee's share of the premiums. Deductibles would be as follows:

Employee:

Wellness Incentive - must be non-smoker/non-tobacco user and get annual physical - the deductible would increase from \$500 to **\$1000**

If employee is a smoker/tobacco user and/or does not get an annual physical - the deductible would increase from \$1000 to **\$2000**

Spouse:

If a spouse's employer offers group health insurance, they will be required to go on their own employer's group health plan.

Wellness Incentive - must be **non-smoker/non-tobacco** user and get annual physical - the deductible would increase from \$500 to **\$1000**

If spouse is a **smoker/tobacco user** and/or does not get an annual physical - the deductible would increase from \$1000 to **\$2000**

	2014 MONTHLY PREMIUM	January 1st New Bi-Weekly Ded	2013 Old Bi-Weekly Ded	January 1st Difference
1 Employee	395.36	4.56	3.41	1.15
2 Employee/Spouse	830.25	24.63	18.31	6.32
3 Employee/Child	691.87	18.25	13.53	4.72
4 Family	1,107.00	37.40	27.85	9.55

Coportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014
 Coverage for: Single/Family | Plan Type: PPO

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Important Questions	Answers	Why this Matters
<p>What is the overall deductible?</p>	<p>In-network: \$1,600 Individual/ \$3,200 Family Out-of-network: \$3,200 Individual/ \$6,400 Family Copays are not subject to deductible</p>	<p>You must pay all the costs up to the <u>deductible</u> amount before this plan begins to pay for covered services you use. Check your policy or plan document to see when the <u>deductible</u> starts over (usually, but not always, January 1st). See the chart starting on page 2 for how much you pay for covered services after you meet the <u>deductible</u>.</p>
<p>Are there other deductibles for specific services?</p>	<p>No.</p>	<p>You don't have to meet <u>deductibles</u> for specific services, but see the chart starting on page 2 for other costs for services this plan covers.</p>
<p>Is there an out-of-pocket limit on my expenses?</p>	<p>Yes. In-network: \$3,200 Individual/ \$6,400 Family Out-of-network: \$6,350 Individual/ \$12,700 Family</p>	<p>The <u>out-of-pocket limit</u> is the most you could pay during a coverage period (usually one year) for your share of the cost of covered services. This limit helps you plan for health care expenses.</p>
<p>What is not included in the out-of-pocket limit?</p>	<p>Premium, balance-billed charges (unless balanced billing is prohibited), and health care this plan doesn't cover.</p>	<p>Even though you pay these expenses, they don't count toward the <u>out-of-pocket limit</u>.</p>
<p>Is there an overall annual limit on what the plan pays?</p>	<p>No.</p>	<p>The chart starting on page 2 describes any limits on what the plan will pay for <i>specific</i> covered services, such as office visits.</p>
<p>Does this plan use a network of providers?</p>	<p>Yes. For a list of in-network providers, see www.coportunityhealth.com/providersearch or call 1-888-324-2064.</p>	<p>If you use an in-network doctor or other health care provider, this plan will pay some or all of the costs of covered services. Be aware, your in-network doctor or hospital may use an out-of-network provider for some services. Plans use the term in-network, preferred, or participating for providers in their network. See the chart starting on page 2 for how this plan pays different kinds of providers.</p>

Questions: Call 1-888-324-2064 or visit us at www.coportunityhealth.com.

If you aren't clear about any of the underlined terms used in this form, see the Glossary. You can view the Glossary at www.cciio.cms.gov or call 1-888-324-2064 to request a copy.

Coportunity Premier Gold SG (Nebraska) --140101-01

CoOpportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Coverage for: Single/Family | Plan Type: PPO

Important Questions	Answers	Why this Matters:
Do I need a referral to see a specialist?	No. You don't need a referral to see a specialist.	You can see the <u>specialist</u> you choose without permission from this plan.
Are there services this plan doesn't cover?	Yes.	Some of the services this plan doesn't cover are listed on page 5. See your policy or plan document for additional information about <u>excluded services</u> .

- 
Copayments are fixed dollar amounts (for example, \$15) you pay for covered health care, usually when you receive the service.
- Coinsurance** is *your* share of the costs of a covered service, calculated as a percent of the allowed amount for the service. For example, if the plan's allowed amount for an overnight hospital stay is \$1,000, your coinsurance payment of 20% would be \$200. This may change if you haven't met your deductible.
- The amount the plan pays for covered services is based on the allowed amount. If an out-of-network provider charges more than the allowed amount, you may have to pay the difference. For example, if an out-of-network hospital charges \$1,500 for an overnight stay and the allowed amount is \$1,000, you may have to pay the \$500 difference. (This is called balance billing.)
- This plan may encourage you to use in-network providers by charging you lower deductibles, co-payments and co-insurance amounts.

Common Medical Event	Services You May Need	Your cost if you use a		Limitations & Exceptions
		In-Network Provider	Out-Of-Network Provider	
If you visit a health care <u>provider's office</u> or <u>clinic</u>	Primary care visit to treat an injury or illness	\$20 copay	40% coinsurance	Each family member's first three office or urgent care visits are free. Other services like lab, x-rays, MRI/CT scans are covered at deductible/coinsurance
	Specialist visit	\$40 copay	40% coinsurance	Each family member's first three office or urgent care visits are free. Other services like lab, x-rays, MRI/CT scans are covered at deductible/coinsurance
If you have a test	Other practitioner office visit	\$20 copay	40% coinsurance	_____ none _____
	Preventive care/screening/immunization	No charge	40% coinsurance	_____ none _____
	Diagnostic test (x-ray, blood work)	20% coinsurance	40% coinsurance	_____ none _____

CoOpportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014
 Coverage for: Single/Family | Plan Type: PPO

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Common Medical Event	Services You May Need	Your cost if you use a		Limitations & Exceptions
		In-Network Provider	Out-Of-Network Provider	
	Imaging (CT/PET scans, MRIs)	20% coinsurance	40% coinsurance	_____none_____
If you need drugs to treat your illness or condition	Generic drugs	\$10 copay at retail; \$20 copay at mail*	40% coinsurance at retail, mail not covered	31 day supply retail / 93 day supply mail order
	Preferred brand drugs	\$40 copay at retail; \$80 copay at mail*	40% coinsurance at retail, mail not covered	*Applicable only to prescriptions for long-term maintenance drugs
	Non-preferred brand drugs	\$80 copay at retail; \$240 copay at mail*	40% coinsurance at retail, mail not covered	
If you have outpatient surgery	Specialty drugs	\$150 copay	40% coinsurance; mail not covered	Use of specialty drug vendor required
	Facility fee (e.g., ambulatory surgery center)	20% coinsurance	40% coinsurance	_____none_____
If you need immediate medical attention	Physician/surgeon fees	20% coinsurance	40% coinsurance	_____none_____
	Emergency room services	\$250 copay after deductible, then 20% coinsurance	\$250 copay after deductible, then 20% coinsurance	_____none_____
	Emergency medical transportation	20% coinsurance	20% coinsurance	_____none_____
	Urgent care	\$20 copay	40% coinsurance	_____none_____
If you have a hospital stay	Facility fee (e.g., hospital room)	20% coinsurance	40% coinsurance	_____none_____
	Physician/surgeon fee	20% coinsurance	40% coinsurance	_____none_____

CoOpportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014
 Coverage for: Single/Family | Plan Type: PPO

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Common Medical Event	Services You May Need	Your cost if you use a:		Limitations & Exceptions
		In-Network Provider	Out-Of-Network Provider	
If you have mental health, behavioral health, or substance abuse needs	Mental/Behavioral health outpatient services	\$20 copay	40% coinsurance	Free visits do not apply to services performed in a hospital _____none_____
	Mental/Behavioral health inpatient services	20% coinsurance	40% coinsurance	Free visits do not apply to services performed in a hospital _____none_____
	Substance use disorder outpatient services	\$20 copay	40% coinsurance	Free visits do not apply to services performed in a hospital _____none_____
	Substance use disorder inpatient services	20% coinsurance	40% coinsurance	_____none_____
	Prenatal and postnatal care	No charge	40% coinsurance	_____none_____
	Delivery and all inpatient services	20% coinsurance	40% coinsurance	_____none_____
If you are pregnant	Home health care	20% coinsurance	40% coinsurance	_____none_____
	Rehabilitation services	Primary Care: \$20 copay; Specialty care: \$40 copay	40% coinsurance	
If you need help recovering or have other special health needs	Habilitation services	Primary Care: \$20 copay; Specialty care: \$40 copay	40% coinsurance	
	Skilled nursing care	20% coinsurance	40% coinsurance	Limited to 60 days per confinement _____none_____
	Durable medical equipment	20% coinsurance	40% coinsurance	5 days for respite/15 combined for respite and continuous _____none_____
	Hospice service	20% coinsurance	40% coinsurance	Limited to one pair of eyeglasses per year _____none_____
If your child needs dental or eye care	Eye exam	No charge	40% coinsurance	
	Glasses	20% coinsurance	40% coinsurance	
	Dental check-up	Not Covered	Not Covered	_____none_____

CoOpportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Coverage for: Single/Family | Plan Type: PPO

Excluded Services & Other Covered Services:

Services Your Plan Does NOT Cover (This isn't a complete list. Check your policy or plan document for other excluded services.)

- Acupuncture
- Bariatric surgery
- Cosmetic surgery
- Dental care (Adult)
- Hearing aids
- Infertility treatment
- Long-term care
- Private-duty nursing
- Routine foot care
- Routine eye care (Adult)
- Weight loss programs

Other Covered Services (This isn't a complete list. Check your policy or plan document for other covered services and your costs for these services.)

- Chiropractic care
- Non-emergency care when traveling outside the U.S.

Your Rights to Continue Coverage:

If you lose coverage under the plan, then, depending upon the circumstances, Federal and State laws may provide protections that allow you to keep health coverage. Any such rights may be limited in duration and will require you to pay a premium, which may be significantly higher than the premium you pay while covered under the plan. Other limitations on your rights to continue coverage may also apply.

For more information on your rights to continue coverage, contact the plan at 1-888-324-2064. You may also contact your state insurance department, the U.S. Department of Labor, Employee Benefits Security Administration at 1-866-444-3272 or www.dol.gov/ebsa, or the U.S. Department of Health and Human Services at 1-877-267-2323 x61565 or www.ccoio.cms.gov.

Your Grievance and Appeals Rights:

If you have a complaint or are dissatisfied with a denial of coverage for claims under your plan, you may be able to appeal or file a grievance. You can contact your plan at 1-888-324-2064. You can contact the Department of Labor's Employee Benefits Security Administration at 1-866-444-3272 or www.dol.gov/ebsa/healthreform. For questions about your rights, this notice, or assistance, you can contract your state insurance department at the following: Nebraska Dept of Insurance at 402-471-2201. Additionally, a consumer assistance program can help you file your appeal. Contact the following: Nebraska Dept of Insurance at 402-471-2201.

CoOpportunity Premier Gold

Coverage Period: 01/01/2014 – 12/31/2014

Coverage for: Single/Family | Plan Type: PPO

Summary of Benefits and Coverage: What this Plan Covers & What it Costs

Does this Coverage Provide Minimum Essential Coverage?

The Affordable Care Act requires most people to have health care coverage that qualifies as “minimum essential coverage.” This plan or policy does provide minimum essential coverage.

Does this Coverage Meet the Minimum Value Standard?

The Affordable Care Act establishes a minimum value standard of benefits of a health plan. The minimum value standard is 60% (actuarial value). This health coverage does meet the minimum value standard for the benefits it provides.

Language Access Services:

Spanish (Español): Para obtener asistencia en Español, llame al 1-888-324-2064.

Tagalog (Tagalog): Kung kailangan ninyo ang tulong sa Tagalog tumawag sa 1-888-324-2064.

Chinese (中文): 如果需要中文的帮助，请拨打这个号码 1-888-324-2064.

Navajo (Dine): Dinek'ehgo shika at'ohwol ninisingo, kwijigo holne' 1-888-324-2064.

_____ To see examples of how this plan might cover costs for a sample medical situation, see the next page.

About these Coverage Examples:

These examples show how this plan might cover medical care in given situations. Use these examples to see, in general, how much financial protection a sample patient might get if they are covered under different plans.



This is not a cost estimator.

Don't use these examples to estimate your actual costs under this plan. The actual care you receive will be different from these examples, and the cost of that care will also be different. Cost sharing or "patient pays" amounts are based on self-only coverage.

Having a baby (normal delivery)

- ☑ Amount owed to providers: \$7,540
- ☑ Plan pays \$5,060
- ☑ Patient pays \$2,480

Sample care costs:

Hospital charges (mother)	\$2,700
Routine obstetric care	\$2,100
Hospital charges (baby)	\$900
Anesthesia	\$900
Laboratory tests	\$500
Prescriptions	\$200
Radiology	\$200
Vaccines, other preventive	\$40
Total	\$7,540

Patient pays:

Deductibles	\$1,600
Copays	\$20
Coinsurance	\$710
Limits or exclusions	\$150
Total	\$2,480

Managing type 2 diabetes (routine maintenance of a well-controlled condition)

- ☑ Amount owed to providers: \$5,400
- ☑ Plan pays \$3,100
- ☑ Patient pays \$2,300

Sample care costs:

Prescriptions	\$2,900
Medical Equipment and Supplies	\$1,300
Office Visits and Procedures	\$700
Education	\$300
Laboratory tests	\$100
Vaccines, other preventive	\$100
Total	\$5,400

Patient pays:

Deductibles	\$1,600
Copays	\$430
Coinsurance	\$190
Limits or exclusions	\$80
Total	\$2,300

Questions and answers about the Coverage Examples:

What are some of the assumptions behind the Coverage Examples?

- Costs don't include premiums.
- Sample care costs are based on national averages supplied by the U.S. Department of Health and Human Services, and aren't specific to a particular geographic area or health plan.
- The patient's condition was not an excluded or preexisting condition.
- All services and treatments started and ended in the same coverage period.
- There are no other medical expenses for any member covered under this plan.
- Out-of-pocket expenses are based only on treating the condition in the example.
- The patient received all care from in-network providers. If the patient had received care from out-of-network providers, costs would have been higher.

What does a Coverage Example show?

For each treatment situation, the Coverage Example helps you see how deductibles, copayments, and coinsurance can add up. It also helps you see what expenses might be left up to you to pay because the service or treatment isn't covered or payment is limited.

Does the Coverage Example predict my own care needs?

✘ **No.** Treatments shown are just examples. The care you would receive for this condition could be different based on your doctor's advice, your age, how serious your condition is, and many other factors.

Does the Coverage Example predict my future expenses?

✘ **No.** Coverage Examples are not cost estimators. You can't use the examples to estimate costs for an actual condition. They are for comparative purposes only. Your own costs will be different

depending on the care you receive, the prices your providers charge, and the reimbursement your health plan allows.

Can I use Coverage Examples to compare plans?

✓ **Yes.** When you look at the Summary of Benefits and Coverage for other plans, you'll find the same Coverage Examples. When you compare plans, check the "Patient Pays" box in each example. The smaller that number, the more coverage the plan provides.

Are there other costs I should consider when comparing plans?

✓ **Yes.** An important cost is the premium you pay. Generally, the lower your premium, the more you'll pay in out-of-pocket costs, such as copayments, deductibles, and coinsurance. You should also consider contributions to accounts such as health savings accounts (HSAs), flexible spending arrangements (FSAs) or health reimbursement accounts (HRAs) that help you pay out-of-pocket expenses.

Wayne Area

Economic Development Chamber ■ Main Street

November 15, 2013

Lowell Johnson
City Administrator
306 Pearl Street
Wayne, NE 68787

RE: Sales Tax Advisory Committee – recommendations for Brent L. Pick (\$50,000); City of Wayne (\$30,000)

Dear Lowell,

The Sales Tax Advisory Committee met on November 14 and reviewed two applications to Wayne's Economic Development Program fund.

The committee recommended approving a request by Brent L. Pick for a \$50,000 loan to purchase property and rebuild a building destroyed by the Oct 4 tornado. This property/building is known as the Estes/Digital Blue/NAPA building at 1614 Chief's Way. Terms of the loan requested and recommended include 15 years at 0% interest.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 10; *Doesn't Meet/Somewhat Meets* scored 0; *Somewhat Meets* scored 13; *Somewhat Meets/Meets* scored 5; and *Meets* scored 14. This scoring is used for deliberation only. The committee does not use a raw number threshold to recommend projects to the City Council.

The committee also recommended approving the request by the City of Wayne for four (4) Welcome to Wayne signs on the corners of town as a grant for \$28,000. The City (with the majority of the work being done by the Marketing Committee of Wayne Area Economic Development) had requested "up to \$30,000" to complete the project. The Sales Tax Advisory Committee wanted to recommend a more concrete number per sign. It recommended \$7000 per sign (including lighting).

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 24; *Doesn't Meet/Somewhat Meets* scored 0; *Somewhat Meets* scored 4; *Somewhat Meets/Meets* scored 0; and *Meets* scored 5. This scoring is used for deliberation only. The committee does not use a raw number threshold to recommend projects to the City 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,



Wes Blecke
Executive Director

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

Application Number:

Date Received

Nov 8, 2013

LB840 (form approved 073109)

2013

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name <u>Brent L Pick</u>			Name/Business <u>Brent L. Pick</u>		
Mailing Address			Address		
<u>Wayne</u>	<u>NE</u>	<u>68787</u>			
(City)	(State)	(ZIP)	(City)	(State)	(Zip)
Telephone Number <u>402-369-0233</u>			Telephone Number		
Fax Number			Federal Tax ID # / SS#		
Federal Tax ID Number			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>50,000</u>		
4. ASSISTANCE TYPE REQUESTED			Matching Funds \$ _____		
<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 _____			Other Funds \$ <u>150,000</u>		
			Total Project Funds \$ <u>200,000</u>		
			<i>(Round amounts to the nearest hundred dollars.)</i>		

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

Rebuilding 1614 Chiefs Way Wayne NE
0% - 15 years - due to tornado

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>Brent L Pick</u> Signature in ink	<u>Brent L Pick</u> Typed Name and Title	<u>11/8/13</u> Date Signed
<u>[Signature]</u> Attest	<u>Wes Blecke</u> Typed Name and Title	<u>11/8/13</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

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

Application Number:

Date Received

Nov 8, 2013

LB840 (form approved 073109)

2013

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION	2. PERSON PREPARING APPLICATION
Applicant Name <i>City of Wayne</i>	Name/Business <i>Ken Chamberlain, Mayor</i>
Mailing Address <i>306 Pearl St</i>	Address <i>306 Pearl St</i>
<i>Wayne</i> NE <i>68787</i>	<i>Wayne</i> NE <i>68757</i>
(City) (State) (ZIP)	(City) (State) (Zip)
Telephone Number <i>402-375-1733</i>	Telephone Number <i>402-375-1733</i>
Fax Number	Federal Tax ID # / SS#
Federal Tax ID Number	
Email Address	Email Address
3. BUSINESS TYPE	5. FUNDING SOURCES
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company	WEDP Funds Requested \$ <i>30,000</i>
<input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship	Matching Funds \$
<input checked="" type="checkbox"/> Other <i>Municipality</i>	Other Funds \$ <i>in kind</i>
4. ASSISTANCE TYPE REQUESTED	Total Project Funds \$ <i>30,000 +</i>
<input 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 checked="" type="checkbox"/> Grant	
<input type="checkbox"/> Other	

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

The current Welcome to Wayne signs were installed in the early 90's. To freshen up Wayne's entrances and to continue to market the community new signs are needed. Only the North sign will be put in the same place. Also due to the tornado the east sign was demolished. See attached. This request is "up to" \$30K

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.

Signature in ink *[Signature]* *Wes Blecker on behalf of Mayor Ken Chamberlain*

Attest _____

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

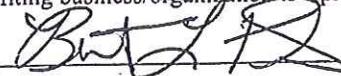
(Round amounts to the nearest hundred dollars.)

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	50,000		150,000		Private equity + conventional financing
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.					
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	50,000		150,000		

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: 11/8/13

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

By: _____ Date: _____

Attest _____ Typed Name/Title _____ Date _____

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.					
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.	30,000		in kind		WSC in kind landscaping \$ TBD
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	up to 30,000		TBD	30,000+	

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:

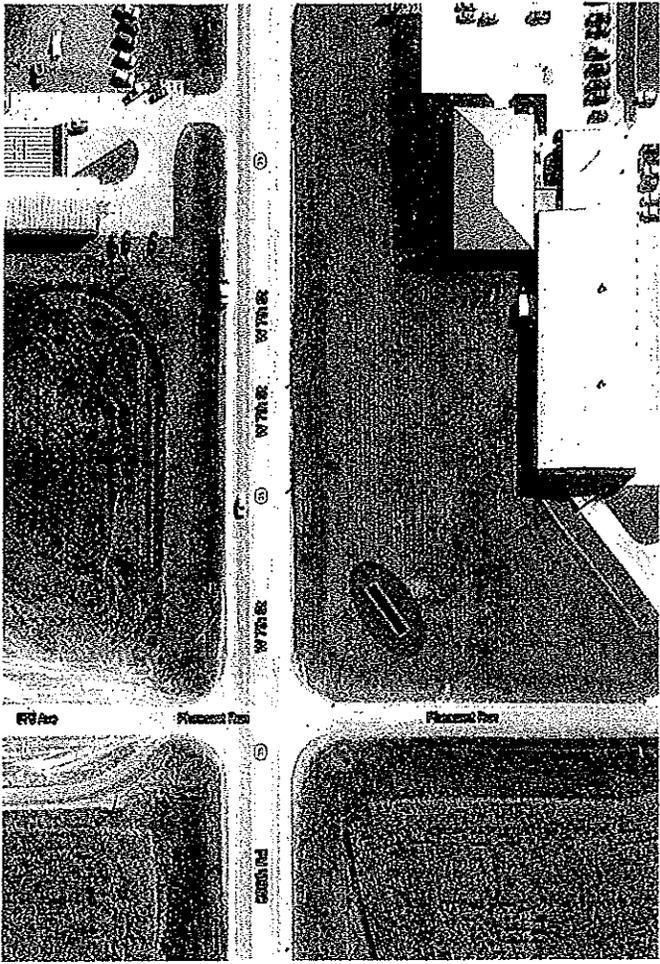
By: _____ Date: _____

Attest

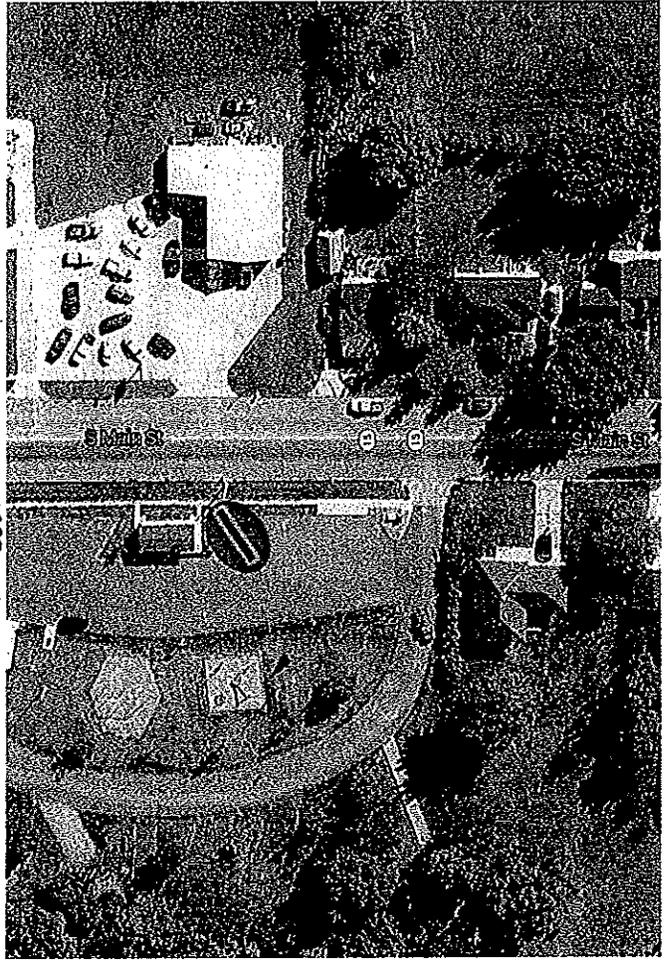
Typed Name/Title

Date

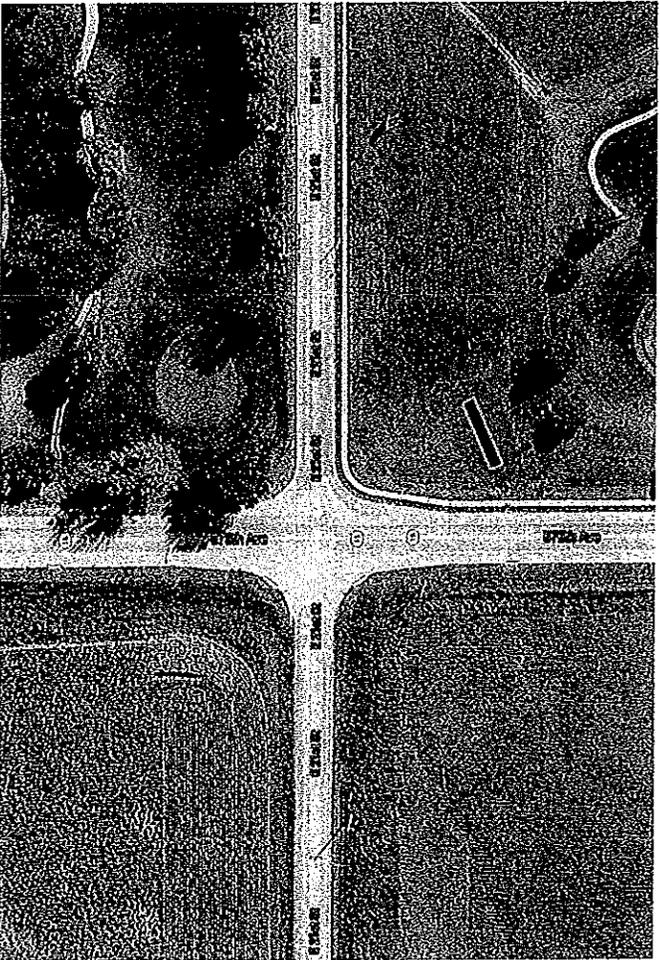
West



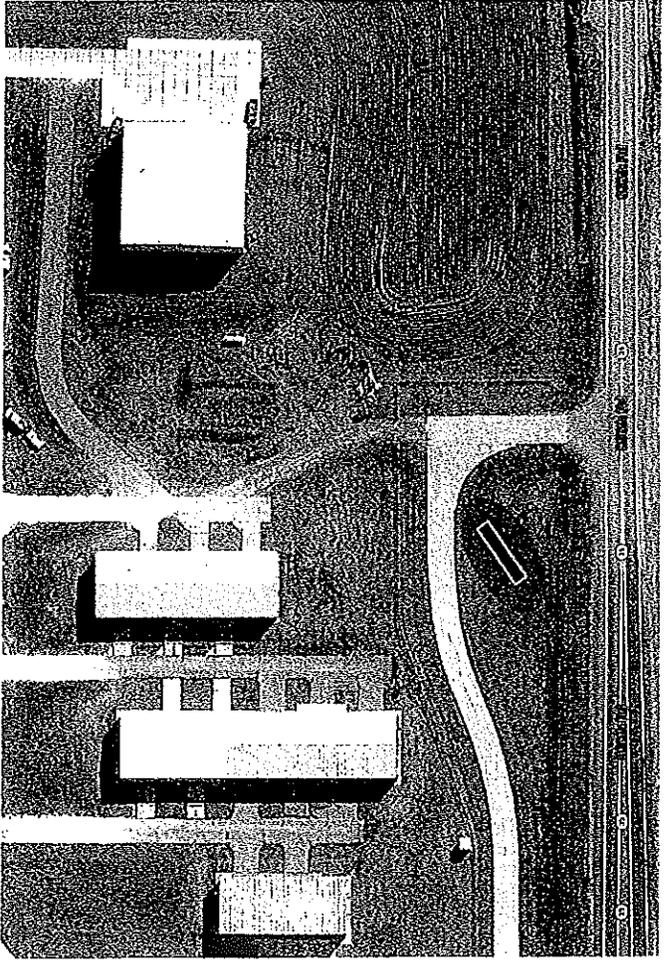
South



North



East



signs · 3d props · displays



814 Ohio Street • Oakley, IL 62451
TP 800-foamco (1-842-4261) Ex. 399
PH 217.222.2393
FX 217.222.2393
www.foamcocorp.com

CLIENT INFORMATION

Client - City of Wayne
Design - Monument
Date - 12.15.11
Designer - Kyle S.
Salesman - David H.
Scale

REVISIONS

- 1
- 2
- 3

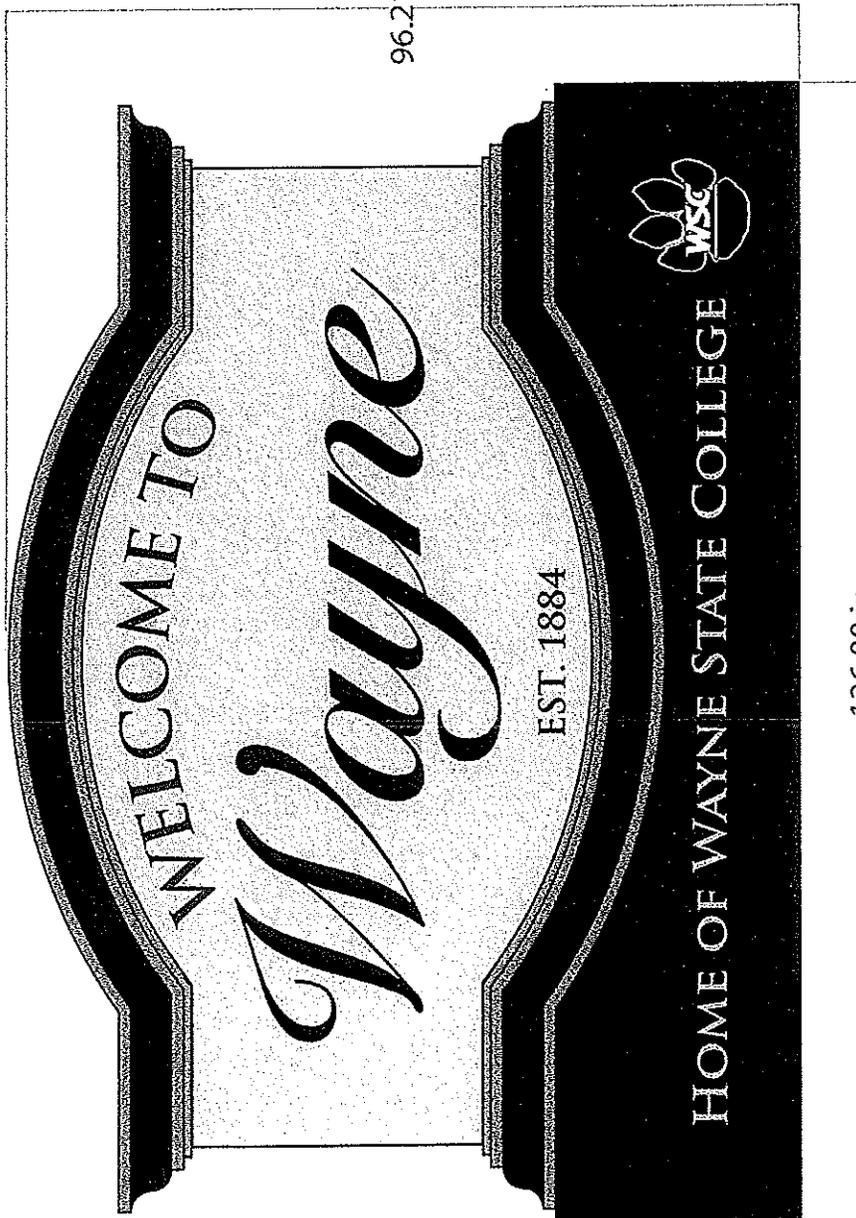
Client will get 3 changes per design & approval, and 3 more for any additional changes.

APPROVALS

Approved By

Date

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96.21 in

FC-111
136W X 96H X 30D

136.00 in

PRELIMINARY DESIGN

Approved Drawing signed by _____

Date _____

Please email to david@foamcocorp.com or Fax to 217.222.2393

TERMS: 50% down with acceptance of order; 50% balance upon notice of completion and prior to shipping; items not paid within 30 days of completion are forfeited along with original deposit and remain the property of FOAMCO.

NO.	DATE	DESCRIPTION	APPROVED	DATE
1				
2				
3				

**CITY OF WAYNE
INTEROFFICE MEMORANDUM**

DATE: November 5, 2013

TO: Mayor Chamberlain
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison



At their meeting held on November 4, 2013, the Wayne Planning Commission made a recommendation on the following public hearing and discussion items; the results of those recommendations are as follows:

Public Hearing: To consider the Jorgensen Addition plat, with the applicant being Ken Jorgensen.

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 Sweetland and seconded by Commissioner Sorensen to approve and forward a recommendation of approval to the City Council for the Jorgensen Addition plat, with the findings of fact being: consistency with the comprehensive plan, current and future land use maps, and staff's recommendation. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Brogie – aye; Commissioner Sweetland – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

Public Hearing: To consider amending Chapter 90 Zoning, Division 4 PUD Planned Unit Development, Section 90-641 Intent (a) and (b), to more clearly define where a PUD may be placed, with the applicant being City of Wayne.

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 Brogie and seconded by Commissioner Giese to forward a recommendation to the City Council that Planned Unit Developments should not be allowed outside of the City Limits, with the findings of fact being: consistency with the comprehensive plan and current City Code. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – nay; Commissioner Giese – aye; Commissioner Piper – nay; Commissioner Brogie – aye; Commissioner Sweetland – nay; and Chair Melena – aye. Chair Melena declared the motion carried by a 4-3 vote.

Memo to Mayor & Council
November 4, 2013
Page Two

Discussion and Recommendation: Blight and Substandard Determination Study for Area Referred to as College Hill First Addition, with the applicant being Tom Jacobsen.

After deliberation and discussion by the Planning Commission, motion was made by Commissioner Sorensen and seconded by Commissioner Sweetland 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 College Hill First Redevelopment Area, with the findings of fact being as stated in Resolution No. 2013-008, 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 staff's recommendation. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Brogie – aye; Commissioner Sweetland – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

Discussion and Recommendation: Redevelopment Plan for College Hill First Redevelopment Area, with the applicant being Tom Jacobsen.

After deliberation and discussion by the Planning Commission, motion was made by Commissioner Sorensen and seconded by Commissioner Carstens to approve and forward a recommendation of approval to the City Council for the Redevelopment Plan the East 60 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska; and the West 90 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska; and the vacated portion of North Pearl Street lying North of West 13th Street and abutting on Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, and terminating at the Northern edge of Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, being 80 feet by 180 feet, with the findings of fact being consistency with the comprehensive plan and staff's recommendation and to approve the resolution. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Brogie – aye; Commissioner Sweetland – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

Memo to Mayor & Council
November 4, 2013
Page Three

Discussion and Recommendation: Blight and Substandard Determination Study for Area Referred to as North Central Redevelopment Area, with the applicant being the City of Wayne.

After deliberation and discussion by the Planning Commission, motion was made by Commissioner Giese 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 North Central Redevelopment Area, with the findings of fact being as stated in Resolution No. 2013-009, 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 staff's recommendation. Chair Melena stated the motion and second. Roll call vote: Commissioner Sorensen – aye; Commissioner Carstens – aye; Commissioner Giese – aye; Commissioner Piper – aye; Commissioner Brogie – aye; Commissioner Sweetland – aye; and Chair Melena – aye. Chair Melena declared the motion carried unanimously.

Discussion: Current Residential Zoning Map

Zoning Administrator Hansen shared with the Planning Commission that there has been discussion during recent City Council meetings that there is concern within the community that the recent development of multifamily dwellings does not fit well in certain areas. Therefore the Planning Commission should be aware there may be applicants showing up in the future to request amending the Zoning Map in regards to residential districts. Copies of the current map were distributed to the Commissioners present.

JJH:cb

ORDINANCE NO. 2013-51

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VII, DIVISION 4 PUD PLANNED UNIT DEVELOPMENT, SECTION 90-641 INTENT; 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. The Planning Commission held a public hearing on November 4, 2013, and recommended amending Section 90-641 PUD Planned Unit Development of the Wayne Municipal Code, with the "Findings of Fact" being: Consistency with the Comprehensive Plan and current City Code.

Section 2. That Chapter 90, Article VII, Division 4, Section 90-641 of the Wayne Municipal Code is amended as follows:

Sec. 90-641 Intent.

- (a) The owner of any tract of land comprising an area of not less than two acres for residential development, two acres for a commercial development, or ten acres for an industrial development located in any zoning district **within city limits** may submit a plan for the total development of the area in accordance with the following standards and requirements as a planned unit development.
- (b) The planned unit development (PUD) district is intended to permit private or public development or redevelopment of areas throughout the city which shall be substantially in accordance with goals and objectives of the comprehensive plan for the city. The proposed development shall provide a desirable environment and shall be harmonious with the general surrounding uses while permitting flexibility in overall development.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-123

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 LAW; 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, as amended, known as the Community Development Law (the "Act"), 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, 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 of the Act; and

WHEREAS, the Planning and Zoning Commission of the City has recommended that the area described in Attachment "A" (the "Study") 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 of the Act and has received and duly considered evidence relating to the present condition of the areas as shown and described in the Study; and

WHEREAS, Section 18-2109 of the Act 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 blighted area as defined in the Act and in need of redevelopment; and

WHEREAS, the evidence demonstrates that said area, as shown and described in the Study, constitutes a substandard and blighted area as defined in the Act, 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 of the Act 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 the Study.
3. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the 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, Nebraska Revised Statutes of 2013, 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".

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

THE CITY OF WAYNE, NEBRASKA,

By: _____
Mayor

ATTEST:

City Clerk

City of Wayne

Blight and Substandard Determination
Study for Area Referred to as the

North Central Redevelopment Area

October 10, 2013



North-Central Wayne

Table of Contents:

▪ Executive Summary	1
▪ Study Area	4
▪ Findings	
1) Documentation of Qualifying Conditions – Objective Criteria	5
2) Documentation of Qualifying Conditions – Subjective Criteria	6
▪ Conclusion	9
▪ 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.
- 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.

- 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.

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 in this Study are based on analysis conducted for a location referred to as the "North-Central Wayne". The legal description of the area is as follows: beginning at the center of the intersection of Main Street and 10th Street; thence east along the centerline of 10th Street to the intersection of Walnut Street and 10th Street; thence north along the centerline of Walnut Street to the intersection Hillcrest Road and Walnut Street; thence east along the centerline of Hillcrest Road to the intersection of Hillcrest Road and Lilac Lane; thence south along the centerline of Lilac Lane to the center of the intersection south right of way of 10th Street; thence west along the south right of way of 10th Street to the east right of way of Walnut Street; thence south to the southwest corner of McPherran's Addition Lot 15; thence west along the south boundary of McPherran's Addition Lot 23 to the southwest corner of McPherran's Addition Lot 23; thence south along the centerline of the alley, continuing south along the property lines of John Lakes Addition Block 1, lots 1, 2, 3, 4, 5, 6, and John Lakes Addition Block 2, lots 1, 2, 3, 4, 5, 6, to a point at the centerline of 7th Street; thence west along the centerline of 7th Street to the center of the intersection of 7th Street and Main Street; thence north along the centerline of Main Street, ending at the intersection of Main Street and 10th Street.

The John Lakes 2 Redevelopment Area is not included in the study area.

See Exhibit 1 for map.

Findings

Documentation of Qualifying Conditions – Objective Criteria

1) Unemployment.

Wayne County had a April 2013 unemployment rate of 2.9%. Nebraska had an unemployment rate of 3.7% and the United States had a rate of 7.8%.

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 7 commercial and 112 residential properties within the redevelopment area which have dates of construction listed at the Wayne County Assessors' office. The average age for the properties in the area is 76.74 years. There are also several smaller buildings in the area that did not have dates of construction listed including residential type garages, with no verifiable date of construction on file. Those buildings were not listed in developing the average age of 76.74 years.

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

3) Per capita income.

Per capita income data by census is not available for this specific area.

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

4) Population.

Population has increased over the past two decennial censuses for the City of Wayne. The study area does not line up with a block group to show a smaller area.

- 1990 Census: community: population-5,142
- 2000 Census: community: population-5,586
- 2010 Census: community: population-5,660

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

5) Unimproved land

The study area has 131 tax parcels in the boundary, with 3 vacant lots comprising a public park, which is not 50% of the area.

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

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 October 24, 2012 and March 1, 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. See Exhibit 2.

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.

Average: 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: 184	1 (.54%)	78 (41.39%)	65 (35.33%)	34 (18.48%)	6 (3.26%)
<u>buildings (6) rated "Dilapidated"</u>					
<u>40 structures (21.74%) rated "Poor" or "Dilapidated"</u>					

Of the total properties (buildings) assessed, 40 of the 184 buildings were given ratings of poor or dilapidated. This accounts for 21.74% of the total properties in the redevelopment area. There were also several paved parking lots and three

lots containing a park, which did not have a building and were not counted.

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 street system is laid out in a rectangular method and each lot has street access.

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 in the study area is adequate for residential housing.

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 study area inspection revealed that unsafe conditions exist. Eighty-two of the aging residential and commercial structures constructed were constructed prior to 1932 and are over 80 years of age. Six structures were classified as dilapidated which can have potential health and safety issues that may pose a threat to individuals.

- Based simply on the age of the properties in the study area, structural integrity, out-of-date wiring, ineffectual plumbing, outdated bathroom facilities, deficient air and heating capabilities, and improper exits/entrances (i.e., window/door escapes) are present.
- Inadequate and aging structures in the study area contain foundation, floor structure; doors/windows/fire escapes (egress/ingress) flaws. These basic building elements constitute an economic or social liability and are detrimental to public health, safety and welfare in their present condition.
- The age of the properties is also indicative of having lead based paint present. The very young, in particular, are susceptible to the safety issues caused by lead based paint.
- In addition to inadequate structures there are deteriorated sidewalks, ramps, streets, curbs and alleys located throughout the study area.

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. The property in the study area was determined to have inadequate sidewalks for pedestrian and unpaved parking for rental homes. See Exhibit 2.

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

6) Diversity of ownership.

Based on available property records, the 121 tax parcels of land in the study area are owned by 104 different property owners. The property owners who own multiple parcels are a church, commercial business, and several residential rental property owners. Other than the church and business properties, the multiple property owners' lots are scattered throughout the study area which would create barriers to a business or housing development and would require a larger land area consisting of several lots.

The study area does 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 residential homes or commercial business.

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.

The average age of the structures in the redevelopment area is 76.74 years old with eighty-two of the structures from 80 to 136 years of age. The existence of aged flammable materials, deteriorating electrical systems, and faulty heating systems

increases the potential threat of fire. Inadequate roofing and old wiring can also provide for dangerous conditions.

The study area does 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 sub-standard 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:

- 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:

- A substantial number of deteriorated or deteriorating structures,
- Unsanitary or unsafe conditions,
- Deterioration of site or other improvements,
- Diversity of ownership criteria,
- The existence of conditions which endanger life or property by fire and other causes,

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.

North-Central Wayne Redevelopment Area

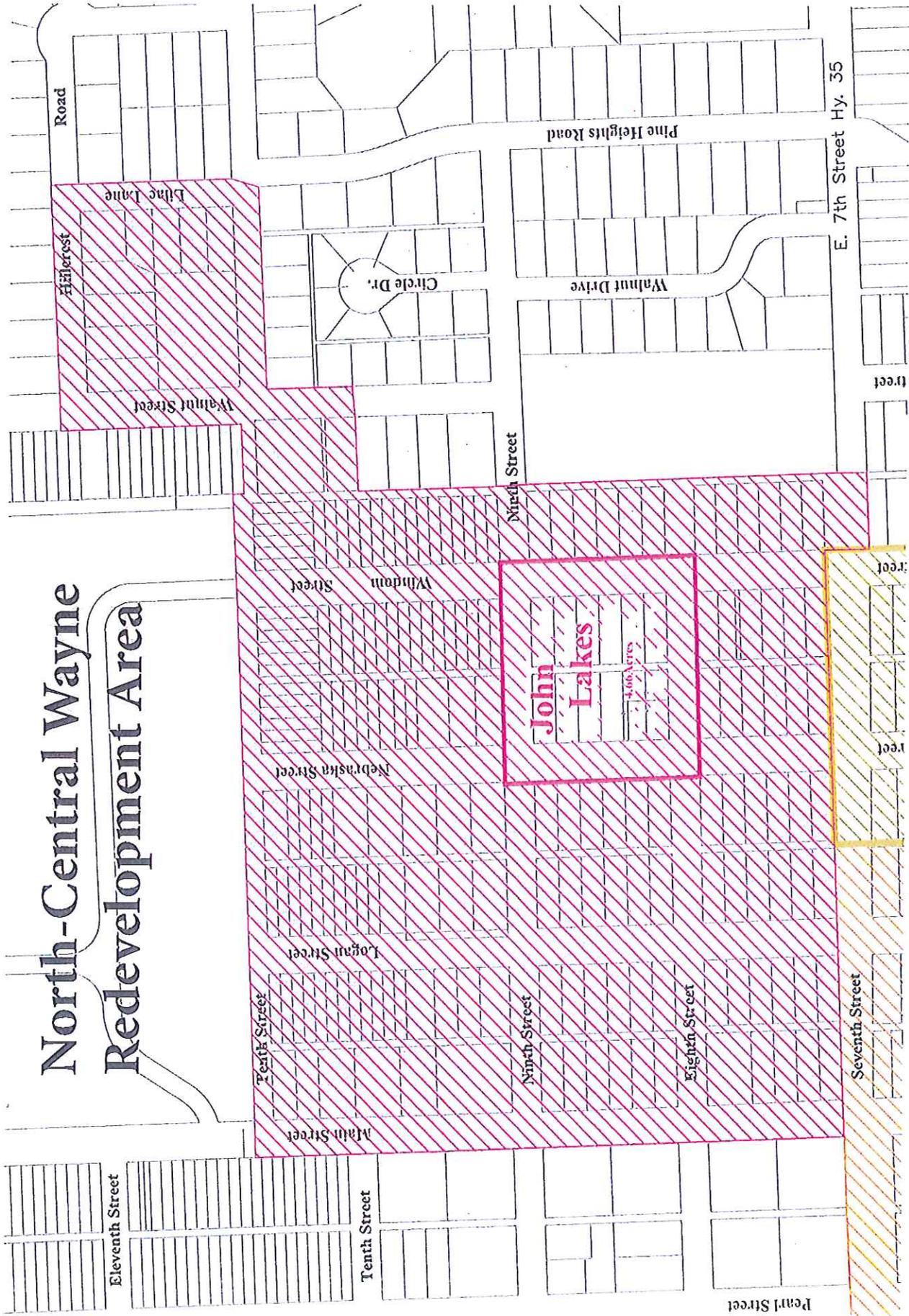


EXHIBIT 1

EXHIBIT 1

Wayne - "North Central" Redevelopment Area



- Deterioration
- unsafe foundation



- Deteriorating roof



Wayne - "North Central" Redevelopment Area



- Debris

- Deteriorating infrastructure



Wayne - "North Central" Redevelopment Area



- Steps leading to the residential home are deteriorating - unsafe conditions

(Below)

- Unmarked barrel



EXHIBIT 2

Wayne - "North Central" Redevelopment Area



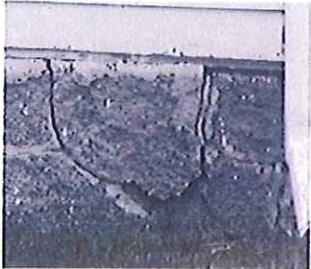
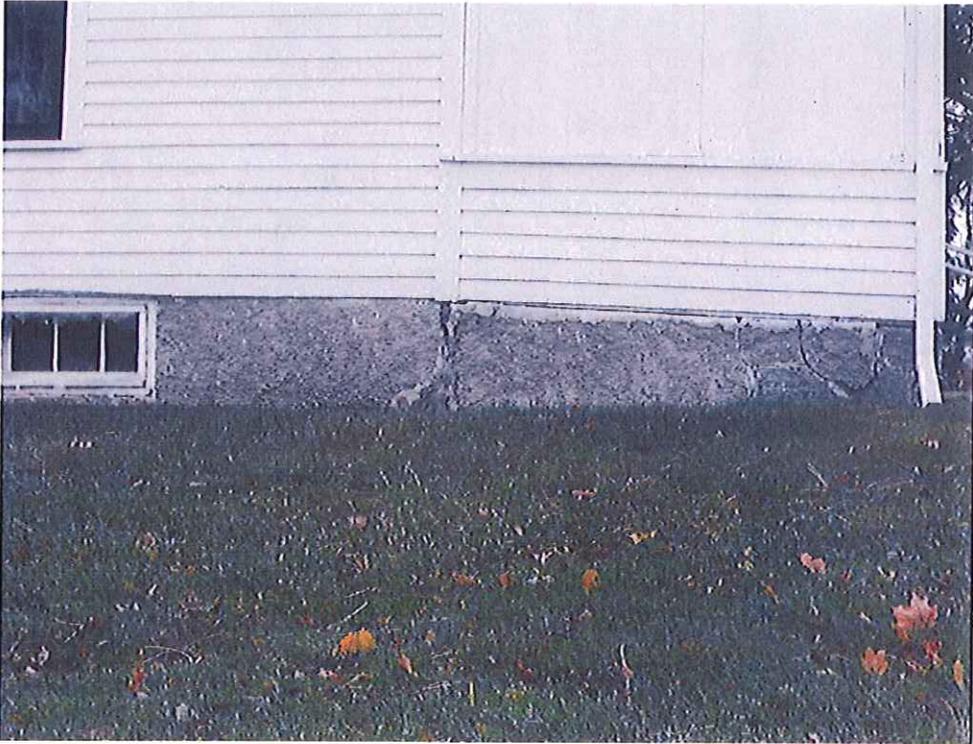
- Peeling paint
- Deteriorating structure - roof & framework



- Debris



Wayne - "North Central" Redevelopment Area



- Crumbling foundation



- Deteriorating siding



Wayne - "North Central" Redevelopment Area



- Broken/missing panels on outstructure



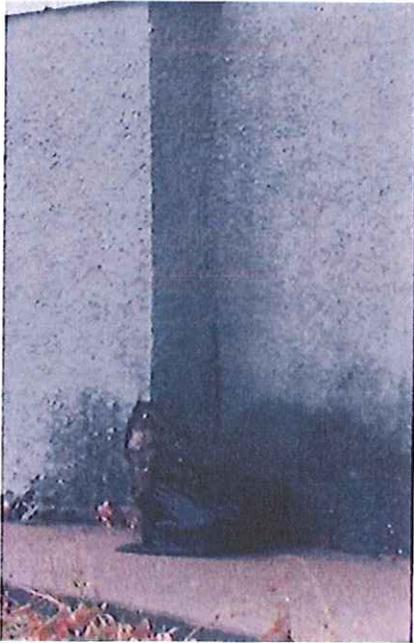
- Debris



Wayne - "North Central" Redevelopment Area



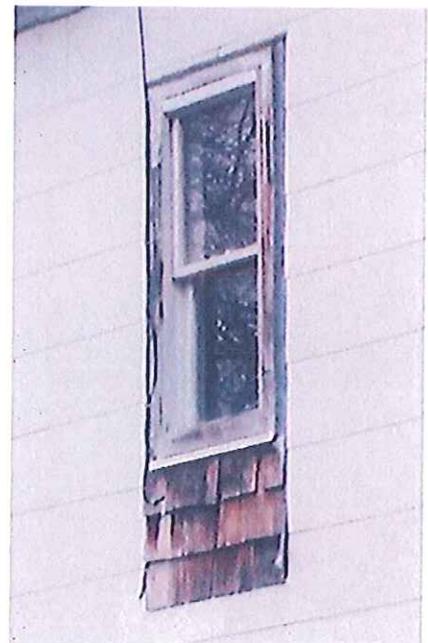
Deteriorating structure



Foundation beginning to deteriorate



Insufficient drainage - eventual foundation impact



Outdated windows

Wayne - "North Central" Redevelopment Area

- Unpaved parking lot



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City of Wayne
CDA Claims List
November 19, 2013

11/8/13	Pieper & Miller – legal services	453.00
11/15/13	Midwest Land – lot sale	1,050.00

CDA RESOLUTION NO. 2013-15

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

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

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

Lots 11 and 12, Block 7, North Addition to the City of Wayne, Wayne County, Nebraska, as surveyed, platted and recorded, now being a part of the City of Wayne, all in Wayne County, Nebraska; (b) that prior to the preparation of the Plan an area which includes the Project Area was declared blighted and substandard by action of the Mayor and City Council of the City; (c) that the City has had in effect its general plan for the development of the City from the time prior to the establishment of the Agency and the preparation of Plan; (d) that the Plan was submitted to

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

Section 2. A tax increment revenue bond in the principal amount and denomination of \$108,646.00, is hereby ordered issued in accordance with Section 18-2125, R.R.S. Neb. 2012, by the Agency and shall be designated as its "Tax Increment Revenue Bond" (PROGRESSIVE PROPERTY INSPECTIONS, LLC Project) Series 2013 A" (hereinafter referred to as the "Bond"). The Bond shall be dated as of the date of its delivery. The Bond shall bear interest from the date of its issuance and delivery until maturity (or earlier redemption) at the rate of five percent (5.0%) per annum, provided, however, that if for any interest payment date (a) the real estate taxes with respect to the Project Area becoming delinquent upon the delinquency date next preceding such interest payment date have been paid in full and (b) such taxes available for deposit to or deposited in the Bond Fund (as hereinafter established and defined), together with

any other monies in the Bond Fund, are insufficient to pay the interest on the Bond then due and owing, the amount of interest accruing on the Bond shall not be reduced, but shall be paid from the Bond Fund as and to the extent of funds then available for deposit to or deposited in such Bond Fund. The principal of the Bond shall become due on December 31, 2028, provided that such principal amount shall be subject to mandatory redemption from "Available Funds" as described in Section 5 below on June 1 and October 1 of each year. All such interest upon the Bond shall be payable semiannually on June 1 and October 1 of each year, commencing June 1, 2016. The Bond shall be in fully registered form. The Agency's Treasurer (the City Clerk/Treasurer of the City of Wayne) is hereby designated as paying agent and registrar for the Bond (the "Agent"). The Agent shall serve in such capacities pursuant to the terms of this Resolution. The interest due on each interest payment date prior to maturity shall be payable to the registered owner of record as of the last business day of the calendar month immediately preceding the calendar month in which such interest payment date occurs (the "Record Date"), subject to the provisions of Section 4 hereof. Payments of interest due on the Bond, except for payments due on final maturity date, or other final payment, shall be made by the Agent by mailing a check or draft in the amount then due for interest on the Bond to the registered owner of the Bond, as of the Record Date for such interest payment date, to such owner's registered addresses as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest due at final maturity or other final payment shall be made by the Agent to the registered owner upon presentation and surrender of the Bond to the Agent at the Agency's offices at City Hall in the City of Wayne, Nebraska. The Agency and the Agent may treat the registered owner of the Bond as the absolute owner of the Bond for the purpose of making payments thereon and for all other purposes and neither the Agency nor the Agent shall be

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

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

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

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

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

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

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

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF WAYNE

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

<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Final Maturity Date</u>
\$108,646.00	5.0%	December 31, 2028

KNOW ALL PERSONS BY THESE PRESENTS: That the Community Development Agency of the City of Wayne, Nebraska, hereby acknowledges itself to owe and for value received promises to pay, but only from the sources herein designated, to the registered owner designated on the reverse hereof, or registered assigns, the principal sum shown above in lawful money of the United States of America with such principal sum to become due on the maturity date set forth above, with interest on the unpaid balance from date of delivery hereof until maturity or earlier redemption at the rate of five percent (5.0%) per annum, subject to limitation as set forth in the authorizing resolution. Said interest shall be payable semiannually on June 1 and October 1 of each year commencing on June 1, 2016. The payment of principal and interest due upon the final maturity is payable upon presentation and surrender of this bond to the Treasurer of said Agency, as Paying Agent and Registrar for said Agency, at the offices of the Community Development Agency of the City of Wayne at City Hall, in Wayne, Nebraska. The payments of interest and of mandatory redemption of principal on each interest payment date (other than at final payment) will be paid when due by a check or draft mailed by said Paying Agent and Registrar to the registered owner of this bond, as shown on the books or record maintained by the Paying Agent and Registrar, at the close of business on the last business day of the calendar month immediately preceding the calendar month in which the interest payment date occurs, to such owner's address as shown on such books and records. Any payment of interest or mandatory redemption of principal not timely paid when due shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable, and shall be payable to the person who is the registered owner of this bond on such special record date for payment of such defaulted interest or redemption price as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

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

This bond is a single bond in the total principal amount of One Hundred Eight Thousand Six Hundred Forty Six Dollars and no cents (\$108,646.00) issued by the Agency for the purpose of paying the costs of redevelopment of certain real estate located in the City of Wayne, as designated in that redevelopment contract containing a redevelopment plan recommended by the Agency and approved by the Mayor and City Council of the City of Wayne, Nebraska, (the "Plan"), all in compliance with Article 21 of Chapter 18, Reissue Revised Statutes of Nebraska, 2012, as amended, and has been duly authorized by resolution passed and approved by the Mayor and City Council of the City of Wayne, acting as the governing body of the Agency (the "Resolution").

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

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

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

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

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

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

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

Delivered this ____th day of September, 2013.

(SEAL)

COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF
WAYNE, NEBRASKA

:

By: _____ (do not sign) _____
Chair

ATTEST:

_____(do not sign)_____
Secretary

PROVISION FOR REGISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF WAYNE
NEBRASKA

By _____
Chair

ATTEST:

By: _____
City Clerk/Secretary

CDA RESOLUTION NO. 2013-16

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

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

Section 1. The Mayor and City Council hereby find and determine (a) that the Community Development Agency of the City of Wayne, Nebraska (the "Agency") was duly created by ordinance of the City of Wayne (the "City") for purposes of assisting with redevelopment of real estate located within the City; that the Agency has and may exercise all of the powers of a redevelopment authority provided for under the Community Development Law of the State of Nebraska; that there has been prepared a redevelopment plan entitled "Redevelopment Contract" [SEBADE HOUSING, LLC Project] which constitutes a Redevelopment Plan (the "Plan") for the redevelopment of the following described real estate: East 1/2 of Lot 7 and the South 40 feet of the East 1/2 Lot 8, Block 11, North Addition to the City of Wayne, Wayne County, Nebraska, as surveyed, platted and recorded, now being a part of the City of Wayne, all in Wayne County, Nebraska; (b) that prior to the preparation of the Plan an area which includes the Project Area was declared blighted and substandard by action of the Mayor and City Council of the City; (c) that the City has had in effect its general plan for the development of the City from the time prior to the establishment of the Agency and the preparation of Plan; (d) that the Plan was submitted to the City Planning Commission of the City

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

Section 2. A tax increment revenue bond in the principal amount and denomination of \$40,000.00, is hereby ordered issued in accordance with Section 18-2125, R.R.S. Neb. 2012, by the Agency and shall be designated as its "Tax Increment Revenue Bond" (SEBADE HOUSING, LLC Project) Series 2013 A" (hereinafter referred to as the "Bond"). The Bond shall be dated as of the date of its delivery. The Bond shall bear interest from the date of its issuance and delivery until maturity (or earlier redemption) at the rate of five percent (5.0%) per annum, provided, however, that if for any interest payment date (a) the real estate taxes with respect to the Project Area becoming delinquent upon the delinquency date next preceding such interest payment date have been paid in full and (b) such taxes available for deposit to or deposited in the Bond Fund (as hereinafter established and defined), together with any other monies in the Bond Fund, are insufficient to pay the interest on the Bond then due and owing, the amount of interest accruing on the Bond shall not be reduced, but shall be paid from the Bond Fund as and to the extent of

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

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

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

whenever monies for the purpose of paying such defaulted interest or redemption price become available.

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

request information in writing from the Agent at any time as to the principal amount outstanding upon the Bond.

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

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

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF WAYNE

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

<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Final Maturity Date</u>
\$40,000.00	5.0%	December 31, 2028

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

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

This bond is a single bond in the total principal amount of Forty Thousand Dollars and no cents (\$40,000.00) issued by the Agency for the purpose of paying the costs of redevelopment of certain real estate located in the City of Wayne, as designated in that redevelopment contract containing a redevelopment plan recommended by the Agency and approved by the Mayor and City Council of the City of Wayne, Nebraska, (the "Plan"), all in compliance with Article 21 of Chapter 18, Reissue Revised Statutes of Nebraska, 2012, as amended, and has been duly authorized by resolution passed and approved by the Mayor and City Council of the City of Wayne, acting as the governing body of the Agency (the "Resolution").

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

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

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

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

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

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

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

Delivered this ____th day of September, 2013.

(SEAL)

COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF
WAYNE, NEBRASKA

:

By: _____ (do not sign) _____
Chair

ATTEST:

_____(do not sign)_____
Secretary

PROVISION FOR REGISTRATION

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

or legal representative, in such form as shall be satisfactory to said Paying Agent and Registrar, such registration of transfer to be made on such books and endorsed hereon by said Paying Agent and Registrar

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF WAYNE NEBRASKA

By _____
Chair

ATTEST:

By: _____
Clerk

RESOLUTION NO. 2013-118

A RESOLUTION OF THE CITY OF WAYNE ESTABLISHING SEWER HOOK-UP FEES FOR THE “CHIEF’S WAY SANITARY SEWER EXTENSION PROJECT.”

WHEREAS, Section 18-2123 R.R.S provides that a Development Agency may acquire undeveloped land when the same is essential to the proper clearance or redevelopment of an area; and

WHEREAS, the governing body of the City of Wayne has determined that the areas to be served by the existing and future city sanitary sewer extension described herein is necessary for the proper economic development of an area within the two-mile zoning jurisdiction of the City of Wayne; and

WHEREAS, the governing body has determined that it is in the best interests of the City and the Agency to extend sanitary sewer service to the areas described; and

WHEREAS, this sanitary sewer extension will also front other properties that will benefit from this utility extension; and

WHEREAS, a utility extension district is not created to finance these extensions; and

WHEREAS, this sanitary sewer extension will be owned and maintained in perpetuity by the City of Wayne; and

WHEREAS, the City desires to reimburse the City of Wayne Sewer Utility System fairly and completely for the sanitary sewer extensions herein described and constructed with City Sewer Utility funds; and

WHEREAS, the City desires to establish sewer hook-up fees for the Chief’s Way Sanitary Sewer Extension based on a fair and equitable allocation of the costs of the “Chief’s Way Sanitary Sewer Extension” herein described.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. The governing body of the City of Wayne adopts the LF (linear feet of property frontage) method in Attachment A, CHIEF’S WAY SANITARY SEWER EXTENSION HOOK-UP FEES and HOOK-UP FEE CALCULATION FORMULA as calculated by Olsson Associates,

to be used to determine the sanitary sewer hook-up fees for all properties to be served by the Chief's Way Sanitary Service Extension.

Section 2. The City Clerk will attach a copy of this signed Resolution with the title of each real estate property located east of Centennial Road South.

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

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-50

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.

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

Section 1. The City of Wayne does hereby find and declare that the following described real estate:

The boundary for land proposed for annexation is described as: Commencing at the southwest corner of Lot 1 of Kardell Industrial Park No. 2 Subdivision; thence northerly along the west line of Lot 1 of Kardell Industrial Park No. 2 Subdivision to the north side of Summerfield Drive; thence easterly along the north side of Summerfield Drive to the northwest corner of Lot 2 of Kardell Industrial Park No. 2 Subdivision; thence easterly along the north line of Lot 2 of Kardell Industrial Park No. 2 Subdivision to the west line of Lot 3 of Kardell Industrial Park No. 2 Subdivision; thence northerly along the west line of Lot 3 of Kardell Industrial Park No. 2 Subdivision to the northwest corner of Lot 3 of Kardell Industrial Park No. 2 Subdivision; thence easterly along the north line of Lot 3 of Kardell Industrial Park No. 2 Subdivision to the centerline of the Logan Creek; thence northerly and easterly along the centerline of the Logan Creek to the north line of Section 8, T26N, R4E; thence easterly along the north line of Section 8, T26N, R4E, to the northeast corner of Section 8, T26N, R4E; thence southerly along the east line of Section 8, T26N, R4E to the northeast corner of Section 17, T26N, R4E; thence southerly along the east line of Section 17, T26N, R4E, to the south side of State Highway 35; thence westerly along the south side of State Highway 35 to a point perpendicular to the centerline of Highway 35 that is adjacent to the southeast corner of Tax Lot 14 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E; thence northerly along the east side of Tax Lot 14 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E, to the northeast corner of Tax Lot 14 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E; thence northerly to the southeast corner of Tax Lot 11 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E; thence northerly along the east side of Tax Lot 11 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E to the northeast corner of Tax Lot 11 in the SW $\frac{1}{4}$ of Section 8, T26N, R4E; thence northerly and westerly along the west side of Industrial Drive to the southeast corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence westerly along the south line of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision to the southwest corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence northerly along the west line of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision to the northwest corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence southerly along the east side of Lot 1 of Kardell Industrial Park No. 2 Subdivision to the southeast corner of Lot 1 of Kardell Industrial Park No. 2 Subdivision; thence westerly to the point of

beginning at the southwest corner of Lot 1 of Kardell Industrial Park No. 2 Subdivision.

is immediately adjoining and contiguous to the corporate limits of the City of Wayne, Nebraska.

Section 2. The above described real estate is annexed to the City of Wayne, Nebraska, and is declared to be within the corporate limits of the City of Wayne, Nebraska, pursuant to Section 19-916 (R.R.S. 1943).

Section 3. The corporate limits of the City of Wayne, Nebraska, are hereby extended to include said real estate.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 _____, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

WAYNE MUNICIPAL AIRPORT AUTHORITY

October 15, 2013

7:00 P.M.

The regular meeting of the Airport Authority of the City of Wayne was called to order at the City Council Chambers on the above date and time by Chairman Mitchell Nissen. The following members were present: Mitchell Nissen, Jerome Conradt, Todd Luedeke and David Ley. Also, attending the meeting were Nancy Braden Treasurer, Dawn Navrkal, Kyle Dahl Airport Authority Attorney, Tom Becker FBO & Airport Manager, Karma Schulte, Curtis Christianson Olsson Associates Airport Engineers, Keith Moji OCC Builders LLC, Jesse Kaufman, Rod Tompkins, Dana Tompkins, Scott Morgan, Norm Slama and David Zach.

Luedeke moved and Conradt 2nd to accept the Minutes of the September 9, 2013 Meeting. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Conradt 2nd to accept the Claims presented as of October 14, 2013. Roll was called with the following results: Yeas: Nissen, Conradt and Ley. Nays: None. Luedeke abstained. The Chairman declared the motion carried.

Luedeke moved and Ley 2nd to send Heritage Homes bid on replacement of airport manager's house and office building to EMC our insurance carrier for their approval. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

Luedeke moved and Ley 2nd that we work with the guidelines required by our insurance company for the replacement of our facilities as noted in state statute 16-321 sub section 6. Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

Conradt moved and Ley 2nd to request from Nebraska Department of Aeronautics a replacement NDB. Roll was called with the following result: Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Luedeke 2nd that we partially support Kyle Dahl, Wayne Airport Authority Attorney in the amount of \$1,000.00 of the costs of upcoming legal conference for Airport Authorities. 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 that we send a letter to EMC our insurance company that it is our intent to replace, repair and rebuild all insured buildings. Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The chairman declared the motion carried.

Ley moved and Conradt 2nd that we pay Estimate #9 of OCC billing thru October 4, 2013. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Ley. Nays: None. The Chairman declared the motion carried.

It was the general consensus of the authority members present that we should meet again in two weeks for a special meeting. A tentative date of October 28, 2013 was suggested to the Chairman.

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 Conradt moved and Ley 2nd that the meeting be adjourned. All voting in the affirmative the meeting was adjourned.

David R. Ley

Secretary

**Wayne Planning Commission Meeting Minutes
Monday, September 9, 2013**

Chair Pat Melena called the regular meeting of the Wayne Planning Commission to order at 7:00 P.M., on Monday, September 9, 2013, in the Council Chambers of the Municipal Building. Roll call was taken with the following members present: Lee Broige, Jeff Carstens, Breck Giese, Jessie Piper, Rachelle Rogers-Spann, Sharon Braun, Jill Sweetland, Chair Pat Melena, and Inspector/Planner Joel Hansen. Absent: Mark Sorenson.

Motion was made by Commissioner Carstens and seconded by Commissioner Braun to approve the minutes for August 5, 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.

Motion was made by Commissioner Braun and seconded by Commissioner Sweetland to hold a special meeting on Monday, September 23, 2013 at 7:00 PM, to hold a public hearing for the Jorgensen Addition Plat, to allow the surveyor time to complete the plat. Chair Melena stated the motion and second. All were in favor, motion carried unanimously.

Motion was made by Commissioner Carstens and seconded by Commissioner Sweetland to forward a recommendation of approval to the City Council for the Redevelopment Plan for the East ½ of Lot 7 and the South 40 feet of the East ½ of Lot 8, Block 11, North Addition, to the City of Wayne, Wayne County, Nebraska (220 East 4th Street), with the findings of fact being, consistency with the comprehensive plan and staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

Motion was made by Commissioner Braun and seconded by Commissioner Spann to forward a recommendation of approval to the City Council for the Redevelopment Plan for Lot 11, Block 7, North Addition, to the City of Wayne, Wayne County, Nebraska (321 East 6th Street), with the findings of fact being consistency with the comprehensive plan and staff's recommendation. Chair Melena stated the motion and second and the result of roll call being all ayes, Chair Melena declared the motion carried.

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

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Wayne Public Library Board of Trustees
Tuesday, October 1, 2013 / 5 p.m., Conference Room

MINUTES

The meeting was called to order at 5:05 p.m.

Present: Joel Ankeny, Spring Dahl, Jenny Hammer, Ellen Imdieke, Dennis Lipp, Lauran Lofgren, Library Director and Brian Kesting, City of Wayne Technology Support Specialist

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 Library/Senior Center Conference Room.

The minutes from the previous meeting were approved as presented.

The financial report was approved as presented.

Notes: Still spending to catch up from this summer.

Spending more on temporary wages (hiring contractual services).

Reordering lots of promotional material.

DIRECTOR'S REPORT

Statistics (100% of year has passed)

	AUG2013	SEP2013	SEP2012	% OF YTD
Circulation	5103	4473	4832	93
Patrons	3917	3521	3699	97
Meeting Room	5	3	4	119
Reference ?s	178	128	183	96
Computer ?s	126	84	127	125
Phone Calls	327	314	370	102
OPACS	165	164	231	83

AWEs	476	330	500	94
Internet	966	726	853	99
New Patron Cards	33	22	32	92
Items Added	151	105	147	83
Items Deleted	69	177	50	54

Staff Activities

- Library hosted Chamber Coffee on Sept 13 (Friday the 13th). Staff and attendees had lots of fun with ladders, black cats, open umbrellas, etc.
- LKL, JOsnes, and RMcLean were on The View from Wayne America to promote fall library activities.
- Mother Goose Lapsit and the Saturday fall story time are in full swing. JOsnes opened the fall story time by visiting the country market on Hwy 275.
- LKL attended OneLibrary Consortium quarterly meeting. Lofgren is currently serving as vice-president of the executive board.
- LKL has been serving on the Nebraska Library Association PLTS (Public Librarians and Trustees Section) awards committee.
- The library co-sponsored the September 30 program on the Affordable Care Act. About 50 people attended. The event was held in the Senior Center.
- RMcLean has completed planning for the fall 2013 Expand Your Horizon series. Due to major anniversaries, we are focusing on Presidents. Speakers will be here October 8, October 15, and October 22, speaking on Teddy Roosevelt, Abraham Lincoln and the Gettysburg Address, and the media coverage of the assassination of John F. Kennedy.
- LKruckenberg attended the NELS fall conference for continuing education hours. 5 staff members have NLC Public Library certification: Lauran Lofgren, Rita McLean, Julie Osnes, Heather Headley, and Linda Kruckenberg. (Note: Over half WPL staff is certified.)
- LKL, RMcLean, and JOsnes attended the Association of Small and Rural Libraries national conference the end of September. This was a great conference, very focused and applicable to our situation. We came back with lots of ideas! We should send people to this every few years.

OLD BUSINESS

Update on budget process: No changes have been made to the library budget, except for the request for a full-time youth services librarian. (Part of the changes coming with Obama-care is lowering full-time hours to 30. Our youth services position is currently at 34. This may change things.)

NEW BUSINESS

Discussion on filtering systems for the computer lab: Brian Kesting, City of Wayne Support Specialist said that the City is considering the purchase of a filter for the city's system. The board requested that whatever product is selected block as little legal access as possible, is easy to update, and doesn't place an undue burden on staff. Kesting & LKL will look into the different types of systems.

Discussion on limiting DVD checkouts: Currently the policy states that a new patron may check out five DVDs at a time for the first three months. After that any patron may check out 75 items at a time. Board approved a new policy stating that patrons be restricted to ten items at a time.

Meeting adjourned at 6:02 p.m.

Respectfully submitted,

Jenny Hammer, Secretary