

**AGENDA  
CITY COUNCIL MEETING  
January 7, 2014**

**1. [Approval of Minutes – December 17, 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. [Action on Recommendations from the LB840 Sales Tax Advisory Committee on a Request by Wayne Area Economic Development for Community Marketing/Administration Grant in the amount of \\$5,000. Community Marketing includes the Wayne Works campaign, people/workforce attraction, and the continual business and industry marketing](#)**

**Background:** In 2008, Wayne voters approved a 1 cent local sales tax that brings in approximately \$500,000 per year in revenue to the City to be used for capital projects and economic development.

- State law requires the first estimated \$55,000 to go to the City of Wayne Street Department;
- 60% (about \$270,000 per year) is to be used for capital projects;
- 40% (about \$175,000 per year) is allocated to local economic development; and
- A portion of the \$175,000 for economic development can be used for the operation of WAED and marketing the community.

This action before you is to act on a \$5,000 allocation the Council has been annually setting aside for WAED to use for marketing Wayne.

**Recommendation:** The recommendation of the WAED Board is to approve the \$5,000 marketing allocation.

**4. [Action on Recommendations from the LB840 Sales Tax Advisory Committee on a Request by Rod L. Lutt and Christine E. Cook-Lutt, d/b/a “Lutt Oil and Service” for a Low Interest Loan in the amount of \\$50,000](#)**

**5. Review of Clarified Information and Possible Action to Reconsider Council Decision on the Contract with Big Rivers Electric Corporation that was approved at the December 17, 2013, Council Meeting**

**Background:** At the December 17<sup>th</sup> Council meeting, the Council approved, by a 7-1 vote, a motion to award a contract to Big Rivers Electric Corporation to supply wholesale electric power at a 10% discount from the NPPD blend rate to Wayne from January 1, 2019, to December 31, 2026, if it was approved by the City Council before December 31, 2013. After that date, the Big Rivers' 10% discount was based on the NPPD Generation Station Rate, which historically has been approximately 3% higher. Our RFP negotiator stated that the total discount for Wayne would be 13% if the Council approved the Big Rivers' contract at the December 17<sup>th</sup> Council meeting and only 10% if approved after that date.

Our attorney has determined that the actual total discount if approved at the December 17<sup>th</sup> Council meeting would mathematically be 12.75% instead of 13% if the spread between NPPD rates is exactly 3%. Using the 13-year projected electric rates presented to the Council, the .25% mathematical difference would mean about \$300,000 less savings over the life of the Wayne-Big Rivers' contract. The actual difference between the NPPD Blend Rate and Generation Station Rate is set by NPPD rate calculations and not guaranteed to be 3%.

**Recommendation:** The concern by the City Attorney is that this information was not presented clearly to the Council at the meeting and may have made a material difference in the Councilmembers' deliberation and vote on the contract. If the Councilmembers determine the corrected information would have made a material difference to their votes and they want to have a second vote, a motion to reconsider can only be made by a Councilmember who voted on the prevailing side in the vote at the December 17<sup>th</sup> Council meeting. If there is a re-vote, and the contract is not approved, then you're back to the options of:

- 1) Approving the Big Rivers' contract at a later date at a lower discount;
- 2) Advertising for bids again next year; or
- 3) Going to the market later and hedging prices like Neligh.

There is no attorney or staff recommendation on this issue.

6. [Ordinance 2014-1: Vacating East 12<sup>th</sup> Street lying between the West Line of the North-South Alley between Windom Street, extended north, and Walnut Street and the West Line of Walnut Street](#)

**Background:** This is the half block of 12<sup>th</sup> Street that goes west from Walnut Street to Bowen Hall. This is bounded on both sides by the Wayne State College campus and is used by Wayne State College traffic only. We have upgraded this street to good condition and have notified Wayne State College of our intent to transfer it to the State of Nebraska.

**Recommendation:** The recommendation of Joel Hansen, Street Superintendent, is to transfer the street to the State of Nebraska.

7. [Ordinance 2014-2: Amending Sections of the Wayne Municipal Code Book Regarding Parking Restrictions](#)

**Background:** After construction of several blocks of new city streets, Joel reviewed our entire city code and prepared a map of parking ordinances in place and new parking ordinances that he, Garry and I recommend for your consideration. This Ordinance would establish new no-parking any time locations on one side of streets that are new or haven't been acted on in the past. Joel has prepared large maps for the packet showing these locations and will explain the changes at the meeting. Hard copies of these maps will also be distributed at the meeting. The ordinance will require three readings, so you'll have time to get familiar with the proposed changes.

Joel has also prepared a second map for a later Council meeting (also included in this packet) that shows suggested new sections of streets to prohibit over-night parking. Hard copies of this map will also be distributed at the meeting.

**Recommendation:** The recommendation of Joel Hansen, Street Superintendent, Garry Poutre, Superintendent of Public Works & Utilities, and Lowell Johnson, City Administrator, is to approve the proposed sections of streets that would make one side of the streets no-parking any time.

**8. [Ordinance 2014-3: Restructuring the Community Development Agency](#)**

**Background:** The current membership of the Wayne Community Development Agency is authorized by ordinance to be limited to the Mayor and Councilmembers. The Mayor and several members of the Wayne Business and Industries Committee Board have suggested that the Wayne CDA membership include fewer elected city officials and more members of other subdivisions of government and community members. The proposed ordinance would provide for that change.

**Recommendation:** The change in membership is a decision of the elected officials and there is no recommendation from WAED or city staff.

**9. [Resolution 2014-1: Accepting Bid and Authorizing the Purchase of a Replacement Street Sweeper](#)**

**Background:** Only one bid was received and the price was \$169,848 for a new 3-wheel Elgin Pelican street sweeper if purchased before December 31<sup>st</sup>. The low bid also allows a reduction of \$22,000 for our current 1998 Elgin street sweeper if we choose to trade it instead of selling it out right.

**Recommendation:** At the December 3<sup>rd</sup> Council meeting, we asked your approval to sign a Purchase Order for a new street sweeper if the low bid met our specifications and the net cost with trade was under \$165,000. The only bid received met those criteria, and we issued a Purchase Order based on our conversations at the December 3<sup>rd</sup> meeting. The recommendation of Garry Poutre, Superintendent of Public Works & Utilities, is to ratify the staff's acceptance of the low bid and ordering of the street sweeper.

10. Action on Pay Application No. 4 in the amount of \$43,879.73 to Robert Woehler & Sons Construction for the Chief's Way Sanitary Sewer & Water Extension Project

11. Adjourn

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator

December 17, 2013

The Wayne City Council met in regular session at City Hall on Tuesday, December 17, 2013, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Kaki Ley, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 5, 2013, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of December 3, 2013, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** AMERITAS, SE, 2292.20; APPEARA, SE, 27.86; BAKER & TAYLOR BOOKS, SU, 1242.00; BANK FIRST, FE, 120.00; BARONE SECURITY SYSTEMS, SE, 138.00; BIG T ENTERPRISES, SU, 108.95; BMI, FE, 294.30; BOARD OF EXAMINERS, FE, 10.00; BSN SPORTS, SU, 52.61; CITY EMPLOYEE, RE, 125.66; CITY EMPLOYEE, RE, 152.33; CHARTWELLS, SE, 5657.42; CHILD SUPPORT, RE, 100.00; CHILDREN'S SAFETY PUB, SU, 150.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, PY, 61272.58; CITY OF WAYNE, RE, 805.81; CIVICPLUS, SE, 400.00; COMMUNITY HEALTH, RE, 4.00; DAKOTA BUSINESS SYSTEMS, SE, 209.00; DAVE'S DRY CLEANING, SE, 111.00; DE LAGE LANDEN FINANCIAL, SE, 394.00; CITY EMPLOYEE, RE, 61.30; DUTTON-LAINSON, SU,

1696.61; EASYPERMIT POSTAGE, SU, 1730.12; CITY EMPLOYEE, RE, 603.91; ED. M FELD EQUIPMENT, SU, 741.00; EXHAUST PROS, SE, 16.00; FASTENAL, SU, 8.20; FLOOR MAINTENANCE, SU, 127.25; GEMPLER'S, SU, 133.65; GLEN'S AUTO BODY, SE, 103.96; HD SUPPLY WATERWORKS, SU, 583.73; HR SPECIALIST, SU, 199.00; ICMA, SE, 6372.87; INGRAM BOOK CO, SU, 1145.47; IPMA, SU, 138.50; INTERSTATE ALL BATTERY, SU, 263.70; IRS, TX, 23736.74; JOHN'S WELDING AND TOOL, SE, 30.00; CITY EMPLOYEE, RE, 928.17; KRIZ-DAVIS, SU, 1330.72; KTCH, SE, 1552.78; CITY EMPLOYEE, RE, 167.31; MATT PARROTT AND SONS, SU, 284.37; CITY EMPLOYEE, RE, 4.93; MICROFILM IMAGING SYSTEMS, SU, 60.17; MIDWEST LABORATORIES, SE, 703.95; N.E. NEB ECONOMIC DEV DIS, SE, 674.96; NE AIR FILTER, SU, 47.04; NE DEPT OF REVENUE, TX, 3413.04; NE ECONOMIC DEVELOP ASSN, FE, 200.00; NE EMERGENCY SERVICE, FE, 60.00; NE SAFETY COUNCIL, SE, 8.38; NPPD, SE, 257,157.97; NNPPD, SE, 5375.68; NNPPD, SE, 13185.52; OLSSON ASSOCIATES, SE, 4032.09; PAC N SAVE, SU, 6.56; CITY EMPLOYEE, RE, 27.79; PRESTO X, SE, 48.60; QUALITY 1 GRAPHICS, SU, 25.00; RANDOM HOUSE, SU, 54.00; ROBERT WOEHLE & SONS, SE, 22637.32; SAND CREEK POST & BEAM, RE, 193900.00; SHOPKO, SU, 96.63; SPARKLING KLEAN, SE, 1507.48; STATE NEBRASKA BANK, SE, 59.36; STATE NATIONAL BANK, RE, 5907.17; STEVE LAMOUREUX, SE, 60.00; TOM'S BODY & PAINT SHOP, SE, 276.90; CITY EMPLOYEE, RE, 112.84; TYLER TECHNOLOGIES, SE, 200.00; US BANK, SU, 3715.89; WAYNE AUTO PARTS, SU, 260.50; WAYNE COMMUNITY SCHOOLS, RE, 6613.75; WAYNE COUNTY COURT, RE, 300.00; WAYNE HERALD, SE, 1356.58; CITY EMPLOYEE, RE, 237.42; WESCO, SU, 1198.40; WAPA, SE, 32051.27; ZACH OIL, SU, 4319.92; APPEARA, SE, 129.73; CITY EMPLOYEE, RE, 210.08; CITY EMPLOYEE, RE, 455.39; BROWN SUPPLY, SU, 602.78; CARHART LUMBER CO, SU, 155.62; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 3511.65; DEARBORN NATIONAL LIFE, SE, 1773.76; CITY EMPLOYEE, RE, 150.00; FREDRICKSON OIL, SU, 1046.61; CITY EMPLOYEE, RE, 1336.97; GLEN'S AUTO BODY, SU, 1666.00; GROSSENBURG IMPLEMENT, SU, 872.99; HAWKINS, SU, 2980.90; HILLYARD/SIOUX FALLS, SU, 978.76; INTERSTATE ELECTRIC MOTOR, SE, 9349.71; JEO CONSULTING GROUP, SE, 2072.50; JULIE CULL, RE, 2407.89; KEPSCO ENGRAVING, SU, 48.45; KIRKHAM MICHAEL, SE, 2392.00; KRIZ-DAVIS, SU, 90.53; MIRIAN AGUIRRE, SE, 50.00; N.E. NE AMERICAN RED CROSS, RE, 29.62; CITY EMPLOYEE, RE, 125.58; PIEPER & MILLER, SE, 104.00; STADIUM SPORTING GOODS, SU, 136.00; UNITED WAY, RE, 6.20; VOSS LIGHTING, SU, 378.40; WAED, SE, 7766.66; WESCO, SU, 2229.05

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

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

Police Chief Marlen Chinn introduced Jason Sears, the newly hired Police Sergeant.

Lauran Lofgren, Library Director, presented the 2013 Advocacy Award given out by the Nebraska Library Association PLTS Section to Charlene Rasmussen. This is in recognition of her exceptional support to the local library.

Administrator Johnson was requesting Council consideration to giving notice to Nebraska Public Power District on the City of Wayne's intent to reduce its contract power purchase. Johnson provided Council with a history of the relationship with NPPD and what has brought us to this action item. We will probably lose money in the short-run, but the long-run looks really good. All of the options work out, it's just some take longer to break even than others.

Attorney Miller explained that Wayne is different than the other towns that are looking at this proposal in that Wayne also has a lease capacity agreement with NPPD. Every year NPPD pays the City of Wayne approximately \$640,000 for the use of its power plant. That contract states that in the event the City would decide it is going to exercise its option to reduce its capacity agreement that NPPD can terminate the lease agreement and they then no longer have to pay the City the \$640,000. Ms. Miller

contacted the attorney for NPPD because it is not specified in the contract what “exercising the option” means. She wanted to know if “exercising the option” meant as soon as the City gives NPPD notice or if it meant as soon as the reduction started. If we want to give notice up to 30% or less, we are required to give NPPD a three year notice. Anything greater than 30% requires a five year notice. It’s important to know what NPPD considers the wording “exercising their option” is, because if they interpret it to mean exercising our option to reduce as of the date we give then notice, then they can terminate the \$640,000 payments as of that date, which would either leave us three years or five years of the City not getting the \$640,000 annual payment. It is the City Attorney’s position that “exercising the option” is defined as the time when the reduction actually starts and not the date when the notice is given. Ms. Miller would recommend giving NPPD the five year notice that we are going to reduce by 90%. If NPPD’s position would be to stop the lease capacity payments immediately, the City would be forced to litigate the matter.

Todd Hegwer, Timber Canyon Energy Consulting, LLC, was present. His recommendation was that the City enter into a contract with Big Rivers Electric Corporation. Administrator Johnson would prefer going out on the open market and purchasing electricity.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, to give notice to Nebraska Public Power District on the City of Wayne’s intent to reduce its contract power purchase by 90% with a five year notice. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated that Resolution No. 2013-126 would approve the contract with Big Rivers Electric Corporation.

Attorney Miller stated that the \$6.6 million dollar savings would be if the Council approves a contract with Big Rivers Electric Corporation. The other option is to just purchase power on the open market. Buying on the open market is risky, for the reason that you could see more or you could see lesser savings.

Councilmember Ley introduced Resolution No. 2013-126 and moved for its approval; Councilmember Haase seconded.

#### RESOLUTION NO. 2013-126

#### A RESOLUTION APPROVING THE CONTRACT WITH BIG RIVERS ELECTRIC CORPORATION.

The Big Rivers' contract would be an 8-year contract, which would start in 2019 and go through 2026. This is the contract that Ms. Barron said whatever NPPD's rate was, their rate would be 13% less if the City would sign a contract with them before the end of 2013.

Administrator Johnson stated there is risk going out on the open market, but he thought the market would continue to stay low. This is what Neligh does. At any point and time in the open market, the City can start looking for long-term contracts – that can be done every year if Council so desires.

Mr. Hegwer advised the Council that he thought the market was at the bottom now, and it has been at the bottom since 2008. Moving forward another 5-10 years, he does not believe it's going to stay that way. The Big Rivers contract is a guaranteed savings. You don't know what's going to happen on the open market.

Mayor Chamberlain stated right now we have five years before we have to start buying anything on the open market. We have the next five years to enter into another contract. The risk in that is not getting the same rate as what we would get now with the Big Rivers Electric Corporation.

Mr. Hegwer, in response to Councilmember Giese's question, stated the Big Rivers' proposal is a really good deal. You have a guaranteed savings with Big Rivers. When you go to the market, you don't know what is going to happen with rates. He was going to try to hedge 2019 and beyond, and he could not get anybody to give him a quote for that period. If they are not going to give him a quote now, then he would not recommend the City going out into the market.

Attorney Miller advised the Council that Wayne has two rate consultants – Todd Hegwer who represents the Emerson, South Sioux City, NNPPD, Wayne, and Wakefield group, and Mike Towne who represents just the City. They have agreed on everything except for the fact that Mr. Hegwer is recommending that the City sign a contract with Big Rivers and Mr. Towne is recommending that the City buy from the open market.

Mayor Chamberlain asked Mr. Hegwer if he thought there was a lot of risk even just shopping this for 12 months. Mr. Hegwer responded that right now, the City would lose the 3% on the Big Rivers deal if they waited. Mayor Chamberlain stated he likes the security of the Big Rivers contract, but we've been doing a lot of focus on where we go from here with NPPD, and he thought having a little bit of time to shop it a little bit more that we might be able to come up with another 10-year arrangement that's better.

Mr. Hegwer stated his gut feeling is that prices are going to start moving back up because they've been at the bottom for such a long time.

If the Council would decide not to go with Big Rivers at this time or wait until after December 31<sup>st</sup> to enter into a contract with them, the savings would go from 13% to 10%, which would result in losing \$180,000.

Mr. Hegwer stated he thought Wayne would lose more like \$1,200,000 by waiting until January to approve the contract.

Jim Litchfield, City Administrator of Wakefield, who was also at the meeting stated he is recommending that his Council go with the Big Rivers contract.

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

Because the Council approved Resolution 2013-126, no action needed to be taken on Agenda Item No. 6 - Action to approve a five-year notice to Nebraska Public Power District to terminate the City of Wayne's capacity lease agreement effective December 31, 2018.

Todd Hoeman, Street Foreman, and Lowell Heggemeyer, Assistant Street Foreman, updated the Council on the Street Sweeper specifications that are being advertised for bid at this time. The current street sweeper is 15 years old. A new one should last at least 15 years if not longer. The old sweeper will either be sold or traded in for this new one. The new sweeper should cost around \$170,000, with a trade-in value being between \$20,000 and \$30,000.

Mayor Chamberlain stated the time was at hand for the public hearing regarding the application for a Retail Class CK Liquor License for Gander Foods, LLC, d/b/a "Godfather's Pizza."

Philip Anderson, co-owner, was present to answer questions. Cale Giese is the other co-owner.

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

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

Councilmember Brodersen introduced Resolution No. 2013-131 and moved for its approval; Councilmember Sievers seconded.

#### RESOLUTION NO. 2013-131

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS CK LIQUOR LICENSE — GANDER FOODS, LLC, D/B/A “GODFATHER’S PIZZA.”

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese abstaining due to a conflict of interest, the Mayor declared the motion carried.

Discussion then took place on the Blighted and Substandard Study for the “North Central Redevelopment Area” which was tabled at the last meeting. The map was revised pursuant to the requested changes made at the last meeting.

Councilmember Giese questioned leaving the church parking lot in the blighted area.

Councilmember Sievers introduced Resolution No. 2013-123 and moved for its approval with the map staying as is; Councilmember Haase seconded.

#### 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.

Councilmember Giese stated if we are going to need more tax increment financing area, he wanted to see the big gravel parking lot area by the church at the corner of 9<sup>th</sup> and Logan Streets taken out. There's no point in having it in there. There's no benefit to the city.

Councilmember Haase rescinded his second to the motion. Said motion then died for lack of a second.

Councilmember Giese then introduced Resolution No. 2013-123 and moved for its approval minus the parking lot on the southeast corner of 9<sup>th</sup> and Logan Streets; Councilmember Brodersen seconded.

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 (NORTH CENTRAL REDEVELOPMENT AREA).

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

Councilmember Ley introduced Ordinance 2013-51, and moved for approval of the third and final reading thereof; Councilmember Giese seconded.

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.

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

The following Resolution would direct the City Clerk to file a lien against 111 Fairgrounds Avenue for the cost of work hired by the City to abate a violation of City Code after proper notice was given to the property owner.

Councilmember Ley introduced Resolution No. 2013-132 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2013-132

A RESOLUTION DIRECTING CITY CLERK TO CERTIFY RAZING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON TAX LOT 22 (50X100 FT. TRACT) IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4, EAST OF THE 6<sup>TH</sup> P.M., WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 111 FAIRGROUNDS AVENUE, WAYNE, NEBRASKA.

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

Attorney Miller stated that clarification needed to be made on the motion that was made at the last Council meeting which approved the action to foreclose on property commonly described as 111 Fairgrounds Avenue after the owner has had the ability to pay the liens. There needed to be a specific timeframe given to the property owner in which to pay the liens.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the demand letter to the property owner of 111 Fairgrounds Avenue in the amount of a 30 day timeframe.

Attorney Miller requested the motion also include giving the property owner the opportunity to pay.

Councilmember Giese then amended his motion and Councilmember Muir seconded the same approving the demand letter to the property owner of 111 Fairgrounds Avenue and giving the property owner the opportunity to pay within 30 days.

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

The following Resolution and Ordinance would authorize and direct the sale of the pole yard property to Wayne County for the sum of \$50,000.

Administrator Johnson stated that the police department can use the building for 12 months exclusively for evidence.

Councilmember Ley introduced Resolution No. 2013-133 and moved for its approval; Councilmember Muir seconded.

#### RESOLUTION NO. 2013-133

A RESOLUTION AUTHORIZING THE SALE OF TAX LOT 32 LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., WAYNE COUNTY, NEBRASKA, TO THE COUNTY OF WAYNE, NEBRASKA.

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

Councilmember Muir introduced Ordinance 2013-53, and moved for its approval thereof; Councilmember Ley seconded.

#### ORDINANCE NO. 2013-53

AN ORDINANCE DIRECTING THE SALE OF TAX LOT 32 LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF

SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., WAYNE COUNTY, NEBRASKA, TO THE COUNTY OF WAYNE, NEBRASKA.

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

Two proposals were received to operate a keno-type lottery within the City of Wayne, one of which did not meet the specifications of the proposal.

John Hassett with Advanced Gaming Technologies was present to answer questions. The contractor will receive 12% of the gross proceeds as the operating expense of the lottery while operating stand alone random generated games. That percentage will increase to 14% when the live ball draw game opens. The City shall not receive less than 10% of the gross proceeds after payment of prizes and Contractor's percentage while the keno game is being operated at separate random generated locations. The City's percentage will be reduced to 8% when the live ball draw is open. The contract shall be for five years. If other locations in Wayne are interested in having Keno, they can be connected to the live ball draw.

Ken Jorgensen was also present to answer questions. The City will be taking a lesser percentage than other towns in the area in the hopes of drawing more people to Wayne. The City taking less means more of a payout to the Keno players.

Councilmember Giese introduced Resolution No. 2013-134 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2013-134

A RESOLUTION ACCEPTING PROPOSAL AND AWARDED CONTRACT TO ADVANCED GAMING TECHNOLOGIES, INC., TO OPERATE THE

KENO-TYPE LOTTERY WITHIN THE CITY OF WAYNE.

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

Finance Director Nancy Braden stated because of the tornado and other things taking precedence over some of the other projects we have, we are asking the Nebraska Department of Economic Development for an extension on the Comprehensive Investment & Stabilization Needs Assessment grant. This is for the southeast quadrant of Wayne. This is a grant to do a study to see what improvements are needed in the area. One of the things being talked about with this grant is the possibility of tornado shelters.

Councilmember Ley made a motion, which was seconded by Councilmember Brodersen, approving an extension request for Community Development Block Grant #13-CIS-006 (Comprehensive Investment & Stabilization Needs Assessment) to March 31, 2014. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

BJ Woehler gave a presentation on a proposed project he would like to do in the Industrial Drive East Area. In addition, he was requesting a sense of the Council regarding the project and obtaining tax increment financing for the same.

Councilmember Eischeid questioned the order of the agenda – shouldn't the ordinance annexing this property have been before Mr. Woehler's presentation? He felt this was leverage for the Council to annex this area. If the Council chooses not to annex the area, then Mr. Woehler is not eligible for tax increment financing.

In regard to the third reading of Ordinance 2013-50 annexing the Pacific Coast, airport, Williams Form, and Woehler properties, Councilmembers Giese and Eischeid

thought this should be tabled until the next meeting so that the map can be reviewed to determine what should and should not be annexed. Councilmember Giese thought the Council had not given this a serious six weeks of consideration – they were just rushing it through to help Pacific Coast.

Councilmember Eischeid opined that the growth of Wayne should not entirely depend on tax increment financing.

Councilmember Muir questioned why the Council wouldn't annex property if it is being requested by the property owner.

Mayor Chamberlain stated his thought was to move forward with the annexation so that as we try to recruit a new business to town, we can give them the option for tax increment financing. It doesn't mean they have to take or use tax increment financing. It just becomes an option. TIF is a tool that we can use to try and attract new businesses.

Councilmember Sievers thought it was a double edged sword.

Attorney Miller advised the Council that they could annex the Williams Form and Woehler properties without annexing Pacific Coast or the airport.

Councilmember Eischeid stated if Williams Form and Woehlers want to be annexed, those can be annexed, but it should stop there. If a business is interested in the Pacific Coast property, annexation and tax increment financing can be offered to them at that time. Councilmember Sievers agreed.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers to table action on Ordinance 2013-50 until the next meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who voted Nay, the Mayor declared the motion carried.

Since action on the annexation ordinance was postponed until the next meeting, no action was taken on Resolution 2013-129 which would declare the “Industrial Drive East Area” blighted.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 7:30 p.m.

## CLAIMS LISTING JANUARY 7, 2014

AMAZON.COM, LLC	DVD'S/CRAFT SUPPLIES	288.82
AMERICAN BROADBAND	TELEPHONE CHARGES/FIBER LINE LEASE	2,427.46
AMERITAS LIFE INSURANCE	DUES/POLICE RETIREMENT	2,513.67
APPEARA	LINEN & MAT SERVICE	151.16
ARNIE'S FORD-MERCURY INC	VAN REPAIR/COOLER LINE	617.29
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
BLACK HILLS ENERGY	GAS BILLS	1,456.55
CITY EMPLOYEE	HEALTH REIMBURSEMENT	386.24
BOMGAARS	BATTERIES/SHOVEL	108.07
BROWN SUPPLY CO	BARRICADE	1,576.66
CITY EMPLOYEE	CDL	57.50
CENTURION TECHNOLOGIES	LIB MAINTENANCE - SMART SHIELD	57.33
CENTURYLINK	TELEPHONE CHARGES	313.71
CHILD SUPPORT	PAYROLL DEDUCTION	100.00
CITY OF WAYNE	FIREHALL DEPOSIT REFUND	150.00
CITY OF WAYNE	PAYROLL	60,158.65
CITY OF WAYNE	RAZING PERMIT REFUND	800.00
CITY OF WAYNE	REF FEES	140.00
CLAUSSEN, HEATHER	CPR TRAINING	80.00
CLEAN TO A T	LIBRARY/SR CENTER CLEANING SERVICES	1,300.00
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	352.51
DE LAGE LANDEN FINANCIAL	COPIER LEASE	77.00
DEARBORN NATIONAL LIFE	VFD INSURANCE	103.20
DEMCO INC	LABELS/TAPE/CLIPS/WATER BOTTLES	511.26
DENNIS SPANGLER	ENERGY INCENTIVE	500.00
DIGITAL ALLY, INC	BATTERY PACK	190.00
ED. M FELD EQUIPMENT CO	EXTINGUISHER LABOR/SWIVEL VALVE	589.89
FIRST CONCORD GROUP LLC	FLEX	3,004.66
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	311.07
FREDRICKSON OIL CO	TIRE REPAIR	14.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	1,115.91
GENO'S STEAKHOUSE	EMPLOYEE APPRECIATION DINNER	3,905.94
GLEN'S AUTO BODY	DOOR HANDLE	117.05
GOVERNMENTAL ACCOUNTING	SUBSCRIPTION RENEWAL	225.00
GROSSENBURG IMPLEMENT INC	O-RINGS	5.36
HILLYARD/SIOUX FALLS	JANITORIAL SUPPLIES	377.54
HOEMAN, TODD	ENERGY INCENTIVE	83.81
HOLIDAY LIGHT & TRIM	CHRISTMAS LIGHT BULBS	150.00
HOMETOWN LEASING	POLICE COPIER LEASE	73.51
HUBER TECHNOLOGY INC	VERTICAL SCREEN BAGS	235.00
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	6,375.23
IRS	FEDERAL WITHHOLDING	22,530.84
JEO CONSULTING GROUP	AQUATIC CENTER	1,514.00

JOSH PICKINPAUGH	ENERGY INCENTIVE	500.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	332.74
MERCY MEDICAL CLINICS	FLU SHOTS	178.00
MILO MEYER CONSTRUCTION	REISSUE-W RIDGE DRAINAGE	270.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,186.11
NE HARVESTORE	FILTERS/OIL/BRUSHES	807.21
NE PUBLIC HEALTH	POLICE SERVICES/COLIFORM TESTING	1,582.00
NE SAFETY COUNCIL	SAFETY MEETING	128.08
NORTHEAST NE PUBLIC POWER	ELECTRICITY	4,657.00
NWOD	MEMBERSHIP DUES - A JUNCK	10.00
ONE CALL CONCEPTS, INC	DIGGERS HOTLINE	29.75
PAUL VELDKAMP	ENERGY INCENTIVE	292.62
CITY EMPLOYEE	HEALTH REIMBURSEMENT	265.37
PITNEY BOWES INC	POSTAGE METER/FOLDER LEASE	648.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	3,988.08
QUALITY FOODS	LIGHTING EFFICIENCY	5,080.00
QUILL CORPORATION	OFFICE SUPPLIES	390.41
RONALD GENTRUP	ENERGY INCENTIVE	500.00
SEBADE CONSTRUCTION	ENERGY INCENTIVE	500.00
SKARSHAUG TESTING LAB INC	CLEAN & TEST GLOVES	138.47
STATE NEBRASKA BANK	PETTY CASH	438.21
CITY EMPLOYEE	HEALTH REIMBURSEMENT	167.36
UNIVERSITY OF NE-LINCOLN	REGISTRATION-T HOEMAN	140.00
VERIZON WIRELESS SERVICES	CELL PHONES	380.97
VESSCO INC	BLOWER OIL LEAK	516.20
VIAERO	CELL PHONES	245.26
WAYNE AIRPORT	EMC INSURANCE	820,100.52
WAYNE AREA CHAMBER	LIGHTING EFFICIENCY	296.00
WESCO DISTRIBUTION INC	FUSE	143.78

DELTE FROM CLAIMS LISTING SEPTEMBER 25, 2013  
MILO MEYER- WESTERN RIDGE DRAINAGE \$270.00



**Economic Development  
Chamber ■ Main Street**

December 30, 2013

Lowell Johnson  
City Administrator  
306 Pearl Street  
Wayne, NE 68787

RE: Sales Tax Advisory Committee – recommendations for Lutt Oil & Service (\$50,000); Wayne Area Economic Development (\$5,000)

Dear Lowell,

The Sales Tax Advisory Committee met on December 12 and reviewed two applications to Wayne's Economic Development Program fund.

The committee recommended approving a request by Lutt Oil & Service (Rod and Christin Lutt) for a \$50,000 loan to purchase Zach Oil (property and business). Terms of the loan requested and recommended include up to 10 years at 3% interest. With 5 members of the Committee present, the vote to recommend approval was unanimous.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 8; *Doesn't Meet/Somewhat Meets* scored 4; *Somewhat Meets* scored 14; *Somewhat Meets/Meets* scored 4; and *Meets* scored 29. 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 Wayne Area Economic Development (WAED) for a \$5,000 grant. This is an annual request WAED makes as the Program Administrator for the Wayne Economic Development Program Fund. With 5 members of the Committee present, the vote to recommend approval was unanimous.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 25; *Doesn't Meet/Somewhat Meets* scored 8; *Somewhat Meets* scored 8; *Somewhat Meets/Meets* scored 7; and *Meets* scored 4. 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,

A handwritten signature in black ink, appearing to read "Wes Blecke".

Wes Blecke  
Executive Director

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

Application Number:
Date Received December 6, 2013

LB840 (form approved 073109) 2013

## PART I. GENERAL INFORMATION

*TYPE OR PRINT ALL INFORMATION*

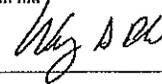
1. APPLICANT IDENTIFICATION	2. PERSON PREPARING APPLICATION
Applicant Name: Wayne Area Economic Development	Name/Business: Irene Fletcher, Assistant Executive Director
Mailing Address: 108 W 3 <sup>rd</sup> St	Address: 108 W 3 <sup>rd</sup> St
Wayne NE 68787 (City) (State) (ZIP)	Wayne NE 68787 (City) (State) (Zip)
Telephone Number: 375-2240	Telephone Number: 375-2240
Fax Number: _____	Federal Tax ID # / SS#: 20-3524694
Federal Tax ID Number: 20-3524694	Email Address: ifletcher@wayneworks.org
Email Address: info@wayneworks.org	
3. BUSINESS TYPE	5. FUNDING SOURCES
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other _____	WEDP Funds Requested    \$ 5,000 Matching Funds    \$ _____ Other Funds    \$ 5,000 Total Project Funds    \$ 10,000 <i>(Round amounts to the nearest hundred dollars.)</i>
4. ASSISTANCE TYPE REQUESTED	
<input type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <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

WAED is requesting funds to help cover costs associated with administering the LB 840 Fund for the City of Wayne. These costs include staff time to meet with potential applicants, attend committee meetings to review applications, prepare semi-annual reports, attend City Council meetings representing the Committee and reporting semi-annually on the program. This request has been reduced to \$5000 from LB 840 since Wayne County increased its contribution to WAED by \$5000.

### 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.

	Irene Fletcher, Assistant Executive Director	12/06/13
Signature in ink	Typed Name and Title	Date Signed
	Wes Blecke, Executive Director	12/06/13
Attest	Typed Name and Title	Date Signed

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

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

**PART II. FUNDING SUMMARY**

**(Round amounts to the nearest hundred dollars.)**

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.	5,000		5,000	10,000	Wayne County
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					
<b>TOTAL PROGRAM COSTS</b>	<b>5,000</b>		<b>5,000</b>	<b>10,000</b>	

**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: *Mylene E. Fletcher* Date: 12/6/13

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

By: \_\_\_\_\_ Date: \_\_\_\_\_

*Wes Blecke*

Wes Blecke/Executive Director

12/06/13

Attest

Typed Name/Title

Date

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

Application Number:

Date Received

12/10/13

BB340 (form approved 07/31/09)

20

### PART I. GENERAL INFORMATION

*TYPE OR PRINT ALL INFORMATION*

1. APPLICANT IDENTIFICATION	2. PERSON PREPARING APPLICATION
Applicant Name <b>Rod L + Christine Cook-Lutt</b> Name <b>Lutt Oil and Service</b>	Name/Business <b>Rod L + Christine E. Cook-Lutt</b>
Mailing Address <b>803 Providence Rd Ste 104</b>	Address <b>803 Providence Rd, Ste 104</b>
<b>Wayne</b> NE <b>68787</b> (City) (State) (ZIP)	<b>Wayne</b> NE <b>68787</b> (City) (State) (Zip)
Telephone Number <b>402-375-1809</b>	Telephone Number <b>402-375-1809 (C) 375-0758</b>
Fax Number <b>402-375-4201</b>	Federal Tax ID # / SS#
Federal Tax ID Number	
Email Address <b>lutttrucking@hotmail.com</b>	Email Address <b>lutttrucking@hotmail.com</b>
3. BUSINESS TYPE	5. FUNDING SOURCES
<input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other	WEDP Funds Requested \$ <b>50,000</b> Matching Funds \$ <b>30,000</b> Other Funds \$ <b>120,000</b> Total Project Funds \$ <b>200,000</b> <i>(Round amounts to the nearest hundred dollars.)</i>
4. ASSISTANCE TYPE REQUESTED	
<input checked="" type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <input type="checkbox"/> Performance-based loan <input type="checkbox"/> Grant <input type="checkbox"/> Other	

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

*(see attached)*

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

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

*Rod Lutt*  
Signature in ink

**Rod Lutt**  
Typed Name and Title

**12/10/13**  
Date Signed

*Wes Bleche*  
Signature in ink

**Wes Bleche**  
Typed Name and Title

**12/10/13**  
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 3<sup>rd</sup> 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	30,000	120,000	200,000	WAEORLE \$20,000 Equity \$20,000 Bank \$120,000
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					
<b>TOTAL PROGRAM COSTS</b>	<b>50,000</b>	<b>30,000</b>	<b>120,000</b>	<b>200,000</b>	

**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: 12-11-13

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

By: \_\_\_\_\_ Date: \_\_\_\_\_

Attest  Wes Bleeke 12/10/13  
 Typed Name/Title Date

## Application for Wayne's Economic Development Program Fund

6. The funds will be used toward the purchase price of real estate and the business entity of Zach Oil on Main Street in Wayne.

### Part III. Project Description and Impact

The development funds will be used to help purchase the current business of Zach Oil in Wayne. There are plans to expand the current tire service to include repairs to semi trucks, currently unavailable in the area. The C-Store will be redesigned to allow for more customers and the inventory will be revamped for better, expanded selections. A new path will be designed to allow semi trucks the option for fuel consumption. The exterior of the building will be completely repainted, an awning will be added and new lighted signage will be installed to improve appearance on Main Street. We hope to add 2 more full-time employees with the expanded services.

**ORDINANCE NO. 2014-1**

**AN ORDINANCE APPROVING VACATION OF A PORTION OF EAST 12<sup>TH</sup> STREET LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS E. 12TH STREET LYING BETWEEN THE WEST LINE OF THE NORTH-SOUTH ALLEY BETWEEN WINDOM STREET, EXTENDED NORTH, AND WALNUT STREET AND THE WEST LINE OF WALNUT STREET.**

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

Section 1. That vacation of the portion of E. 12th Street lying between the west line of the north-south alley between Windom Street, extended north, and Walnut Street and the west line of Walnut Street is in the best interests of the City of Wayne, Nebraska.

Section 2. That the portion of E. 12th Street lying between the west line of the north-south alley between Windom Street, extended north, and Walnut Street and the west line of Walnut Street., Wayne, Wayne County, Nebraska, is hereby vacated

Section 3. The City of Wayne, Nebraska, shall reserve in said street utility easements for installing and/or maintaining all utilities in the street herein vacated.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED THIS \_\_\_\_\_ day of January, 2014.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Sec. 78-126. Prohibited parking; northeast quadrant of the city**

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

- ~~1.~~ ~~The south side of the centerline of East 14th Street from the west line of Walnut Street west to the college campus.~~
- ~~2.~~ ~~The north side of the centerline of East 13th Street from the west line of Walnut Street west to the college campus.~~
- ~~3.~~ ~~The south side of the centerline of East 13th Street from the west line of Walnut Street west to the college campus.~~
- ~~4.~~ ~~The north side of the centerline of East 12th Street from the west line of Walnut Street west to the college campus.~~
- ~~5.~~ ~~The south side of the centerline of East 12th Street from the west line of Walnut Street to the college campus.~~
- ~~6.~~1. The south side of the centerline of Hillcrest Road from the east line of Walnut Street east to the point where Hillcrest Road turns south and then on the east side of the centerline to the north line of East ~~Tenth-10th~~ Street.
- ~~7.~~2. The north side of the centerline of East ~~Tenth-10th~~ Street from the east line of Main Street east to the ~~west-east~~ line of Logan Street.
- ~~8.~~3. The north side of the centerline of East ~~Tenth-10th~~ Street from the ~~east line north-south alley between Walnut Street of and~~ Windom Street ~~east~~ to the west line of Walnut Street.
- ~~9.~~4. The south side of the centerline of East ~~Tenth-10th~~ Street from the east line of Main Street east to the west line of Hillside Drive.
- ~~10.~~5. The south side of the centerline of East ~~Ninth-9th~~ Street from the east line of Main Street east to the west line of Pine Heights Road.
- ~~11.~~6. The south side of the centerline of East ~~Eighth-8th~~ Street from the east line of Main Street to the north-south alley east of Windom Street.
- ~~12.~~7. The east side of the centerline of Logan Street from the north line of East ~~Seventh 7th~~ Street north to the south line of East ~~Tenth-10th~~ Street.
- ~~13.~~8. The east side of the centerline of Nebraska Street from the north line of East ~~Seventh-7th~~ Street north to the south line of East ~~Tenth-10th~~ Street.
- ~~14.~~9. The east side of the centerline of Windom Street from the north line of East ~~Seventh 7th~~ Street north to the south line of East ~~Tenth-10th~~ Street.
- ~~10.~~ The east side of the centerline of Walnut Drive from the north line of East ~~Seventh-7th 7th~~ Street north to the south line of East ~~Ninth-9th~~ Street.
- ~~15.~~11. ~~The west side of the centerline of Walnut Drive from the north line of East 7th Street north for a distance of 190 feet.~~
- ~~16.~~12. The east side of the centerline of Walnut Street from the north line of East ~~Ninth-9th~~ Street north to the south line of ~~East-14th Street~~~~Lindah Drive~~.
- ~~13.~~ The east side of the centerline of the north-south alley ~~between-west of~~ Walnut Street ~~and the college campus~~ from the north line of East ~~Tenth-10th~~ Street north ~~to the south line of East 14th Street~~for a distance of 150 feet.
- ~~17.~~14. ~~The west side of the centerline of the north-south alley west of Walnut Street from the north line of East 10th Street north for a distance of 150 feet.~~
- ~~18.~~15. The west side of the centerline of Circle Drive from the north line of East ~~Ninth-9th~~ Street north to the circle and the entire circle.
- ~~19.~~16. The east side of the centerline of Pine Heights Road from the north line of East ~~Seventh-7th~~ Street north to the south line of East ~~Tenth-10th~~ Street.

- 20.17. The east side of the centerline of Lilac Lane from the north line of East ~~Tenth-10th~~ Street north to the south line of Hillcrest Road.
- 21.18. The east side of the centerline of Providence Road from the north line of East ~~Seventh-7th~~ Street north to the south line of East 14th Street.
- 22.19. The west side of the centerline of Providence Road from the north line of East ~~Seventh-7th~~ Street north to the south line of East 14th Street.
- 23.20. The south side of the centerline of East 14th Street from the east line of Providence Road east to the ~~city limits~~west line of Centennial Road.
- 24.21. The east side of the centerline of Claycomb Road from the north line of East 14th Street north to the ~~city limits~~south line of East 21st Street.
- 25.22. The east side of the centerline of Linden Street from the north line of East 14th Street north to the south line of Aspen Street.
- 26.23. The south side of the centerline of Aspen Street from the east line of Claycomb Road east to the city limits.
- ~~27. The north side of the centerline of East 14th Street from the west line of Walnut Street west to the college campus.~~
- 28.24. The west side of the centerline of Logan Street from the north line of East ~~Seventh~~ 7th Street north for a distance of 150 feet.
- 29.25. The north side of the centerline of East ~~Seventh-7th~~ Street from the east line of Main Street east to the city limits.
- 30.26. The east side of the centerline of ~~North~~-Main Street from the north line of East ~~Seventh-7th~~ Street north to the ~~south line of East 14th Street~~city limits.
- 31.27. The east side of the centerline of Hillside Drive from the north line of East ~~Seventh~~ 7th Street north to the city limits.
- 32.28. The south side of the centerline of Poplar Street from the west line of Hillside Drive ~~west~~ to the east line of Eastview Drive.
- 33.29. The south side of the centerline of Sunnyview Drive from the west line of Hillside Drive ~~west~~ to the east line of Providence Road.
- ~~34. The east side of the centerline of Providence Road from the north line of East Seventh Street north to the south line of East Tenth Street.~~
- ~~35. The west side of the centerline of Providence Road from the north line of East Seventh Street north to the south line of East Tenth Street.~~
- 36.30. The east side of the centerline of Eastview Drive from the north line of Poplar Street ~~north~~ to the south line of Sycamore Street.
- 37.31. The west side of the centerline of Pine Heights Road from the north line of East ~~Seventh-7th~~ Street north for a distance of 25 feet.
- 38.32. The south side of the centerline of Sycamore Street from the west line of Hillside Drive ~~west~~ to the east line of Eastview Drive.
- 39.33. The east side of the centerline of Vintage Hill Drive from ~~the north line of~~ East 14th Street north ~~of to a point the city limits~~125' north of the north line of Adam Drive.
- 40.34. The south side of the centerline of Brooke Drive from the east line of Claycomb Road east to the city limits.
- ~~41. The south side of the centerline of Sycamore Street from the west line of Hillside Drive to the east line of Eastview Drive.~~
- 42.35. All of Lloyd Court from the southerly line of Brooke Drive ~~south~~ to and including the entire circle.

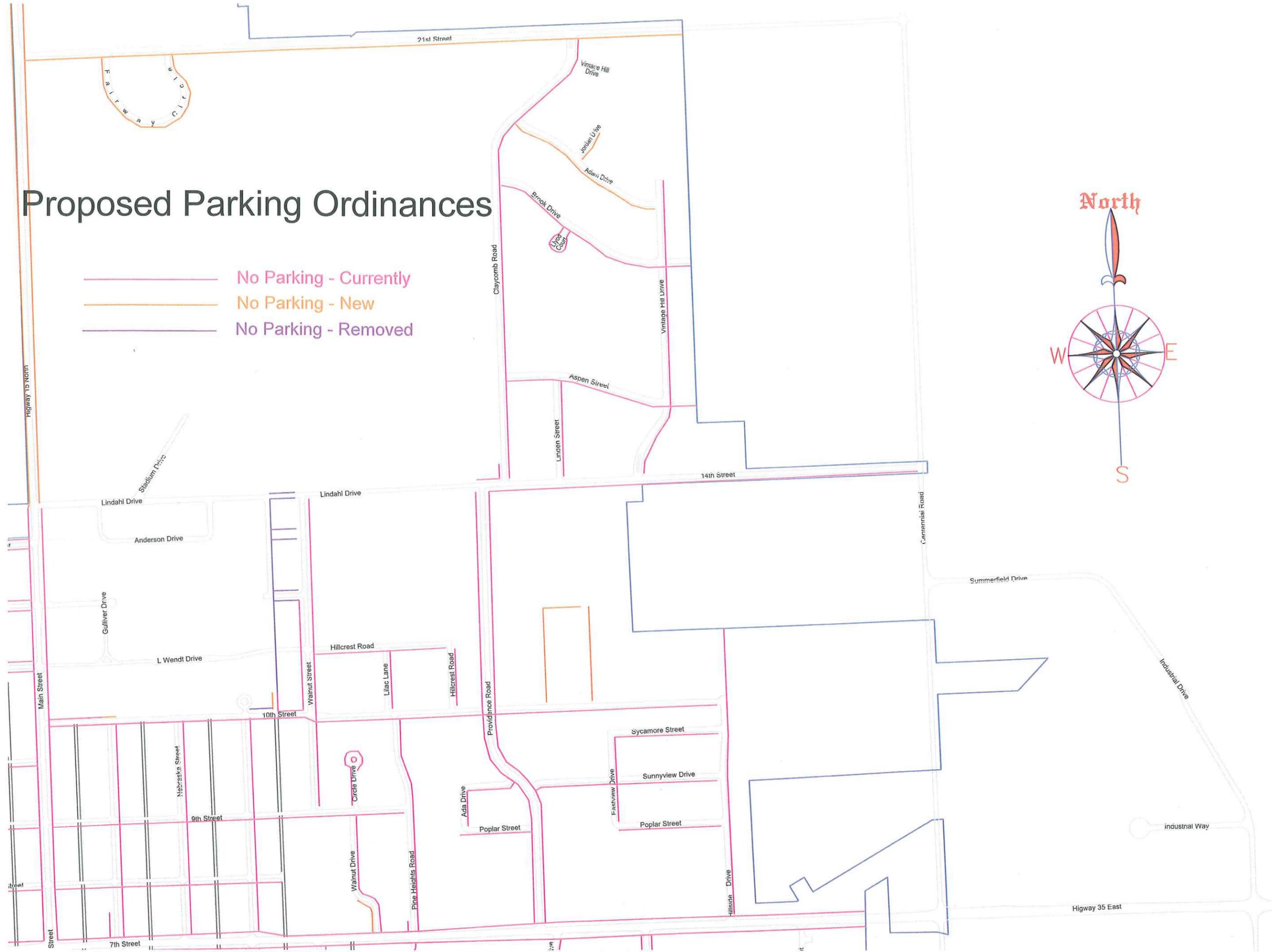
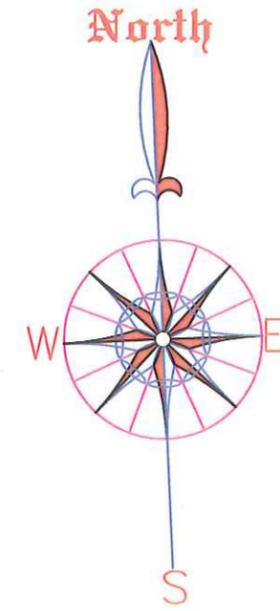
- 43.36. (44) The south side of the centerline of Sunnyview Drive from the west side-line of Providence Road west to the east line of Alda Drive.
- 44.37. The east side of the centerline of Ada Drive from the south line of Sunnyview Drive south to the north line of Poplar Street.
- 45.38. The south side of the centerline of Poplar Street from the west line of Ada Drive east to the west line of Providence Road.
- 46.39. The west side of the centerline of Walnut Street from the north line of East 10th Street north to the south line of J.G. Lewis Drive.
- 47.40. The north side of the center line of East 14th Street between the east boundary of the Wayne State College Technology Building Lot on the quarter section line east to Claycomb Road.
- ~~48. The south side of the center line of 14th Street from Providence Road east to Claycomb Road.~~
41. The west side of Claycomb Road from the north line of East 14th Street going north a distance of ~~104'~~104 feet.
42. The south side of the centerline of Adam Drive from the east line of Claycomb Road east to the west line of Vintage Hill Drive.
43. The south side of the centerline of East 21st Street from the east line of Main Street east to the city limits.
44. The south side of the centerline of Fairway circle from the south line of East 21st Street to the south line of East 21st Street.
45. The east side of the centerline of Jordan Drive from the north line of Adam north to the end of Jordan Drive.
46. The east side of the centerline of Memory Lane from the north line of East 10th Street north to the south line of Gail's Way.
47. The east side of the centerline of Angel Avenue from the north line of East 10th Street north to the south line of Gail's Way.
- 49.48. The south side of the centerline of Gail's Way from the east line of Memory Lane east to the west line of Angel Avenue.

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

(Code 1974, § 5-433; Ord. No. 2005-22, §, 8-9-2005; Ord. No. 2008-18, §, 9-16-2008; Ord. No. 2008-21, §, 10-21-2008; Ord. No. 2013-36, §, 8-6-2013)

# Proposed Parking Ordinances

-  No Parking - Currently
-  No Parking - New
-  No Parking - Removed



**Sec. 78-128. Prohibited parking; northwest quadrant of the city**

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

1. The south side of the centerline of Westwood Road from the west line of Sherman Street west to the city limits.
2. The north side of the centerline of Crescent Drive from the west line of Sherman Street west to the point where Crescent Drive turns north and then on the east side of the centerline north to the south line of Westwood Road.
3. The south side of the centerline of Fairacres Road from the west line of Sherman Street west to the city limits.
4. The east side of the centerline of Meadow Lane from the north line of Westwood Road north to the city limits.
5. The east side of the centerline of Lawndale Drive from the north line of Fairacres Road north to the south line of Westwood Road.
6. The east side of the centerline of Sunset Drive from the north line of Fairacres Road north to the south line of Westwood Road.
7. The north side of the centerline of West 13th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
8. The south side of the centerline of West 13th Street from the west line of Main Street west to the east line of Lincoln Street.
9. The north side of the centerline of West 12th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
10. The south side of the centerline of West 12th Street from the west line of Main Street west to the east line of Sherman Street.
11. The north side of the centerline of West 11th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
12. The south side of the centerline of West 11th Street from the west line of Main Street west to the east line of Sherman Street.
13. The south side of the centerline of West ~~Tenth-10th~~ Street from the west line of Main Street west to the east line of Sherman Street.
14. The south side of the centerline of West ~~Ninth-9th~~ Street from the west line of Main Street west to the east line of Lincoln Street; thence from the west line of Douglas Street west to the east line of Sherman Street.
15. The south side of the centerline of West ~~Eighth-8th~~ Street from the west line of Main Street west to the city limit east line of Sherman Street.
16. The north side of the centerline of West ~~Seventh-7th~~ Street from the west line of Main Street west to the city limits.
17. The east side of the centerline of Sherman Street from the north line of West ~~Seventh 7th~~ Street north to the south line of West 13th Street city limits.
18. The east side of the centerline of Douglas Street from the north line of West ~~Seventh-7th~~ Street north to the south line of ~~West 13th Park~~ Street.
- ~~19.~~19. The west side of the centerline of Douglas Street from the north line of Park Street south to the north line of West 13th Street.
- ~~19.~~20. The east side of the centerline of Lincoln Street from the north line of West ~~Seventh 7th~~ Street north to the south-north line of ~~West 13th Park~~ Street.
- ~~20.~~21. The west side of the centerline of Lincoln Street from the south line of ~~West 13th Park~~ Street south to a distance of point 150 feet south of the south line of West 13th Street.

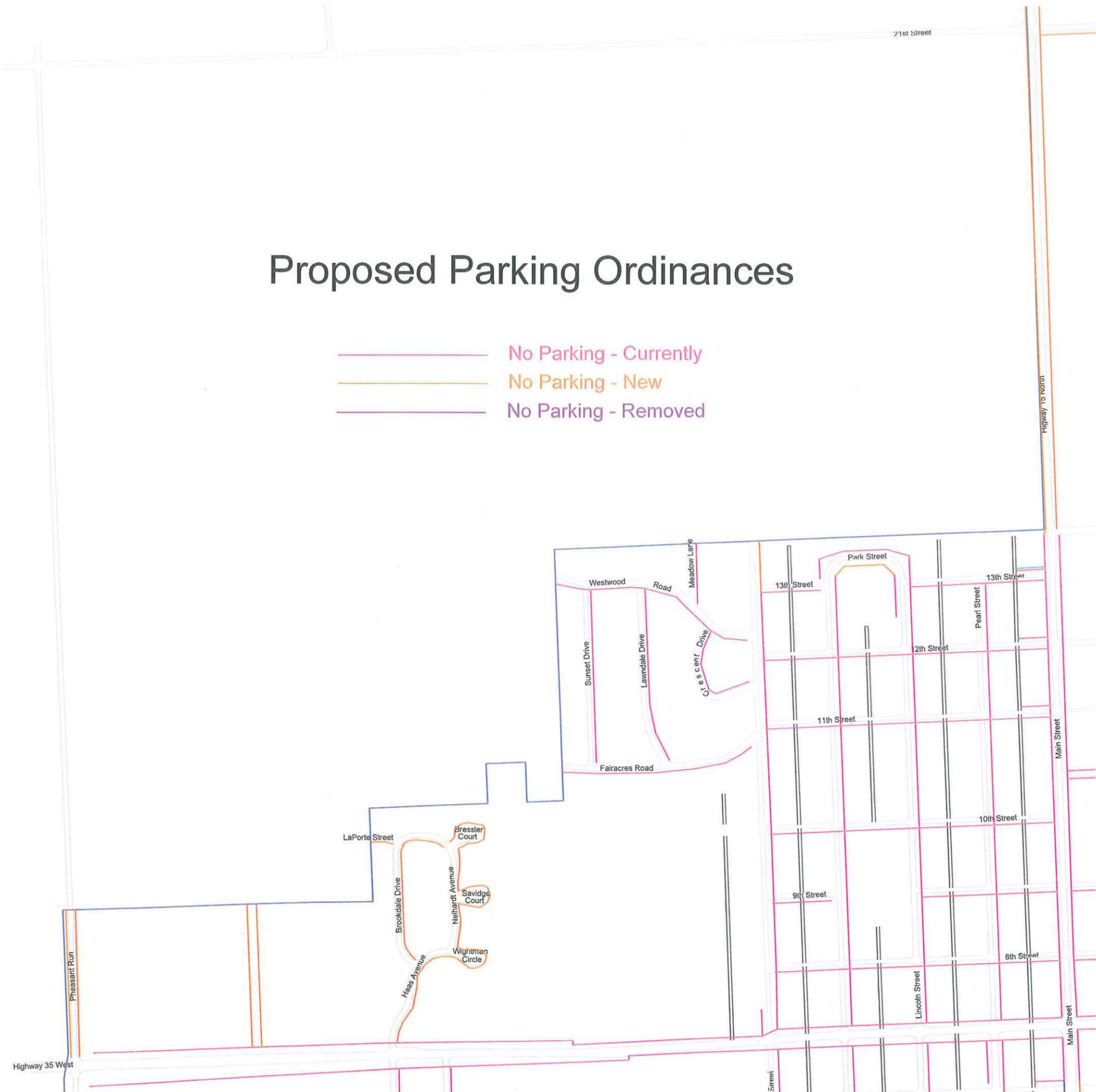
- ~~21.~~22. The east side of the centerline of Pearl Street from the north line of West ~~Seventh~~ 7th Street ~~north~~ to the south line of West 13th Street.
23. The north side of the centerline of Park Street from the ~~west-east~~ line of Lincoln Street west to the ~~east-west~~ line of Douglas Street.
- ~~22.~~24. The south side of the centerline of Park Street from the west line of Lincoln Street west to the east line of Douglas Street.
- ~~23.~~25. The south side of the centerline of West 13th Street from the west line of Douglas Street ~~west~~ to the east line of Sherman Street.
- ~~24.~~26. The west side of the centerline of Main Street from the north line of East ~~Seventh-7th~~ Street north to the ~~south line of East 14th Street~~city limits.
- ~~25.~~27. The west side of the centerline of Sherman Street ~~from the north line of West 7th Street~~ north ~~for~~ a distance of 100 feet ~~from the north line of West Seventh Street.~~
- ~~26.~~The north side of the centerline of West 13th Street from the west line of Main Street to the east line of Lincoln Street.
- ~~27.~~The south side of the centerline of West 13th Street from the west line of Main Street to the east line of Lincoln Street.
28. The east side of the centerline of Haas Avenue from the north line of West 7th Street north to the east line of Neihardt Avenue.
29. The east side of the centerline of Neihardt Avenue from the north line of Wightman Circle north to the north line of Bressler Court.
30. The south side of the centerline of Neihardt Avenue from the north line of Bressler Court west to the north line of LaPorte Street.
31. The east side of the centerline of Brookdale Drive from the north line Haas Avenue north to the north line of LaPorte Street.
32. The south side of the centerline of LaPorte Street from the west line of Brookdale Drive west to the city limits.
33. All of Wightman Circle from the east line of Neihardt Avenue to and including the entire cul-de-sac.
34. All of Savidge Court from the east line of Neihardt Avenue to and including the entire cul-de-sac.
35. All of Bressler Court from the east line of Neihardt Avenue to and including the entire cul-de-sac.
36. The east side of the centerline of Pheasant Run from the north line of West 7th Street north to the city limits.
37. The west side of the centerline of Pheasant Run from the north line of West 7th Street north to the city limits.
38. The east side of the centerline of Milo Drive from the north line of West 7th Street north to the city limits.
39. The west side of the centerline of Milo Drive from the north line of West 7th Street north to the city limits.

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

(Code 1974, § 5-435; Ord. No. 2000-5, § 1, 3-14-2000; Ord. No. 2008-19, §, 9-16-2008)

# Proposed Parking Ordinances

- No Parking - Currently
- No Parking - New
- No Parking - Removed



### Sec. 78-130. Prohibited parking; southeast quadrant of the city

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

1. The south side of the centerline of East ~~Sixth-6th~~ Street from the north-south alley between Main Street and Logan Street east to the west line of Tomar Drive.
2. The south side of the centerline of East ~~Seventh-7th~~ Street from the east line of Main Street east to the city limits.
3. The south side of the centerline of East ~~Fifth-5th~~ Street from the north-south alley between Main Street and Logan Street east to Valley Drive.
4. The south side of the centerline of Valley Drive from the east line of ~~Fifth-Street~~Wayside Lane east to the point where Valley Drive turns north and then on the east side of the centerline north to the south line of East ~~Seventh-7th~~ Street.
5. The east side of the centerline of Wayside Lane from the north line of Valley Drive north to the south line of East ~~Sixth-6th~~ Street.
6. The east side of the centerline of Tomar Drive from the south line of East ~~Seventh-7th~~ Street south ~~600 feet~~to the north line of East 4th Street.
7. The south side of the centerline of East ~~Fourth-4th~~ Street from the north-south alley between Main Street and Logan Street east to the city limits.
8. The south side of the centerline of East ~~Third-3rd~~ Street from the east line of Logan Street ~~east~~ to the west line of Windom Street.
9. The south side of the centerline of Fairgrounds Avenue from the east line of South Nebraska Street east to the ~~city limit~~east line of Windom Street.
10. The south side of the centerline of Folk Street from the east line of South Nebraska Street ~~east~~ to the west line of South Windom Street.
- ~~11.~~ 12. The west side of the centerline of Logan Street from the north line of East 5th Street north to the south line of East 7th Street.
- ~~12.~~ 13. The east side of the centerline of Nebraska Street from the north line of East ~~Second 2nd~~ Street north to the south line of East ~~Seventh-7th~~ Street.
- ~~13.~~ 14. The east side of the centerline of Windom Street from the north line of East ~~Third-3rd~~ Street north to the south line of East ~~Seventh-7th~~ Street.
- ~~14.~~ 15. The west side of the centerline of Windom Street from the north line of East ~~Third 3rd~~ Street north ~~to the south line of East Fourth Street~~for a distance of 150 feet.
- ~~15.~~ 16. The east side of the centerline of South Windom Street from the north line of Fairgrounds Avenue north to the south line of East ~~Third-3rd~~ Street.
- ~~16.~~ 17. The east side of the centerline of Walnut Street from the north line of East ~~Fourth-4th~~ Street north to the south line of East ~~Seventh-7th~~ Street.
- ~~17.~~ 18. The east side of the centerline of Dearborn Street from the north line of East ~~Fifth-5th~~ Street north to the south line of East ~~Seventh-7th~~ Street.
- ~~18.~~ 19. The east side of the centerline of Dearborn Street from the north line of East 4th Street south for a distance of 300 feet.
- ~~19.~~ 20. The east side of the centerline of South Nebraska Street from the south line of Fairgrounds Avenue south to the city limits.
- ~~20.~~ 21. The east side of the centerline of South Windom Street from the south line of Fairgrounds Avenue south to the city limits.
- ~~21.~~ 22. The east side of the centerline of Main Street from 75' north of the north line of ~~Sixth 4th~~ Street ~~north~~ to the south line of ~~Seventh-7th~~ Street.

~~21.23.~~ The west side of the centerline of Windom Street from the south line of East ~~Seventh~~ 7th Street south for a distance of 25 feet.

~~24.~~ The west side of the centerline of Tomar Drive from the south line of East ~~Seventh-7th~~ Street south ~~600 feet~~ to the north line of Jaxon Street.

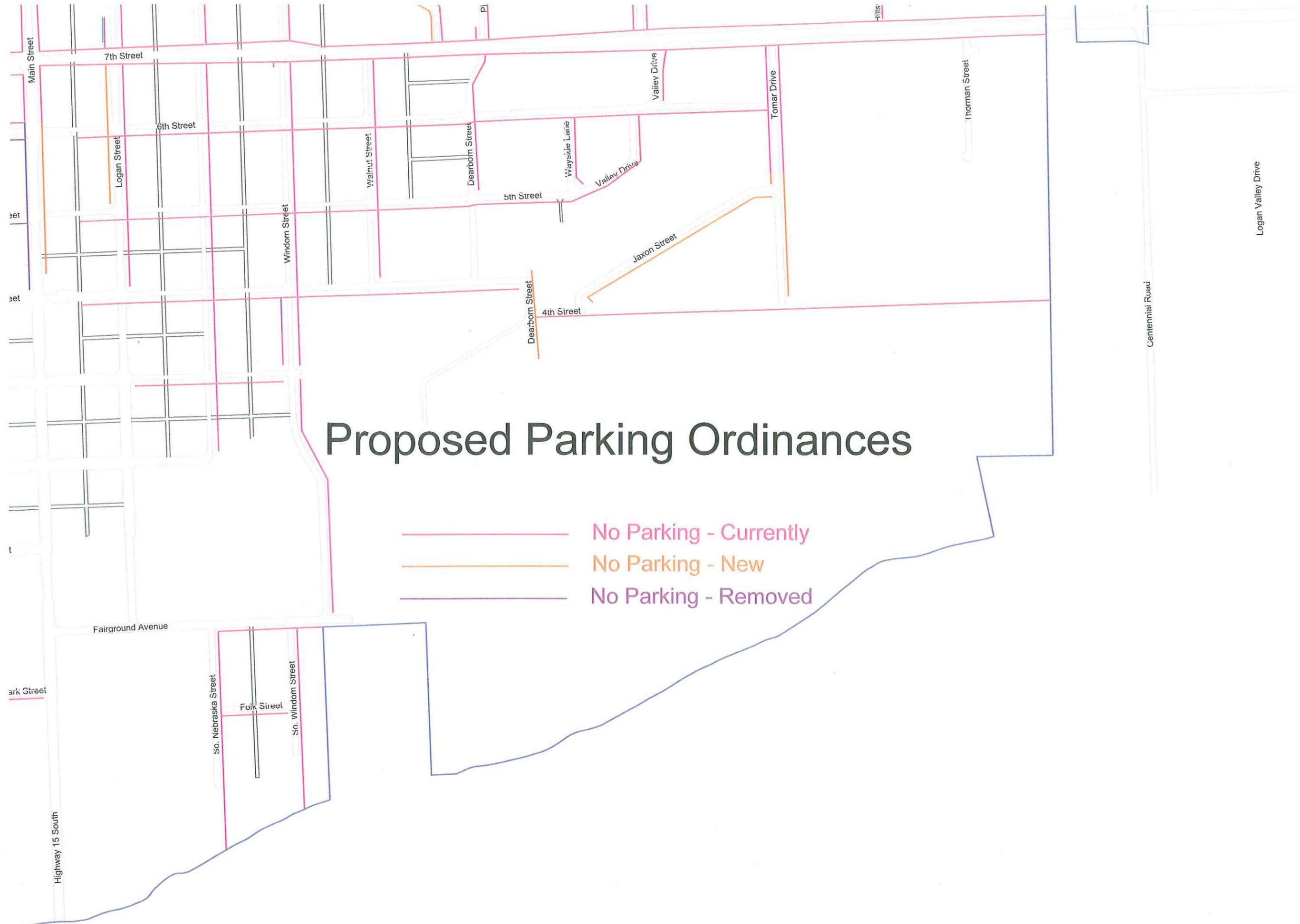
~~22.25.~~ The south side of the centerline of Jaxon Street from the west line of Tomar Drive west to the north line of East 4th Street.

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

(Code 1974, § 5-437; Ord. No. 2002-15, § 1, 8-27-02; Ord. No. 2012-13, §, 5-15-2012)

# Proposed Parking Ordinances

-  No Parking - Currently
-  No Parking - New
-  No Parking - Removed



### **Sec. 78-132. Prohibited parking; southwest quadrant of the city**

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

1. The south side of the centerline of West ~~Seventh-7th~~ Street from the west line of Main Street west to the city limits.
2. The south side of the centerline of West ~~Sixth-6th~~ Street from the ~~north-south alley west line-of-between~~ Main Street ~~and Pearl Street~~ west to the east line of Sherman Street.
3. The south side of the centerline of West ~~Fifth-5th~~ Street from the west line of ~~Main-Pearl~~ Street west to the east line of ~~the elementary school~~ School View Drive.
4. The south side of the centerline of West ~~Fourth-4th~~ Street from the west line of Pearl Street west to the east line of ~~the elementary school~~ School View Drive.
5. The south side of the centerline of West ~~Third-3rd~~ Street from the ~~north-south alley west line-of-between~~ Pearl Street ~~and Lincoln Street~~ west to the east line of Oak Drive.
6. The south side of the centerline of West ~~Second-2nd~~ Street from the north-south alley between Pearl Street and Lincoln Street west to the east line of Blaine Street.
7. The south side of the centerline of West ~~First-1st~~ Street from the ~~north-south alley west line-of-between~~ Pearl Street ~~and Lincoln Street~~ west to the east line of Wilcliff Drive.
8. The south side of the centerline of ~~First-1st~~ Avenue from the west line of Maple Street west to the east line of Birch Street.
9. The north side of the centerline of ~~Second-2nd~~ Avenue from the west line of Maple Street west to the east line of Birch Street.
10. The south side of the centerline of Grainland Road from the west line of Sherman Street west to the city limits.
11. The west side of the centerline of Birch Street from the north line of ~~First-1st~~ Avenue north to the south line of ~~Second-2nd~~ Avenue.
12. The south side of the centerline of ~~Third-3rd~~ Avenue from the west line of Oak Drive west to the city limits.
13. The east side of the centerline of Oak Drive from the north line of ~~Second-2nd~~ Avenue north to the south line of West ~~Seventh-7th~~ Street.
14. The east side of the centerline of Maple Street from the north line of Grainland Road north to the south line of ~~Second-2nd~~ Avenue.
15. The east side of the centerline of Wilcliff Drive from the north line of West ~~First-1st~~ Street north to the south line of West ~~Third-3rd~~ Street.
16. The east side of the centerline of Blaine Street from the north line of Grainland Road north to the south line of West ~~Third-3rd~~ Street.
17. The east side of the centerline of Sherman Street from the south line of West ~~Seventh-7th~~ Street south to the north line of West ~~Fourth-4th~~ Street and from the south line of West ~~Third-3rd~~ Street south to the north line of Grainland Road.
18. The east side of the centerline of Douglas Street from the south line of West ~~Seventh-7th~~ Street south to the city limits.
19. The east side of the centerline of Lincoln Street from the south line of West ~~Seventh-7th~~ Street south to the city limits.
20. The east side of the centerline of Pearl Street from the north line of West ~~Fifth-5th~~ Street north to the south line of West ~~Seventh-7th~~ Street.
21. The west side of the centerline of Pearl Street from the north line of ~~Sixth-6th~~ Street north to the south line of West ~~Seventh-7th~~ Street.
22. The south side of the centerline of Clark Street from the west line of Main Street west to the east line of Pearl Street.

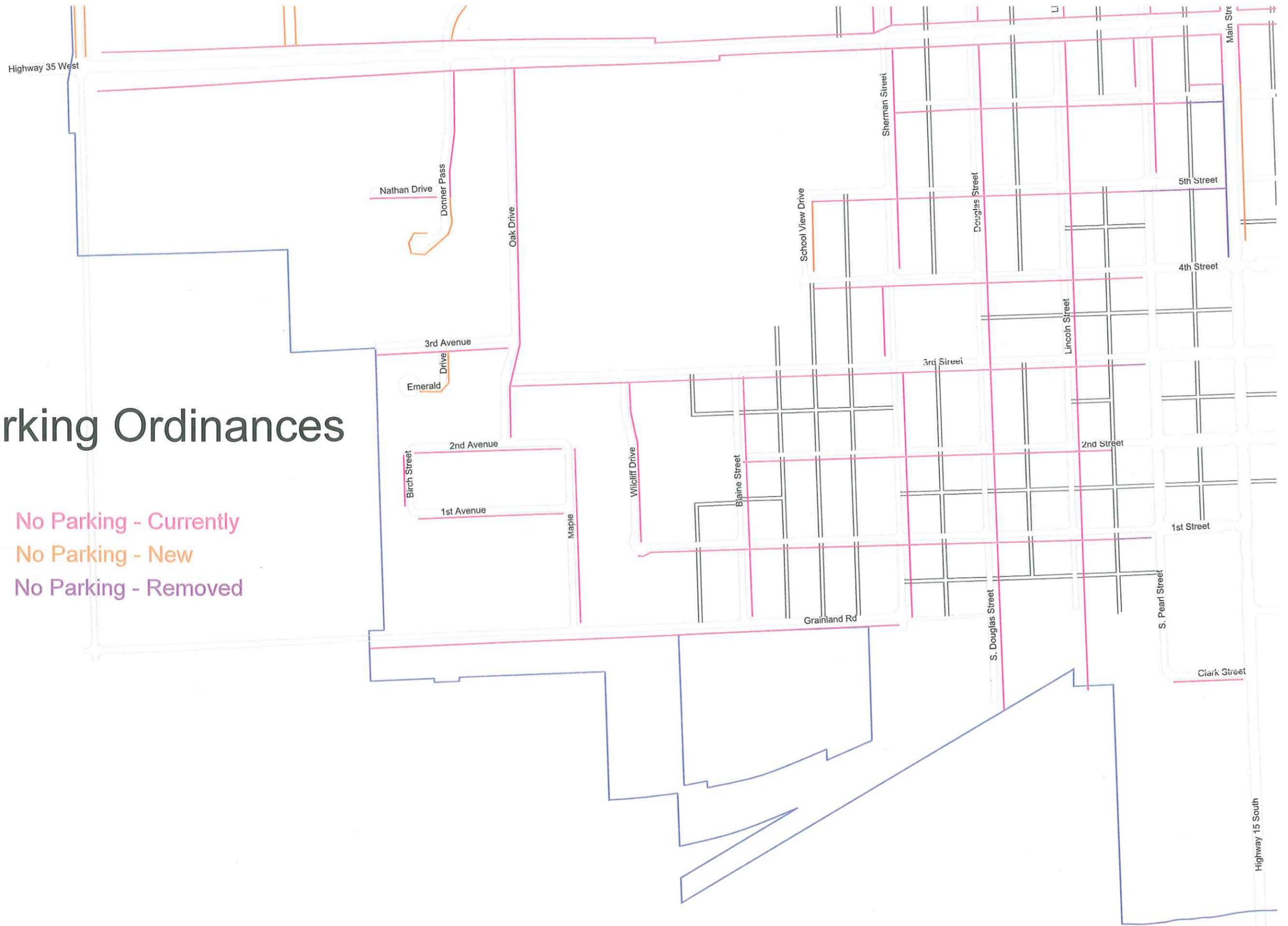
23. The west side of the centerline of Main Street from the north line of ~~Fourth~~ West 6th Street north to the south line of ~~Seventh~~ West 7th Street.
24. The north side of the centerline of West ~~Sixth~~ 6th Street from the west line of Main Street west to the ~~east line of the~~ north-south alley between Main Street and Pearl Street.
25. The east side of the center line of Donner Pass from the south line of West ~~Seventh~~ 7th Street south to the south ~~line end~~ of ~~Nathan Drive~~ Donner Pass including the cul-de-sac.
26. The south side of the center line of Nathan Drive from the west line of Donner Pass west ~~to the city limits~~ for a distance of 300 feet.
- ~~27. West of the centerline of Main Street beginning 65' north of the centerline of the 100 block of West 1st Street, south to the intersection of Main and West 1st Street. Said curb shall be painted yellow to clearly designate this restricted parking area.~~
- ~~27.~~ The west side of the centerline of Sherman Street from the south line of West ~~Fourth~~ 4th Street south to the north line of West ~~Third~~ 3rd Street.
- ~~28.~~ The east side of the centerline of Schoolview Drive from the north line of West 4th Street north to the south line of West 5th Street.
- ~~28.~~ 29. The east side of the centerline of Emerald Drive from the south line of 3rd Avenue south to the point where Emerald Drive turns west and then on the south side of the centerline of Emerald Drive west to the cul-de-sac.

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

(Code 1974, § 5-439; Ord. No. 2001-22, § 1, 12-18-2001; Ord. No. 2004-1, § 2, 03-09-2004; Ord. No. 2004-20, § 3, 1-11-2005; Ord. No. 2011-9, §, 08-16-2011)

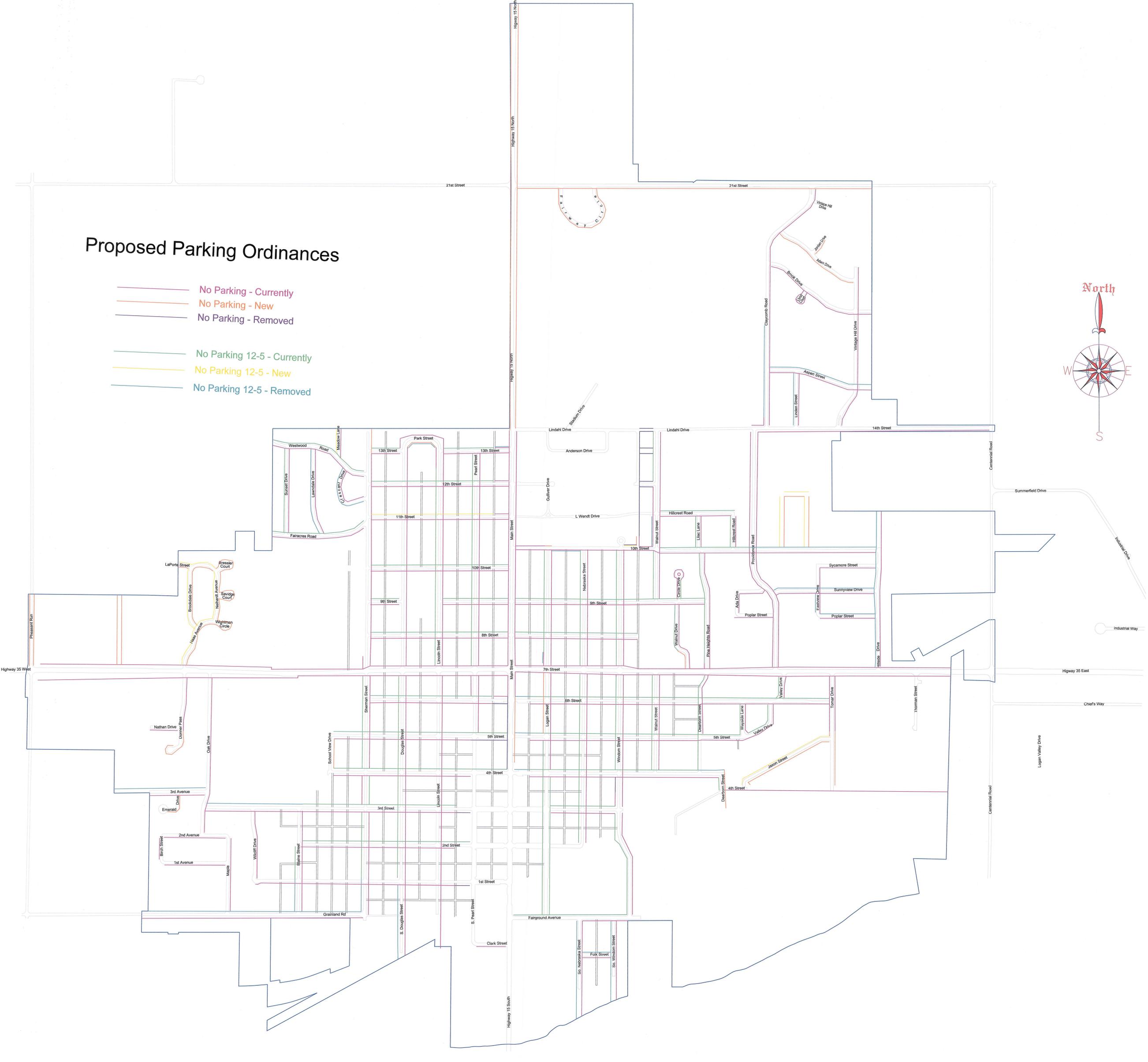
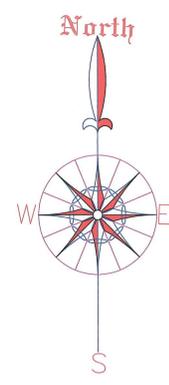
# Proposed Parking Ordinances

-  No Parking - Currently
-  No Parking - New
-  No Parking - Removed



# Proposed Parking Ordinances

- No Parking - Currently
- No Parking - New
- No Parking - Removed
  
- No Parking 12-5 - Currently
- No Parking 12-5 - New
- No Parking 12-5 - Removed



**ORDINANCE NO. 2014-3**

**AN ORDINANCE AMENDING ORDINANCE NO. 93-4 RESTRUCTURING THE COMMUNITY DEVELOPMENT AGENCY AND PROVIDING FOR THE FUNCTIONING AND POWERS OF SUCH AGENCY.**

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

Section 1. The Mayor and Council hereby find and determine that it is necessary and desirable for purpose of providing for the redevelopment and general welfare of the City that a community development agency be created pursuant to Section 18-2101.01 R.R.S. Neb. 1943.

Section 2. There shall be and there is hereby ordered created in and for the City of Wayne, Nebraska, an agency to be known as the "Community Development Agency of the City of Wayne, Nebraska." In accordance with Neb. Rev. Stat. 18-2101.01, this agency shall consist of \_\_\_\_\_ **(Fill in with whatever the new CDA will look like. e.g. 2 councilmembers appointed by the Mayor, 2 WAED representatives, 2 at large, etc. It may be the city governing body, a new body, or a combination according to law).** As provided in said Section 18-2101.01, such agency shall exercise all of the power and authority provided for in Sections 18-2101 to 18-2144 and 18-2144 to 18-2153, R.R.S. Neb. 1943, as now existing, as amended, and as hereafter amended.

Section 3. The agency hereby created shall function under the direction of the Mayor and Council and shall exercise such of the powers herein described or referred to as shall be determined appropriate from time to time by the Mayor and Council as the governing body of such agency and as determined by resolution or ordinance duly adopted by said body from time to time.

Section 4. This Ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 7<sup>th</sup> day of January, 2014.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2014-1**

**A RESOLUTION ACCEPTING BID AND AUTHORIZING THE PURCHASE OF A REPLACEMENT STREET SWEEPER.**

WHEREAS, the Superintendent of Public Works & Utilities requested, as a budget priority, the replacement of the 1998 Elgin Street Sweeper; and

WHEREAS, the City Council, at their meeting of December 17, 2013, was advised that bids were being sought on a replacement street sweeper; and

WHEREAS, purchases of major pieces of equipment shall be authorized by the City Council; and

WHEREAS, the lowest and only responsible bid for a 2014 Elgin Pelican Street Sweeper, net of trade-in value for the existing sweeper, was \$147,848.00 received from Nebraska Environmental Products of Lincoln; and

WHEREAS, funds for this replacement sweeper are available in the Street Department budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council that the Superintendent of Public Works & Utilities is authorized to purchase the replacement street sweeper for the Street Department on the basis of the bid received.

PASSED AND APPROVED this 7<sup>th</sup> day of January, 2014.

CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DEC 27 2013

**PROPOSAL FORM**

TO: The City of Wayne

The undersigned hereby declares that they have carefully examined the requirements of the specifications contained herein, and propose to furnish and deliver to The City of Wayne the apparatus listed below.

ONE (1) New and Unused Three Wheel Broom Street Sweeper with Belt Conveyor

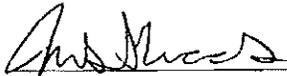
BODY MAKE: ELGIN MODEL: PELICAN NP

CHASSIS MAKE: N/A MODEL: N/A

PURCHASE PRICE: \$ 169,848.00

1998 Elgin Trade Allowance: \$ 22,000.00

Total amount due: \$ 147,848.00

Signed: 

Bidder: NEBRASKA ENVIRONMENTAL PRODUCTS

Title: Justin Maggs, Sales

Address: 5360 Alvo Rd

Lincoln, NE 68514

402 416 6043

Purchase Order Number: 15968

Signature: 



1707 Dakota Avenue South Sioux City, NE 68776

**CERTIFICATE OF PAYMENT NO. 4**

**Date of Issuance:** January 7, 2014

**Project No.** 012-2523

**Project:** CHIEF'S WAY SANITARY SEWER & WATER EXTENSIONS, WAYNE, NEBRASKA, 2013

**Contractor:** ROBERT WOEHLE & SONS CONSTRUCTION, INC., 123 FAIRGROUNDS AVE., WAYNE, NE 68787

DETAILED ESTIMATE		
Description	Unit Prices	Extensions
See Attached		
PLEASE REMIT PAYMENT TO: ROBERT WOEHLE & SONS CONSTRUCTION, INC.		

Value of Work Stored & Completed: \$278,879.40

Original Contract Cost:	\$284,476.00
Approved Change Orders:	
No. 1	\$29,135.65
No. 2	_____
No. 3	_____
No. 4	_____
No.	_____
Total Contract Cost:	\$313,611.65

Value of completed work and materials stored .....	\$278,879.40
Less retained percentage ( 10%) .....	\$27,887.94
Net amount due including this estimate .....	\$250,991.46

Less: Estimates previously approved:

No. 1	\$83,529.68	No. 6	\$0.00
No. 2	\$100,944.73	No. 7	\$0.00
No. 3	\$22,637.32	No. 8	\$0.00
No. 4	\$0.00	No. 9	\$0.00
No. 5	\$0.00	No.10	\$0.00

Total Previous Estimates: \$207,111.73

**NET AMOUNT DUE THIS ESTIMATE:** \$43,879.73

The undersigned hereby certifies, based upon periodic observations as set forth in scope of work and the data included in all applicable payment applications that, to the best of its knowledge, information and belief: (1) the work has progressed as indicated in the applicable payment applications; (2) the work performed and materials delivered by Contractor are in conformance with the plans and specifications; and (3) the Contractor, in accordance with the contract, is entitled to payment as indicated above.

This certification does not constitute a warranty or guarantee of any type. Client shall hold its Contractor solely responsible for the quality and completion of the Project, including construction in accordance with the construction documents. Any duty or obligation of Olsson hereunder is for the sole benefit of the Client and not for any third party, including the Contractor or any Subcontractor.

cc: Robert Woehler & Sons Construction, Inc.  
Project File

OLSSON ASSOCIATES  
By \_\_\_\_\_

No.	Unit	Quantity	Unit Price \$	Contract Price \$	Quantities Completed	Total Amount Completed	Total Amount Stored	Amount Stored Remaining	Total Amount Completed + Stored Remaining	90% Due Contractor	10.0% Retainage	Am't. Paid Prev. Est.	Total Due This Est.
1	MOBILIZATION	1	\$10,000.00	\$10,000.00	1	\$10,000.00	\$0.00	\$0.00	\$10,000.00	\$0,000.00	\$1,000.00	\$0,000.00	\$0.00
2	1" P.C. CONTROL	1	\$2,000.00	\$2,000.00	1	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$0,000.00	\$0.00	\$2,000.00	\$0.00
3	4" BELL END 1/2" HYDROSEEDING - RESIDENTIAL	AC	\$3,000.00	\$2,500.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4	4" BELL END 1/2" HYDROSEEDING - RESIDENTIAL	AC	\$3,000.00	\$2,500.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5	6" REMOVED PAVEMENT	EA	\$45.00	\$1,050.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6	BUILD 6" CONCRETE PAVEMENT 478-1500	EA	\$71.00	\$1,094.90	23	\$892.00	\$0.00	\$0.00	\$892.00	\$892.80	\$89.20	\$892.80	\$0.00
7	INSTALL 2" WATER SERVICE CONNECTION WITH CURB STOP	EA	\$7.00	\$8,750.00	88	\$7,840.00	\$0.00	\$0.00	\$7,840.00	\$7,840.00	\$784.00	\$7,840.00	\$0.00
8	INSTALL GRAVEL SURFACING, C&B	EA	\$175.00	\$9,100.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
9	BUILD SANITARY SEWER MANHOLE (H=6')	EA	\$1,750.00	\$9,100.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10	BUILD SANITARY SEWER MANHOLE (H=6')	EA	\$1,750.00	\$9,100.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11	INSTALL 6" PVC SANITARY SEWER - SDR26	LF	\$252.00	\$45,354.00	252	\$45,354.00	\$0.00	\$0.00	\$45,354.00	\$45,354.00	\$4,535.40	\$40,818.60	\$10,535.40
12	INSTALL 6" PVC SANITARY SEWER - SDR26	LF	\$252.00	\$45,354.00	252	\$45,354.00	\$0.00	\$0.00	\$45,354.00	\$45,354.00	\$4,535.40	\$40,818.60	\$10,535.40
13	INSTALL SANITARY SEWER SELECT BEDDING, F&I	EA	\$207.80	\$6,950.00	2882	\$5,764.00	\$0.00	\$0.00	\$5,764.00	\$5,764.00	\$576.40	\$5,187.60	\$1,316.40
14	INSTALL 6" PVC SANITARY SEWER SERVICE	EA	\$200.00	\$2,400.00	10	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$200.00	\$1,800.00	\$2,000.00
15	INSTALL 6" PVC CAP	EA	\$50.00	\$150.00	3	\$150.00	\$0.00	\$0.00	\$150.00	\$150.00	\$15.00	\$135.00	\$150.00
16	JACK & BORE 6" PVC SANITARY SEWER W/ 20" DIA X 0.250" W.T. STEEL PIPE CASING	LF	\$50.00	\$50.00	1	\$50.00	\$0.00	\$0.00	\$50.00	\$50.00	\$5.00	\$45.00	\$50.00
17	JACK & BORE 6" PVC SANITARY SEWER W/ 20" DIA X 0.250" W.T. STEEL PIPE CASING	LF	\$50.00	\$50.00	1	\$50.00	\$0.00	\$0.00	\$50.00	\$50.00	\$5.00	\$45.00	\$50.00
18	INSTALL 6" HOPE DIPS WATER MAIN	EA	\$252.00	\$85,238.00	267	\$85,238.00	\$0.00	\$0.00	\$85,238.00	\$85,238.00	\$8,523.80	\$76,714.20	\$19,114.20
19	INSTALL WATER MAIN SELECT BEDDING, F&I	EA	\$252.00	\$13,626.00	539	\$13,626.00	\$0.00	\$0.00	\$13,626.00	\$13,626.00	\$1,362.60	\$12,263.40	\$13,626.00
20	JACK & BORE 6" HOPE DIPS WATER MAIN W/O CASING	EA	\$252.00	\$13,626.00	539	\$13,626.00	\$0.00	\$0.00	\$13,626.00	\$13,626.00	\$1,362.60	\$12,263.40	\$13,626.00
21	DIRECTIONAL DRILL 6" HOPE DIPS WATER MAIN	EA	\$43,710.00	\$43,710.00	1	\$43,710.00	\$0.00	\$0.00	\$43,710.00	\$43,710.00	\$4,371.00	\$39,339.00	\$43,710.00
22	INSTALL 6" X 8" LIVE TAP WITH GATE VALVE	EA	\$2,500.00	\$2,500.00	1	\$2,500.00	\$0.00	\$0.00	\$2,500.00	\$2,500.00	\$250.00	\$2,250.00	\$2,500.00
23	INSTALL 6" 22.5" BEND M.I.	EA	\$500.00	\$500.00	1	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$50.00	\$450.00	\$500.00
24	INSTALL 6" X 8" LIVE TAP	EA	\$500.00	\$500.00	1	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$50.00	\$450.00	\$500.00
25	INSTALL 6" X 8" HOPE W.J.	EA	\$275.00	\$825.00	3	\$825.00	\$0.00	\$0.00	\$825.00	\$825.00	\$82.50	\$742.50	\$825.00
26	INSTALL 6" X 8" HOPE W.J.	EA	\$275.00	\$825.00	3	\$825.00	\$0.00	\$0.00	\$825.00	\$825.00	\$82.50	\$742.50	\$825.00
27	INSTALL 6" X 8" HOPE W.J.	EA	\$275.00	\$825.00	3	\$825.00	\$0.00	\$0.00	\$825.00	\$825.00	\$82.50	\$742.50	\$825.00
28	INSTALL 6" X 8" HOPE W.J.	EA	\$275.00	\$825.00	3	\$825.00	\$0.00	\$0.00	\$825.00	\$825.00	\$82.50	\$742.50	\$825.00
29	INSTALL 6" X 8" HOPE W.J.	EA	\$275.00	\$825.00	3	\$825.00	\$0.00	\$0.00	\$825.00	\$825.00	\$82.50	\$742.50	\$825.00
30	INSTALL VALVE STATION	EA	\$1,800.00	\$1,800.00	1	\$1,800.00	\$0.00	\$0.00	\$1,800.00	\$1,800.00	\$180.00	\$1,620.00	\$1,800.00
31	INSTALL 6" RETAINER GLAND M.I.	EA	\$75.00	\$75.00	1	\$75.00	\$0.00	\$0.00	\$75.00	\$75.00	\$7.50	\$67.50	\$75.00
32	INSTALL 6" HOPE DIPS M.J. X FUSED ADAPTER	EA	\$100.00	\$100.00	1	\$100.00	\$0.00	\$0.00	\$100.00	\$100.00	\$10.00	\$90.00	\$100.00
33	INSTALL 6" HOPE DIPS M.J. X FUSED ADAPTER	EA	\$100.00	\$100.00	1	\$100.00	\$0.00	\$0.00	\$100.00	\$100.00	\$10.00	\$90.00	\$100.00
34	INSTALL TYPE W FIRE HYDRANT ASSEMBLY (H=6')	EA	\$3,500.00	\$7,000.00	2	\$7,000.00	\$0.00	\$0.00	\$7,000.00	\$7,000.00	\$700.00	\$6,300.00	\$7,000.00
35	INSTALL TYPE V FIRE HYDRANT ASSEMBLY (H=6')	EA	\$3,500.00	\$7,000.00	2	\$7,000.00	\$0.00	\$0.00	\$7,000.00	\$7,000.00	\$700.00	\$6,300.00	\$7,000.00
36	INSTALL 2" WATER SERVICE CONNECTION WITH CURB STOP	EA	\$1,750.00	\$1,750.00	1	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$1,750.00	\$175.00	\$1,575.00	\$1,750.00
37	INSTALL 2" WATER SERVICE TUBING P.E.	EA	\$8.00	\$1,640.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,640.00	\$0.00
38	INSTALL 2" WATER SERVICE TUBING P.E.	EA	\$8.00	\$1,640.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,640.00	\$0.00
39	INSTALL 2" WATER SERVICE TUBING P.E.	EA	\$8.00	\$1,640.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,640.00	\$0.00
40	CONNECT TO EXISTING WATER MAIN	EA	\$4,300.00	\$4,300.00	1	\$4,300.00	\$0.00	\$0.00	\$4,300.00	\$4,300.00	\$430.00	\$3,870.00	\$4,300.00
41	CONNECT TO EXISTING WATER MAIN	EA	\$2,000.00	\$2,000.00	1	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$200.00	\$1,800.00	\$2,000.00
42	CONNECT TO EXISTING WATER MAIN	EA	\$2,000.00	\$2,000.00	1	\$2,000.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$200.00	\$1,800.00	\$2,000.00
43	ADDITIONAL BOND AND INSURANCE	EA	\$1,392.85	\$1,392.85	1	\$1,392.85	\$0.00	\$0.00	\$1,392.85	\$1,392.85	\$139.28	\$1,253.57	\$1,392.85
	Total Bid Section			\$319,811.65		\$278,315.85	\$563.75	\$563.75	\$278,879.60	\$250,891.47	\$27,988.13	\$207,111.73	\$44,767.87