

**MINUTES
CITY COUNCIL MEETING
January 21, 2014**

The Wayne City Council met in regular session at City Hall on Tuesday, January 21, 2014, 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, and Kaki Ley; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Matt Eischeid and Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 9, 2014, 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 January 7, 2014, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERITAS, SE, 2132.74; APPEARA, SE, 157.59; AWWA, FE, 295.00; BAKER & TAYLOR BOOKS, SU, 467.48; BANK FIRST, FE, 120.00; CITY EMPLOYEE, RE, 164.02; BINSWANGER GLASS, SU, 49.50; CITY EMPLOYEE, RE, 102.97; CITY EMPLOYEE, RE, 84.37; CHILD SUPPORT, RE, 100.00; CITY OF NORFOLK, SE, 932.32; COMMUNITY HEALTH, RE, 4.00; COOPORTUNITY

HEALTH, SE, 30942.44; CITY EMPLOYEE, RE, 74.14; DAKOTA BUSINESS SYSTEMS, SE, 104.50; DALE VITITO, SU, 494.45; DE LAGE LANDEN FINANCIAL, SE, 394.00; DEARBORN NATIONAL LIFE, SE, 1856.14; DUTTON-LAINSON, SU, 38.34; ELECTRONIC SYSTEMS, SU, 65.00; EMPLOYERS MUTUAL CASUALTY, RE, 1000.00; FOAMCO CORPORATION, SE, 11145.00; GARY GROSS, SU, 1150.00; GC VALVES, SU, 488.18; GEMPLER'S, SU, 117.70; GILL HAULING, SE, 178.29; GROSSENBERG IMPLEMENT, SU, 33.08; HIRERIGHT SOLUTIONS, SE, 53.15; ICMA, RE, 6535.76; IRS, TX, 23067.17; KEN CHAMBERLAIN, RE, 162.64; KIRKHAM MICHAEL, SE, 4485.00; KTCH, SE, 80.00; MAEDC, FE, 300.00; MAXIMUM SOLUTIONS, SE, 1150.00; MID-IOWA SOLID WASTE, SU, 124.50; CITY OF AUBURN, RE, 808.30; CITY OF BEATRICE, RE, 808.30; CITY OF CENTRAL CITY, RE, 1616.60; CITY OFGOTHENBURG, RE, 808.30; CITY OF HOLDREGE, RE, 808.30; CITY OF NORFOLK, RE, 932.32; CITY OF ORD, RE, 808.30; CITY OF SEWARD, RE, 808.30; CITY OF SOUTH SIOUX CITY, RE, 808.30; CITY OF WAHOO, RE, 808.30; NE DEPT OF REVENUE, TX, 3440.66; NE RURAL WATER, FE, 375.00; NPPD, SE, 289891.34; NORTHEAST LIBRARY SYSTEM, FE, 75.00; NORTHEAST NE AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 13185.52; NORTHWEST ELECTRIC, SU, 533.62; ODEYS, SU, 996.00; CITY EMPLOYEE, RE, 184.56; PROVIDENCE MEDICAL CENTER, SE, 60.00; ROBERT WOHLER & SONS, SE, 43879.73; SPARKLING KLEAN, SE, 2167.05; STATE NEBRASKA BANK & TRUST, RE, 14465.00; STEVE LAMOUREX, SE, 60.00; THE GLASS EDGE, SE, 1794.00; UNITED WAY, RE, 12.40; WAED, SE, 7216.66; WAYNE HERALD, SE, 1268.36; CITY EMPLOYEES, PY, 58990.69; AHERN CO, SE, 315.00; CITY EMPLOYEE, RE, 681.63; CARHART LUMBER, SU, 423.65; CARROT-TOP INDUSTRIES, SU, 322.72; CENTURYLINK, SE, 313.49; CITY OF WAYNE, RE, 125.00; COOPORTUNITY HEALTH, SE, 30942.44; CREDIT BUREAU SERVICES, RE, 111.37; DEARBORN NATIONAL, SE, 86.00; DEMCO, SU, 104.58; DUTTON-LAINSON, SU, 628.35; ED. M FELD EQUIPMENT, SU, 68.85; ELECTRIC FIXTURE & SUPPLY, SU, 1530.60; ELECTRONIC ENGINEERING, SU, 2475.00; CITY EMPLOYEE, RE, 100.47; CITY EMPLOYEE, RE, 35.17; INGRAM BOOK COMPANY, SU, 653.67; KRIZ-DAVIS, SU, 11893.13; MATTHEW BENDER & CO, SU, 332.71; NATL ARBOR DAY FOUNDATION, FE, 50.00; NE NEB INS AGENCY, SE, 70203.00; NE PUBLIC HEALTH, SE, 1188.00; NE SAFETY COUNCIL, SE, 8.89; NNPPD, RE, 5408.82; OLSSON ASSOCIATES, SE, 3305.67; PIEPER & MILLER, SE, 2933.78; PITNEY BOWES, SU, 648.00; PRESTO X, SE, 105.25; RANDOM HOUSE, SU, 67.50; STATE NEBRASKA BANK, FE, 40.00; STEVE LAMOUREX, SE, 70.00; TERRY LUTT, RE, 500.00; THE WAKEFIELD REPUBLICAN, SU, 27.00; VERIZON, SE, 255.76; VOSS LIGHTING, SU, 114.00; WAYNE AUTO PARTS, SU, 563.52; WAYNE COUNTY COURT, RE, 150.00; WAYNE HERALD, SE, 19.19; WESCO, SU, 812.60; WISNER WEST, SU, 139.19; ZEE MEDICAL SERVICE, SU, 102.45

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, to approve the claims. Mayor Chamberlain stated the motion, and the result of

roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

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

Cap Peterson with Northeast Nebraska Insurance Agency presented and reviewed the 2014 Property and Casualty Insurance Package. The 2014 premium is \$282,466, which is approximately \$28,687 higher than the 2013 premium. This represents about an 11% increase, which is mostly on the property side of the coverage. The City buildings and contents are insured at a 90% replacement value, with the exception of the power plant. The power plant building is insured by way of separate coverage at an agreed upon value, which is \$33,163,900. The power plant has a \$50,000 deductible. The company provides and has done a risk management analysis of all city buildings, etc., at no cost. In addition, Mr. Peterson advised the Council that because of the safety programs initiated and the decline in workers compensation claims, the experience modification dropped from 1.33 in 2009 to 1.12 in 2010 to .89 in 2011 to .81 in 2012, but increased slightly to .88 in 2013, and then back down to .86 this year. This represents a significant savings in the premium.

Councilmember Sievers made a motion, which was seconded by Councilmember Ley, approving the 2014 Property and Casualty Insurance Package with Northeast

Nebraska Insurance Agency. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Wes Blecke, Director of Wayne Area Economic Development, was present and advised the Council that the LB840 Sales Tax Advisory Committee met to review and make recommendations on three LB840 requests. On the first application, the Committee reviewed the request by NAPA – Wayne (George Beaudette) for a \$75,000 loan to rebuild the NAPA store on the old CVA office property (just east of Wayne East. The terms of the loan requested and recommended include \$50,000 for 15 years at 0% interest, and \$25,000 for 15 years as a performance based loan (forgivable loan). The performance based recommended criteria included that the NAPA property be annexed, as well as the business retaining 3 employees for 15 years. The committee did not specify whether or not the employees needed to be full-time or part-time.

Mayor Chamberlain requested Council, in their motion, to indicate a time table upon which Mr. Beaudette must make a request to be annexed.

Councilmember Sievers made a motion, which was seconded by Councilmember Ley, approving the recommendation of the LB840 Sales Tax Advisory Committee to approve a \$50,000, 0% loan for 15 years, and a \$25,000, 15 year performance based loan to be reduced annually, for NAPA – Wayne (George Beaudette), with the criteria being that they make a request to be annexed within one year from this date (January 21, 2014), and that they retain 3 part-time or full-time employees, including George Beaudette.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

On the second application, the Committee reviewed a request by Leseberg Masonry and Construction (Kory Leseberg) for a \$75,00 loan to rebuild an office/garage building, rebuild the old County HHS office (with potential garage space on the property), and construct a new office/garage building. The terms of the loan requested were \$75,000 for 15 years at 0%. However, the Committee's recommended terms included \$40,000 for 15 years at 0% interest, and \$35,000 for 15 years at 3% interest. The committee broke down the request by rebuilding damaged property (\$40,000 at 0% interest) and building new construction (\$35,000 at 3% interest.).

Kory Leseberg was present to answer questions. Mr. Leseberg, in response to Councilmember Sievers question, stated if other properties were annexed, he would not have a problem with being annexed either.

Councilmember Ley made a motion, which was seconded by Councilmember Sievers, approving the recommendation of the LB840 Sales Tax Advisory Committee to approve a \$40,000, 0% interest loan for 15 years, and a \$35,000, 3% interest loan for 15 years for Leseberg Masonry and Construction (Kory Leseberg) to rebuild an office/garage building, rebuild the old County HHS office, and construct a new office/garage building. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Mr. Blecke stated on the third application, the Committee recommended approving a request by Darrin Barner (Wayne State College Rugby) for a \$1,600 grant to purchase goal post pads for the rugby fields that were destroyed by the tornado. Mr. Barner has a commitment from Innovative Protectives to provide the pads at cost. The committee did discuss means to fund this request outside of LB840 (e.g. business donations or the park & recreation budget)

Mr. Blecke noted that this was a rare circumstance because of the tornado, and the Committee was comfortable with approving it.

There were concerns about the “floodgates” being open for other sport clubs wanting LB840 funds.

Nancy Braden, Finance Director, said that a donation came in to be used for tornado relief (uninsured or betterment). This is an alternative funding source that could be used to purchase the goal post pads that were destroyed during the tornado.

Council noted that this would avoid setting a precedent, and with that being said, no action was taken on this LB840 application.

Councilmember Sievers introduced Ordinance 2014-1, and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2014-1

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

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the

Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Sievers introduced Ordinance 2014-3, and moved for approval of the second reading thereof; Councilmember Greve seconded.

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.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

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

Councilmember Sievers made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2014-3. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to the following mayoral appointments to the Community Development Agency:

- Randy Larsen, Wayne County Commissioner Representative
- Mark Lenihan, Wayne School Superintendent
- Corby Schweers, (3-year term)
- Jon Meyer (2-year term)

Councilmember Giese made a motion, which was seconded by Councilmember Sievers approving the following mayoral appointments to the Community Development Agency:

- Randy Larsen, Wayne County Commissioner Representative
- Mark Lenihan, Wayne School Superintendent
- Corby Schweers, (3-year term)
- Jon Meyer (2-year term)

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving the following Councilmember appointments to the Community Development Agency: Cale Giese and Nick Muir. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Mitchell Nissen and Todd Luedeke, representing the Wayne Airport Authority Board, were present requesting Council consideration to approving an increase in the monthly stipend for the position of Airport Authority Administrator (Finance Director). They would like the same increased from \$250 per month to \$500 per month.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, approving the request from the Airport Authority Board to increase the compensation for the Airport Authority Administrator (Finance Director) from \$250 per month to \$500 per month.

Councilmember Ley questioned the title of this position. It was noted that State Statutes refer to this as the “Ex Officio Treasurer for the Airport.”

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would amend the wage and salary schedule to reflect a 2% cost of living increase. In addition, there was some movement on the scale to reflect comparability.

Councilmember Giese noted that an e-mail was distributed to Council by Councilmember Eischeid questioning why Labor Grade 19 – 19.74 did not increase by 2% like all of the others. It was noted that was an error and should have been increased by 2%.

Councilmember Giese had concerns about starting the lifeguard position at \$7.92 and disapproved of the same.

Councilmember Muir hoped by having a starting wage at that amount would attract the best applicants for that position.

Councilmember Sievers wanted to know what Wakefield and Laurel paid their lifeguards. Councilmember Giese wanted to see the League’s comparability list for the lifeguard position.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers to table action on Resolution No. 2014-2 – Wage and Salary Schedule until the next meeting. Mayor Chamberlain stated the motion, and the result of roll call being all

Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, to table Resolution No. 2014-3 – Wage and Salary Schedule (Police) until the next meeting.

Councilmember Sievers also wanted to see the League's comparability list for the police department employees.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Ley, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Eischeid and Brodersen who were absent, the Mayor declared the motion carried and the meeting adjourned at 6:55 p.m.