

**AGENDA
CITY COUNCIL MEETING
April 1, 2014**

1. [Approval of Minutes – March 18, 2014](#)

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 Request of Wayne County Ag Society for Consideration on Water/Sewer Utility Bill](#)

Background: This item was tabled from the March 19th Council meeting.

4. [Presentation on Tax Increment Financing — Attorney Mike Bacon](#)

Background: One of the goals of the Mayor/Council annual retreat last January was to review our Tax Increment Financing program. Mike Bacon prepares most of the Tax Increment Financing agreements in Nebraska. In 2004, Mayor Lindau and the Council hosted Mike Bacon to present Tax Increment Financing 101 to the City Council, the County Commissioners and the Board of Education. The 2004 presentation was helpful in understanding the process and the effects in Nebraska. This will be a similar discussion with a chance to ask any questions.

5. [Ordinance 2014-6: Annexing Certain Real Estate to the City of Wayne and Extending the Corporate Limits in the Northeast Quadrant of the City of Wayne to Include said Real Estate – Industrial Park Area \(Third and Final Reading\)](#)

6. [Ordinance 2014-7: Annexing Herman Commercial Subdivision \(Third and Final Reading\)](#)

7. [Ordinance 2014-8: Amending Wayne Municipal Code Sec. 2-232 Establishing Annual Salary for Mayor and Councilmembers \(Second Reading\)](#)

8. [Public Hearing: Application for Community Development Block Grant Funds on behalf of Ken Jorgensen in the amount of \\$300,000 for the Construction of a Sports Bar/Restaurant to be Located at 1007 E. 7th Street \(Advertised Time: 5:30 p.m.\)](#)

Background: This application is for a loan from the original Wayne Revolving Loan fund. The sources of the original dollars in our revolving loan fund were previous Economic Development Block Grant Funds to the City of Wayne from the Nebraska Department of Economic Development for the Timpte Trailer, Dairy Farm and other former projects. The City of Wayne loaned the CDBG grant funds

to those new businesses, which then paid their loans back to the city revolving loan fund over time. Since then, Wayne Industries and the City of Wayne have been re-loaning those original funds back out to other local business start-ups and expansions.

In 2012, the Nebraska Department of Economic Development gave notice to Wayne and all other Nebraska towns that the Department either wanted their CDBG funds back, or we could transfer control of our revolving loan fund to Northeast Nebraska Economic Development District (NNEDD). We would then have to make application to NNEDD to access our own funds. Wayne currently has an unused revolving loan fund balance with NNEDD of about \$500,000. The City Council is required to approve this loan application before he can access any of that.

This project has \$260,000 in TIF funds proposed, but not yet approved, and a \$250,000, fifteen year LB840 Economic Development loan approved. The total project cost is estimated to be about \$2 million.

9. Resolution 2014-31: Authorizing Chief Elected Official to Sign an Application for Community Development Block Grant Funds

Recommendation: The recommendation of Nancy Braden, Finance Director, and Wes Blecke, WAED Executive Director, is to approve the loan application to NNEDD.

10. Public Hearing: Application for a Nebraska Affordable Housing Program Grant Funds on behalf of Angel Village in the amount of \$603,100 for the Construction of 20 Housing Units, including Street Improvements, Water and Sewer Hookups, Lot Development, Sidewalks, a Commons Area, and Green Space (Advertised Time: 5:30 p.m.)

Background: This project was originally approved by the Council last year. However, the Housing Trust Fund grant portion of the financing wasn't selected in the competitive process by the Nebraska Department of Economic Development. The Department of Economic Development staff has offered some pointers in the preparation of this year's application that help fit their selection process better and delineate the breakout of costs more clearly for their competitive project analysis. Nebraska Housing Trust Funds come from a small document stamp tax set aside and established by the Legislature on the sale of Nebraska real estate to cost share on construction of low and moderate income housing. This grant would be used for the land, infrastructure and construction of six of the twenty homes to be reserved for low rent for income qualified elderly.

The retirement housing concept for Wayne was developed by Nancy Braden, a NIFA (Nebraska Investment Finance Authority) rep, and me at a NIFA Housing Deal Conference in Omaha after a Northeast Development District housing needs study and a Wayne Community Housing housing needs study in the mid 2000's both showed a need and a demand for market rate and subsidized "pre-institutional" retirement housing in Wayne. We looked for a developer to build this kind of project for a while, but the people who owned enough land to build this kind of project didn't want to. Bencoter Construction agreed to take it on with the Angel Village project after buying the Scotty Thompson farm place and clearing it.

A \$450,000 TIF agreement for site development and paving and a \$240,000 twenty year performance based loan were already approved for this project last year at the time of the original Housing Trust Fund application. The total project cost is estimated to be about \$3.8 million.

11. [Resolution 2014-32: Authorizing Chief Elected Official to Sign an Application for Nebraska Affordable Housing Program Funds](#)

Recommendation: The recommendation of Lowell Johnson, City Administrator, and Nancy Braden, Finance Director, is to approve the application for Housing Trust Funds.

12. [Ordinance 2014-10: Amending Wayne Municipal Code Chapter 26 Civil Service, Section 26-81 Created and Section 26-89 Quorum](#)

Background: Nebraska Statutes require every city of the First Class to have a Civil Service Commission of citizens appointed by the Mayor and approved by the Council to maintain a list of qualified candidates to be hired as certified police officers and to serve as an appeals' body to review disciplinary actions by the City Administrator if an officer chooses to appeal. This action would increase the size of the Wayne Civil Service Commission from three citizens to five citizens appointed by the Mayor and approved by the City Council.

Recommendation: The request of the Mayor is to authorize the increase of the membership of the Civil Service Commission to five appointed members.

13. [Discussion Regarding the Investment Policy](#)

Background: This request is from the January Mayor and Council annual retreat. The City Council has adopted an investment policy for the City of Wayne. The Finance Director is responsible to carry out these policies when investing reserve funds. This presentation by Nancy Braden, Financer Director, will list the current allocation of city reserve funds in current investments and provide a brief overview of the policy. Copies of the policies showing the amendments are included in this packet.

14. [Action to Approve Allocating Monies from the Electric Fund to pay for the Softball Complex Lighting, with the Remainder of Funds coming from the Capital Projects Fund](#)

Background: A month ago, Alex Koch and some of the Recreation and Leisure Services Commission members presented a master plan for restoring and upgrading the summer sports complex this summer. The plan proposed spreading the north and south fields apart to eliminate the common fence between the fields and provide a margin of safety for the players. This involves rebuilding and reseeding the two north fields and a new overhead lighting system with fewer poles, but double lighting on the poles between the fields. The Council approved the bid for rebuilding the relocated fields, and that will soon start.

Recommendation: Insurance and contributions will pay most but not all of the cost of rebuilding the sports complex. The recommendation of Alex Koch, Recreation

Director, and the Recreation and Leisure Services Commission is to pay the extra \$137,822 to complete the lighting for all four fields from the Electric Fund as a lighting project like we did for the field lighting we installed four years ago and to pay the extra \$138,000 cost to relocate the fields, install an irrigation system and add double fencing from the Sales Tax Capital Projects Fund.

15. [Action Directing Staff to Work with the Planning Commission to Solicit Consultants to Revise the City's Comprehensive Plan](#)

Background: This would begin action on a goal from the January Mayor and Council retreat to review our zoning districts and zoning regulations. The scope of work of the consultant would be to develop a new City of Wayne Comprehensive Plan and amend our zoning code as may be needed to carry out that Comprehensive Plan. Our current Comp Plan was completed in 2006. The typical steps in this process are:

- A consultant is selected and a contract is approved by the Council;
- A citizen's comprehensive plan advisory group is appointed by the Mayor and Council;
- A study of the existing zoning is done by the consultant and the advisory group;
- A draft of a new Comp Plan and any proposed zoning amendments are prepared by the consultant and advisory group;
- A final draft of each is approved by the advisory group and forwarded to the Planning Commission;
- The Planning Commission reviews the Comp Plan and any zoning changes and schedules a public hearing before adopting them and forwarding them to the City Council;
- The City Council reviews the Comp Plan and any zoning changes and schedules a public hearing before taking any action to adopt them; and
- The Mayor and Council vote on final adoption of the new Comp Plan and any zoning changes proposed.

16. [Discussion and Action to make offer to Rugby Team to Clean Logan Creek](#)

Background: The property owners along each side of Logan Creek own the creek banks to the center of the creek. The City of Wayne owns much of the debris covered creek banks of Logan Creek extending north from the Highway 35 bridge, and we are responsible to clean up the debris. City staff is suggesting that we invite volunteers to clean up the creek banks and stream and that we make a contribution to the group willing to do the work.

The following is information from EMC, our insurance carrier: *“(Volunteers)... would be OK from a General Liability standpoint. If one of the Club members caused bodily injury or property damage to a third party we would defend the City for the actions of that volunteer while working on behalf of the City. However, the concern is if one of the Club members gets hurt, because they aren't an employee they wouldn't have Work Comp coverage. They would be eligible for the \$5,000 Med Pay limit under the GL, which is fine if it's something minor, but if it's major that isn't going to go very far. They would want to make sure the individual's had health insurance and that those health insurance policies would be primary for any injuries they had.”*

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to offer the Rugby Club \$5,000 off of their share of the cost of rugby space in the summer sports complex storage building that will be built this fall to replace the one destroyed by the tornado if they will clean up the debris in the city's portions of Logan Creek and provide proof of insurance as required above by EMC. If you choose to not use direct volunteers, then my recommendation is to bid out the work on a lump sum basis with proof of \$1 million liability insurance required.

17. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

March 18, 2014

The Wayne City Council met in regular session at City Hall on Tuesday, March 18, 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, Kaki Ley, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; and City Clerk Betty McGuire. Absent: Councilmember Nick Muir and City Administrator Lowell Johnson.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on March 6, 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 Eischeid, whereas, the Clerk has prepared copies of the Minutes of the meeting of March 4, 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 Councilmember Muir who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

CORRECTION TO CLAIMS LISTING OF OCTOBER 15, 2013: Delete AHC, Fair Labors Standards - \$536.99

VARIOUS FUNDS: AMERICAN BACKFLOW, FE, 75.00; AMERITAS, SE, 1931.62; APPEARA, SE, 159.88; BAKER & TAYLOR BOOKS, SU, 575.37; BANK FIRST, SE, 120.00; BARONE SECURITY SYSTEMS, SE, 138.00; BERENS-TATE CONSULTING, SE, 3000.00; BRENT L. PICK, RE, 50000.00; BROWN SUPPLY, SU, 490.58; CARHART LUMBER COMPANY, SU, 307.31; CENTURLINK, SE, 148.71; CHARTWELLS, SE, 6250.52; CHILD SUPPORT, RE, 100.00; CITY OF WAYNE, RE,

1650.00; CITY OF WAYNE, PY, 60574.81; CITY OF WAYNE, RE, 268.02; COMMUNITY HEALTH, RE, 4.00; COOPORTUNITY HEALTH, SE, 29179.02; COPY WRITE, SU, 133.25; CITY EMPLOYEE, RE, 222.39; DE LAGE LANDEN FINANCIAL, SE, 394.00; DECO ENGINEERING PRODUCTS, SU, 8982.65; EAKES OFFICE PLUS, SE, 181.50; ECHO GROUP, SU, 56.19; ELECTRONIC ENGINEERING, SE, 585.00; FREDRICKSON OIL, SE, 36.05; GERHOLD CONCRETE, SU, 28.16; GROSSENBURG IMPLEMENT, SU, 757.81; H.K. SCHOLZ COMPANY, SE, 10092.50; HAWKINS, INC, SU, 899.79; HOCKENBERGS, SU, 129.32; ICC, FE, 125.00; ICMA, SE, 25896.33; INGRAM BOOK COMPANY, SU, 880.74; INTERSTATE ALL BATTERY, SU, 253.65; IRS, TX, 26200.82; JOHNSTONE SUPPLY, SU, 477.63; KEPCO, SU, 26.50; KTCH, SE, 1073.00; LEAGUE OF NEBRASKA, FE, 1932.00; LUNDAHL, EARL, RE, 350.00; LUTT OIL, SU, 4960.70; MAIN STREET AUTO CARE, SE, 90.00; MARRIOTT HOTELS, SE, 595.00; MARY PARK, RE, 500.00; MIDWEST LABORATORIES, SE, 258.35; MIRIAN AGUIRRE, SE, 50.00; CITY EMPLOYEE, RE, 184.90; NE DEPT OF REVENUE, TX, 3415.53; NE RURAL WATER, FE, 375.00; NE SAFETY COUNCIL, SE, 8.89; NPPD, SE, 299625.29; NORFOLK DAILY NEWS, SE, 133.17; N.E.NE AMERICAN RED CROSSJ, RE, 59.24; O'REILLY AUTOMOTIVE STORE, SU, 5.79; OMAHA WORLD-HERALD, SE, 1085.34; PAC N SAVE, SU, 153.68; CITY EMPLOYEE, RE, 26.22; PRESTO X, SE, 48.63; PUSH-PEDAL-PULL, SU, 1945.00; RANDOM HOUSE, SU, 1941.75; ROBERT WOehler & SONS, SE, 6433.55; SIOUX CITY JOURNAL, SE, 837.65; SPARKLING KLEAN, SE, 2254.59; STATE NEBRASKA BANK, RE, 2969.26; STEFFEN INC, SU, 504.62; THE JOURNAL OF LIGHT, SU, 64.95; UNITED STATES PLASTIC, SU, 137.42; UNITED WAY, RE, 12.40; US BANK, SE, 6486.35; WAYNE AUTO PARTS, SU, 322.06; WAYNE BASEBALL ASSOCIATION, RE, 90.00; WAYNE COUNTRY CLUB, RE, 6385.00; WAYNE HERALD, SE, 1542.44; WAYNE STATE COLLEGE, FE, 80.00; WAYNE STATER, SE, 150.00; WAPA, SE, 32973.17; WISNER WEST, SU, 26.35; WSC FOUNDATION, RE, 50.00; CITY EMPLOYEE, RE, 15.00; BACKFLOW APPARATUS, SU, 222.25; CHAPMAN METERING, SE, 5404.50; CUSTOM FILTRATION EQUIP., SU, 309.50; DANKO EMERGENCY EQUIPMENT, SU, 40.00; DAVE'S DRY CLEANING, SE, 78.00; DEARBORN NATIONAL LIFE, SE, 1838.10; DUTTON-LAINSON, SU, 1104.41; ECHO GROUP, SU, 189.79; ENVIROTECH SERVICES, SU, 5289.55; HD SUPPLY WATERWORKS, SU, 2031.86; HEWLETT-PACKARD, SU, 358.00; KRIZ-DAVIS, SU, 16573.53; LAKELAND ENGINEERING, SU, 215.43; LARRY MAGNUSON, RE, 500.00; MIDLAND COMPUTER, SE, 2236.50; NORFOLK TRUCK CENTER, SU, 212.17; NNPPD, SE, 13185.52; OTTE CONSTRUCTION, SU, 540.00; PIEPER & MILLER, SE, 2054.00; PITNEY BOWES, SU, 648.00; PRESTO X, SE, 56.68; SHOPKO, SU, 100.93; THOMPSON INFORMATION, SU, 536.99; VOSS LIGHTING, SU, 289.40; WAED, RE, 13216.66; WPL LANDSCAPE ACCOUNT, RE, 100.00; ZEE MEDICAL SERVICE, SU, 117.58

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 Councilmember Muir who was absent, the Mayor declared the motion carried.

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

Councilmember Sievers introduced Ordinance 2014-6, and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2014-6

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

Mayor Chamberlain stated the motion, and the result of roll call was four Yeas (Giese, Greve, Haase and Sievers) and three Nays (Ley, Eischeid and Brodersen), with Councilmember Muir being absent.

Attorney Miller advised Mayor Chamberlain that pursuant to Section 2-113 of Wayne Municipal Code, he could vote on this matter since his vote would provide the additional vote required to create a number of votes equal to a majority of the number of members elected to the Council.

Mayor Chamberlain then cast his vote, which was Yea, and declared the motion carried. The third and final reading will take place at the next Council meeting.

Councilmember Sievers introduced Ordinance 2014-7, and moved for approval of the second reading thereof; Councilmember Greve seconded.

ORDINANCE NO. 2014-7

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

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

Discussion took place in regard to increasing the salaries of the Mayor and City Council. Councilmember Eischeid recommended increasing the Mayor's salary to \$8,000; Councilmembers to \$4,500; and adding \$500 for the Council President.

This amendment would not go into effect until after the next election (December, 2014). The last time the salaries were amended was in 2006.

After discussion, Councilmember Sievers introduced Ordinance 2014-8, and moved for approval thereof, with the amendments being:

- Increasing the Mayor's salary from \$4,500 to \$8,000 per year;
- Increasing the Councilmembers salaries from \$3,000 to \$4,500 per year; and
- Increasing the Council President's salary from \$3,000 to \$5,000 per year;

with said amendments being in effect after the next election; Councilmember Ley seconded.

ORDINANCE NO. 2014-8

AN ORDINANCE ESTABLISHING ANNUAL SALARY FOR MAYOR AND CITY COUNCILMEMBERS, REPEALING CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Todd Hoeman, Public Works Foreman, and Lowell Heggemeyer, Asst. Public Works Foreman, were present requesting Council consideration to allowing them to sell the tree tub grinder. They have not used the tub grinder for approximately 4 years.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, authorizing staff to proceed to sell the Street Department's tree tub grinder. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding an application to rezone property from B-3 Neighborhood Commercial to B-1 Highway Commercial. The applicant is Todd Gehner who wishes to rezone the area to allow for an automotive business.

Joel Hansen, Zoning Administrator, stated the Planning Commission reviewed the rezoning request at their public hearing on March 3, 2014, and forwarded a recommendation to approve the same subject to the following "Findings of Fact":

1. Staff recommendation; and
2. Consistency with the Comprehensive Plan and the current and future land use maps.

Don Nelson who is purchasing the property from Todd Gehner was present to answer questions.

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

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

Councilmember Giese introduced Ordinance 2014-9, and moved for its approval; Councilmember Eischeid seconded.

ORDINANCE NO. 2014-9

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF LOT 15, EXCEPT THE WEST 2', AND ALL OF LOT 16, BLOCK 1, EAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, A/K/A 530 EAST 6TH STREET, FROM B-3 NEIGHBORHOOD COMMERCIAL TO B-1 HIGHWAY COMMERCIAL.

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

Councilmember Sievers made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2014-9. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the Application for the Community Development Block Grant Comprehensive Investment

and Stabilization Funds and the submittal of the Planning Study to the Nebraska Department of Economic Development.

Alyssa Silhacek of Northeast Nebraska Economic Development District was present to review the Planning Study and present the 2014 Comprehensive Investment and Stabilization Needs/Assessment Strategy prepared by NNEDD. She was the grant administrator and planner on this project.

Nancy Braden, Finance Director, shared comments and concerns from the town hall meetings that took place on this matter.

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

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

Councilmember Sievers introduced Resolution 2014-25 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-25

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA, TO APPROVE THE TARGET AREA 2014 COMPREHENSIVE INVESTMENT & STABILIZATION NEEDS ASSESSMENT/STRATEGY PREPARED BY THE NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT AND FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT #13-CIS-006.

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

The following Resolution would approve the Council goals that were established at their annual retreat in February.

Councilmember Sievers introduced Resolution No. 2014-26 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2014-26

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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

Joel Hansen, Zoning Administrator, and Brian Kesting, Technology Support Specialist, presented a proposal from Beehive Industries for on-line Global Information System (GIS) services. This software would integrate aerial photos and recorded utility and public works GIS information and make it compatible with Wayne County GIS information. The cost would be \$7,200 the first year to set it up and then an annual fee of \$3,600 to keep it going. Grand Island and Kearney are using this product. Beehive Industries will host the product, but City staff will maintain it.

The County is providing the City with property lines and ownership information. The intent is for this to be one joint site.

Council had some concerns about privacy issues and what is available for the public to see.

Once approved, this could be up and running in 60 days.

Councilmember Sievers introduced Resolution 2014-27 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-27

A RESOLUTION APPROVING PROPOSAL OF BEEHIVE INDUSTRIES FOR ON-LINE GLOBAL INFORMATION SYSTEM (GIS) SERVICES.

Staff would bring this back before Council before it goes live on-line.

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

The following Resolution would approve an agreement between the City and Wayne Area Economic Development which provides for funding in the amount of \$76,600 per year. This comes about as a recommendation or request from the City's auditors for the use of public funds.

Councilmember Sievers introduced Resolution No. 2014-28 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2014-28

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF WAYNE AND WAYNE AREA ECONOMIC DEVELOPMENT.

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

The following Resolution would approve the specifications and authorize the purchase of two new police cruisers through the State bid process from Arnie's Ford for the sum of \$26,200 each.

Police Chief Marlen Chinn was present to answer questions. These new vehicles will replace the 1996 and 2006 vehicles. The old vehicles will be auctioned off.

Councilmember Brodersen introduced Resolution 2014-29, and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2014-29

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF TWO POLICE CRUISERS THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM ARNIE'S FORD.

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

Discussion took place in regard to updating the City's Comprehensive Plan. The last update occurred in 2006. This is a result of discussions that took place at retreat, and the concerns about the multi-family dwelling units, and parking and regulations. The plan needs to be updated before the end of the year to add an energy element to it. Because of that fact, staff thought it would be a good time to update the plan in its entirety because of all of the new building, subdivisions and growth that has taken place since 2006. Completion usually takes a year or longer, and the estimated cost could be \$35,000. This will need to be placed in the budget for next year.

Mayor Chamberlain stated when he looks at the current comp plan, it is obvious it is out of date. So much has gone on in the community since 2006.

The Planning Commission, when they make their recommendations, is based on the "current and future land use maps", and those maps are developed as part of the comp plan.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, directing staff to investigate surrounding cities of comparable size to see how often their comp plans are updated and to investigate other courses of action other than a

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

Discussion took place on a request by the Wayne County Agricultural Society for assistance on two past due bills totaling \$2,263.83 for the fairgrounds. The Fairgrounds has a leak somewhere. Commercial sewer is based off of what is metered through the water meter. The fairgrounds pays double water and sewer rates because they are outside city limits. Administrator Johnson recommended that if Council would decide to waive any portion of the bill, that they waive a portion of the sewer since that is not metered.

Council thought to provide any relief would set precedence, and to be fair is to deny the request.

Mayor Chamberlain understood the concern, but stated that if the City would provide them relief by reducing the bill to the single rate, they would still be paying for all of the water they used and sewer.

Councilmember Brodersen stated she could see giving a break on the sewer (single rate), but not on the water.

There was no one present from the Wayne County Agricultural Society to answer questions.

After discussion, a motion was made by Councilmember Giese, and seconded by Councilmember Sievers, to table action on the request of the Wayne County Agricultural Society for consideration on their water/sewer utility bill 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 was absent, the Mayor declared the motion carried.

Council reviewed the updated job description for the Water/Wastewater Plant Operator 1 position.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving the job description for the Water/Wastewater Plant Operator I position. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Discussion took place in regard to making an offer to the Wayne State College Rugby team to clean the tornado debris out of Logan Creek in exchange for giving them credit towards space in the new storage building that will be built at the Summer Sports Complex.

Council had concerns about the safety of the volunteers as well as the liability issue for the City.

After discussion, Council wanted to bring this back before them after staff has looked at alternative avenues, such as hiring a professional crew that would welcome volunteers to come out with them.

The following Resolution and Ordinance pertain to the sale of Lot 1, Giese Second Addition, to Mid Plains Grain, LLC, for the sum of \$47,200. This property is located just south of the Hank Overin Baseball Field.

Breck Giese, representing Mid Plains Grain, LLC, was present to answer questions.

Councilmember Eischeid introduced Resolution 2014-30, and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-30

A RESOLUTION AUTHORIZING THE SALE OF LOT 1, GIESE SECOND ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4, EAST OF THE 6TH P.M., IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO MID PLAINS GRAIN, LLC, FOR THE SUM OF \$47,200.

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

Councilmember Eischeid introduced Ordinance 2014-10, and moved for its approval thereof; Councilmember Ley seconded.

ORDINANCE NO. 2014-10

AN ORDINANCE DIRECTING THE SALE OF LOT 1, GIESE SECOND ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4, EAST OF THE 6TH P.M., IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO MID PLAINS GRAIN, LLC, FOR THE SUM OF \$47,200.

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

Councilmember Sievers made a motion and Councilmember Eischeid 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 Councilmember Muir who was absent and Councilmember Giese who abstained, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Eischeid seconded to move for final approval of Ordinance No. 2014-10. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent and Councilmember Giese who abstained, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried and the meeting adjourned at 7:04 p.m.

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CLAIMS LISTING APRIL 1, 2014

AMAZON.COM, LLC	DVD'S	580.96
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	1,886.86
APPEARA	LINEN & MAT SERVICE	148.08
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
BLACK HILLS ENERGY	GAS BILLINGS	1,101.18
BOMGAARS	HELMET/BITS/FASTENERS/VALVE ETC	398.10
CITY EMPLOYEE	HEALTH REIMBURSEMENT	145.02
BROWN SUPPLY CO	FIRE HYDRANT EXTENSION	1,317.48
BW PLUS GRAND ISLAND INN	LODGING-LISTON/JUNCK	340.00
CENTURYLINK	TELEPHONE CHARGES	352.26
CHILD SUPPORT	PAYROLL DEDUCTIONS	100.00
CITY OF NORFOLK	INSPECTION FEE	43.05
CITY OF WAYNE	BUILDING PERMIT DEPOSIT REFUND	850.00
CITY OF WAYNE	CAC/REC REFUNDS	125.00
CITY OF WAYNE	PAYROLL	58,706.41
COMMUNITY HEALTH	PAYROLL DEDUCTIONS	4.00
CUMMINS CENTRAL POWER	GENERATOR MAINTENANCE/SUPPLIES	3,784.20
DANKO EMERGENCY EQUIPMENT	EMT JACKETS/PANTS	1,704.75
DE LAGE LANDEN FINANCIAL	COPIER EQUIPMENT LEASE	77.00
DEARBORN NATIONAL LIFE	VFD INSURANCE	92.88
DISCOUNT FURNITURE	CAC YOUTH ROOM COUCH	199.95
ECHO GROUP INC JESCO	PVC EXPANSION JOINT	18.82
EMPLOYERS MUTUAL CASUALTY	WORK COMP	363.21
ENVIRONMENTAL SYSTEM	ARC/GIS MAINTENANCE	1,400.00
FIREMEN	FIRE SCHOOL REIMBURSEMENTS	400.00
FIRST CONCORD GROUP LLC	FLEX	3,271.64
FLOOR MAINTENANCE	HANDCLEANER/SCRUB PADS	53.15
CITY EMPLOYEE	VISION REIMBURSEMENT	99.84
GEMPLER'S INC	SHIRTS	70.00
GROSSENBURG IMPLEMENT INC	FILTERS	302.27
CITY EMPLOYEE	SAFETY BOOT REIMBURSEMENT	150.00
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	6,769.64
IRS	FEDERAL WITHHOLDING	21,798.26
JOHNSTONE SUPPLY	THERMOSTAT GUARD	42.08
JULIE OSNES	BOOKS	47.80
KELLY MEYER	GRASS SEED	475.00
KIRKHAM MICHAEL	DOG CREEK WATERSHED	7,475.00
MARRIOTT HOTELS	LODGING	773.00
MELYSSA DECK	POSTER DESIGN	70.00
N.E. NEB ECONOMIC DEV DIS	WRLF ADMINISTRATION	585.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	111.57
NE DEPT OF REVENUE	STATE WITHHOLDING	3,133.41
NE EXPRESSWAYS	LOBBY SERVICES APR-JUNE 14	883.44
NE PUBLIC HEALTH	POLICE SERVICES/COLIFORM TESTING	842.00

NO SWEET FENCING	1/2 FENCING AT SB COMPLEX	77,599.00
N.E. NE AMERICAN RED CROSS	PAYROLL DEDUCTIONS	29.62
NORTHWEST ELECTRIC LLC	SEAL & BEARINGS	524.99
OVERDRIVE, INC.	AUDIO & E BOOKS	1,024.36
OVERHEAD DOOR COMPANY	SHOP DOOR SEALS	153.70
PROFORMA	IMPRINTED PENCILS	471.48
PUSH-PEDAL-PULL	CABLE/DISPLAY OVERLAY	182.64
QUILL CORPORATION	OFFICE SUPPLIES	795.16
SOOLAND BOBCAT	BULB	31.62
THE PENDER TIMES	SUBSCRIPTION	38.75
TYLER TECHNOLOGIES	UTILITY BILLING ONLINE	200.00
UNITED WAY	UNITED WAY DEDUCTION	6.20
US BANK	AIRFARE/MEALS/PROJECTOR/AUTOCAD ETC	3,876.24
VERIZON WIRELESS SERVICES	CELL PHONES	123.66
VIAERO	CELL PHONES	250.69
VOSS LIGHTING	LED LIGHT BULBS	114.00
WATERLINE ENVIROTECH	COAX W/PROBE	362.58
WAYNE COUNTRY CLUB	GOLF MEMBERSHIPS	1,597.80
WAYNE HERALD	SUBSCRIPTION RENEWAL	48.00
WESCO DISTRIBUTION INC	HEAT SHRINK TUBING	351.45
WISNER WEST	FD GASOLINE	217.20

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February 13, 2014

City of Wayne
306 Pearl St.
Wayne, NE 68787

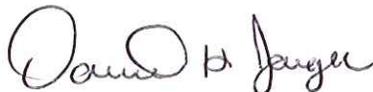
Attn: Ken Chamberlin

This letter is to inform you that the Wayne County Agricultural Society is a non-profit, tax-supported organization and as such, we run on a very limited budget. We would like to request assistance with the City of Wayne past-due bill in the amount of \$2,263.83 for 100 Pheasant Run Road-North.

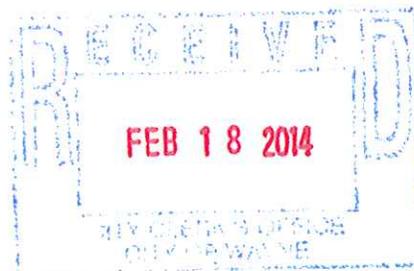
We realize and appreciate the five thousand dollar discount given by the city, but our water billings have tripled this last year. We feel we have the problem identified and will be fixed for the next year. This bill was for a meter reading after the Wayne County Fair was over and the water was turned off at the fairgrounds.

The Wayne County Agricultural Society runs on a very limited budget since we are non-profit. Any further assistance the City could provide would be greatly appreciated.

Sincerely,



Dave Jaeger, President
Wayne County Agricultural Society
PO Box 133
Wayne, NE 68787





12-890775-00 2,263.83

11/12/2013 2,263.83

10/28/2013 11/12/2013

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AUTO CRRT B001
WAYNE COUNTY AG SOCIETY
PO BOX 133
WAYNE NE 68787-0133

100 PHEASANT RUN RD NORTH

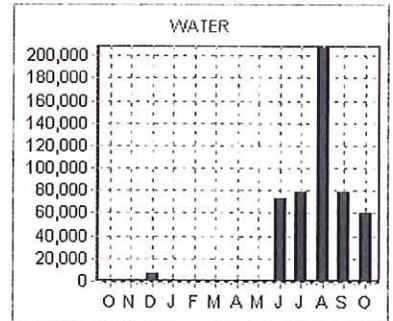
LAST BILL 1,256.54
PAYMENTS AS OF 03/04/2014 0.00

PAST DUE AMOUNT 1,256.54

Table with columns: SERVICE, CURRENT READING, PREVIOUS READING, USAGE, TOTAL. Rows include WATER, SEWER, and SALES TAX.

CURRENT BILL \$1,007.29

AMOUNT DUE \$2,263.83
UNT DUE AFTER 11/12/2013 \$2,263.83



12-890775-00 2,263.83

11/12/2013 2,263.83

WAYNE COUNTY AG SOCIETY

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AUTO CRRT B001
WAYNE COUNTY AG SOCIETY
PO BOX 133
WAYNE NE 68787-0133



12-890775-00 1,256.54

10/10/2013 1,256.54

09/26/2013 10/10/2013

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AUTO CRRT B001
WAYNE COUNTY AG SOCIETY
PO BOX 133
WAYNE NE 68787-0133

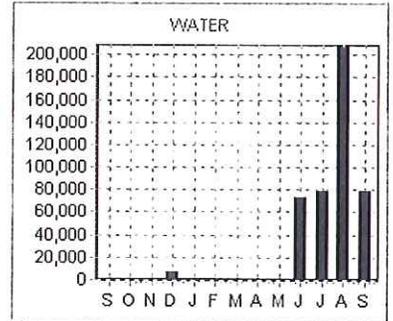
100 PHEASANT RUN RD NORTH

LAST BILL 3,005.35
PAYMENTS AS OF 09/26/2013 3,005.35

Table with columns: SERVICE, CURRENT READING, PREVIOUS READING, USAGE, TOTAL. Rows include WATER, SEWER, SALES TAX.

CURRENT BILL \$1,256.54

AMOUNT DUE \$1,256.54
AMOUNT DUE AFTER 10/10/2013 \$1,256.54



12-890775-00 1,256.54

10/10/2013 1,256.54

WAYNE COUNTY AG SOCIETY

TDAAAATTFFFTTDDTTTAFATFTDFADTAFTFTAATTA

AUTO CRRT B001
WAYNE COUNTY AG SOCIETY
PO BOX 133
WAYNE NE 68787-0133

ORDINANCE NO. 2014-6

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

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

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

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

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

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

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

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

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

Section 5. This ordinance shall take effect and be in full force from and after its passage,
approval, and publication or posting as required by law.

PASSED AND APPROVED this 1st day of April, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2014-7

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

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

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

A tract of land located in the Southwest Quarter of the Southwest Quarter of Section 8, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska; thence N02°33'52"W on an assumed bearing on the West line of said Southwest Quarter, 100.00 feet to a point on the North right-of-way line of State of Nebraska Highway #35, said point being the Southwest corner of a tract of land surveyed by LaVern F. Schroeder, R.L.S. #312, dated October 13, 2000, and the Point of Beginning; thence N02°33'52"W on the West line of said surveyed tract, 309.63 feet (recorded as 310.60 feet – Deed) to the Northwest Corner of said surveyed tract, said point being on the South right-of-way line of the Chicago Northwestern Railway Company (now removed); thence N59°02'53"E on said South right-of-way line, 529.63 feet; thence S02°31'40"E on the East line of said surveyed tract, 569.62 feet to a point on said North right-of-way line of State of Nebraska Highway #35; thence S89°01'09"W on said right-of-way line, 237.27 feet; thence S87°50'28"W on said right-of-way line, 228.41 feet to the point of beginning, containing 4.70 acres, more or less, hereafter known as Lot 1, Lot 2, Lot 3, Lot 4, and Lot 5 of the Herman Commercial Subdivision,

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

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

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

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

Section 5. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 1st day of April, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2014-8

AN ORDINANCE ESTABLISHING ANNUAL SALARY FOR MAYOR AND CITY COUNCILMEMBERS, REPEALING CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. Pursuant to Section 2-232 of the Wayne Municipal Code the salary of the Mayor shall be ~~\$8,000~~ ~~4,500~~ per year; **the salary of the Council President shall be \$5,000 per year**; and the salary of each Councilmember shall be ~~\$4,500~~ ~~3,000~~ per year, each respectively being payable in quarterly installments. The salaries herein fixed shall not preclude the additional payment of mileage and expenses, if and when claims are duly filed, authorized, and allowed therefore.

Section 2. That any ordinance or section passed and approved prior to the passage, approval, publication, and effective date of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance should take effect and be in full force from and after December 3, 2014, only upon its passage, approval, and publication as required by law.

PASSED AND APPROVED this _____ day of April, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Wayne City Council Meeting Agenda

Object: Approve a \$300,000 Community Development Block Grant (CDBG) loan for the Jug Store, LLC (Ken Jorgensen, Member); sub-grant funds to Northeast Economic Development, Inc. (NED, Inc.)

Contact Persons: Tom Higginbotham/Loren Kucera/Jeff Christensen

For: Action

Loan Applicant: – The Jug Store, LLC.– Wayne – Ken Jorgensen, Member

This loan is being approved using Wayne's CDBG funds that will be sub-granted to NED, Inc. utilizing the NDO process (Non-Profit Development Organization) NED, Inc. will loan the funds to The Jug Store, LLC.

I. Project Overview and Description:

Ken Jorgensen has owned “The Max”, a sports bar and grill in Wayne since 1992. He sold it in 2003, but got it back in 2007. He has been making plans for several months to build a new sports bar & grille and liquor store which will be called 4th Jug Sports Bar & Grille and the Jug Store. The 4th Jug is designed as a comfortable, inviting restaurant designed to make all customers feel at home. The décor and theme is based on a semi-rustic steakhouse concept with high vaulted ceilings and large open areas. The Jug Store will be equipped with the latest walk-in cooler technology to entice customers to stop in. With the 2000 square foot facility, The Jug Store will be able to display an unmatched variety of product and enhance the shopping experience of its’ customers.

The 4th Jug will offer a comfortable, rustic ambience, complete with Keno, two PGA Golf simulators and exterior entertainment opportunities. The menu features original variations of American favorites with an array of seasoned steaks, prime rib, chicken, hot gourmet sandwiches and salads. Beverages include microbrew beers, beer, wine, soda and cocktails. The 4th Jug Sports Bar & Grille and The Jug Store will be located in a newly constructed free standing building. This location is an extremely high visibility spot on one of the most popular commercial corridors in Northeast Nebraska. It has excellent parking, excellent ingress and egress from Highway 35 on the east side of Wayne. The location is within walking distance of the three hotels, the Summer Sports Complex, and next to McDonalds.

Total project costs are estimated to be \$2,020,000. Included in start-up costs are all necessary expenditures to cover the construction of the new facility (including Hwy 35 access, paving/storm water work, utility hook ups, and street access to Tomar Drive), pre-opening hiring and training of our staff, marketing and promotions, supplying small wares and service wares, inventory and other essentials. Mr. Jorgensen is requesting that NED, Inc. provide a loan in the amount of \$150,000 and the City of Wayne to provide a loan in the amount of \$300,000; both towards the purchase of furniture fixtures and equipment (FFE). Mr. Jorgensen is working with a couple different local banks as the lead lender that will provide \$866,500. There is also the possibility of SBA 504 loan as part of the bank package. Other funds are coming from owner equity (\$183,330), the City of Wayne’s LB 840 fund (\$250,000), TIF (\$260,000), and Wayne Area Economic Development Inc. (\$10,000). The project will create 15 FTE jobs as a result of this project.

II. Sources and Uses

Source	Bank/SBA	NED, INC.	Wayne RLF	LB 840	TIF	WAEDI	Equity	Total
Site Prep	\$292,370	-0-	-0-	\$86,830	-0-	\$10,000	\$105,000	\$484,200
Building	\$534,000	-0-	-0-	\$158,600	-0-	-0-	-0-	\$692,600
FFE/Inventory	-0-	\$150,000	\$300,000	-0-	\$96,700	-0-	\$5,000	\$591,800
Fees/contingency	\$40,100	-0-	-0-	\$4,570	\$163,300	-0-	\$73,330	\$241,200
Total	\$866,470	\$150,000	\$300,000	\$250,000	\$260,000	\$10,000	\$183,330	\$2,019,800

III. Proposed Loan Package and Related Collateral:

NENEDD Staff and the Northeast Loan Fund Committee are recommending approval of a \$300,000 loan from the City of Wayne's CDBG funds and a \$150,000 loan from NED, Inc. to purchase furniture, fixtures and equipment (FFE) for the new sports bar & grille. Wayne's funds will be sub-granted to NED, Inc., as a Non-profit Development Organization (NDO), who will in turn lend the \$300,000 to The Jug Store, LLC for this project. NED, Inc. will meet Wednesday, 4-2-14, to approve its \$150,000 loan for the same purposes. Payments will be made to NED, Inc., thus resulting in a \$450,000 loan with NED, Inc. This is the process approved by the Nebraska Department of Economic Development (DED) to de-federalize CDBG funds in our local communities. This \$450,000 loan will have a term of 10 years at an interest rate of 4.50% (fixed). NED, Inc. will have a subordinate lien position on all business assets including the real estate of the new business. NED, Inc. will also file a Deed of Trust on Mr. Jorgensen's personal residence in Wayne. NED, Inc. will require a personal guaranty and life insurance on Mr. Jorgensen for the amount of the loan for the life of the loan.

At this point Ken is still negotiating with a couple local banks so a definite lead bank has not been identified. However, it is assumed that the primary bank's loan of \$866,500 will have a term of 20 years and an interest rate of 6.00% (variable) and will secure its loan with a primary lien position on all business assets including the real estate of the new business. Other funds include \$250,000 of Wayne's LB840 funds with a term of 15 yrs and 0.00% interest, \$260,000 TIF funds with a term of 168 months at 6.00% interest, and \$10,000 Wayne Area Economic Development, Inc. funds with a 10 year term at 0.00% interest.

Motion: To approve a Wayne CDBG loan of \$300,000 to The Jug Store, LLC for the purchase of furniture, fixtures and equipment and sub-grant the \$300,000 CDBG funds to NED, Inc. to loan to The Jug Store, LLC utilizing the Non-Profit Development Organization (NDO) process as presented and recommended by NENEDD staff and the Northeast RLF Committee.

RESOLUTION NO. 2014-31

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO REQUEST COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, the City of Wayne, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program; and

WHEREAS, the City of Wayne, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for the amount of \$300,000 of CDBG funds which will be used for the construction of a sports bar/restaurant to be located at 1007 E. 7th Street in Wayne. The total project costs are estimated to be \$2,020,000, with \$300,000 requested from CDBG Funds, \$150,000 provided by NED, Inc., \$250,000 from LB840, \$260,000 from Tax Increment Financing, \$183,330 in equity, and the remaining \$866,470 provided in the form of a bank loan from local banks. All of the CDBG funds will be used for activities that will meet the CDBG national objective of benefiting low-to-moderate income persons. The CDBG funded activities are unlikely to result in the residential displacement of people, and should such displacement occur, it will be minimized and resolved pursuant to the City of Wayne Anti-displacement and Relocation Plans. At least 51% of the grant funds will benefit low-to-moderate income persons. There will be no persons displaced as a result of the CDBG activities.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Wayne, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents, or other memoranda between the City of Wayne and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED this 1st day of April, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

2014 PRE-APPLICATION FOR THE NEBRASKA AFFORDABLE HOUSING PROGRAM

Nebraska Department of Economic Development (DED)
PART I. GENERAL INFORMATION

DED USE ONLY Date Stamp Below

DED USE ONLY Pre-Application Number 14-
--

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION Name: <u>City of Wayne</u> Contact: <u>Lowell Johnson, City Administrator</u> Address: <u>PO Box 8</u> City/State/Zip: <u>Wayne, Nebraska 68787</u> Phone: <u>402-375-1733</u> Fax: <u>402-375-1619</u> Email: <u>cityadmin@cityofwayne.org</u> Tax ID: <u>47-6006407</u> Duns #: <u>031172505</u>	2. APPLICATION PREPARER INFORMATION Name: <u>Alyssa Silhacek</u> Address: <u>111 S. 1st Street</u> City/State/Zip: <u>Norfolk, Nebraska 68701</u> Phone: <u>402-379-1150</u> Fax: <u>402-379-9207</u> Email: <u>alyssa@nenedd.org</u> Application Preparer (check one) <input type="checkbox"/> Local Staff <input type="checkbox"/> Out-of-State Consultant <input type="checkbox"/> In-State Consultant <input type="checkbox"/> Non-Profit Organization <input checked="" type="checkbox"/> Economic Development District <input type="checkbox"/> Other _____
3. HOUSEHOLD BENEFICIARIES # _____ at or below 80% of the Area Median Family Income # <u>6</u> at or below 100% of the Area Median Family Income	4. DISTRICT INDICATOR-(Select only ONE) <input type="checkbox"/> Congressional District 1 <input type="checkbox"/> Congressional District 2 (Outside of Omaha City Limits) <input type="checkbox"/> Congressional District 3 (West) <input type="checkbox"/> Congressional District 3 (Central) <input checked="" type="checkbox"/> Congressional District 3 (Northeast) <input type="checkbox"/> Congressional District 3 (Southeast)
5. HOUSING ACTIVITIES <input type="checkbox"/> Owner-Occupied Rehabilitation <input type="checkbox"/> Homebuyer Program <input type="checkbox"/> Non-Profit Operating Assistance <input checked="" type="checkbox"/> Rental New Construction, Acquisition, and/or Rehabilitation <input type="checkbox"/> Demolition	7. SERVICE AREA Area to be served [each municipality and each county]. Please list: <u>City of Wayne</u> Nebraska Legislative District(s) <u>17</u> Nebraska Congressional District(s) <u>1</u>
6. TYPE OF APPLICANT <input checked="" type="checkbox"/> Unit of Local Government <input type="checkbox"/> Local Housing Authority <input type="checkbox"/> Non-Profit 501(c)(3) <input type="checkbox"/> Non-Profit 501(c)(3) CHDO <input type="checkbox"/> Non-Profit 501(c)(4) <input type="checkbox"/> Non-Profit 501(c)(4) CHDO	8. ONE-PAGE PROJECT SUMMARY Please attach a one-page project summary describing the project.

9. CERTIFYING OFFICIAL:

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

Signature in blue ink: 

Typed Name and Title: Ken Chamberlain, mayor Date Signed: 2-18-14

Address/City/State/Zip: PO Box 8/Wayne, Nebraska 68787

SUBMIT THE ORIGINAL VIA EMAIL OF THE ENTIRE APPLICATION TO:
anissa.rasmussen@nebraska.gov and CC your Regional Program Representative

Individuals, who are hearing and/or speech impaired and have a TTY, may contact the Department through the Statewide Relay System by calling (800) 833-7352 (TTY) or (800) 833-0920 (voice). The relay operator should be asked to call DED at (800) 426-6505 or (402) 471-3111.

PART II. FUNDING SUMMARY

Code	Activity	NAHP Funds	Other Funds	Total Funds	Sources of Other Funds
0501	Site Improvements		270,000.00	\$270,000.00	Developer
0502	Streets		350,000.00	\$350,000.00	City
0505	Non-Profit Operating Assistance				
0520	Acquisition of Property				
0521	Acquisition of Vacant Land	120,000.00	280,000.00	\$400,000.00	Dev.
0522	Demolition ¹				
0523	Relocation ²				
0524	Direct Homebuyer Assistance ³				
0530	Housing Rehabilitation				
0531	SF Purchase/Rehab/Resale				
0541	Conversion				
0541	Reconstruction				
0542	SF New Construction Homebuyer ⁴		1,861,300.00	\$1,861,300.00	Dev.
0580	Housing Management ⁵	51,100.00		\$51,100.00	
0580(a)	Hsg. Mgt.: Paint Testing / Risk Assessments / Clearance Testing ⁶				
0561	Rental New Construction	391,200.00	417,900.00	\$809,100.00	Dev.
0520	Rental Property Acquisition				
0541	Rental Property Rehabilitation				
0581	Rent Up Reserves		6,000.00	\$6,000.00	Dev.
0582	Operating Reserves		11,500.00	\$11,500.00	Dev.
	Subtotal (Total Non-Administration)	\$562,300.00	\$3,196,700.00	\$3,759,000.00	City; Dev.
0181	General Administration ⁷	40,800.00		\$40,800.00	
1000	TOTAL PROGRAM COSTS	\$603,100.00	\$3,196,700.00	\$3,799,800.00	City; Dev.

Clarification for the above activities should be directed to DED.

¹ Demolition is a support activity and must be done in conjunction with another housing activity.

² Relocation is a support activity and must be done in conjunction with another housing activity.

³ Direct Homebuyer Assistance for previously owned and newly constructed homes includes down-payment assistance, closing cost assistance, and gap subsidy (the difference between the appraised value and the sale price of the home).

⁴ New construction includes the hard costs for acquiring land, constructing homes, and development subsidy (the difference between the cost to develop and build the home and the appraised value of the home).

⁵ Housing management recommended maximum is 10% of total NAHP hard costs.

⁶ Paint testing, risk assessments and clearance testing are limited to \$1,500 per unit.

⁷ General Administration recommended maximum is 8% of the total amount of NAHP hard costs.

NOTE: Requests for additional funds (over the recommended maximums) for Housing Management or General Admin must be requested and documented within the final application.

PART III

	Per Unit Cost	Per Unit Cost	No. of Units	Total Activity Costs	NAHP	Match
	\$	13,500	20	\$ 270,000	\$ -	\$ 270,000
Activity 0501 - Site Improvements						
Activity 0502 - Streets				\$ 350,000		\$ 350,000
Activity 0521 - Acquisition of Vacant Lots		\$ 20,000	20	\$ 400,000	\$ 120,000	\$ 280,000
Activity 0542 - Single Family New Construction						
Cement Wall, flat work & Sand	\$ 22,000					
Plumbing, Heating/Cooling	9,500					
Electrical	9,800					
Flooring	5,500					
Lights Allowance	-					
Foundation Tar & Backfill, Basement	1,100					
Gutters	1,000					
Cabinet Allowance	5,500					
Material & Labor Framing to finish	58,000					
Landscape	2,000					
Marketing costs	-					
Misc. Construction costs	16,000					
Subtotal of Construction costs		\$ 130,400	14	\$ 1,825,600		
Construction Contingency				18,300		
Architect Design				2,500		
Construction Loan Interest				10,000		
Property Appraisal				2,500		
Real Estate Attorney				1,400		
Title & Recording				1,000		
Activity 0542 Total				\$ 1,861,300		\$ 1,861,300
Activity 0561 - Rental New Construction						
Cement Wall, flat work & Sand	\$ 22,000					
Plumbing, Heating/Cooling	9,500					
Electrical	9,800					
Flooring	5,500					
Lights Allowance	-					
Foundation Tar & Backfill, Basement	1,100					
Gutters	1,000					
Cabinet Allowance	5,500					
Material & Labor Framing to finish	58,000					
Landscape	2,000					
Marketing costs	-					
Misc. Construction costs	16,000					
Subtotal of Construction costs		\$ 130,400	6	\$ 782,400		
Construction Contingency				7,800		
Architect Design				2,500		
Construction Loan Interest				10,000		
Environmental Assessment				1,500		
Property Appraisal				2,500		
Real Estate Attorney				1,400		
Title & Recording				1,000		
Activity 0561 Total				\$ 809,100	\$ 391,200	\$ 417,900
Activity 0581 Rent up reserves				\$ 6,000		\$ 6,000
0582 Operating Reserves				\$ 11,500		\$ 11,500
Activity 0580 - Housing Management						
Process voluntary acquisition paperwork				\$ 13,000		
Counseling potential rental tenants and property owners on rent limits for LMI units				13,000		
Processing tenant applications and income qualifications				12,100		
Oversee Construction Process including property/work inspections				13,000		
Activity 0580 Total				\$ 51,100	\$ 51,100	\$ -
Activity 0181 - General Administration						
Phase I						
Special condition documents as outlined in the grant contract						
Environmental review in accordance with the National Environmental Policy Act of 1969						
Assisting with procuring for professional services						
Meeting, phone calls, emails with Grantee to insure the grantee has a solid understanding of the financial management requirements associated with the grant and that the Grantee has an appropriate financial management system in place.						
Prepare a master filing system in accordance with state and federal regulations						
Total Costs Phase I				\$ 5,250		
Phase II						
Monitoring the progress of the housing activities being completed in order to prepare semi-annual reports and accounting of project costs for preparation of drawdowns.						
Monitoring the housing activities to ensure that all statutes, state rules, and federal regulations relevant to the project are followed.						
Processing applications for eligibility.						
Total Costs Phase II				26,800		
Phase III						
Prepare and submit all close out reporting requirements.						
Prepare and submit all required monitoring reports and clarifications requested by DED.						
Total Costs Phase III				5,250		
Miscellaneous (Phone, copies, postage, audit, legal, etc.)				3,500		
Activity 0181 Total				\$ 40,800	\$ 40,800	\$ -
TOTAL PROJECT COST				\$ 3,799,800	\$ 603,100	\$ 3,196,700

One Page Project Summary

The City of Wayne is requesting \$603,100 from the Nebraska Affordable Housing Program (NAHP) to provide six (6) affordable rental housing units for low to moderate income families. The City will partner with Windom Ridge, LLC, a Nebraska Corporation to construct Angel Village, a housing development in Wayne, Nebraska that is within Nebraska Congressional District 3. Of the \$581,500 requested, \$120,000 will be used for acquisition of vacant land, \$391,200 for construction of six single family units, \$51,100 for housing management, and \$40,800 for general administration of the grant. Local matching funds of \$3,196,700 will be provided by Windom Ridge, LLC and the City of Wayne through owner investment, tax increment financing, LB840 funds, and bank loans. These funds will be reserved for site improvements, infrastructure, acquisition of vacant land, rental and single family new construction, rent up reserves, and operating reserves. The estimated total project cost is \$3,799,800. The Northeast Nebraska Economic Development District (NENEDD) will function as the housing administrator in partnership with Wayne Community Housing, who will provide income qualification services. NENEDD will also provide general administration services. Windom Ridge, LLC will own and operate the rental units long-term.

All eligible applicants will be at or below 100% of the median income of Wayne County, Nebraska. Wayne Community Housing will provide current income thresholds to the applicant and income verify each potential tenant. These thresholds are set annually by HUD and can be located at <http://www.huduser.org/portal/datasets/il/il14/index.html>.

Angel Village Housing Development

The Angel Village development is designed as a mixed-use twenty-unit housing development. The development will have both rental and owner-occupied units. Each unit will have two bedrooms and a basement. All units will be visitable and accessible. In addition to housing units, the development will also have a neighborhood community center and green space to serve as common space for Angel Village residents.

As noted in the project budget, grant funds have been requested to construct six single family houses, which will be reserved as rental units for low-to-moderate income families. Each of these units will be 1,100 square feet.

There will be 14 additional units between 950-1,300 square feet. These units will not be rent controlled and will be a mixture of rental and owner-occupied units.

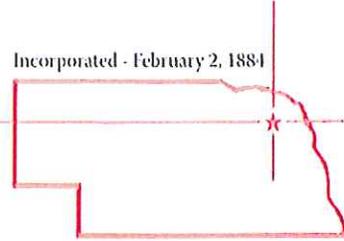
The proposed project area currently is an open, undeveloped field. The developer and the City will construct all needed infrastructure, including streets, water, sewer, and storm drainage. An environmental review has been initiated and will be completed before the final project application is submitted. To date, no significant environmental concerns have been raised.

City of Wayne

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

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

Incorporated - February 2, 1884



Citizen Participation Plan City of Wayne, Nebraska

A. Participation by Citizens

All citizens, including low- and moderate-income citizens, shall be requested and encouraged to participate in the assessment of community issues, problems and needs; the identification of potential solutions; and priority to such issues, problems and needs, as follows:

1. All citizens shall be periodically requested to complete a community needs survey to identify community and neighborhood issues, problems and needs.
2. All citizens shall be notified by publication and posting of all meetings to discuss the identified needs, potential solutions and solution priorities.
3. All citizens, particularly low and moderate-income citizens, shall be afforded the opportunity to serve on various community improvement task forces established by the City of Wayne.

B. Access to Meetings, Information and Records

Notice of public meetings conducted by the City of Wayne shall be published and posted not later than six days prior to such meetings.

Agendas of all such meetings shall be available at City Hall, 306 Pearl Street, Wayne, NE, for public inspection.

All meetings where CDBG projects or applications are to be discussed shall be published and posted at least six days prior to such meetings and all information and records concerning such CDBG projects or applications shall be available for public inspection at the office of the City Clerk.

All meetings will be held at a time and at City Hall convenient to potential or actual beneficiaries which will be accessible to all citizens. The building and site will also be accessible to persons with disabilities.

C. Specific CDBG Project Information

All citizens shall be provided with information regarding specific CDBG projects through public meetings and publication of notices which provide all pertinent information regarding any CDBG project including, but not limited to:

1. The amount of CDBG funds expected to be made available to the City of Wayne for the current fiscal year, including CDBG funds and anticipated program income;
2. The specific range of activities that may be undertaken with CDBG funds;
3. The estimated amount of CDBG funds to be used for activities that will meet the national objective of benefit to low-and moderate-income persons, and;
4. A description of any proposed CDBG funded activities that are likely to result in displacement of persons along with the City of Wayne's anti-displacement and relocation plans.

D. Provisions for Technical Assistance to Citizens

The City Clerk shall maintain current information of available resources for community improvement efforts and CDBG programs available and provide such information upon request by any citizen or group representing any citizen or group of citizens and the City Clerk shall provide assistance in developing proposals to address issues, problems and needs identified by such citizen or citizens.



Home of Wayne State College



Equal Housing Opportunity

E. Public Hearing on CDBG Activities

The City of Wayne shall enact a minimum of two (2) public meetings or hearings to be conducted with regard to any CDBG application. At least one meeting or hearing shall be conducted prior to the submission of any such application and a second public hearing shall be held near the completion of any CDBG funded activity to obtain citizen input, comments or opinions with regard to such application(s) and to program or project performance.

The City Clerk shall act as the contact person for all questions, comments or concerns expressed by any citizen with regard to any CDBG program or project and shall forward any such questions, comments or concerns to the City Council at the next regular meeting of the City Council immediately following expression of such questions, comments or concerns. The City Clerk shall also be responsible for transmitting the City Council's response to any such question, comment or concerns to the citizen or citizens expressing the same.

F. Needs of Non-English Speaking Citizens

The City shall conduct the public hearings in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate, the City Clerk shall arrange for oral or written translation of information regarding any CDBG program, application or project upon request by such non-English speaking persons or representatives of such persons.

G. Compliance/Grievance Procedures

The City Clerk shall post a notice at the City Office that provides name, telephone number, address and office hours of the City Clerk for citizens who wish to file a complaint or grievance regarding any CDBG program, project or application.

Individuals wishing to submit a complaint or file a grievance concerning activities, of or application for, CDBG funds may submit a written complaint or grievance to the City Clerk.

The City Clerk shall present such complaint or grievance to the City Council at the next regular meeting of the City of Wayne where it be reviewed by the Councilmembers. The individual submitting such complaint or grievance shall be notified of such meeting and shall be given the opportunity to make further comments at such meeting. The City Council shall issue a written response to any complaint or grievance within fifteen (15) days following the meeting at which a response is formulated. Such response shall be mailed to the individual citizen(s) submitting the complaint or grievance by the City Clerk to the last known address of said citizen(s).

In the event that the nature of the complaint or grievance is determined to be a matter requiring immediate action, a special meeting of the City Council shall be called to review the matter within ten (10) days of receipt of such complaint or grievance.

H. Adoption

This Citizen Participation Plan is hereby adopted by action of the City Council of the City of Wayne, Nebraska.



Ken Chamberlain , Mayor



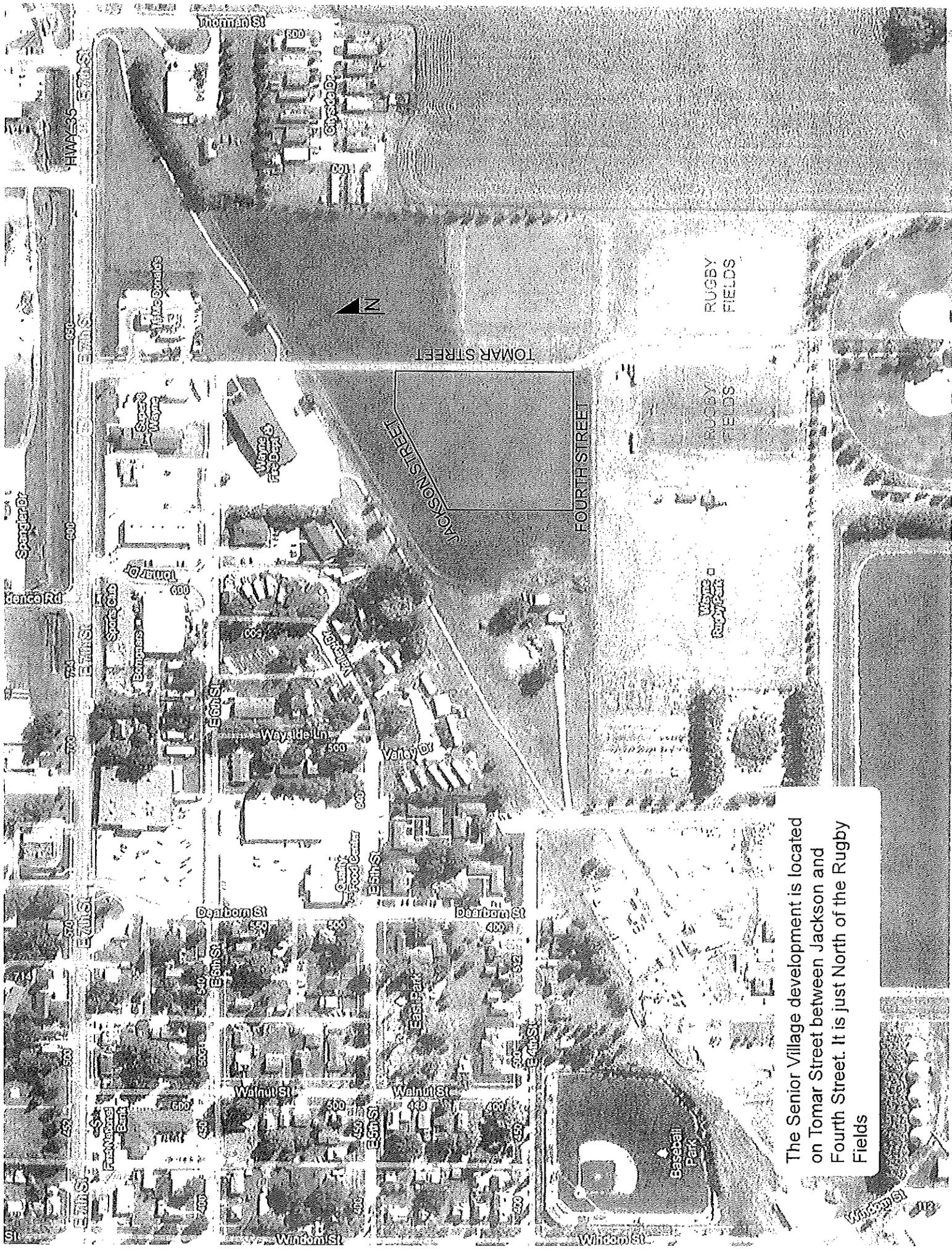
Attest: Betty A. McGuire, City Clerk

2-18-14

Date

Senior Village Development
Conceptual Outline

Date: 01/07/13



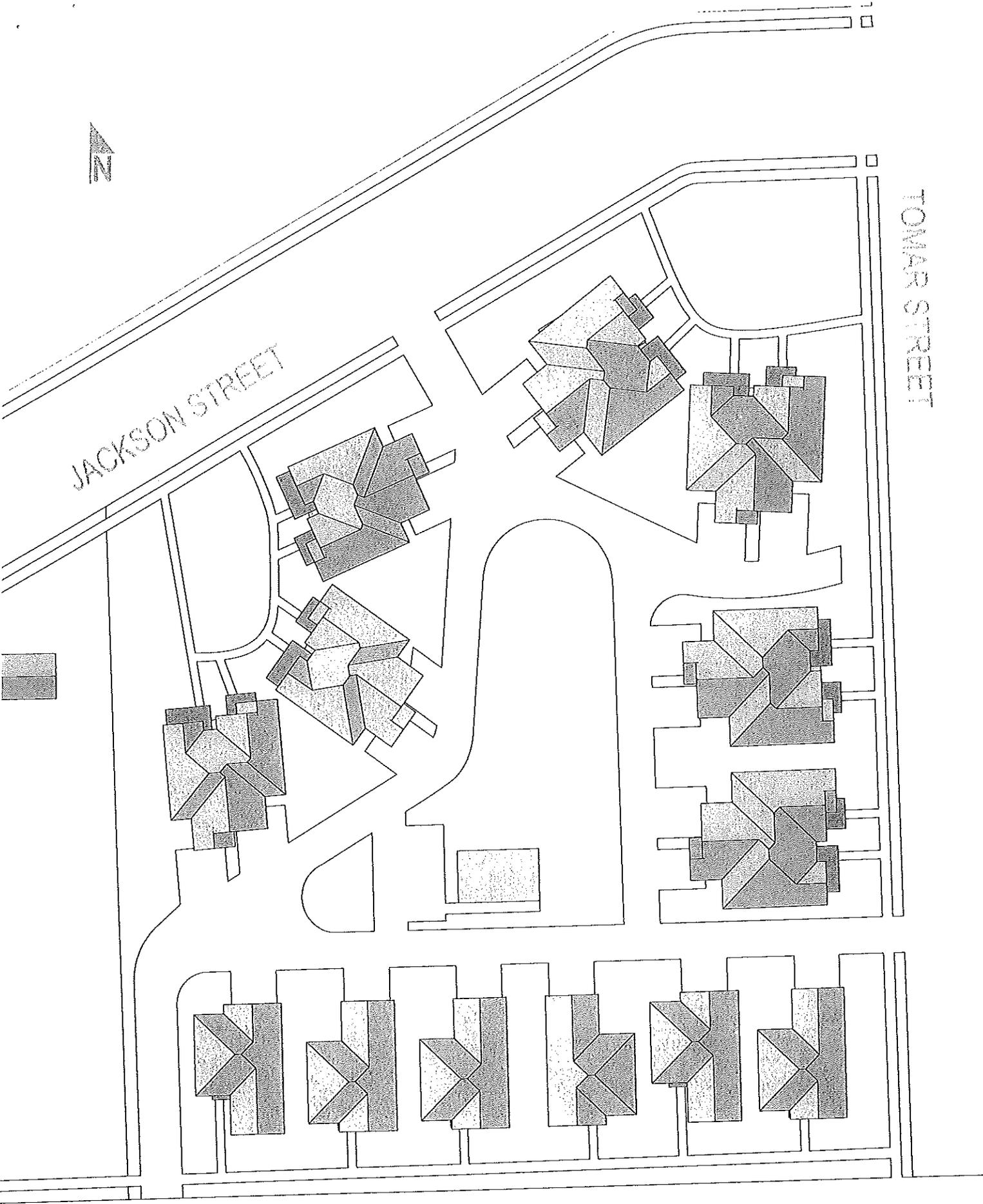
The Senior Village development is located on Tomar Street between Jackson and Fourth Street. It is just North of the Rugby Fields



JACKSON STREET

TOMAR STREET

4TH STREET



Townhomes
4-units
1200-1300 sq. ft.

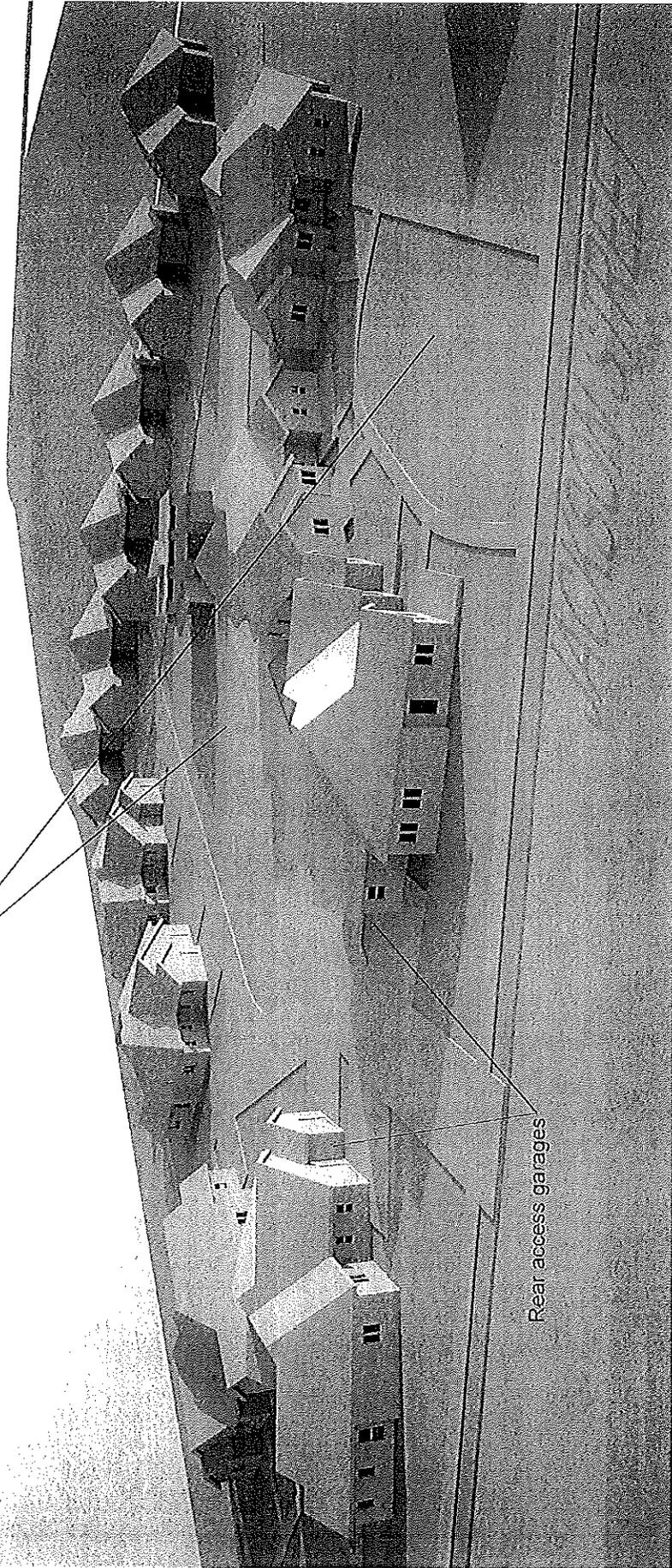
Townhomes
6-units
950-1050 sq. ft.

Townhomes
4-units
1050-1200 sq. ft.

**Neighborhood
Community
Center**

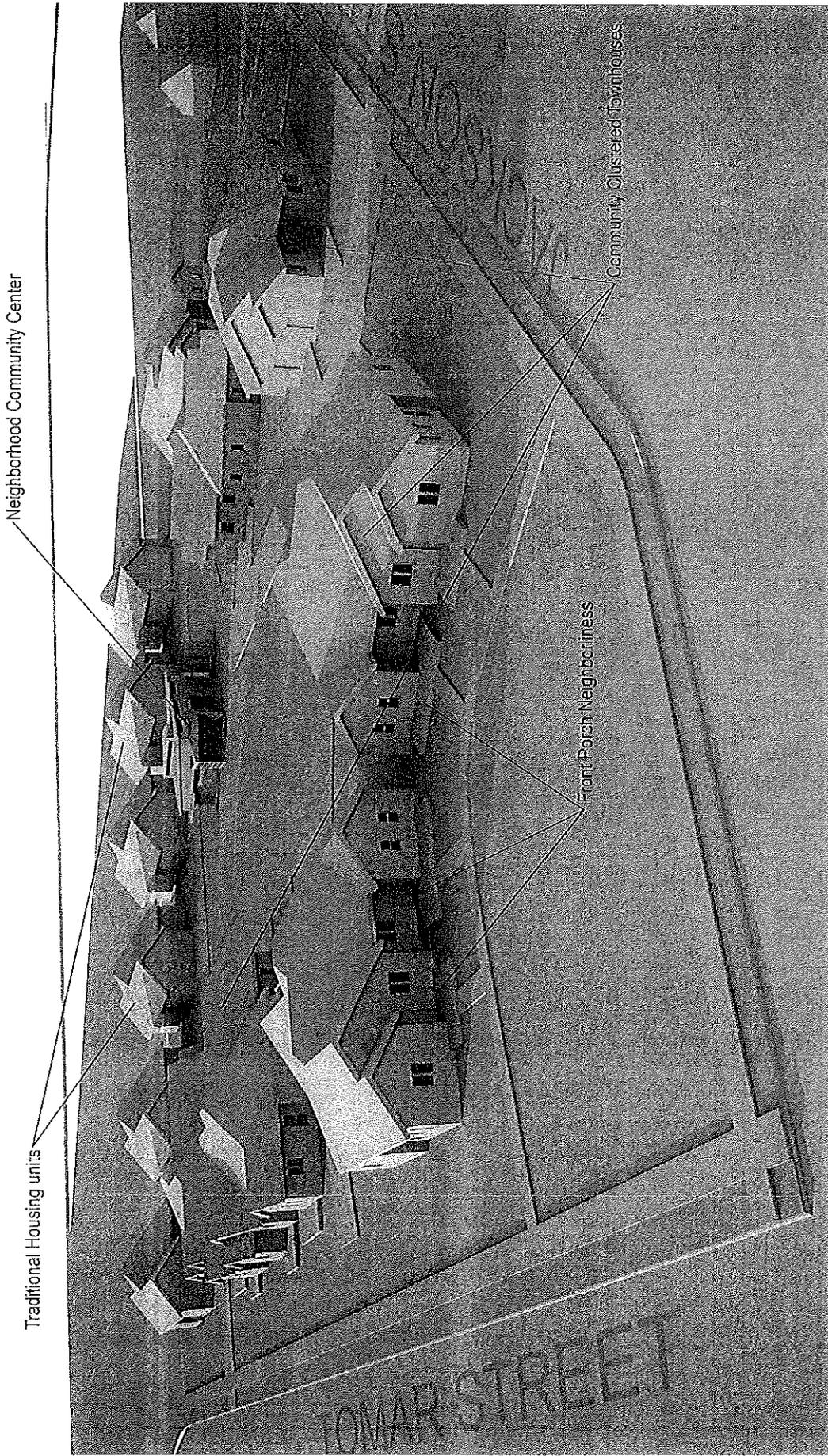
Single Family Houses
6-units
1300-1400 sq. ft.

Shared communal spaces



Rear access garages

Schematic site layout and conceptual massing. Looking South from the corner of Jackson Street.

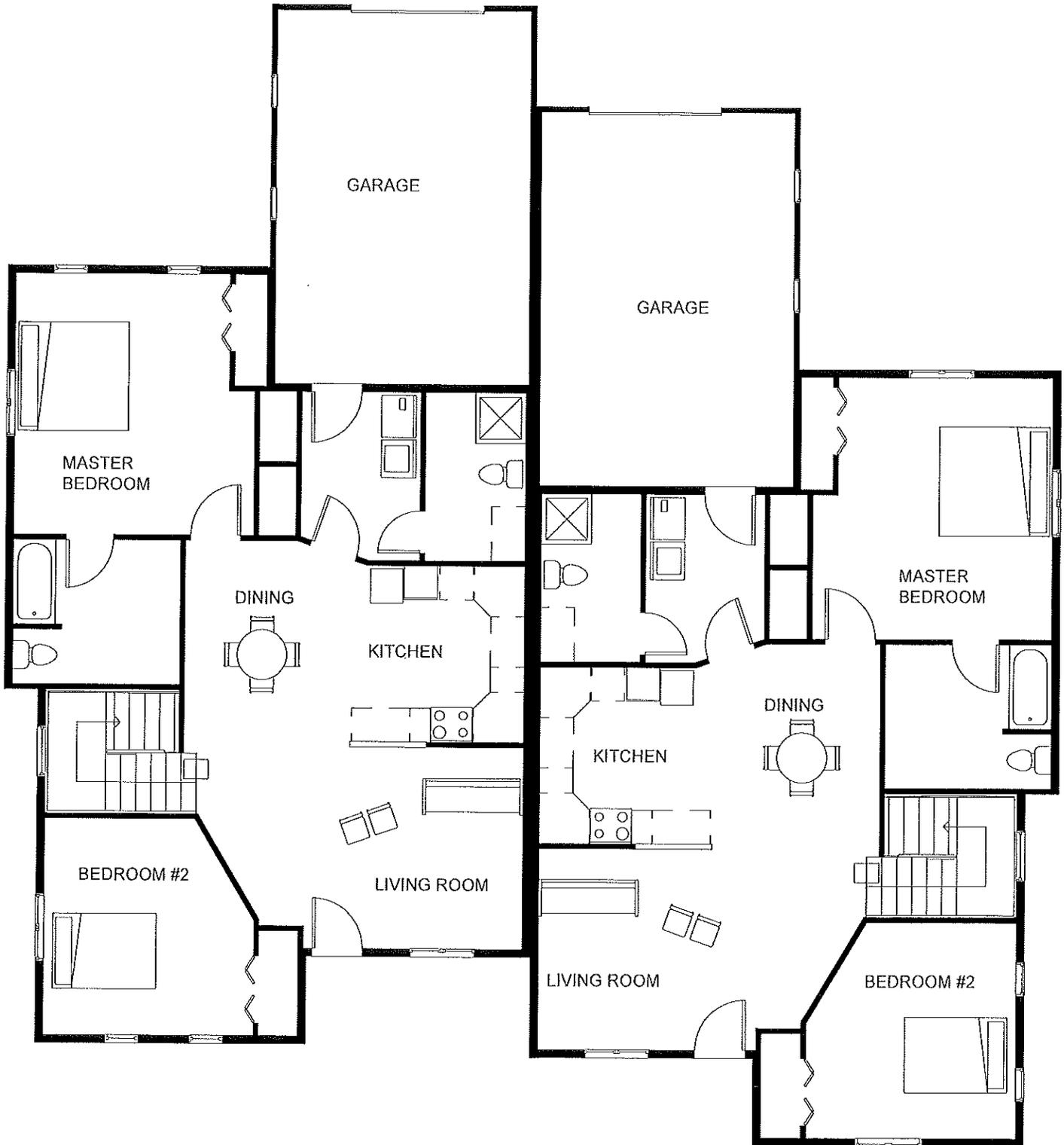


Schematic site layout and conceptual massing. Looking Southwest from the corner of Jackson and Tomar Streets.



TOWNHOUSE "A" FLOOR PLAN
 NTS

Preliminary sample rough-draft for the 950-1050 sq. ft. townhouses



TOWNHOUSE "B" FLOOR PLAN
 NTS

Preliminary sample rough-draft for the 1050-1300 sq. ft. townhouses

RESOLUTION 2014-32

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR NEBRASKA AFFORDABLE HOUSING PROGRAM FUNDS.

WHEREAS, the City of Wayne, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and, Cranston-Gonzalez National Affordable Housing Act of 1990 (HOME Program) funds distributed by the Department of Economic Development through the Nebraska Affordable Housing Program; and

WHEREAS, the City of Wayne, Nebraska, has obtained its citizens' comments on community development and housing needs and has conducted public hearing(s) upon the proposed application and received public comment respecting the application which for an amount of the City of Wayne is requesting \$603,100 of Affordable Housing Funds from the Nebraska Department of Economic Development of which \$120,000 will be for acquisition, \$391,200 will be for housing rental new construction, \$51,100 will be used for housing management, and \$40,800 will be for general administration of the grant. The total project cost is \$3,799,800, with local matching funds of \$3,196,700 provided by the developer and the City.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Wayne, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents, including, but not limited to, Release of Funds documents as stated in the grant contract or other memoranda between the City of Wayne and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED this 1st day of April, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2014-10

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 26 CIVIL SERVICE, ARTICLE III CIVIL SERVICE COMMISSION, SECTION 26-81 CREATED AND SECTION 26-89 QUORUM; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Chapter 26, Article III, Section 26-81 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 26-81. Created

There is created in the city a civil service commission which shall have ~~three~~ **five** members who shall each be a citizen of the United States, a resident of the city for at least three years immediately preceding such appointment, and an elector of the county wherein such person resides.

Section 2. That Chapter 26, Article III, Section 26-89 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 26-89. Quorum

~~Two~~ **Three** members of the civil service commission shall constitute a quorum for the transaction of business.

Section 3. 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 1st day of April, 2014.

THE CITY OF WAYNE, NEBRASKA

By: _____

ATTEST:

City Clerk

City of Wayne
Investments as of March 25, 2014

Investment Firm & Investment Number	Type of Investment	Purchase Price	Interest Rate	Maturity Date
<u>First National Bank</u>				
002-089	SAVGS ACCT	\$ 4,675.49	0.050%	N/A
LIBRARY 9814	SAVGS ACCT	\$ 1,460.69	0.050%	N/A
12752 - park ordinance funds	CD	\$ 27,384.34	0.500%	6/17/14
15520	CD	\$ 78,458.81	0.250%	4/29/14
Airport Checking	NOW account	\$ 87,382.88	0.250%	N/A
money market		\$ 23,302.58	0.050%	N/A
Total Investments & Average Interest Rate		\$ 222,664.79	0.263%	
<u>State National Bank</u>				
15021531 - golf course funds	CD	\$ 5,968.77	0.200%	6/27/14
15021537 - golf course funds	CD	\$ 30,221.69	0.200%	2/27/14
15021549	CD	\$ 512,176.38	0.610%	9/24/14
15021554	CD	\$ 1,024,107.48	0.610%	8/30/14
15021555	CD	\$ 146,279.02	0.710%	3/10/15
15021556	CD	\$ 610,918.77	0.600%	4/18/14
15021557	CD	\$ 761,929.18	0.550%	5/25/14
15021559	CD	\$ 80,260.93	0.650%	6/27/14
15021560	CD	\$ 1,505,285.89	0.710%	9/13/14
CDA Checking xx1460		\$ 305,220.33	0.000%	N/A
CHECKING ACCOUNT XX0215		\$ 2,928,781.25	0.100%	N/A
Total Investments & Average Interest Rate		\$ 7,911,149.69	0.449%	
<u>BankFirst</u>				
28888	CD	\$ 129,294.30	2.920%	9/4/14
money market		\$ 326,319.96	0.350%	N/A
Total Investments & Average Interest Rate		\$ 455,614.26	1.635%	
<u>F & M Bank</u>				
38328949	MM	\$ 222,704.99	0.100%	N/A
17396	CD	\$ 78,600.00	0.500%	5/1/14
20000	CD	\$ 153,500.00	3.000%	3/30/15
30320302	CD	\$ 510,647.46	0.450%	9/30/14
30320401	CD	\$ 608,123.40	0.350%	10/18/14
30320402	CD	\$ 608,823.63	0.350%	4/15/14
30320355	CD	\$ 1,010,095.51	0.350%	11/25/14
money market		\$ 158,576.64	0.100%	N/A
Total Investments & Average Interest Rate		\$ 3,351,071.63	0.729%	
<u>Edward Jones - Ken Marra</u>				
Midfirst Bank FSB Okla City	CD	\$ 97,000.00	4.750%	6/9/14
Kislak National Bank Miami Lakes Fla	CD	\$ 70,000.00	5.000%	10/30/14
Money market		\$ 26,404.38	0.004%	N/A
Total Investments & Average Interest Rate		\$ 193,404.38	3.251%	
Total Investments & Cash		\$ 12,133,904.75		
City cash or money market funds		\$ 4,078,693.01		

VERSION 1

**CITY OF WAYNE, NEBRASKA
INVESTMENT AND PORTFOLIO POLICY**

SCOPE:

This investment policy applies to activities of the City of Wayne, Nebraska with regard to investing the financial assets of all funds of the city including but not limited to the following City funds:

General Fund	City Sales Tax Fund
Transfer Station Fund	Electric Fund
Sewer Fund	Water Fund
Self Funding Insurance Fund	Trust & Agency Fund
Community Development Fund	911 Fund
Capital Projects Fund	Debt Service Fund
Various TIF Funds	

OBJECTIVES:

Funds of the city will be invested in accordance with Nebraska Revised Statute 17-607, these policies and written administrative procedures. The City's investment portfolio shall be managed in a manner to attain a market rate of return throughout budgetary and economic cycles while preserving and protecting capital in the overall portfolio. Investments shall be made based on statutory constraints and subject to available designated staffing capabilities.

Funds held for future capital projects (i.e., bond proceeds) shall be invested to produce enough income to offset increases in construction costs due to inflation. Where possible, prepayment funds for long-term debt service shall be invested to ensure a rate of return at least equal to the interest being paid on the bonds. Investment of bond reserves shall be monitored (with reviewing auditors as required) to assure compliance with current bond covenants and current IRS regulations, if any.

DELEGATION OF AUTHORITY:

The City Treasurer, also referred to as the investment officer, is the custodian of all money belonging to the City of Wayne. (Statute 16.318) The investment officer is responsible for investment decisions and activities in accordance with the written procedures. The investment officer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with these policies. This commitment of resources shall include financial and staffing considerations.

PRUDENCE:

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule, which states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and

intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price change.

ETHICS AND CONFLICTS OF INTEREST:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Administrator any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio. Employees and officers shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales. Any employee is required to disclose any employment relationship that could cause a potential conflict of interest. (e.g. employees of financial institutions on the city council.)

MONITORING AND ADJUSTING THE PORTFOLIO:

The investment officer will routinely monitor the securities of the portfolio, the available markets and the relative values of competing instruments, and will adjust the portfolio according to the written investment procedures.

INTERNAL CONTROLS:

The investment officer shall establish a system of written internal controls. The controls shall be designed to prevent loss of public funds due to fraud, employee error, and misrepresentation by any third parties, unanticipated market changes or imprudent actions by employees and officers of the City.

PORTFOLIO DIVERSIFICATION:

The city will diversify use of investment instruments to avoid incurring unreasonable risks inherent to over investing in specific instruments, including financial institutions or maturities.

Nebraska Revised State Statue 14.564 states:

"Notwithstanding any provision of home rule charter, funds of the city available for such purpose may be invested in securities of the United States, the State of Nebraska, metropolitan city, county in which such metropolitan city is located , or school district of such city, in the securities of municipally owned and operated public utility property and plant of such city, or in the same manner as funds of the State of Nebraska are invested,

except that the city treasurer may purchase certificates of deposit from and make time deposits in banks selected as depositories of city funds."

The funds of the city shall be in compliance with any restrictive bond covenants.

The current investments of the city are:

U.S. Treasury Obligations (Bills, notes and bonds)
U.S. Government Agency Securities and Instrumentalities, CD's, Government Sponsored Certificates of Deposits in Commercial Banks

The current approved Financial Institution used by the City of Wayne are:

First National Bank, Wayne, Nebraska
State National Bank, Wayne, Nebraska
Farmers & Merchants Bank, Wayne, Nebraska
Bank First, Wayne, Nebraska
D.A. Davidson & Co., Omaha, Nebraska (Philip Lorenzen)
Dain Rauscher, Inc., Lincoln, Nebraska (James Chambers)
Edward Jones of Wayne, Nebraska (Reggie Yates)
Nebraska Public Agency Investment Trust

INVESTMENT POLICY:

The City of Wayne has established a six - ten year investment ladder. By using the ladder the City is able to earn higher yields usually provided over time by longer term investments. When using ladders, the investment officer normally, unless the funds are needed, reinvests in the longer term instrument, thereby, over time, taking advantage of the higher yields.

The risk of reinvesting a sizable amount of money when rates are below average is also reduced by using the investment ladder. Because the ladder involves periodic purchase of new investments, the City avoids the risk of reinvesting the entire portfolio when rates are below average. Over time, the ladder will earn a yield similar to the average yield. Since the City will be earning average yields they will have a more stable income since only a small portion of the portfolio changing each year.

COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS:

Before the city invests any funds, a competitive "bid" process shall be conducted. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, bids will be requested for instruments which meet the maturity requirement.

Bids will be requested from approved financial institutions for various options with regards to term and instrument. The city will accept the bid which provides the highest rate of return within the maturity required and within the parameters of these policies.

Records will be kept of the bids offered, the bids accepted and a brief explanation of the decision which was made regarding the investment. Risk, concentration of credit, date of settlement and date of delivery are among the factors which may allow accepting bids or quotes other than considering the stated investment yield.

SAFEKEEPING AND COLLATERALIZATION:

As in accordance with Nebraska Revised State Statute 15.848, 77.2328, and all other statutes related to investment security or collateralization, the city treasurer shall comply with the laws of the State of Nebraska regarding the investment of the city.

All investment securities purchased by the city shall be held in segregated third-party safekeeping by an institution designated as primary agent. The safekeeping receipts shall be issued to the city listing the specific instrument, rate, maturity and other pertinent information.

REPORT REQUIREMENTS:

The investment officer shall generate such reports as may from time to time be required or needed for management purpose. In addition, the City Council will be provided quarterly reports which will include data on investment instruments being held, as well as such narrative as the investment officer determines necessary for clarification.

VERSION 2

**CITY OF WAYNE, NEBRASKA
INVESTMENT AND PORTFOLIO POLICIES**

SCOPE:

This investment policy applies to activities of the City of Wayne, Nebraska with regard to investing the financial assets of all funds of the city including but not limited to the following City funds:

General Fund	Street Fund
City Sales Tax Fund	Transfer Station Fund
Electric Fund	Sewer Fund
Water Fund	Self Funding Insurance Fund
Trust & Agency Fund	Community Development Fund
911 Fund	Capital Projects Fund
Debt Service Fund	Various TIF Funds

OBJECTIVES:

Funds of the city will be invested in accordance with Nebraska Revised Statute 17-607, these policies and written administrative procedures. The City's investment portfolio shall be managed in a manner to attain a market rate of return throughout budgetary and economic cycles while preserving and protecting capital in the overall portfolio. Investments shall be made based on statutory constraints and subject to available designated staffing capabilities.

Funds held for future capital projects (i.e., bond proceeds) shall be invested to produce enough income to offset increases in construction costs due to inflation. Where possible, prepayment funds for long-term debt service shall be invested to ensure a rate of return at least equal to the interest being paid on the bonds. Investment of bond reserves shall be monitored (with reviewing auditors as required) to assure compliance with current bond covenants and current IRS regulations, if any.

DELEGATION OF AUTHORITY:

The City Treasurer, also referred to as the investment officer, is the custodian of all money belonging to the City of Wayne. (Statute 16.318) The investment officer is responsible for investment decisions and activities in accordance with the written procedures. The investment officer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with these policies. This commitment of resources shall include financial and staffing considerations.

PRUDENCE:

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule, which states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and

intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price change.

ETHICS AND CONFLICTS OF INTEREST:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Administrator any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio. Employees and officers shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales. Any employee is required to disclose any employment relationship that could cause a potential conflict of interest. ~~(e.g. employees of financial institutions on the city council.)~~

MONITORING AND ADJUSTING THE PORTFOLIO:

The investment officer will routinely monitor the securities of the portfolio, the available markets and the relative values of competing instruments, and will adjust the portfolio according to the written investment procedures.

INTERNAL CONTROLS:

The investment officer shall establish a system of written internal controls. The controls shall be designed to prevent loss of public funds due to fraud, employee error, and misrepresentation by any third parties, unanticipated market changes or imprudent actions by employees and officers of the City.

PORTFOLIO DIVERSIFICATION:

The city will diversify use of investment instruments to avoid incurring unreasonable risks inherent to over investing in specific instruments, including financial institutions or maturities.

Nebraska Revised State Statue 14.564 states:

"Notwithstanding any provision of home rule charter, funds of the city available for such purpose may be invested in securities of the United States, the State of Nebraska, metropolitan city, county in which such metropolitan city is located , or school district of such city, in the securities of municipally owned and operated public utility property and plant of such city, or in the same manner as funds of the State of Nebraska are invested,

except that the city treasurer may purchase certificates of deposit from and make time deposits in banks selected as depositories of city funds."

The funds of the city shall be in compliance with any restrictive bond covenants.

The current investments of the city are:

U.S. Treasury Obligations (Bills, notes and bonds)
U.S. Government Agency Securities and Instrumentalities, CD's, Government Sponsored Certificates of Deposits in Commercial Banks

The current approved Financial Institution (banks) and Investment Firms (brokers) used by the City of Wayne are:

First National Bank, Wayne, Nebraska
State National Bank, Wayne, Nebraska
Farmers & Merchants Bank, Wayne, Nebraska
Bank First, Wayne, Nebraska
~~D.A. Davidson & Co., Omaha, Nebraska (Philip Lorenzen)~~
~~Dain Rauseher, Ic., Lincoln, Nebraska (James Chambers)~~
Edward Jones of Wayne, Nebraska (Reggie Yates)
Nebraska Public Agency Investment Trust
Waddell & Reed, Wayne, Nebraska
Ameriprise Financial Rath Walling & Associates, Wayne, Nebraska
Phelps & Associates, Wayne, Nebraska
The Investment Center, Wayne, Nebraska

INVESTMENT POLICY:

The City of Wayne has established a six - ten year investment ladder. By using the ladder the City is able to earn higher yields usually provided over time by longer term investments. When using ladders, the investment officer normally, unless the funds are needed, reinvests in the longer term instrument, thereby, over time, taking advantage of the higher yields.

The risk of reinvesting a sizable amount of money when rates are below average is also reduced by using the investment ladder. Because the ladder involves periodic purchase of new investments, the City avoids the risk of reinvesting the entire portfolio when rates are below average. Over time, the ladder will earn a yield similar to the average yield. Since the City will be earning average yields they will have a more stable income since only a small portion of the portfolio changing each year.

It is the policy of the City of Wayne that investing city reserve funds in local lending institutions provides an economic benefit to the community that generated the funds by supplementing the pool of loan funds available for business development and expansion.

COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS:

Before the city invests any funds, a competitive "bid" process shall be conducted. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, bids will be requested for instruments which meet the maturity requirement.

~~Bids will be requested from approved financial institutions for various options with regards to term and instrument. The city will accept the bid which provides the highest rate of return within the maturity required and within the parameters of these policies.~~

Bids will be requested from approved financial institutions (banks) and investment firms (brokers) for various options with regards to term and instrument. The city will accept the bid from the local (bank) financial institution which provides the highest rate of return within the maturity required and within the parameters of these policies, unless that rate of return is 3/4% or more lower than the rate available through the other listed investment firm (brokers) for an equal or better instrument and term.

Records will be kept of the bids offered, the bids accepted and a brief explanation of the decision which was made regarding the investment. Risk, concentration of credit, date of settlement and date of delivery are among the factors which may allow accepting bids or quotes other than considering the stated investment yield.

SAFEKEEPING AND COLLATERALIZATION:

As in accordance with Nebraska Revised State Statute 15.848, 77.2328, and all other statutes related to investment security or collateralization, the city treasurer shall comply with the laws of the State of Nebraska regarding the investment of the city.

All investment securities purchased by the city shall be held in segregated third-party safekeeping by an institution designated as primary agent. The safekeeping receipts shall be issued to the city listing the specific instrument, rate, maturity and other pertinent information.

REPORT REQUIREMENTS:

The investment officer shall generate such reports as may from time to time be required or needed for management purpose. In addition, the City Council will be provided quarterly reports which will include data on investment instruments being held, as well as such narrative as the investment officer determines necessary for clarification.

VERSION 3

**CITY OF WAYNE, NEBRASKA
INVESTMENT AND PORTFOLIO POLICIES**

SCOPE:

This investment policy applies to activities of the City of Wayne, Nebraska with regard to investing the financial assets of all funds of the city including but not limited to the following City funds:

General Fund	Street Fund
City Sales Tax Fund	Transfer Station Fund
Electric Fund	Sewer Fund
Water Fund	Self Funding Insurance Fund
Trust & Agency Fund	Community Development Fund
911 Fund	Capital Projects Fund
Debt Service Fund	Various TIF Funds

OBJECTIVES:

Funds of the city will be invested in accordance with Nebraska Revised Statute 17-607, these policies and written administrative procedures. The City's investment portfolio shall be managed in a manner to attain a market rate of return throughout budgetary and economic cycles while preserving and protecting capital in the overall portfolio. Investments shall be made based on statutory constraints and subject to available designated staffing capabilities.

Funds held for future capital projects (i.e., bond proceeds) shall be invested to produce enough income to offset increases in construction costs due to inflation. Where possible, prepayment funds for long-term debt service shall be invested to ensure a rate of return at least equal to the interest being paid on the bonds. Investment of bond reserves shall be monitored (with reviewing auditors as required) to assure compliance with current bond covenants and current IRS regulations, if any.

DELEGATION OF AUTHORITY:

The City Treasurer, also referred to as the investment officer, is the custodian of all money belonging to the City of Wayne. (Statute 16.318) The investment officer is responsible for investment decisions and activities in accordance with the written procedures. The investment officer shall develop and maintain written administrative procedures for the operation of the investment program, consistent with these policies. This commitment of resources shall include financial and staffing considerations.

PRUDENCE:

The standard of prudence to be applied by the investment officer shall be the "prudent investor" rule, which states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and

intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio.

The investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price change.

ETHICS AND CONFLICTS OF INTEREST:

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Administrator any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any personal financial/investment positions that could be related to the performance of this jurisdiction's portfolio. Employees and officers shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to the timing of purchases and sales. Any employee is required to disclose any employment relationship that could cause a potential conflict of interest.

MONITORING AND ADJUSTING THE PORTFOLIO:

The investment officer will routinely monitor the securities of the portfolio, the available markets and the relative values of competing instruments, and will adjust the portfolio according to the written investment procedures.

INTERNAL CONTROLS:

The investment officer shall establish a system of written internal controls. The controls shall be designed to prevent loss of public funds due to fraud, employee error, and misrepresentation by any third parties, unanticipated market changes or imprudent actions by employees and officers of the City.

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deposits in banks selected as depositories of city funds."

The funds of the city shall be in compliance with any restrictive bond covenants.

The current investments of the city are:

U.S. Treasury Obligations (Bills, notes and bonds)
U.S. Government Agency Securities and Instrumentalities, CD's, Government
Sponsored Certificates of Deposits in Commercial Banks

The current approved Financial Institution (banks) and Investment Firms (brokers) used by the City of Wayne are:

First National Bank, Wayne, Nebraska
State National Bank, Wayne, Nebraska
Farmers & Merchants Bank, Wayne, Nebraska
Bank First, Wayne, Nebraska
Edward Jones of Wayne, Nebraska (Reggie Yates)
Edward Jones of Wayne, Nebraska (Ken Marra)
Nebraska Public Agency Investment Trust
~~Waddell & Reed, Wayne, Nebraska~~
Ameriprise Financial of Wayne, Nebraska (Rath Walling & Associates)
Ameriprise Financial of Wayne, Nebraska (**Jennifer Phelps**)—~~Phelps & Associates~~
~~The Investment Center, Wayne, Nebraska~~

INVESTMENT POLICY:

The City of Wayne has established a six - ten year investment ladder. By using the ladder the City is able to earn higher yields usually provided over time by longer term investments. When using ladders, the investment officer normally, unless the funds are needed, reinvests in the longer term instrument, thereby, over time, taking advantage of the higher yields.

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REPORT REQUIREMENTS:

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