

**MINUTES  
CITY COUNCIL MEETING  
July 1, 2014**

The Wayne City Council met in regular session at City Hall on Tuesday, July 1, 2014, at 5:30 o'clock P.M. Council President Jill Brodersen called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Nick Muir, Kaki Ley, and Matt Eischeid; City Attorney Eric Knutson; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Mayor Ken Chamberlain and Councilmember Jennifer Sievers.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on June 19, 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 Haase made a motion, which was seconded by Councilmember Muir, whereas, the Clerk has prepared copies of the Minutes of the meeting of June 17, 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. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**CORRECTIONS TO CLAIMS LIST:**

5/20/14 DELETE CLAUSSEN FABRICATION, SE, 140.00

6/3/14 DELETE JEO, SE, 6376.25

**VARIOUS FUNDS:** CITY EMPLOYEE, RE, 1126.59; AMAZON.COM, SU, 504.65; AMERITAS, SE, 2084.15; APPEARA, SE, 151.59; ARNIE'S FORD-MERCURY, SE, 1809.07; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, FE, 120.00; BIG

STONE TRANSPORTATION, SU, 4321.35; BLACK HILLS ENERGY, SE, 264.22; BOMGAARS, SU, 27.96; CITY EMPLOYEE, RE, 748.86; BROWN PLUMBING, SU, 65.00; BSN SPORTS, SU, 694.25; CARHART LUMBER, SU, 144.89; CHILD SUPPORT, RE, 100.00; CITY EMPLOYEE, RE, 109.40; CITIZENS STATE BANK, RE, 9838.94; CITY OF SOUTH SIOUX CITY, RE, 200.74; CITY OF WAYNE, RE, 450.00; CITY OF WAYNE, RE, 1100.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, PY, 70487.81; CITY OF WAYNE, RE, 452.07; CLAUSEN AIR, SE, 140.00; CLAUSSEN & SONS IRRIG., SE, 401.85; COMMUNITY HEALTH, RE, 4.00; COOPORTUNITY HEALTH, SE, 732.04; DALE PAULSON, RE, 17590.71; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL, SE, 1990.81; ECHO GROUP, SU, 237.60; CITY EMPLOYEE, RE, 44.88; FASTENAL, SU, 15.78; FIRST CONCORD GROUP, SE, 3271.64; FLOOR MAINTENANCE, SU, 24.30; FOURTH GENERATION FAMILY, RE, 15234.39; GALE GROUP, SU, 94.21; GAYLORD BROS, SU, 84.89; GERHOLD CONCRETE, SU, 1859.69; HAROLD THOMPSON, RE, 520.00; HASEMANN FUNERAL HOME, RE, 251.98; HAUFF MID-AMERICAN SPORTS, SU, 98.70; HD SUPPLY WATERWORKS SU, 3046.50; HEARTLAND FIRE PROTECTION, SE, 47.44; HEARTLAND NATURAL GAS, SE, 191.45; HILLYARD/SIOUX FALLS, SU, 799.80; HOMETOWN LEASING, SE, 259.98; ICMA, SE, 6821.29; INNOVATIVE PROTECTIVES, SU, 1800.00; IRS, TX, 25437.43; ISLAND SPRINKLER SUPPLY, SE, 10314.78; JEO CONSULTING GROUP, SE, 6156.75; CITY EMPLOYEE, RE, 1399.43; KLEIN ELECTRIC, SE, 8409.00; KRIZ-DAVIS, SE, 935.33; MATT PARROTT AND SONS, SU, 734.00; MES-MIDAM, SU, 538.13; MSC INDUSTRIAL, SU, 303.69; MUNICIPAL SUPPLY, SU, 2573.98; N.E. NEB ECONOMIC DEV DIS, FE, 25.00; CITY EMPLOYEE, RE, 182.89; NE DEPT OF REVENUE, TX, 3600.78; NE NEB INS AGENCY, SE, 70555.00; NE POWER REVIEW BOARD, SE, 697.71; NPPD, SE, 277518.32; NORFOLK IMPLEMENT, SU, 64.55; ODEYS, SE, 35000.00; OVERHEAD DOOR, SE, 121.65; PIEPER & MILLER, SE, 111299.89; PROGRESSIVE PROPERTIES, SE, 108646.00; QUALITY FOODS, SE, 407.00; SCOTT HASEMANN, RE, 500.00; STADIUM SPORTING GOODS, SU, 608.00; TRANS-IOWA EQUIPMENT, SU, 54.43; CITY EMPLOYEE, RE, 56.39; TYLER TECHNOLOGIES, FE, 200.00; UTILITIES SECTION, FE, 2008.00; VERIZON, SE, 72.75; WAYNE COUNTY COURT, RE, 100.00; WAYNE HOSPITALITY, RE, 23766.14; CITY EMPLOYEE, RE, 698.78; WINNING FINISH, SE, 378.08; AMERICAN BROADBAND, SE, 2533.42; ARNIE'S FORD-MERCURY, SE, 1259.15; CENTURYLINK, SE, 313.51; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 30.00; CONNECTING POINT, SE, 1533.75; DUTTON-LAINSON, SU, 380.85; EASYPERMIT POSTAGE, SU, 1763.37; ECHO GROUP, SU, 1741.69; ELECTRIC FIXTURE, SU, 98.31; FLOOR MAINTENANCE, SU, 18.00; FREDRICKSON OIL, SE, 40.00; GILL HAULING, SE, 155.00; GROSSENBURG IMPLEMENT, SU, 1425.12; HAWKINS, INC, SU, 1255.20; HEWLETT-PACKARD, SU, 1605.19; KRIZ-DAVIS, SU, 590.79; LEAGUE OF NEBRASKA, FE, 1107.00; MARCO, SE, 126.36; N.E. NEB ECONOMIC DEV DIS, SE, 300.00; CITY EMPLOYEE, RE, 23.53; CITY EMPLOYEE, RE, 82.24; NNPPD, SE, 3811.00; PIEPER & MILLER, SE, 3452.00; QUILL, SU, 403.57; RURAL & SMALL LIBRARIES, FE, 19.00; SIOUXLAND TURF PRODUCTS, SU, 396.00; VIAERO, SE, 257.97; WASTEWATER SERVICES, FE, 175.00; WAED, RE, 14433.32; WAYNE COUNTY

COURT, RE, 300.00; WAYNE HERALD, RE, 48.00; WAYNE RENTALS, RE, 250000.00; WESCO, SU, 12530.15; WIGMAN, SU, 531.53; WISNER WEST, SU, 1239.32

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

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

Councilmember Eischeid introduced Ordinance No. 2014-15, and moved for approval of the third and final reading thereof; Councilmember Ley seconded.

#### ORDINANCE NO. 2014-15

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE I, IN GENERAL, BY AMENDING SECTION 90-10 DEFINITIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

Council President Brodersen stated the time was at hand for the public hearing regarding the application for a Retail Class B Liquor License for GCSR, LLC d/b/a “Dollar Plus.”

Gurkin Ozenci, the owner of Dollar Plus, was present to answer questions.

City Clerk McGuire had not received any comments for or against this public hearing. A Class B Liquor License is for “off sale beer only.”

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

Councilmember Giese introduced Resolution No. 2014-55 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2014-55

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS B LIQUOR LICENSE — GCSR, LLC, D/B/A “DOLLAR PLUS.”

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

Council President Brodersen stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”) for the following real estate:

Lot 1, Jorgensen Subdivision to the City of Wayne, Wayne County, Nebraska.

The notice of the public hearing was published in the Wayne Herald on June 12 and 19, 2014, and was mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The

Council President opened the public hearing and invited all interested persons to be heard.

All persons desiring to be heard having been heard, the Council President closed the public hearing. No one was present to speak.

The amount of tax increment financing for Ken Jorgensen will be \$210,000.

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

Councilmember Eischeid introduced Resolution No. 2014-56 and moved for its approval; Councilmember Muir seconded the motion.

#### RESOLUTION NO. 2014-56

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

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

An update was given regarding the LB840 Fund. Nancy Braden, Finance Director, advised the Council that this year the City has loaned out \$721,000 out of a \$3.2 million dollar block of funds that is to be collected over a period of 15 years. With the loans we have borrowed, the interest we have payable, and the commitments we have made (totals approximately \$2.8 million), we are left with about \$370,000 in LB840 monies. Part of the commitment is \$259,000 for tornado relief. If we unallocate that amount, the remaining amount left to loan out would increase to \$629,000.

Wes Blecke, Executive Director of WAED, was present and advised the Council that the LB840 Sales Tax Advisory Committee met and reviewed an application to Wayne's Economic Development Program Fund. The applicant, Rodney Hefti, d/b/a Hefti Trucking, requested a \$50,000.00 loan. These funds will be used to rebuild a building destroyed by the October 4, 2013, tornado. The recommendation of the LB840 Committee is to approve the \$50,000 loan, with the terms of the loan requested being a fifteen year note at 0% interest.

Rodney Hefti was present to answer questions.

Councilmember Muir made a motion, which was seconded by Councilmember Ley, approving the recommendation of the LB840 Sales Tax Advisory Committee to approve the \$50,000 loan to be used to rebuild a building destroyed by the October 4, 2013, tornado, with the terms being a fifteen year note at 0% interest. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

The following Resolution would approve an agreement with JEO Consulting Group for engineering services on the proposed Aquatic Center in Wayne. The fee to complete said services provided for in the proposal shall be billed on an hourly basis not to exceed a maximum amount of \$19,500.

Roger Protzman of JEO Consulting Group was present to answer questions.

Councilmember Giese introduced Resolution No. 2014-57 and moved for its approval; Councilmember Ley seconded.

**RESOLUTION NO. 2014-57**

A RESOLUTION ACCEPTING AND APPROVING THE PROPOSAL WITH JEO CONSULTING GROUP, INC., FOR PROFESSIONAL SERVICES RELATING TO THE CONCEPTUAL PHASE FOR THE AQUATIC CENTER PROJECT.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

The Wayne Aquatic Center Committee has asked Council to consider setting a special meeting date to discuss the pool design and fundraising efforts.

Councilmember Ley made a motion, which was seconded by Council President Brodersen, setting Tuesday, July 22, 2014, at 5:30 p.m. as the date to meet with the Wayne Aquatic Center Committee in the north meeting room of the City Auditorium. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, to adjourn the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Council President declared the motion carried and the meeting adjourned at 6:19 p.m.