

**AGENDA
CITY COUNCIL MEETING
August 5, 2014**

1. Approval of Minutes – July 15, 2014 and July 22, 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 to Consider Well Permit Application and to Waive the Requirement for a Water Impact Study — Todd Luedeke

Background: Our city code requires council approval of a permit to drill any well within our zoning jurisdiction. The permit requires an “impact study” by an engineering firm to verify the new well will not adversely impact our city wells. The cost of a new city well is now about \$700,000. In the past, we have been recommending that the Council waive the impact study requirement for domestic wells (20-50 gallons per minute) for the following reasons:

- 1) A well this small would have no significant impact on our 600 - 1,200 gpm city wells;
- 2) If we can't show any harm to a city well, we have no legal justification or authority to deny a private well on private property outside city limits; and
- 3) Nebraska well regulations are relatively strict, and licensed well drillers are closely regulated regarding protection against ground water pollution from use or construction of new wells.

Recommendation: The recommendation of Lowell Johnson, City Administrator, is to approve this well permit application and waive the requirement for a water impact study for the same.

4. Action on Request for a 60-Day Extension to Hook-up to the City Sewer System — Kelby Herman

Background: Our city code prohibits septic systems within city limits. When any town expands, there are always existing septic sewer systems in the areas annexed where sewer service was not available. Our code requires residences and businesses to be connected to the city sewer system when properties are annexed. In the case of the Herman property, the owners requested a 3-year delay in the sewer hook-up requirement. That 3-year timeframe is now here.

Recommendation: A 60-day extension is not an issue for us, as staff. We have no recommendation, as it would be a Council prerogative.

5. Action on Request for a Wayne Revolving Loan Fund Extension — David and Jerrae Braun

Background: The original \$20,000 rebuilding loan from the Wayne Revolving Loan Fund for Udder Delights was a seven-year loan, with a balloon payment due at seven years. Approval of the loan was recommended by Wayne Industries and State Nebraska Bank, the primary lender. This is a request to extend the balloon payment over eight years. Although the loan recommendations come from Wayne Industries, the legal responsibility for managing the Revolving Loan Fund loans is that of the City Council.

Recommendation: The recommendation of the primary lender is to approve the extension of the balloon payment.

6. Action on Recommendation from the LB840 Sales Tax Advisory Committee on a Request by Tim Fertig for a \$50,000 Loan (Mr. Fertig is requesting a \$50,000 loan to be financed over 15 years at 3% interest)

Background: Mr. Fertig's application is included in this packet. The LB840 Sales Tax Advisory Committee met last night, and their recommendation is a \$50,000 loan at 3% interest, amortized for 15 years, with a 10-year balloon, and proceeds utilized for capital improvements to the real estate and paid out as expenses are incurred.

7. Ordinance 2014-24: Amending Wayne Municipal Code by Adding Section 90-432 Permitted Conditional Uses in the B-3 Neighborhood Commercial District (**Second Reading**)
8. Ordinance 2014-25: Amending Wayne Municipal Code Section 22-113 Fireworks; Discharge

Background: This ordinance to reduce the hours for discharging or setting off fireworks in the city limits has been prepared by city staff for Council consideration after the discussion at the last Council meeting.

Recommendation: At this time, there is no staff recommendation.

9. Resolution 2014-62: Establishing Sewer Hook-Up Fees for the "Kardell Sanitary Sewer Extension" and the "Chief's Way Sanitary Sewer Extension" Projects

Background: In partnership with Wayne Industries, the City has extended water and sewer service outside the city limits to the Industrial Park over the past 30 years. The Council previously established sewer hook-up fees to recover the costs of serving the properties in this area that would be equivalent to the assessments, if a sewer extension district had been created. In the recovery period after the October, 2103, tornado, the sanitary sewer was extended south across Highway 35 and west to serve some of the businesses as they rebuilt and found their old septic systems didn't meet new State code and could not be used. Because this area is also outside the city limits, the Council agreed to construct this sewer extension and recover the costs through hook-up fees equivalent to assessments, as we did for the Industrial Park properties. The hook-up fees were calculated by the Project Engineer in the same manner as assessments would have been calculated. This Resolution formally

establishes the calculated hook-up fees to be used for each of the properties as they are connected to the sewer in the future.

Recommendation: The recommendation of the Project Engineer and Lowell Johnson, City Administrator, is to approve the fees, as presented, and to attach a copy of the Resolution to the titles at the courthouse of each of the properties, and to adopt a formula for hook-up fees for future properties that will also use this sewer extension, but are not included in this cost allocation.

10. Resolution 2014-63: Establishing Water Hook-Up Fees for the “Chief’s Way Water Main Extension” Project
11. Resolution 2014-64: Authorizing the Allocation of Property Taxes to the Wayne Airport Authority

Background: In 2002, the Legislature terminated the authority of Airport Authorities to levy their own property tax needs for operation expenditures and merged them into the city budgets where they are located. The local Airport Authority’s request has been the same for the past two years -- \$64,000 for operating funds from the City of Wayne property tax revenues. This request is again for \$64,000.

Recommendation: The recommendation of the Wayne Airport Authority is to approve the request.

12. Consideration of an Engagement Letter with D.A. Davidson & Co. Dated August 5, 2014 to Provide Underwriting Services

Background: This action is required before we can authorize a bonding agent to prepare the ballot language and to calculate the bond issue and costs for us for the proposed new swimming pool project. The “Engagement Letter” with D.A. Davidson & Co. is in this packet.

13. Action on Change Order No. 1 in the Amount of \$5,226.50 for the 13th Street Sanitary Sewer Extension Project (Overage of quantities due to moving the manhole location – the manhole was moved because of conflicts with the water main and other utilities.)

Background: This is for increased work completed at our request. During the construction, we asked to have the manhole slightly deeper to accommodate other buried service lines, and we asked to have more concrete street removed and replaced. \$5,040 of the increase is for the increased paving. The original contract price was \$18,444.50.

Recommendation: The recommendation of the Project Engineer and Lowell Johnson, City Administrator, is to approve the change order.

14. Action on Pay Application No. 1 in the Amount of \$23,671.00 to Robert Woehler & Sons Construction, Inc., for the 13th Street Sanitary Sewer Extension Project

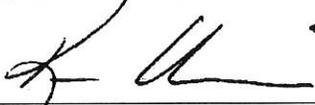
Background: This is for work done under our approved contract and approved by the Project Engineer.

15. Action on Change Order No. 1 for the Highway 15 and 10th Street Intersection Project – Robert Woehler & Sons Construction, Inc. (This is a time extension of 21 days due to the delay in getting the Nebraska Department of Roads’ approval on the project.)

Recommendation: The recommendation of the Project Engineer, Lowell Johnson, City Administrator, and Joel Hansen, Certified Street Superintendent, is to approve the change order.

16. Action to Appoint the following people to the “Community Citizen Committee” to make a Recommendation on Repair or Replacement of the Hank Overin Field Grandstand: Steve Lutt, Dallas Dorey, Jeff Zeiss, Josh Johnson, Alex Koch, Mike Carnes, Cassie Harm, Adam Hoffman and Pat Melena
17. Budget Work Session
18. Adjourn

APPROVED AS TO FORM AND CONTENT:



Mayor

City Administrator

July 15, 2014

The Wayne City Council met in regular session at City Hall on Tuesday, July 15, 2014, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Kaki Ley, and Matt Eischeid; City Attorney Eric Knutson; and City Clerk Betty McGuire. Absent: Councilmembers Cale Giese and Jill Brodersen; and City Administrator Lowell Johnson.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 3, 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 Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of July 1, 2014, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Giese and Brodersen who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

CORRECTIONS TO CLAIMS LIST OF 6/17/14: DELETE US BANK, SU, 5869.42
(CHECK WAS LOST IN THE MAIL)

VARIOUS FUNDS: ALL-AMERICAN PUBLISHING, SE, 294.00; AMERITAS LIFE, SE, 2093.43; APPEARA, SE, 160.39; ARCADIAN MARKSMANSHIP, FE, 100.00; BANK FIRST, FE, 120.00; BARONE SECURITY SYSTEMS, SE, 1080.00; BATTERIES PLUS, SU, 8.64; BOMGAARS, SU, 1107.34; CITY EMPLOYEE, RE, 72.00; BROWN SUPPLY, SU, 904.22; BSN SPORTS, SU, 533.95; CHARTWELLS, SE, 6325.44; CHILD SUPPORT, RE, 100.00; CITY OF NORFOLK, SE, 136.06; CITY

OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 850.00; CITY OF WAYNE, RE, 18.02; CITY OF WAYNE, PY, 69453.10; CLEAN TO A T, SE, 1300.00; COMMUNITY HEALTH, RE, 4.00; DIVISION 15 SALES, SU, 419.63; DOUGLAS CO COURT, RE, 74.00; DUTTON-LAINSON, SU, 2227.56; EAKES OFFICE, SE, 81.95; ECHO GROUP, SU, 155.65; ED. M FELD EQUIPMENT, SE, 26.58; ELECTRICAL ENGINEERING, SU, 187.52; FIREGUARD, SU, 266.68; FREDRICKSON OIL, SU, 38.67; GERHOLD CONCRETE, SU, 66.75; GODFATHER PIZZA, SU, 98.00; GROSSENBURG IMPLEMENT, SU, 12.37; H.K. SCHOLZ, SU, 4349.43; CITY EMPLOYEE, RE, 44.87; HARDING & SHULTZ, SE, 265.00; HUBER TECHNOLOGY, SU, 255.00; ICMA, SE, 6817.17; INDUSTRIAL CHEM LABS, SU, 1132.11; IRS, TX, 25425.35; ISLAND SPRINKLER SUPPLY, SU, 77.22; JASON CAROLLO, SE, 140.00; KLEIN ELECTRIC, SE, 6722.00; KTCH, SE, 1637.40; LANGEMEIER, WAYNE, SE, 150.00; MAXIMUM SOLUTIONS, SU, 376.50; MCCORMICK DRAIN SERVICE, SE, 70.00; MIDWEST LABORATORIES, SE, 261.40; MODRELL, CECILIA, SE, 140.00; NE CODE OFFICIAL ASSOC., FE, 130.00; NE DEPT OF REVENUE, TX, 3561.65; NE STATE TREASURER, RE, 1331.31; N.E.NE AMERICAN RED CROSS, RE, 59.24; OAKSTONE PUBLICATIONS, SU, 138.60; ODEYS, SU, 137.65; ONE CALL CONCEPTS, SE, 100.15; PITNEY BOWES, SU, 80.74; CITY EMPLOYEE, RE, 1161.76; SPARKLING KLEAN, SE, 2666.76; STADIUM SPORTING GOODS, SU, 89.00; STALP GRAVEL, SU, 1186.12; STANDARD & POOR'S, SE, 100.00; STATE NEBRASKA BANK, SE, 63.44; STATE NEBRASKA BANK-PETTY, RE, 488.92; TAK, SE, 84.00; TATE NELSON, RE, 500.00; UNITED WAY, RE, 12.40; VAKOC BUILDER'S RESOURCE, SU, 53.76; WASTE CONNECTIONS, SE, 73.36; WAED, RE, 1000.00; WAYNE COUNTY CLERK, SE, 180.00; WAYNE COUNTY COURT, RE, 400.00; WAYNE FIREWORKS COMMITTEE, RE, 2000.00; WAYNE GROCERY, SU, 9.15; WAYNE HERALD, SE, 1664.06; WAYNE ROTARY, FE, 160.00; WAYNE VETERINARY CLINIC, SE, 112.00; WAPA, SE, 32959.57; WHITE DOG LAWN SERVICE, SE, 95.00; ZACH HEATING & COOLING, SE, 754.41; AMAZON.COM, SU, 664.04; BAKER & TAYLOR BOOKS, SU, 837.04; CARHART LUMBER, SU, 700.92; CITY OF NORFOLK, SU, 1500.00; CITY OF WAYNE, RE, 250.00; COLFAX CO COURT, RE, 48.00; COOPORTUNITY HEALTH, SE, 27809.49; DALE PAULSON, RE, 7439.43; DEARBORN NATIONAL LIFE, SE, 1765.24; DEMCO, SU, 120.00; DUTTON-LAINSON, SU, 820.05; ECHO GROUP, SU, 304.12; ELECTRIC INNOVATIONS, SE, 300.00; ELKHORN RURAL PPD, SE, 399.00; FLOOR MAINTENANCE, SU, 54.04; GALE GROUP, SU, 165.83; GERHOLD CONCRETE, SU, 89.00; HAWKINS, INC, SU, 2110.26; HOMETOWN LEASING, SE, 73.51; INGRAM BOOK, SU, 55.04; J.P. COOKE CO, SU, 57.50; KRIZ-DAVIS, SU, 907.38; LANGEMEIER, WAYNE, SE, 375.00; LUTT OIL, SU, 7453.33; MAIN STREET AUTO CARE, SE, 90.00; MES-MIDAM, SU, 107.44; MIDWEST FIELDTURF, SU, 1200.00; MIDWEST SERVICE & SALES, SU, 1477.50; MIDWEST TAPE, SU, 54.98; CITY EMPLOYEE, RE, 7.94; NE LIBRARY COMMISSION, SE, 500.00; NORTHEAST COMM COLLEGE, FE, 388.00; NNPPD, SE, 13285.54; OVERDRIVE, SU, 137.87; PAC N SAVE, SU, 116.35; PIEPER & MILLER, SE, 2301.00; RAMADA INN - KEARNEY, SE, 316.00; RANDOM HOUSE, SU, 87.75; SIOUXLAND CRANE SERVICE, SE, 525.00; SIRSIDYNIX, SE, 3714.16; SKARSHAUG TESTING LAB, SE, 328.94; SHOPKO, SU, 254.76;

STADIUM SPORTING GOODS, SU, 437.00; STATE NEBRASKA BANK, RE, 98.95; THE RADAR SHOP, SE, 234.00; ULTRAMAX AMMUNITION, SU, 168.00; VIAERO, SE, 127.54; WAYNE AUTO PARTS, SU, 331.18; WAYNE COUNTY COURT, RE, 150.00; CITY EMPLOYEE, RE, 172.31; WESCO, SU, 3340.91; WISNER WEST, SU, 629.60; ZEE MEDICAL SERVICE, SU, 106.51; HYPERION, SE, 79.88; STATE NATIONAL BANK, SU, 46.50; US BANK, SU, 5869.42; US BANK, SU, 10791.41.

Councilmember Eischeid made a motion, which was seconded by Councilmember Greve, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Giese and Brodersen who were absent, the Mayor declared the motion carried.

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the City Auditorium 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 Giese arrived at 5:32 p.m.

Marlen Chinn, Police Chief, gave a demonstration/presentation on the newly installed police car cameras.

Irene Fletcher, Assistant Director of Wayne Area Economic Development, provided the Council with the six-month LB 840 activity update.

Duane Schroeder was present requesting that a representative of the City, along with a representative of both the County and radio station meet to see if there isn't a mutually and satisfactory means whereby a generator could be obtained to keep the radio station on the air during emergency situations. After some discussion on the matter,

Mayor Chamberlain noted he would probably be the city representative that would meet with the other entities to further discuss the matter.

Verdel Lutt was present requesting the Council to consider amending the City Code regarding the times for discharging fireworks. He requested they be changed from 8:00 a.m. - 11:00 p.m. June 25th – July 3rd to 8:00 a.m. - 8:00 p.m. June 25th – July 3rd. He would also like to see fireworks sold five days instead of ten days.

Councilmember Sievers suggested 8:00 a.m. – 8:00 p.m. June 25th - July 1st and 8:00 a.m. to 11:00 p.m. July 2nd through July 3rd.

Councilmember Eischeid had concerns of the number of calls that might be taken by the Police Department if these times are amended as recommended.

City Clerk McGuire would research and provide some history on the matter.

Staff was directed to prepare an ordinance for Council to consider at the next meeting.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, to amend Wayne Municipal Code Section 22-113 Fireworks; Discharge. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who voted Nay, the Mayor declared the motion carried.

Mayor Chamberlain stated because of being short staffed in the Police Department, there has been an increase in the accrued holiday, vacation and overtime hours. He recommended buying down some of this accrued time. It will help reset the clock, and it will not violate the FOP Agreement in place. The Council extended the amount they were allowed to accrue because they were short staffed. The department

was staffed to a point where some of this could be paid out and the clock reset on the hours, but now they are short staffed again. They have accrued to such a point that to pay everything out (all holidays, but two, all comp time, and all vacation, but 200 hours) would be approximately \$108,755. To pay out all of the holidays, but two, and all comp time would be approximately \$68,056.

Councilmember Giese stated a scheduling plan needs to be established to keep them from getting in this same situation while they are looking to get back to full staff.

Councilmember Eischeid opined that these numbers compared to himself and others that he works with, are not out of line. At the end of the year, if they have over the number of vacation hours allowed, they lose them. Council needs to determine what that maximum number is and allow them to stay at that level.

Finance Director Braden noted that the police department has a comp max of 168 hours, while all other city employees have a comp max of 40 hours.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, to pay out the holiday hours to zero, and then cap the holiday hours at 24. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

In an effort to be ready when the time comes to begin the projects in connection with the Conservation & Stabilization grant, Administrator Johnson is recommending that the Council approve the "Request for Qualifications for Engineering Consulting Services." This will start the process of selecting a firm in accordance with the requirements of the grant. The projects need to be completed by July, 2015.

Councilmember Sievers made a motion, which was seconded by Councilmember Ley, approving the “Request for Qualifications for Engineering Consulting Services” in connection with the CIS Phase II Grant Funding for the City of Wayne. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

The following Resolution will approve a Service/Consultant Agreement between the City and Northeast Nebraska Economic Development District for the general administration of the 13-CIS-106 Grant. The work will be done on a per hour basis not to exceed \$19,500.

Councilmember Sievers introduced Resolution No. 2014-58 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-58

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR THE GENERAL ADMINISTRATION OF THE COMPREHENSIVE INVESTMENT AND STABILIZATION GRANT (13-CIS-106).

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

Three bids were received on the “Hillside Drive Paving and Storm Sewer Improvement Project.” The engineer on the project, Troy Johnston with JEO Consulting Group, reviewed the bids and is recommending that the Council award the project to the

low bidder, Robert Woehler & Sons Construction, Inc., for the bid price of \$194,468.08. The engineer's estimate on the project was \$227,000. The starting date is July 15, 2014.

Councilmember Sievers introduced Resolution No. 2014-59 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2014-59

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE "2014 HILLSIDE DRIVE PAVING & STORM SEWER IMPROVEMENT PROJECT."

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

Nancy Braden, Finance Director, advised the Council that the auditors have required that if the City borrows money from itself (e.g. from the Electric Fund) to fund other projects, the same must be authorized or approved by Council. This is a cash flow action to fund the LB840 loans already approved. The City will pay 3% interest back to the Electric Fund.

Councilmember Sievers introduced Resolution No. 2014-60 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-60

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

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

The following Resolution would require the property owners at 505 Tomar Drive to install sidewalk. City Code requires sidewalks to be constructed and maintained in residential and commercial areas. The sidewalk at this location should have been completed last year.

Councilmember Giese introduced Resolution No. 2014-61, and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2014-61

A RESOLUTION ORDERING THE CONSTRUCTION OF A SIDEWALK ON LOT 1, BENSCOTER ADDITION PLANNED UNIT DEVELOPMENT REPLAT 1, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 505 TOMAR DRIVE, WAYNE, NEBRASKA

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

The following Ordinance would amend Section 90-432 Permitted Conditional Uses in the B-3 Neighborhood District by adding the following:

“A building or premises in a B-3 district may be used for the following in conformance with the prescribed conditions:

1. For a multi-family dwelling.
 1. The maximum number of sleeping rooms shall not exceed one per 500 square feet of lot area.
 2. The front of the building facing the street shall include one of the following:
 - a. A door and eight (8) percent of the surface area covered with windows.
 - b. Ten (10) percent of the surface area covered with windows.
 3. The primary means of egress for any dwelling unit shall not exit into a side yard unless the door is at least 30 feet from the property line it is facing.
 4. The primary means of egress must exit onto a covered stoop or deck.
 5. Twenty (20) percent of the lot must be maintained as landscaping which is not paved or used for parking.”

A contractor, Tom Jacobsen, has come forward who would like to demolish an older apartment complex on 10th Street and replace it with a new apartment building/complex. This cannot be done, however, unless the code is amended.

The Planning Commission held a public hearing on this matter and made a recommendation to not amend the code until such time as the Comprehensive Plan has been reviewed and updated.

Councilmember Eischeid introduced Ordinance No. 2014-24, and moved for approval thereof; Councilmember Greve seconded.

ORDINANCE NO. 2014-24

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 90, ARTICLE V BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 3 B-3 NEIGHBORHOOD COMMERCIAL DISTRICTS, BY ADDING SECTION 90-432 PERMITTED CONDITIONAL USES; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Mayor Chamberlain requested Council consideration to allowing him to bring forward names to appoint to a committee to make a recommendation on whether to repair or replace the Hank Overin Field grandstand that was damaged as a result of a tree falling onto it during a storm.

Councilmember Eischeid thought the City should just repair the grandstand, in its current place, with the insurance money. He was not in favor of appointing a committee.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, approving the appointment of a "Community Citizen Committee" to make a

recommendation on the repair or replacement of the Hank Overin Field grandstand. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent and Councilmember Eischeid who voted Nay, the Mayor declared the motion carried.

The position of Superintendent of Public Works & Utilities is referenced in numerous places in the City Code. This position is specifically referenced in some of the code enforcement procedures. Administrator Johnson is currently serving in this capacity. In order to have a complete chain of enforcement notices and actions, this action would clarify his enforcement actions and follow the wording and intent of the code in the event of a court challenge.

Councilmember Giese made a motion, which was seconded by Councilmember Ley, appointing the City Administrator as acting Superintendent of Public Works & Utilities. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, setting the budget work session dates for August 5th and, if needed, August 12th. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of

roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried and the meeting adjourned at 7:45 p.m.

July 22, 2014

The Wayne City Council met in special session with the Wayne Aquatic Committee in the north meeting room of the City Auditorium on Tuesday, July 22, 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, Jennifer Sievers, Kaki Ley, Matt Eischeid and Jill Brodersen; City Attorney Eric Knutson; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Jon Haase and Nick Muir. Those present from the Wayne Aquatic Committee were: Heather Claussen, Jodi Pulfer, and BJ Woehler.

Notice of the convening meeting was given in advance by posting in three places (Library, Auditorium and City Hall) on July 17, 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.

The purpose of this special meeting was to meet with the Wayne Aquatic Committee regarding a new indoor and outdoor pool. Discussions took place regarding the following items:

Location of Pool – After discussion, the consensus was to have the new pool located at the Community Activity Center.

Operational Costs — A spreadsheet showing the estimated revenues and expenses was reviewed. The estimated operating losses for one season with a new pool was (\$60,849); the estimated operating losses for one season with an indoor/outdoor pool was (\$276,284); however, that amount was lowered to (\$200,000) because the number of lifeguards calculated to compute the temporary wages was lowered. For every 2000 sq. ft

of pool, you need one lifeguard. With the discussion was a suggestion to do the outdoor pool first and leave the indoor pool as an option for later.

Funding – a Resolution proposing a half cent sales tax for an outdoor pool would be prepared and brought before Council for action at one of their meetings in August. The sales tax would end as soon as the construction bonds to build the pool are paid off. Consensus seemed to be not to ask for a perpetual sales tax, but rather make it project specific.

Design Concept of Pool – Consensus of Council was that they approved of what the Wayne Aquatic Center and JEO Consulting Group had proposed regarding the design of the pool.

Ballot Wording – Phil Lorenzen of D.A. Davidson & Co. would be assisting staff and preparing the necessary documents to be placed on the ballot. Phase I would be the outdoor pool to be built in 2015 and Phase II would be an indoor pool to be proposed at a later date if funds are available. In addition, Mr. Lorenzen would be asked to forward the “Engagement Letter” for Council action on August 5th.

Councilmember Sievers made a motion, which was seconded by Councilmember Eischeid, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Muir who were absent, the Mayor declared the motion carried and the meeting adjourned at 7:31 p.m.

CLAIMS LISTING AUGUST 5, 2014

4IMPRINT	TOTES/FLASHLIGHTS-ENERGY WISE	1,048.66
ADVANCED CONSULTING	13TH ST SANITARY SEWER EXT	500.00
AMERICAN BROADBAND	TELEPHONE CHARGES/FIBER LINE LEASE	2,532.04
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	4,597.91
APPEARA	LINEN & MAT SERVICE	290.93
ARNIE'S FORD-MERCURY INC	SPARKPLUGS/FUEL PUMP REPAIRS	431.31
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
ATCO INTERNATIONAL	FOAMACIDE	55.20
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
BARCO MUN PRODUCTS INC	SPEED BUMP	562.54
BLACK HILLS ENERGY	GAS BILLINGS	258.67
BLUETARP FINANCIAL, INC.	FLAG LIGHT	42.93
BOMGAARS	ANTIFREEZE/BENCHES/ABSORBENT ETC	1,465.86
BRIAN LOBERG	TREE INCENTIVE	150.00
BROWN SUPPLY CO	MUD PLUG/GUTTER BROOM	661.93
BSN SPORTS, INC	ADULT SOFTBALL BALLS	229.55
CARHART LUMBER COMPANY	PAINT/TAPE/LADDER/SOFTENER SALT ETC	1,407.52
CASEY ELECTRIC	TRENCHING-PRIMARY WIRE	502.75
CENTURION TECHNOLOGIES	LIBRARY ANNUAL MAINTENANCE	50.00
CENTURYLINK	TELEPHONE CHARGES	314.59
CHARGEPOINT	ELECTRIC CHARGING STATION	255.00
CHEMQUEST, INC.	QUARTERLY MONITORING	595.00
CHILD SUPPORT	PAYROLL DEDUCTION	100.00
CITY OF NORFOLK	REVIEW OF PLANS	107.62
CITY OF WAYNE	ART SUPPLIES	126.46
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUND	425.00
CITY OF WAYNE	BUILDING PERMIT DEPOSIT REFUND	450.00
CITY OF WAYNE	PAYROLL	87,825.89
CITY OF WAYNE	UTILITY REFUNDS	739.06
CITY OF WAYNE	WAED HEALTH REIMBURSEMENT	172.31
CLAUSSEN, HEATHER	LIFE GUARD/RED CROSS TRAINING	280.00
COLONIAL RESEARCH	HAND CLEANER	24.00
COMMUNITY HEALTH	PAYROLL DEDUCTIONS	4.00
CURTIS REESE	LIFE GUARD/RED CROSS TRAINING	368.00
DANKO EMERGENCY EQUIPMENT	COUPLING	310.00
DE LAGE LANDEN FINANCIAL	SR CENTER COPIER LEASE	77.00
DEARBORN NATIONAL LIFE	VFD INSURANCE	92.88
DODGE COUNTY	BOND	129.04
ECHO GROUP INC JESCO	LED EMERGENCY LIGHT/GALVES	153.40
ED. M FELD EQUIPMENT CO	PUMP TESTING/HELMETS	782.25
EDM PUBLISHERS	LEGAL BRIEFINGS	99.00
EGAN SUPPLY CO	CHARGER FOR SCRUBBER	353.37
ERNEST E PING	GRIND TREE STUMPS	714.00
FIRST CONCORD GROUP LLC	FLEX	3,331.64
FLOOR MAINTENANCE	PLATES/NAPKINS/GLOVES	410.95
FORCE FLOW	PLEXIGLASS	97.33
GERHOLD CONCRETE CO INC.	GRID MARKERS/REBAR	339.54
GROSSENBURG IMPLEMENT INC	FILTER ELEMENTS/BLADES/CHAIN/BELT	458.94
HAWKINS, INC	FLUORIDE FOR WELLS	2,729.98
HD SUPPLY WATERWORKS, LTD	WATER METER ERT'S	2,682.25

HEARTLAND NATURAL GAS	POOL GAS BILLING	141.04
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	47.89
HELENA CHEMICAL CO.	ROUNDUP	233.75
HOMETOWN LEASING	COPIER LEASES	259.98
ICMA RETIREMENT	ICMA RETIREMENT	7,200.20
IN THE SWIM	CHEMICAL KITS	87.91
IRS	FEDERAL WITHHOLDING	34,118.79
JEO CONSULTING GROUP	TRAIL RELOCATION/AQUATIC STUDY	4,774.50
JOHN KINNETT	ENERGY INCENTIVE	500.00
KANSAS TRACTOR PARTS	BRAKE SHOE	116.16
KEN JORGENSEN	LB 840 LOAN	250,000.00
KRIZ-DAVIS COMPANY	STEM CONNECTORS/UV LIGHT ASSEMBLY	965.04
L.G. EVERIST	CRUSHED ROCK	1,187.22
LANGEMEIER, WAYNE	MOWING	412.50
METRO AREA PLANNING AGENCY	PICTOMETRY LICENSE RENEWAL	1,500.00
MICHAEL TODD & CO INC	CAUTION SPEED BUMP/24 STOP SIGNS	1,130.12
MUNICIPAL SUPPLY INC	COUPLINGS	152.77
N.E. NEB ECONOMIC DEV DIS	WRLF SERVICES	60.00
NE DEPT OF REVENUE	STATE WITHHOLDING	4,807.58
NE DEPT OF ROADS	WINDOM STREET	17,177.70
NE PUBLIC HEALTH	COLIFORM TESTING	63.00
NE SAFETY COUNCIL	TRAINING/MILEAGE SAFETY MEETING	150.32
NEBR PUBLIC POWER DIST	ELECTRICITY	352,124.73
N.E. NE AMERICAN RED CROSS	PAYROLL DEDUCTION	29.62
NORTHEAST NE PUBLIC POWER	ELECTRICITY	6,353.00
O'KEEFE ELEVATOR COMPANY	ELEVATOR REPAIRS	844.00
O'REILLY AUTOMOTIVE STORE	ADHESIVE/TAPE	8.38
OLSSON ASSOCIATES	AIRPORT PUMP STATION/CHIEF'S WAY	1,933.29
PITNEY BOWES INC	POSTAGE METER/FOLDER LEASE	648.00
POLLARD PUMPING	PORTA POTTY CHICKEN DAYS	990.00
QUILL CORPORATION	OFFICE SUPPLIES	339.03
RON'S RADIO	PORTABLE RADIOS	8,567.00
SIOUXLAND TURF PRODUCTS	FERTILIZER	1,500.00
STEVE LAMOUREX	ADAPTER/SERVICE CALL	64.00
STURM, DOUGLAS A.	ENERGY INCENTIVE	500.00
SUMMER SPORTS COMPLEX	CONCESSION SUPPLIES	443.63
T & S TRUCKING	TRANSPORT ROCK	429.76
TYLER TECHNOLOGIES	SYSTEM MAINTENANCE 9/14-8/15	16,464.07
UNITED WAY	PAYROLL DEDUCTION	6.20
US BANK	DIVING BOARD/LODGING/MEALS ETC	4,742.08
VAKOC BUILDER'S RESOURCE	BALL VALVE	7.99
VAKOC CONSTRUCTION CO	PAINT & SUPPLIES FOR CAC	734.99
VAN DIEST SUPPLY	ROUNDUP	750.00
VERIZON WIRELESS SERVICES	CELL PHONES	100.08
VIAERO	CELL PHONES	257.42
WAYNE AREA ECONOMIC DEVEL	AUG 14 CONTRIBUTION	833.33
WAYNE COMMUNITY SCHOOLS	PARKING TICKETS	4,929.50
WAYNE COUNTY COURT	BOND	300.00
WESCO DISTRIBUTION INC	CONNECTORS/BULBS	508.01
WEST-E-CON	VERTICAL TURBINE PUMP MOTORS	19,757.10
WINGATE INN	LODGING	359.80

Water Well Permit Application

Date 7-8-11

Applicant(s) Todd Luedeke

Address of Applicant 209 Fairway Circle

The above named applicant(s) request permission to construct or have constructed a water well.

Legal Description & Address of Well Site W 1/2 of SW Quarter of Sec 1, Township 26 N, Range 3, East of 6th P.M. Wayne Co 25.02 acres

Intended Use of Well (Non-Domestic) (Domestic) (Geo-Thermal) _____

Desired Well Capacity (gpm) 25 - 50

The applicant(s) agree to and acknowledge as condition contingent to granting of this permit that when the well is completed the applicant(s) will provide the City with the following information:

Name of Well Driller _____

Address _____

Date Well(s) Completed _____

Depth of Well(s) _____

Size of Casing, Screen, or Bore (Geo-Thermal) _____

Length of Casing, Screen, or Bore (Geo-Thermal) _____

Type of Pump Installed _____

Motor Size (H.P.) _____

Out of Pump (gpm) _____

The applicant shall provide to the City a map, drawn to scale, of all well(s) location(s) as they relate to the property pins.

7-8-14

To: City of Wayne

From: Todd Luedeke

I would like to request that if an Impact Study/Statement is required, that this be waived.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Luedeke", with a long horizontal flourish extending to the right.

Todd Luedeke
204 Fairway Circle
Wayne NE 68787

Wayne⁺ Area

**Economic Development
Chamber ■ Main Street**

July 31, 2014

Lowell Johnson
City Administrator
306 Pearl Street
Wayne, NE 68787

RE: Sales Tax Advisory Committee – recommendations for Tim Fertig (\$50,000)

Dear Lowell,

The Sales Tax Advisory Committee met on July 31 and reviewed an application to Wayne's Economic Development Program fund.

The committee reviewed a request by Tim Fertig for a \$50,000 loan to open a Crossfit gym. The committee recommends a \$50,000 loan at 3% interest, amortized for 15 years with a 10 year balloon and proceeds utilized for capital improvements to the real estate paid out as expenses are incurred.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 11; *Doesn't Meet/Somewhat Meets* scored 5; *Somewhat Meets* scored 8; *Somewhat Meets/Meets* scored 15; and *Meets* scored 8. This scoring is used for deliberation only. The committee does not use a raw number threshold to recommend projects to the City Council.

Please convey this recommendation to the members of the City Council so necessary steps can be taken to complete the application process. Feel free to contact myself or Wes Blecke if you have any questions.

Sincerely,



Irene Fletcher
Assistant Executive Director

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

Application Number:
Date Received <i>6/6/14</i>

LB840 (form approved 073109)

2014

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

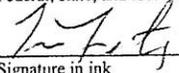
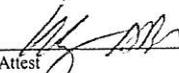
1. APPLICANT IDENTIFICATION	2. PERSON PREPARING APPLICATION								
Applicant Name Tim Fertig	Name/Business								
Mailing Address 608 Hillcrest	Address								
Wayne NE 68787 (City) (State) (ZIP)									
Telephone Number 402-369-3033									
Fax Number Federal Tax ID Number	Federal Tax ID # / SS#								
Email Address Tifert01@gmail.com	Email Address								
3. BUSINESS TYPE <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other _____	5. FUNDING SOURCES								
4. ASSISTANCE TYPE REQUESTED <input checked="" type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <input type="checkbox"/> Performance-based loan <input type="checkbox"/> Grant <input type="checkbox"/> Other _____	<table> <tr> <td>WEDP Funds Requested</td> <td>\$ 50,000</td> </tr> <tr> <td>Matching Funds</td> <td>\$ 19,000</td> </tr> <tr> <td>Other Funds</td> <td>\$ 158,000</td> </tr> <tr> <td>Total Project Funds</td> <td>\$ 227,000</td> </tr> </table> <p><i>(Round amounts to the nearest hundred dollars.)</i></p>	WEDP Funds Requested	\$ 50,000	Matching Funds	\$ 19,000	Other Funds	\$ 158,000	Total Project Funds	\$ 227,000
WEDP Funds Requested	\$ 50,000								
Matching Funds	\$ 19,000								
Other Funds	\$ 158,000								
Total Project Funds	\$ 227,000								

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

Request → \$50,000 @ 3% for 15 years

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

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

 Signature in ink	<i>Tim Fertig, Owner</i> Typed Name and Title	<i>6-9-2014</i> Date Signed
 Attest	<i>Wes Blecke, ED WEDP</i> Typed Name and Title	<i>6/9/14</i> Date Signed

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

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

PART II. FUNDING SUMMARY

(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements	12,000	10,000	158,000	180,000	Matching - Cash Other - Bank Loan
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.	12,000	9,000		21,000	Matching - Existing Equipment
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.	11,000			11,000	
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.	15,000			15,000	
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS	50,000	19,000	158,000	227,000	

APPLICANT CERTIFICATIONS

- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: *T. Foster* Date: 6-9-14

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

By: _____ Date: _____

Attest *[Signature]*

Wes Block / ED WAEL
Typed Name/Title

6/9/14
Date

Executive Summary

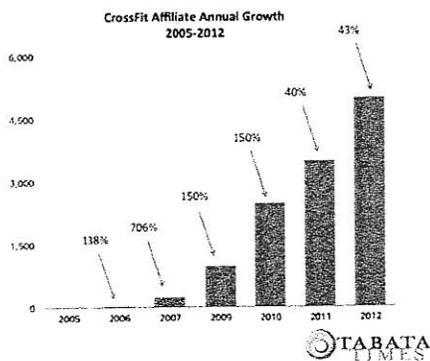
I am applying for a loan with the city of Wayne to help with startup costs of opening a new Crossfit gym in downtown Wayne. The money from this loan will be used in a variety of different ways.

I want to update the exterior of the building to add more value to downtown Wayne and specifically Main Street. An updated and fresh exterior to this building will give downtown Wayne a new business that has a nationally recognized brand that is typically only available in bigger communities.

I will also be using the loan to help cover the cost of new fitness equipment. The equipment that I will be putting in the gym is new and currently not available in Wayne. Some of the key pieces of equipment will be a crossfit rig, olympic lifting platforms, climbing ropes, and medicine ball area. As of now these options are not available to the public in Wayne.

Additionally, the funds will be used for a security access system for use of the gym during off-hours - another feature that Wayne does not currently have. Security cameras will be installed with the money from the loan along with business systems and software to ensure it is up do date and will be run efficiently.

I have chosen to open a Crossfit gym in Wayne because it is something that Wayne needs. There is currently no place in town that offers this kind of equipment and service. I know that there is a market for this in Wayne because I have been in this industry in Wayne for the past 8 years. Crossfit nationally has seen tremendous growth in the past 9 years and it will be recognized by a large portion of the fitness market in Wayne.



Along with bringing Wayne a nationally recognized brand I will also be creating jobs. Immediately upon opening there will be 1 full time job created and within 6 months I project 2 to 3 part time jobs created. During the first year I project having 4-5 part time jobs and 1-2 full time positions available.

With the purchase of the building I will also acquire 4 rental apartments that will be a great source of cash flow. Currently 3 of the units are on contract until May of 2015 and when the units are all occupied the building collects over \$2,200 per month.

With the cash flow from the apartments and a new gym opening in the main floor of the building there will be good amount of cash flow generated which will cover the cost of the startup loans. The amount of money collected from the rental apartments will cover all but \$150 of monthly expenses. That is with the loan payment, utilities, business expenses. Everything that will be needed to update, renovate, purchase equipment, advertising, utilities, and a cash flow cushion is included in the loans that I am seeking.

ORDINANCE NO. 2014-24

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 90, ARTICLE V BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 3 B-3 NEIGHBORHOOD COMMERCIAL DISTRICTS, BY ADDING SECTION 90-432 PERMITTED CONDITIONAL USES; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That the Planning Commission held a public hearing on April 7, 2014, regarding this amendment and recommended no changes be made at this time.

Section 2. That Chapter 90, Article V Business and Commercial Districts, Division 3. B-3 Neighborhood Commercial District, be amended by adding Section 90-432 Permitted Conditional Uses to the Wayne Municipal Code:

Sec. 90-432. Permitted conditional uses

A building or premises in a B-3 district may be used for the following in conformance with the prescribed conditions:

1. For a multi-family dwelling.
 1. The maximum number of sleeping rooms shall not exceed one per 500 square feet of lot area.
 2. The front of the building facing the street shall include one of the following:
 - a. A door and eight (8) percent of the surface area covered with windows.
 - b. Ten (10) percent of the surface area covered with windows.
 3. The primary means of egress for any dwelling unit shall not exit into a side yard unless the door is at least 30 feet from the property line it is facing.
 4. The primary means of egress must exit onto a covered stoop or deck.
 5. Twenty (20) percent of the lot must be maintained as landscaping which is not paved or used for parking.

Section 3 Any other ordinance or section passed and approved prior to the passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

Section 4 This ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this _____ day of August, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2014-25

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE IV, SECTION 22-113 FIREWORKS; DISCHARGE OF THE WAYNE MUNICIPAL CODE; 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 22, Article IV, Section 22-113 of the Wayne Municipal Code be amended to read as follows:

Sec. 22-13 Fireworks; Discharge

§22-13 FIREWORKS; DISCHARGE. It shall be unlawful for any person to discharge, fire, launch, or throw any fireworks or any object, which is lighted to explode or which explodes upon contact with another object.

1. From or onto any motor vehicle;
2. Onto any street, highway or sidewalk;
3. During any pyrotechnics display authorized by special permit under the ordinances of the Municipality and when the special permit authorized the display to be held at the Wayne City Park, no lawfully permitted fireworks shall be exploded in the said City Park during the time of said pyrotechnics display except by personnel authorized by said special permit;
4. At or near any persons;
5. Into or upon any building;
6. Into or at any group of persons; or
7. At or upon the premises of another person.

The discharge and exploding of fireworks within the Municipality shall be permitted only on the following dates and during the following hours:

June 25th thru July 1st ~~3rd~~ - 8:00 a.m. to ~~8:00~~ **11:00** p.m.
July 2nd thru July 3rd - 8:00 A.M. to 11:00 p.m.
July 4th - 8:00 a.m. to Midnight.

The discharge and exploding of fireworks within the Municipality on any dates or times other than set out in this Section shall be unlawful.

The Mayor, in the event of extreme drought conditions, shall have the authority to make an emergency declaration banning the discharge of fireworks within the City of Wayne. Said emergency declaration shall have the force of law and violations of the same shall be punishable as set forth in Section 1-9.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2014-62

A RESOLUTION OF THE CITY OF WAYNE ESTABLISHING SEWER HOOK-UP FEES FOR THE “KARDELL SANITARY SEWER EXTENSION,” WHICH IS THAT SECTION OF THE CITY OF WAYNE SANITARY SEWER LINE EXTENDING FROM MANHOLE 9, SECTION 40 OF THE CITY SANITARY SEWER SYSTEM AND EXTENDING EAST AND SOUTH THROUGH KARDELL INDUSTRIAL PARK, TO AND ACROSS NEBRASKA HIGHWAY 35, AND ALL PRESENT AND FUTURE KARDELL SANITARY SEWER LINE EXTENSIONS AND INDIVIDUAL SEWER HOOK-UPS TO AREAS EAST OF THE CORPORATE LIMITS OF THE CITY AND ON BOTH THE NORTH AND SOUTH SIDES OF NEBRASKA HIGHWAY 35; AND THE “CHIEF’S WAY SANITARY SEWER EXTENSION.”

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

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

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

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

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

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

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

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

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

Section 1. The governing body of the City of Wayne adopts the LF (linear feet of property frontage) method in Attachment A, KARDELL SANITARY SEWER EXTENSION AND CHIEF'S WAY SANITARY SEWER EXTENSION HOOK-UP FEES and HOOK-UP FEE CALCULATION FORMULA as calculated by Olsson Associates, to be used to determine the sanitary sewer hook-up fees for all properties to be served by the Kardell Sanitary Sewer Extension and the Chief's Way Sanitary Sewer Extension.

Section 2. The City Clerk will attach a copy of this signed Resolution with the title of each real estate property located east of Centennial Road North and Centennial Road South, west of South Logan Creek Dredge and south of 14th Street and its extension east of county road right-of-way.

PASSED AND APPROVED this 5th day of August, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

	Construction	Engineering	Total
Force Main (Total)	\$23,910.00	\$6,151.33	\$30,061.33
Lift Station (Total)	\$110,754.85	\$28,493.92	\$139,248.77
Gravity Main and Manholes (Constructed Kardell)	\$44,385.00	\$11,418.94	\$55,803.94
Gravity Main and Manholes (Constructing Chiefs)	\$126,910.00	\$20,561.60	\$147,471.60
total	\$305,959.85	\$66,625.79	\$372,585.64

Force Main per LF of Frontage	\$4.05
Lift Station per LF of Frontage	\$18.77
Gravity Constructed per LF of Frontage	\$27.40
Gravity Remaining per LF of Frontage	\$0.00

	Frontage (LF)	Based on LF Force Main	Based on LF Lift Station	Based on LF Gravity Constructed	Based on LF Gravity Remaining	Based on LF Hook-up Fee
Capital Investment Group Inc. (Constructed)	393.11	\$1,592.71	\$7,377.69	10,769.96	0.00	\$19,740.36
Capital Investment Group Inc. (Constructed)	100.00	\$405.16	\$1,876.75	2,739.68	0.00	\$5,021.59
Robert Surber (Constructed)	702.80	\$2,867.44	\$13,189.79	19,254.48	0.00	\$36,291.71
Restful Knights, Inc (Constructed)	253.66	\$1,027.72	\$4,760.56	6,949.47	0.00	\$12,737.76
Milo Meyer (Lot 3, 2nd Replat of Tompkins Industrial Tract #1 Subdivision)	260.53	\$1,055.55	\$4,889.49	7,137.69	0.00	\$13,082.74
Milo Meyer (Lot 4, 2nd Replat of Tompkins Industrial Tract #1 Subdivision)	196.94	\$797.92	\$3,696.07	5,395.53	0.00	\$9,889.51
Lot 4, Kardell Industrial Park Subdivision	788.68	\$3,195.39	\$14,801.54	21,607.31	0.00	\$39,604.25
S&M Liquid Tire Fill, Inc.	203.67	\$825.18	\$3,822.37	5,579.91	0.00	\$10,227.46
Kenneth & Karen Marra	315.28	\$1,277.38	\$5,917.01	8,637.67	0.00	\$15,832.06
Plant Market	306.19	\$1,240.55	\$5,746.42	8,388.63	0.00	\$15,375.60
Grossenberg	1410.01	\$5,712.75	\$26,462.35	38,629.77	0.00	\$70,804.87
Lot 1, Logan Valley Industrial Park	217.00	\$879.19	\$4,077.55	5,945.11	0.00	\$10,896.84
Lot 2, Logan Valley Industrial Park	200.00	\$810.31	\$3,753.50	5,479.36	0.00	\$10,043.17
Lot 3, Logan Valley Industrial Park	200.00	\$810.31	\$3,753.50	5,479.36	0.00	\$10,043.17
Lot 4, Logan Valley Industrial Park	200.00	\$810.31	\$3,753.50	5,479.36	0.00	\$10,043.17
Lot 5, Logan Valley Industrial Park	302.18	\$1,224.30	\$5,671.16	8,278.77	0.00	\$15,174.23
Lot 6, Logan Valley Industrial Park	302.63	\$1,226.13	\$5,679.61	8,291.10	0.00	\$15,196.83
Lot 7A, Logan Valley Industrial Park	197.00	\$798.16	\$3,697.20	5,397.17	0.00	\$9,892.53
Lot 8, Logan Valley Industrial Park	100.00	\$405.16	\$1,876.75	2,739.68	0.00	\$5,021.59
Lot 9, Logan Valley Industrial Park	200.00	\$810.31	\$3,753.50	5,479.36	0.00	\$10,043.17
Lot 10, Logan Valley Industrial Park	200.00	\$810.31	\$3,753.50	5,479.36	0.00	\$10,043.17
Midland Equipment	370.00	\$1,499.08	\$6,943.97	10,136.82	0.00	\$18,579.87
Total	7,419.68	\$30,061.33	\$139,248.77	\$203,275.54	\$0.00	\$372,585.64



PROJECT NO: 012-2523
 DRAWN BY: JSL
 DATE: 09/25/13

**SANITARY SEWER
 ASSESSMENT FRONTAGE**

MOLSSON ASSOCIATES
 1707 Dakota Avenue
 P.O. Box 324
 South Sioux City, NE 68776-2356
 TEL 402.494.3059
 FAX 402.494.4064

EXHIBIT
 1

RESOLUTION NO. 2014-63

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

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

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

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

WHEREAS, this water main extension will also front other properties that will benefit from this utility extension; and

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

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

WHEREAS, the City desires to reimburse the City of Wayne Water Utility System fairly and completely for the water main extensions herein described and constructed with City Water Utility funds; and

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

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

Section 1. The governing body of the City of Wayne adopts the LF (linear feet of property frontage) method in Attachment A, CHIEF'S WAY WATER MAIN EXTENSION HOOK-UP FEES and HOOK-UP FEE CALCULATION FORMULA as calculated by Olsson Associates, to be used to determine the water hook-up fees for all properties to be served by the Chief's Way Water Main Extension.

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

PASSED AND APPROVED this 5th day of August, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

PRELIMINARY LEVY ALLOCATION FROM CITY OF WAYNE
RESOLUTION NO. 2014-1

WHEREAS, Nebraska Statute 77-3443 (3) requires all political subdivisions subject to city levy authority to submit a preliminary request for levy allocation to the city council; and

WHEREAS, the Wayne City Council is the levy authority for the Wayne Municipal Airport.

NOW, THEREFORE BE IT RESOLVED that the following is said Board's tax request for budget year 2014-2015:

FUND TAX REQUEST

General Fund	\$ 64,000
TOTAL	\$ 64,000

BE IT FURTHER RESOLVED that said Public Airport has repayment of Interest-Free Loans from the Department of Aeronautics for \$36,470 and this amount is not included in the above tax request as allowed by law.

NOW, THEREFORE BE IT RESOLVED that the following is said Board's tax request for budget year 2014-2015:

TOTAL

Motion by Russ to adopt Resolution NO. 2013-1. Seconded by Russ.

Voting yes were: Nissen, Conradt, Luedke, Russ

Voting no were: None

Motion carried.

Date this 14th day of July, 2014.

Mitchell Nissen
Chairman
Daniel R. [Signature]
Secretary

RESOLUTION NO. 2014-64

**A RESOLUTION AUTHORIZING THE ALLOCATION OF
PROPERTY TAXES TO THE WAYNE AIRPORT AUTHORITY.**

WHEREAS, the Governor signed LB989 of the 1997 Session into law, and this law authorizes the City Council to allocate property taxes to the Wayne Municipal Airport Authority; and

WHEREAS, LB 1114 allows Airport Authorities to adopt a resolution requesting that the governing body of the city include their tax levy in the city budget; and

WHEREAS, the Wayne Municipal Airport Authority has requested \$64,000 in property tax allocation; and

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska, hereby finds and determines that it is in the best interest of the City to allocate \$64,000 in property taxes to the Wayne Municipal Airport Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City of Wayne allocates \$64,000 to the Wayne Municipal Airport Authority.

PASSED AND APPROVED this 5th day of August, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



D|A|DAVIDSON
FIXED INCOME CAPITAL MARKETS

1111 N. 102nd Court, Suite 300
Omaha, NE 68114
(402) 397-5777
(800) 776-5777
Fax (402) 392-7908
www.davidsoncompanies.com/ficm
D.A. Davidson & Co. member SIPC

July 31, 2014

Mayor and City Council
City of Wayne
306 Pearl Street
Wayne, NE 68787

Re: Underwriting Engagement Letter

D.A. Davidson & Co. ("we" or "Davidson"), acknowledges and appreciates the opportunity to serve as Underwriter for the City of Wayne, Nebraska ("City", "you" or the "Issuer") on the proposed offering and issuance of General Obligation Bonds, and/or Sales Tax Revenue Bonds Series 2014 or 2015, to provide funding for a new Swimming Pool/Aquatic Center, (the "Securities"). This letter will confirm the terms of our engagement; however, it is anticipated that this letter will be replaced and superseded by a bond purchase agreement(s) to be entered into by Davidson and the City (the "Purchase Agreement(s)") if and when the Securities are priced following successful completion of the offering process.

1. Services to be Provided by Davidson. The Issuer hereby engages Davidson to serve as Underwriter of the proposed offering and issuance of the Securities, and in such capacity Davidson agrees to provide certain services in compliance with and under the rules, guidelines and allowable exceptions, effective July 1, 2014, as set out by the Securities and Exchange Commission ("SEC") and you hereby request Davidson to provide certain information and repayment information relative to debt issuance and to assist in providing the following services:

- Review and evaluate the proposed terms of the offering and the Securities
- Develop a marketing plan for the offering, including identification of potential investors
- Assist in the preparation of the official statement and/or other offering documents
- Contact potential investors; provide them with offering-related information
- Consult with Bond Counsel and other service providers about the offering and the terms of the Securities
- Negotiate the pricing, including the interest rate, and other terms of the Securities
- Obtain CUSIP number(s) for the Securities and arrange for their DTC book-entry eligibility
- Plan and arrange for the closing and settlement of the issuance and the delivery of the Securities
- Such other usual and customary underwriting services as may be requested by the Issuer

As underwriter, Davidson will purchase the Securities pursuant and subject to the terms of the Purchase Agreement, which will not be signed until successful completion of the pre-sale offering period.

2. No Advisory or Fiduciary Role. The Issuer acknowledges and agrees that: (i) the primary role of Davidson, as an underwriter, is to purchase securities, for resale to investors, in an arm's-length commercial transaction between the Issuer and Davidson and that Davidson has financial and other interests that may differ from those of the issuer.; (ii) Davidson is not acting as a municipal advisor, financial advisor, or fiduciary to the Issuer and has not assumed any advisory or fiduciary responsibility to the Issuer with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether Davidson has provided other services or is currently providing other services to the Issuer on other matters); (iii) the only obligations Davidson has to the Issuer with respect to the transaction contemplated hereby expressly are set forth in this agreement; and (iv) the Issuer, to the extent it deems appropriate will, or has consulted its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable. If the Issuer would like a municipal advisor in this transaction(s) that has legal fiduciary duties to the Issuer, the Issuer is free to engage a municipal advisor to serve in that capacity.

3. Fees and Expenses. Davidson's proposed underwriting fee/spread shall be at a mutually agreeable rate which shall not exceed 1.50% of the principal amount of the Securities issued. The underwriting fee/spread will represent the difference between the price that Davidson pays for the Securities and the public offering price stated on the cover of the final official statement or offering circular. Davidson shall pay costs incident to the underwriting and sale of the Bonds including printing of preliminary and final official statements (or offering circulars, as applicable), CUSIP and DTC fees. The Issuer shall be responsible for paying or reimbursing Davidson for all other costs of issuance, including without limitation, bond counsel, paying agent fees (if Issuer determines to engage such agent), and all other expenses incident to the performance of the Issuer's obligations under the proposed offering.

4. Term and Termination. The term of this engagement shall extend from the date of this letter to the closing of the offering of the Securities. Notwithstanding the forgoing, either party may terminate Davidson's engagement at any time without liability of penalty upon at least 30 days' prior written notice to the other party.

5. Indemnification; Limitation of Liability. The Issuer agrees that neither Davidson nor its employees, officers, agents or affiliates shall have any liability to the Issuer for the services provided hereunder except to the extent it is judicially determined that Davidson engaged in gross negligence or willful misconduct. In addition, to the extent permitted by applicable law, the Issuer shall indemnify, defend and hold Davidson and its employees, officers, agents and affiliates harmless from and against any losses claims, damages and liabilities that arise from or otherwise relate to this Agreement, actions taken or omitted in connection herewith, or the transactions and other matters contemplated hereby, except to the extent such losses, claims, damages or liabilities are judicially determined to be the result of Davidson's gross negligence or willful misconduct.

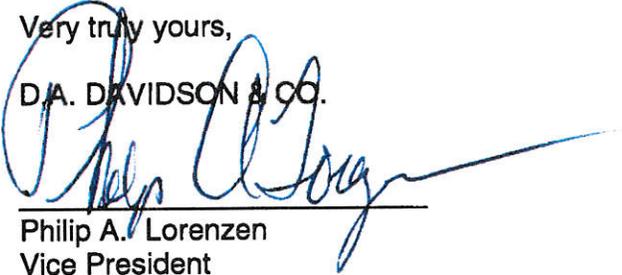
6. Miscellaneous. This letter shall be governed and construed in accordance with the laws of the State of Nebraska. This Agreement may not be amended or modified except by means of a written instrument executed by both parties hereto. This Agreement may not be assigned by either party without the prior written consent of the other party.

"Exhibit A" is attached in compliance with Davidson's Disclosure Pursuant to MSRB Rules G-17 and G-23 and requires acknowledgement of its receipt by an officer of the City.

Again, we thank you for the opportunity to assist you with your proposed financing and the confidence you have placed in us.

Very truly yours,

D.A. DAVIDSON & CO.



Philip A. Lorenzen
Vice President

Accepted this ___ day of _____, 2014

Attest:

City Clerk

Mayor

[SEAL]



D | A | DAVIDSON
FIXED INCOME CAPITAL MARKETS

EXHIBIT A

July 31, 2014

Nancy Braden, Finance Director/City Treasurer
City of Wayne
306 Pearl Street
Wayne, NE 68787

1111 N. 102nd Court, Suite 300
Omaha, NE 68114
(402) 397-5777
(800) 776-5777
Fax (402) 392-7908
www.davidsoncompanies.com/ficm
D.A. Davidson & Co. member SIPC

Re: Disclosures by D.A. Davidson & Co. as Underwriter Pursuant to
MSRB Rules G-17 and G-23 Related to Issuance by the City of Wayne
of General Obligation Bonds, and/or Sales Tax Revenue Bonds Series 2014
or 2015, to provide funding for a new Swimming Pool/Aquatic Center

Dear Nancy:

This letter provides you, as City Finance Director of the City of Wayne, Nebraska ("Issuer"), with certain disclosures relating to the captioned bond issue ("Bonds"), as required by the Municipal Securities Rulemaking Board (MSRB) Rule G-17 as set forth in MSRB Notice 2012-25 (May 7, 2012).

The Issuer has previously engaged D.A. Davidson & Co. (hereinafter referred to as "Davidson" or "underwriter") to serve as an underwriter, and not as a financial advisor or municipal advisor, in connection with the issuance of the Bonds.

As underwriter, Davidson's primary role will be to purchase as principal, or arrange for the placement of the securities in a commercial arm's length transaction with the Issuer, and may have financial and other interests that differ from those of the Issuer. In its capacity as underwriter and not as financial advisor, Davidson may provide incidental financial advisory services at the Issuer's request, including advice regarding the structure, timing, terms and other similar matters concerning the issuance. However, Davidson does not assume any financial advisory or fiduciary responsibilities with respect to the Issuer.

As part of our services as underwriter, Davidson may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Bonds.

Disclosures Concerning the Underwriters Role:

- (i) MSRB Rule G-17 requires an underwriter to deal fairly at all times with both municipal issuers and investors.
- (ii) The underwriters' primary role is to purchase the Bonds with a view to distribution in an arm's-length transaction with the Issuer. The underwriters financial and other interests that may differ from those of the Issuer.

- (iii) Unlike a municipal advisor, the underwriters do not have a fiduciary duty to the Issuer under the federal securities laws and are, therefore, not required by federal law to act in the best interests of the Issuer without regard to their own financial or other interests.
- (iv) The underwriters have a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with their duty to sell the Bonds to investors at prices that are fair and reasonable.
- (v) The underwriter will review the official statement for the Bonds in accordance with, and as part of, their respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.

Disclosures Concerning the Underwriters Compensation:

As underwriter, Davidson will be compensated by a fee and/or an underwriting discount that will be set forth in the bond purchase agreement to be negotiated and entered into in connection with the issuance of the Bonds. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it may present a conflict of interest since an underwriter or underwriters may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

Additional Conflicts Disclosure:

Davidson has not identified any additional potential or actual material conflicts that require disclosure.

Disclosures Concerning Complex Municipal Securities Financing:

Since Davidson has not recommended a "complex municipal securities financing" to the Issuer, additional disclosures regarding the financing structure for the Bonds are not required under MSRB Rule G-17. However, in accordance with the requirements of MSRB Rule G-17, the following is a description of the material financial characteristics of that financing structure as well as the material financial risks of the financing that are known to us and reasonably foreseeable at this time.

Risk Disclosures Pursuant to MSRB Rule G-17 - Fixed Rate Bonds

The following is a general description of the financial characteristics and security structures of fixed rate municipal bonds ("Fixed Rate Bonds"), as well as a general description of certain financial risks that you should consider before deciding whether to issue Fixed Rate Bonds.

Financial Characteristics

Maturity and Interest. Fixed Rate Bonds are interest-bearing debt securities issued by state and local governments, political subdivisions and agencies and authorities. Maturity dates for Fixed Rate Bonds are fixed at the time of issuance and may include serial maturities (specified principal amounts are payable on the same date in each year until final maturity) or one or more term maturities (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. The final maturity date typically will range between 10 to 20 years from the date of issuance.

Interest on Fixed Rate Bonds typically is paid semiannually at a stated fixed rate or rates for each maturity date.

Redemption. Fixed Rate Bonds may be subject to optional redemption, which allows you, at your option, to redeem some or all of the bonds on a date prior to scheduled maturity, such as in connection with the issuance of refunding bonds to take advantage of lower interest rates.

Fixed Rate Bonds will be subject to optional redemption only after the passage of a specified period of time, often from 5 years to ten years from the date of issuance, and upon payment of the redemption price set forth in the bonds, which may from time-to-time include a redemption premium. You will be required to send a notice of optional redemption to the holders of the bonds, usually not less than 30 days prior to the redemption date. Fixed Rate Bonds with term maturity dates also may be subject to mandatory sinking fund redemption, which requires you to redeem specified principal amounts of the bonds annually in advance of the term maturity date. The mandatory sinking fund redemption price is 100% of the principal amount of the bonds to be redeemed.

Security

Payment of principal of and interest on a municipal security, including Fixed Rate Bonds, may be backed by various types of pledges and forms of security, some of which are described below.

General Obligation Bonds. "General obligation bonds" are debt securities to which your full faith and credit is pledged to pay principal and interest. If you have taxing power, generally you will pledge to use your ad valorem (property) taxing power to pay principal and interest. Ad valorem taxes necessary to pay debt service on general obligation bonds may not be subject to state constitutional property tax millage limits (an unlimited tax general obligation bond). The term "limited" tax is used when such limits exist.

General obligation bonds constitute a debt and, depending on applicable state law, may require that you obtain approval by voters prior to issuance. In the event of default in required payments of interest or principal, the holders of general obligation bonds have certain rights under state law to compel you to impose a tax levy.

Revenue Bonds. "Revenue bonds" are debt securities that are payable only from a specific source or sources of revenues. Revenue bonds are not a pledge of your full faith and credit and you are obligated to pay principal and interest on your revenue bonds only from the revenue source(s) specifically pledged to the bonds. Revenue bonds do not permit the bondholders to compel you to impose a tax levy for payment of debt service. Pledged revenues may be derived from operation of the financed project or system, grants or excise or other specified taxes. Generally, subject to state law or local charter requirements, you are not required to obtain voter approval prior to issuance of revenue bonds. If the specified source(s) of revenue become inadequate, a default in payment of principal or interest may occur. Various types of pledges of revenue may be used to secure interest and principal payments on revenue bonds. The nature of these pledges may differ widely based on state law, the type of issuer, the type of revenue stream and other factors.

The description above regarding "Security" is only a brief summary of certain possible security provisions for the bonds and is not intended as legal advice. You should consult with your bond counsel for further information regarding the security for the bonds.

Financial Risk Considerations

Certain risks may arise in connection with your issuance of Fixed Rate Bonds, including some or all of the following:

Issuer Default Risk. You may be in default if the funds pledged to secure your bonds are not sufficient to pay debt service on the bonds when due. The consequences of a default may be serious for you and, depending on applicable state law and the terms of the authorizing documents, the holders of the bonds, the trustee and any credit support provider may be able to exercise a range of available remedies against you. For example, if the bonds are secured by a general obligation pledge, you may be ordered by a court to raise taxes. Other budgetary adjustments also may be necessary to enable you to provide sufficient funds to pay debt service on the bonds. If the bonds are revenue bonds, you may be required to take steps to increase the available revenues that are pledged as security for the bonds. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market interest rate levels. Further, if you are unable to provide sufficient funds to remedy the default, subject to applicable state law and the terms of the authorizing documents, you may find it necessary to consider available alternatives under state law, including (for some issuers) state-mandated receivership or bankruptcy. A default also may occur if you are unable to comply with covenants or other provisions agreed to in connection with the issuance of the bonds.

This description is only a brief summary of issues relating to defaults and is not intended as legal advice. You should consult with your bond counsel for further information regarding defaults and remedies.

Redemption Risk. Your ability to redeem the bonds prior to maturity may be limited, depending on the terms of any optional redemption provisions. In the event that interest rates decline, you may be unable to take advantage of the lower interest rates to reduce debt service.

Refinancing Risk. If your financing plan contemplates refinancing some or all of the bonds at maturity (for example, if you have term maturities or if you choose a shorter final maturity than might otherwise be permitted under the applicable federal tax rules), market conditions or changes in law may limit or prevent you from refinancing those bonds when required. Further, limitations in the federal tax rules on advance refunding of bonds (an advance refunding of bonds occurs when tax-exempt bonds are refunded more than 90 days prior to the date on which those bonds may be retired) may restrict your ability to refund the bonds to take advantage of lower interest rates.

Reinvestment Risk. You may have proceeds of the bonds to invest prior to the time that you are able to spend those proceeds for the authorized purpose. Depending on market conditions, you may not be able to invest those proceeds at or near the rate of interest that you are paying on the bonds, which is referred to as “negative arbitrage”.

Tax Compliance Risk. The issuance of tax-exempt bonds is subject to a number of requirements under the United States Internal Revenue Code, as enforced by the Internal Revenue Service (IRS). You must take certain steps and make certain representations prior to the issuance of tax-exempt bonds. You also must covenant to take certain additional actions after issuance of the tax-exempt bonds. A breach of your representations or your failure to comply with certain tax-related covenants may cause the interest on the bonds to become taxable retroactively to the date of issuance of the bonds, which

may result in an increase in the interest rate that you pay on the bonds or the mandatory redemption of the bonds. The IRS also may audit you or your bonds, in some cases on a random basis and in other cases targeted to specific types of bond issues or tax concerns. If the bonds are declared taxable, or if you are subject to audit, the market price of your bonds may be adversely affected. Further, your ability to issue other tax-exempt bonds also may be limited.

This description of tax compliance risks is not intended as legal advice and you should consult with your bond counsel regarding tax implications of issuing the bonds.

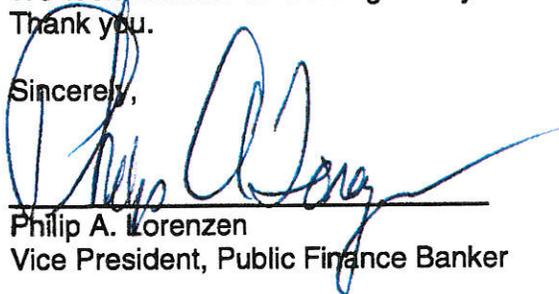
If you or any other Issuer officials have any questions or concerns about these disclosures, please make those questions or concerns known immediately to the undersigned. In addition, you should consult with the Issuer's own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent you deem appropriate.

It is our understanding that you have the authority on behalf of the Issuer to acknowledge this disclosure letter and that you are not a party to any conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify the undersigned immediately.

We are required to seek your acknowledgement that you have received this letter. Accordingly, please sign and return the enclosed copy of this letter to me either via email or to the address set forth below. Depending on the structure of the transaction that the Issuer decides to pursue, or if additional potential or actual material conflicts are identified, we may be required to send you additional disclosures regarding the material financial characteristics and risks of such transaction and/or describing those conflicts. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.

We look forward to working with you and the Issuer in connection with the issuance of the Bonds. Thank you.

Sincerely,



Philip A. Lorenzen
Vice President, Public Finance Banker

Acknowledgement: _____ Date: _____

Nancy Braden, Finance Director
City of Wayne, Nebraska

CC: Bond Counsel

Change Order

No. 1

Date of Issuance: July 29, 2014 Effective Date: August 5, 2014

Project: <u>13TH Street Sanitary Sewer Extension</u>	Owner: <u>City of Wayne</u>	Owner's Contract No.:
Contract:		Date of Contract:
Contractor: <u>Robert Woehler & Sons Construction</u>		Engineer's Project No.: <u>617-013</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description:
Overage of quantities due to moving the manhole location. The manhole was moved because of conflicts with the water main and other utilities.

Attachments: (List documents supporting change):
See attached spreadsheet.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>18,444.50</u>	Original Contract Times: <input type="checkbox"/> Working days <input type="checkbox"/> Calendar days Substantial completion (days or date): _____ Ready for final payment (days or date): _____
[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>0</u> : \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____ : Ready for final payment (days): _____
Contract Price prior to this Change Order: \$ <u>18,444.50</u>	Contract Times prior to this Change Order: Ready for final payment (days or date): _____
Increase of this Change Order: \$ <u>5,226.50</u>	[Increase] [Decrease] of this Change Order: Ready for final payment (days or date): _____
Contract Price incorporating this Change Order: \$ <u>23,671.00</u>	Contract Times with all approved Change Orders: Ready for final payment (days or date): _____

RECOMMENDED: By: _____ Engineer (Authorized Signature)	ACCEPTED: By: _____ Owner (Authorized Signature)	ACCEPTED: By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNITS	WORK COMPLETED TO DATE	UNIT COST	TOTAL COST WORK COMPLETED	CHANGE ORDER TO BRING QUANTITIES IN LINE W/ ESTIMATE	
							OVER/UNDER ESTIMATED QUANTITY	COST OF CHANGES
1	8" PVC SDR26 SANITARY SEWER MAIN	89	L.F.	92	\$35.50	\$3,266.00	3	\$106.50
2	CONCRETE MANHOLE	8	V.F.	9	\$350.00	\$3,150.00	1	\$350.00
3	8" PVC CAP	2	EACH	2	\$250.00	\$500.00	0	\$0.00
4	CONNECT TO EXISTING MANHOLE	1	EACH	1	\$2,000.00	\$2,000.00	0	\$0.00
5	REMOVE & REPLACE GRAVEL	33	SQ. YDS	33	\$20.00	\$660.00	0	\$0.00
6	REMOVE & REPLACE 6" CONCRETE	80	SQ. YDS	164	\$60.00	\$9,840.00	84	\$5,040.00
7	DOWEL INTO EXISTING CONCRETE	105	L.F.	51	\$5.00	\$255.00	-54	-\$270.00
8	MOBILIZATION	1	EACH	1	\$4,000.00	\$4,000.00	0	\$0.00
TOTAL BASE BID ITEMS 1 THRU 8: 13TH STREET SANITARY SEWER EXTENSION - 2014						\$23,671.00	\$5,226.50	/

Contractor's Application For Payment No. #1

Application Period: July 25, 2014	Application Date: July 30, 2014
From (Contractor): Robert Woehler & Sons Construction	Via (Engineer): Advanced Consulting Engineering Services
Contract:	Engineer's Project No.: 617-013
Contractor's Project No.:	

To (Owner): City of Wayne, Nebraska
 Project: 13th Street Sanitary Sewer Extension, Wayne, NE - 2014
 Owner's Contract No.:

APPLICATION FOR PAYMENT Change Order Summary

Approved Change Orders Number	Additions	Deductions
1	5,226.50	
TOTALS		
NET CHANGE BY CHANGE ORDERS		5,226.50

1. ORIGINAL CONTRACT PRICE \$ 18,444.50
2. Net change by Change Orders \$ 5,226.50
3. CURRENT CONTRACT PRICE (Line 1 ± 2) \$ 23,671.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate) \$ 23,671.00
5. RETAINAGE:
 - a. 0 % x \$ Work Completed \$ 0.00
 - b. 0 % x \$ Stored Material \$ 0.00
 - c. Total Retainage (Line 5a + Line 5b) \$ 0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 23,671.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$ 0.00
8. AMOUNT DUE THIS APPLICATION \$ 23,671.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above) \$ 0.00

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of: \$ 23,671.00
 (Line 8 of other - attach explanation of other amount)

is recommended by: *[Signature]* (Engineer)
 Date: 07/29/2014

Payment of: \$ 23,671.00
 (Line 8 or other - attach explanation of other amount)

is approved by: _____ (Owner)
 Date: _____

By: _____ Date: _____

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNITS	WORK COMPLETED TO DATE	UNIT COST	TOTAL COST WORK COMPLETED	OVER/UNDER ESTIMATED QUANTITY	COST OF CHANGES
1	8" PVC SDR26 SANITARY SEWER MAIN	89	L.F.	92	\$35.50	\$3,266.00	3	\$106.50
2	CONCRETE MANHOLE	8	V.F.	9	\$350.00	\$3,150.00	1	\$350.00
3	8" PVC CAP	2	EACH	2	\$250.00	\$500.00	0	\$0.00
4	CONNECT TO EXISTING MANHOLE	1	EACH	1	\$2,000.00	\$2,000.00	0	\$0.00
5	REMOVE & REPLACE GRAVEL	33	SQ. YDS	33	\$20.00	\$660.00	0	\$0.00
6	REMOVE & REPLACE 6" CONCRETE	80	SQ. YDS	164	\$60.00	\$9,840.00	84	\$5,040.00
7	DOWEL INTO EXISTING CONCRETE	105	L.F.	51	\$5.00	\$255.00	-54	-\$270.00
8	MOBILIZATION	1	EACH	1	\$4,000.00	\$4,000.00	0	\$0.00
TOTAL BASE BID ITEMS 1 THRU 8: 13TH STREET SANITARY SEWER EXTENSION - 2014						\$23,671.00	\$5,226.50	

Change Order

No. 1

Date of Issuance: July 29, 2014 Effective Date: August 5, 2014

Project: <u>Highway 15 & 10th Street Intersection Project</u>	Owner: <u>City of Wayne</u>	Owner's Contract No.:
Contract:		Date of Contract:
Contractor: <u>Robert Woehler & Sons Construction, Inc.</u>		Engineer's Project No.: <u>617-007</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description:
Time extension due to delay getting Nebraska Department of Roads approval on the project.

Attachments: (List documents supporting change):
See attached letter from the Contractor.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ _____

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

\$ _____

Contract Price prior to this Change Order:

\$ _____

[Increase] [Decrease] of this Change Order:

\$ _____

Contract Price incorporating this Change Order:

\$ _____

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days
Substantial completion (date): August 1, 2014

[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 0:

Ready for final payment (date): August 1, 2014

Contract Times prior to this Change Order:

Substantial Completion (date): August 1, 2014

Increase of this Change Order:

Substantial Completion (date): 21 Days

Contract Times with all approved Change Orders:

Substantial Completion (date): August 22, 2014

RECOMMENDED

By: [Signature]
Engineer (Authorized Signature)

Date: 07/30/2014

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____



Robert Woehler & Sons Construction, Inc.

123 Fairgrounds Ave.
Wayne NE 68787

Phone: 402-375-3744

Fax: 402-833-5363

Cell: 402-369-0049

June 25th 2014

Advanced Consulting Engineering Services
Attn John Zwingman
133 West Washington St.
West Point Nebraska 68788

John

This letter is requesting that you please ask the City of Wayne NE to extend the substantial completion date for the "Highway 15 & 10th Street Intersection" Project to August 22, 2014 for substantial completion. We do plan to have the main road paved and open before August 18th 2014 when college starts and then work on the other items to finish up. This extension is due to the delay in getting the project plans approved by NDOR until around June 9th 2014 (3 weeks) and not allowing us to start on our original date of May 19th 2014. We hope that you will recommend this extension and that is it approved by the City of Wayne as discussed in our pre construction meeting. If you have any questions please call.

Thank you

B. J. Woehler
Robert Woehler & Sons Construction, Inc. Secretary

WAYNE MUNICIPAL AIRPORT AUTHORITY
June 9, 2014
7:00 PM

The regular meeting of the Airport Authority of the City of Wayne was called to order at the Airport Pilot's Lounge on the above date and time by Chairman Mitchell Nissen. The following members were present: Mitchell Nissen, Jerome Conradt, Todd Luedeke and Carl Rump. Also attending the meeting were Nancy Braden Treasurer, Dawn Navrkal, Kyle Dahl Airport Authority Attorney, Tom Becker FBO and Airport Manager Karma Schulte, Jim Hoffman Sandy Hoffman, Mike Emanuel North Central Builders, Jesse Kaufman Flight Instructor, Scott Morgan, Jean Morgan, Dave Zach and Micheal Carnes from the Wayne Herald.

Conradt moved and Luedeke 2nd to accept the minutes of the May 12, 2014 meeting. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Rump. Nays: None. The Chairman declared the motion carries.

Conradt moved and Rump 2nd to accept all the claims presented as of June 9, 2014. Roll was called with the following results: Yeas: Nissen, Conradt and Rump. Nays: None with one abstention. The Chairman declared the motion carried.

Scott Morgan provided an update on the upcoming National Ercoupe convention. 95 to 100 participants have pre-registered. Scott requested advice relating to the placement of trailers, tents, tables and chairs.

Conradt moved and Luedeke 2nd to provide a check for \$500. to support the convention. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Rump. Nays: None. The Chairman declared the motion carried.

Luedeke provided an update on the Driveway Concrete. The first half is complete, with the remainder to be finished within a week.

Luedeke moved and Conradt 2nd to spend \$5,000. for an extra 1200 feet of concrete. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt and Rump. Nays: None. The Chairman declared the motion carried.

Nancy Braden provided an update and progress report on the terminal/hanger project. She suggested that the Authority acquire entry and area rugs and to have them maintained by Servall. Nancy also provided a Tornado update, with the next step being hard-wiring by Century Link and ABB.

Nancy Braden and Mike Emanuel provided a progress report on the concrete ramp areas. It was mentioned that there are low areas on the old ramp that collect water during periods of heavy rain. Mike also detailed progress on the hanger construction project.

Tom Becker provided Grass/Sod updates, mentioning that the remaining sod should be in place by the end of the week. Todd Luedeke provided information on the fence bids.

The upcoming Chicken Show Fly-In was discussed. Nancy Braden indicated that the Flyers are out, and that rolls and donuts need to be ordered.

Tom Becker provided Airport Managers comments. Cones are being placed on the grass runway but hay bales need to be removed. Tom also mentioned that we should make arrangements with the city to sweep the ramp area before the Ercoupe Convention. Work is being done in landscaping the area around the house, with Sandy Hoffman working on the flower beds.

Under Member Comments Jerry Conradt mentioned several requests for the use of airport facilities. The Wayne County GOP has requested that the Terminal be available to the Pete Ricketts campaign on November 4th. The organizers of the Winside Gun Show have requested the new Shop Hanger on the 19th and 20th of July. Discussion indicated that the GOP request would be accommodated but not the request for the Gun Show.

Other matters requiring the attention of the Authority were discussed and it was determined that no further formal actions on these matters were needed.

There being no further business Conradt moved and Luedeke 2nd that the meeting be adjourned. All voting in the affirmative the meeting was adjourned.

Carl Rump
Acting Secretary