

**MINUTES  
CITY COUNCIL MEETING  
September 2, 2014**

The Wayne City Council met in regular session at City Hall on Tuesday, September 2, 2014, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Kaki Ley, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 21, 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 Eischeid, whereas, the Clerk has prepared copies of the Minutes of the meeting of August 19, 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** AMAZON.COM, SU, 268.81; APPEARA, SE, 170.28; AQUA-CHEM, SU, 3200.82; ARDENT LIGHTING GROUP, SE 284,877.25 (LESS 5%); AS CENTRAL SERVICES, SE, 448.00; BEIERMANN ELECTRIC, SE, 745.48; BLACK HILLS ENERGY, SE, 237.12; BOMGAARS, SU, 1881.95; BROWN PLUMBING, SE, 85.70; CENTURYLINK, SE, 314.25; CITY OF WAYNE, RE, 500.00; CONTINENTAL FIRE SPRINKLE, SE, 210.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 92.88; DEMCO, SU, 338.25; DUTTON-LAINSON, SU, 438.78; ED. M FELD EQUIPMENT, SU, 398.00; EGAN SUPPLY, SE,

5243.08; ENGELHARDT TV, SU, 470.00; FIRST CONCORD GROUP, SE, 3331.64; FLOOR MAINTENANCE, SU, 221.56; GALE GROUP, SU, 93.56; GERHOLD CONCRETE, SU, 282.25; GROSSENBURG IMPLEMENT, SU, 552.11; HD SUPPLY WATERWORKS, SU, 250.00; HEARTLAND NATURAL GAS, SU, 89.51; CITY EMPLOYEE, RE, 99.65; HILLYARD/SIOUX FALLS, SU, 121.87; HUBER TECHNOLOGY, SU, 1675.00; HUNTEL CABLEVISION, SE, 2589.99; JACK'S UNIFORMS, SU, 1411.90; JEO CONSULTING GROUP, SE, 1395.00; JOHN'S WELDING AND TOOL, SU, 286.32; KELBY HERMAN, RE, 6000.00; MERIT MECHANICAL, SU, 9152.50; MIDLAND EQUIPMENT, SU, 583.07; CITY EMPLOYEE, RE, 56.53; NE DEPT OF HEALTH, FE, 80.00; NE MOSQUITO, FE, ; 150.00; NE PUBLIC HEALTH, SE, 105.00; NHHS, SE, 111.83; NE NEBR AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 63.25; NOVA HEALTH EQUIPMENT, SU, 95.64; ODEYS, SU, 6933.29; ODEYS, SE, 35250.00; PROFESSIONAL POOL, SU, 199.20; PROVIDENCE MEDICAL CENTER, SE, 197.46; ROBERT WOEHLE & SONS, SE, 300.00; ROBERTSON IMPLEMENT, SU, 614.28; SIOUX CITY JOURNAL, SU, 203.84; SKARSHAUG TESTING LAB, SE, 209.63; SOOLAND BOBCAT, SU, 737.52; STADIUM SPORTING GOODS, SU, 33.75; UNITED WAY, RE, 12.40; US BANK, SU, 2579.06; VIAERO, SE, 252.38; WAED, SE, 417.00; WESCO, SU, 357.95; CITY OF WAYNE, RE, 250.00; COPY WRITE, SE, 159.34; FREDRICKSON OIL, SU, 1591.70; GROSSENBURG IMPLEMENT, SU, 53.82; HOMETOWN LEASING, SE, 73.51; IRS, TX, 80.00; KUSTOM SIGNALS, SU, 1429.00; NCEA, FE, 1000.00; NE DEPT OF ENVIRONMENTAL, FE, 500.00; NE EXPRESSWAYS, SE, 883.44; PIEPER & MILLER, SE, 2886.00; POWER MONITORS, SU, 3179.96; QUILL, SU, 607.19; SOLOMON CORP, SE, 60.00; STEFFEN, SU, 191.96; WAYNE COUNTY COURT, RE, 401.50; WESCO, SU, 750.83

Councilmember Eischeid made a motion, which was seconded by Councilmember Ley, to approve the claims, with the following changes:

- Withhold the claim of The Glass Edge; and
- Withhold 5% of the claim to Ardent Lighting.

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

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless

injury to the reputation of an individual and if such individual has not requested a public hearing.

Pat Jenkins Rohde, Don Leighton and Mary Lou George, members of the Wayne Area Association of Retired School Personnel, presented the city with a facsimile check in the amount of \$36,756.50, which represents the amount of money that their volunteer hours would be worth to the Wayne Community area (1,630 hrs @ \$22/hr), according to the National Bureau of Vital Statistics in 2013-2014.

Dr. Jason Karsky of Wayne State College requested Council action on the proposed language and location of the Wayne State College Service learning project historical marker commemorating the October 4, 2013, tornado event.

Discussion took place on the matter, and the recommendation was to change the title on the marker from “Wayne County Tornado” to “Wayne Tornado,” with the location being the Summer Sports Complex.

Councilmember Sievers made a motion, which was seconded by Councilmember Ley, approving the proposed language, excluding “County” in the title, and the location at the Wayne Softball Complex for the Wayne State College Service learning project historical marker commemorating the October 4, 2013, tornado event. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to amend the FY 2013-14 budget.

Administrator Johnson stated the reasons for the amendments to the budget are:

- The Insurance proceeds received from the October 2014 tornado which pass through the City’s budget as expenditures; and

- The Community Redevelopment Authority expenditures (Purchase of the Pacific Coast property and the houses on 10<sup>th</sup> Street, and a contingency amount for future or unexpected expenditures that might take place before the end of the fiscal year).

City Clerk McGuire had not received any comments, written or otherwise, concerning this public hearing.

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

Councilmember Giese introduced Resolution 2014-71, and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2014-71

##### A RESOLUTION APPROVING AMENDMENTS TO FY 2013-14 BUDGET.

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

The following Resolution would increase the salary for the Recreation Director from \$28,121 - \$36,800 per year to \$32,000 - \$52,000 per year. This is an effort to recruit candidates that may stay longer than a couple of years in this job. Nine applications were received, and the committee interviewed some for this position. The intent is to start re-advertising this position with the increased salary range in the notice.

Mayor Chamberlain did not think there would be anybody in that position by the end of the year.

Councilmember Brodersen had concerns about the starting salary.

Councilmember Giese introduced Resolution 2014-72 and moved for its approval; Councilmember Muir seconded.

#### RESOLUTION NO. 2014-72

##### A RESOLUTION APPROVING WAGE AND SALARY SCHEDULE.

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

Discussion took place regarding the proposed changes in the fee schedule. The following amendments would be made thereto:

- Delete “Private E-Mail Use - \$25/per e-mail.”
- Increase CAC and Pool fees by 10% and round those amounts up to the nearest dollar.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, to table action on Resolution 2014-73 amending the Fee Schedule until the next meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson requested Council to table action on Resolution 2014-74 approving Amendment No. 6 to Communication Tower and Real Estate Lease Agreement until he has received additional information from Alltel.

Councilmember Brodersen made a motion, which was seconded by Councilmember Ley, to table action on Resolution 2014-74 approving Amendment No. 6 to Communication Tower and Real Estate Lease Agreement until the next meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would adopt the Housing Rehabilitation Program Guidelines, as required, to receive the CIS grant funds from the Nebraska Department of Economic Development.

Councilmember Sievers introduced Resolution No. 2014-75 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2014-75

A RESOLUTION ADOPTING HOUSING REHABILITATION PROGRAM GUIDELINES, HOUSING REUSE PLAN AND SUBORDINATION POLICY.

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

Councilmember Sievers introduced Ordinance No. 2014-26, and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2014-26

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF AN AREA APPROXIMATELY 45 ACRES IN SIZE AND MORE PARTICULARLY DESCRIBED AS PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION ONE, TOWNSHIP TWENTY-SIX NORTH, RANGE THREE, EAST OF THE 6<sup>TH</sup> P.M., WAYNE COUNTY, NEBRASKA, DESCRIBED AS TAX LOTS 32, 34, AND 35, FROM A-1 AGRICULTURAL TO A-2 AGRICULTURAL RESIDENTIAL.

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

Administrator Johnson stated he had received Change Order No. 2 for \$4,280.00 on the “Highway 15 and 10<sup>th</sup> Street Intersection Project.” On August 1, 2014, as the contractor exposed the water main, it was determined that it was too shallow and it was decided to add an 8” water main to the east with caps to be connected later. This is additional work for this project. The project engineer has approved the same.

Councilmember Muir made a motion, which was seconded by Councilmember Ley, approving Change Order No. 2 for \$4,280.00 for the “Highway 15 and 10<sup>th</sup> Street Intersection Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

A pay request has been received from Robert Woehler & Sons Construction for the “Highway 15 and 10<sup>th</sup> Street Intersection Project” for \$36,241.92. The engineer on the project has approved the same.

Councilmember Ley made a motion, which was seconded by Councilmember Muir, approving Pay Application No. 1 for \$36,241.92 to Robert Woehler & Sons Construction for the “Highway 15 and 10<sup>th</sup> Street Intersection Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to approving the appointment of Joel Hansen as the “Code Official.”

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving the appointment of Joel Hansen as the “Code Official.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, 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, the Mayor declared the motion carried and the meeting adjourned at 6:44 p.m.