

(Amended: 10/6/14)

AGENDA  
CITY COUNCIL MEETING  
October 7, 2014

1. [Approval of Minutes – September 16, 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. [Proclamation — October 5-11, 2014 as “Support Citizens with Intellectual Disabilities Week](#)

**[Domestic Violence Awareness Month](#)**

4. [Presentation/Donation of defibrillator by Providence Medical Center to the City of Wayne](#)

**Background:** Laura Gamble will be here to present an “Automatic Electronic Defibrillator” to the City at no cost for our use at the Summer Sports Complex.

5. [Ordinance 2014-28: Amending Wayne Municipal Code Section 78-128 Prohibited Parking Northwest Quadrant of the City](#)

**Background:** This has been prepared as the result of a discussion with the Fire Chief at the last Council meeting. It would prohibit parking at any time on the east and south sides of the streets in Western Ridge and in the cul de sacs.

**Note:** An additional amendment (Agenda Item No. 6) included by staff for your consideration would also prohibit overnight parking on the opposite sides of the streets for better snow removal. This would be consistent with most other street parking requirements in Wayne.

**Recommendation:** The recommendation of the Fire Chief is to approve the Ordinance to restrict on-street parking for emergency vehicle access through streets in Western Ridge.

6. [Ordinance 2014-29: Amending Wayne Municipal Code Section 78-129 Restricted Parking Northwest Quadrant of the City](#)

7. [Action to approve total demolition of the Overin Field grandstand, including concrete foundation](#)

**Background:** The engineer we hired said he recommends we not build on the old foundation, and our insurance agency says we can use the existing foundation to restore it back to its original condition, and they will not pay for any new foundation. The non-insurable cost to replace the foundation would be paid for by donations.

The recommendation of the Committee is to not build a new building on an old foundation.

8. Action to approve Otte Construction in partnership with Sand Creek Post & Beam to Design and Construct the new grandstand at Overin Field
9. Public Hearing: Application for a Class C Liquor License – El Tequila, LLC, d/b/a “Fiesta Brava” at 117 Main Street (Advertised Time: 5:30 p.m.)
10. Resolution 2014-82: Approving Application for Class C Liquor License — El Tequila, LLC, d/b/a “Fiesta Brava” at 117 Main Street
11. Public Hearing: Budget Amendment Request to the Department of Economic Development for Grant #13-CIS-106, a Community Development Block Grant (Advertised Time: 5:30 p.m.)

**Background:** This will amend the use of grant funds in the Comprehensive Investment and Stabilization Grant for the southeast quadrant of Wayne to be used for demolition and clean up of old structures and a restroom/storm shelter in East Park, and amend the City’s matching funds to be used for the replacement of old 4” water mains in the area north of Overin Field.

12. Resolution 2014-83: To approve and submit a Contract Amendment Request between the City of Wayne and the Nebraska Department of Economic Development for Community Development Block Group Grant #13-CIS-106 (2013 Phase II Comprehensive Investment & Stabilization Activities)

**Recommendation:** The recommendation of Nancy Braden, Finance Director, and Lowell Johnson, City Administrator, is to approve the Resolution to amend the use of funds.

13. Resolution 2014-84: Approving the specifications for the purchase of a new Wheel Loader and authorizing the City Clerk to advertise for bids

**Background:** \$220,000 for this capital purchase is approved in the 2014-2015 budget for the Street Department. We have two pay loaders, and this would replace the oldest of the two, which is a 25-year old Caterpillar.

**Recommendation:** The recommendation of Todd Hoeman, Street Foreman, and Lowell Johnson, City Administrator, is to approve the bid specs and begin the process of advertising for bids.

14. [Resolution 2014-85: Accepting and authorizing the execution of an Agreement for Services with JEO Consulting Group, Inc., for the engineering, design, bidding and limited construction services for the 2014-2015 Wayne Water Tower Repainting Project](#)

**Background:** Inspections show that there is enough paint loss occurring on the east water tower that it needs to be repainted for the preservation of the metal. We have asked JEO to assist to prepare a specification to bid out the work and to evaluate the bids we receive.

**Note:** Do you want to repaint with the words “Wayne America?”

**Recommendation:** The recommendation of Jeff Brady, Water/Wastewater Foreman, is to retain JEO to assist with the bidding process and work inspection.

15. [Ordinance 2014-30: Amending Wayne Municipal Code Chapter 6 - Alcoholic Beverages, Section 6-18 Hours of Sale](#)

**Background:** The proposed amendments would allow the on and off sale of liquor from 6 a.m. to 2 a.m. every day in Wayne.

16. [Discussion on whether or not to continue or discontinue electric incentives](#)

**Background:** Each year we have budgeted \$75,000 in the Electric Fund to be used as grant incentives for electric utility customers to replace old inefficient lighting systems, add insulation, replace AC units with heat pumps, and replace windows and doors and attic ventilation to help reduce peak electric loads in the summer. Until now, NPPD has reimbursed us for 75% of these incentives. Now that Wayne has given notice to NPPD that we intend to reduce our wholesale power purchases from them by 90% beginning in 2019, they have given Gene Hansen notice they will no longer reimburse these incentives.

**Question:** Do you want to continue high levels of incentives or any level of incentives without NPPD reimbursement?

17. [Action on Change Order No. 3 in the amount of \\$10,117.65 for the Highway 15 & 10<sup>th</sup> Street Intersection Project](#)

**Background:** These changes were to add more sidewalk, replace the portion of alley entrance on City right-of-way, and cover the grass seeding with a mulch mat to avoid erosion in hard rains. They were requested by either Joel or me during the project.

18. [Appointment of the following citizens to the Green Team:](#)

Aspen Pflanz, Bonnie Andersen, Christina Bargholz, Edith Zahniser, Jeaney Harris, Joan Sudmann, Joel Hansen, Kathleen Johs, Lois Shelton, Lowell Johnson, Matt Wachter, Monica Snowden, Nick Muir, Sadie Miller Sandy Brown, Scott Brummond, Sherry Dorman, Susan Wells, Todd Hoeman, Barbara Hayford, Michael Hull, and Shizuka Nakayama

19. [Action to Set Joint Meeting Date and Time with the Wayne County Board of Commissioners and the Wayne Municipal Airport Authority — Tuesday, October 14<sup>th</sup> at 5:30 p.m. in the North Meeting Room of the City Auditorium](#)

**Background:** The purpose of this joint meeting of elected officials is to discuss plans for the 857<sup>th</sup> Road bridge at the north end of the airport that was damaged by the October 2014 tornado. The bridge is now jointly owned by the City and the County.

20. [Discussion and Action on the Purchase of Ipads for Council usage](#)

**Background:** This transition from paper packets and hard copy information to Councilmembers has been discussed for a number of years. A Councilmember has asked staff to provide cost comparisons of the current printed paper system vs. the new lower cost electronic communications available and for an opportunity to discuss making this change.

21. [Action to approve being part of a joint letter with the School to the Department of Roads requesting a traffic safety study for crossing by the high school](#)

**Background:** After discussing a recent pedestrian injury accident at the pedestrian crossing light just west of 7<sup>th</sup> and Sherman Streets, the Mayor and School Superintendent have agreed that the NDOR needs to be a part of the discussion to improve the safety of that crossing. They wish to submit a joint letter requesting a safety study of that crossing signal and the N Hwy 35 corridor through Wayne, including the St. Mary's school crossing. The accident on Tuesday is the third pedestrian injury with that crossing signal since it was installed. There have also been seven rear end vehicle collisions at that crossing signal in the past 10 years.

Attached is a draft letter for your consideration.

22. [Action on a request to the Department of Roads to change the timing of the traffic lighting downtown](#)

**Background:** In 2004, the NDOR (Nebraska Department of Roads) traffic engineers proposed to eliminate both downtown traffic signals as part of their Main Street Repaving Project. After several community meetings, NDOR left the existing traffic signals in the design at the request of the community. NDOR controls the timing of those traffic signals, but accepts suggestions from the community. We have a request from a Councilmember to allow more traffic time for the Highway 15 traffic to clear some of the backup of trucks that occurs on busy days.

We contacted the NDOR District 3 Engineer, who responded with the following suggestions: “I have spoken with our Traffic Engineering to see what our options are. The best option would be to use the detection loops on the side streets to cycle the lights green for Highway 15 until a car comes on a side street and then provide green for them. There are no pedestrian push buttons on the signals though and they would have to be installed at the City expense to account for any pedestrians. The second option would be to add seven seconds to the Highway 15 leg. That is all they said they could squeeze out of the cycle time. That would still leave motorists stopping at a light with no side street traffic. Let me know which option, if either, you would like to pursue.”

There is concern by the downtown business owners about losing the traffic calming effect of the current traffic signals that creates a more pedestrian friendly downtown.

**Recommendation:** The recommendation of Lowell Johnson, City Administrator, is to try one of the options to help clear back up traffic, but still maintain some pedestrian friendly traffic calming for a six-month period and evaluate the results. Any decision made by the Council would still have to be approved by NDOR.

23. [Action regarding Blackhills Energy Franchise Agreement Notice](#)

**Background:** Wayne is nearing the end of a fifteen-year non-exclusive franchise agreement with Blackhills Energy to operate a natural gas system in Wayne. This agreement is set to automatically renew on April 11, 2015, for an additional five years unless notice is given for good cause by the City of Wayne at least 180 days prior to April 11, 2015. It is appropriate to allow Councilmembers or the public an opportunity for input before just letting the franchise agreement renew automatically.

24. [Adjourn](#)

APPROVED AS TO FORM AND CONTENT:

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Mayor

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City Administrator

**[Wayne Public Library Board of Trustees Minutes – July 1, 2014](#)**

September 16, 2014

The Wayne City Council met in regular session at City Hall on Tuesday, September 16, 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, Matt Eischeid, and Jill Brodersen; City Attorney Eric Knutson; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Kaki Ley.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on September 4, 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 September 2, 2014, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was 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 9/2/14:** DELETE ARDENT LIGHTING – SB COMPLEX LIGHTING \$284,877.25; THE GLASS EDGE- WINDOW REPLACEMENT \$1,558.00

**VARIOUS FUNDS:** AMERICAN LIBRARY ASSOC, FE, 198.00; AMERICAN PUBLIC POWER, FE, 1156.40; AMERITAS, SE, 2105.56; APPEARA, SE, 226.59; ARDENT LIGHTING GROUP, SE, 270633.39; BAKER & TAYLOR, SU, 1588.35; BANK FIRST, SE, 120.00; BARONE SECURITY SYSTEMS, SE, 138.00; BLACK HILLS ENERGY, SE, 6.73; CITY EMPLOYEE, RE, 165.78; BROWN SUPPLY, SU,

1550.11; CARHART LUMBER, SU, 621.73; CHARTWELLS, SE, 6997.04; CHILD SUPPORT, RE, 100.00; CITY OF WAYNE, RE, 300.00; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, PY, 60270.49; CITY OF WAYNE, RE, 1197.78; CLEAN TO A T, SE, 1300.00; COMMUNITY HEALTH, RE, 4.00; DANKO EMERGENCY EQUIPMENT, SU, 1680.00; DAVE'S DRY CLEANING, SE, 60.00; DEARBORN NATIONAL LIFE, SE, 1765.84; DUTTON-LAINSON, SU, 936.91; EAKES OFFICE PLUS, SE, 1132.23; EASYPERMIT POSTAGE, SU, 271.91; ECHO GROUP, SU, 1197.14; ELECTRONIC SYSTEMS, SU, 65.00; FAITH REGIONAL, SE, 90.00; FASTENAL, SU, 139.44; FIVE STAR ENTERPRISES, SU, 15.32; FREDRICKSON OIL, SE, 2780.01; FREDRICKSON TYRFIL, SU, 88.00; GERHOLD CONCRETE, SU, 132.75; GILL HAULING, SE, 155.00; GROSSENBURG IMPLEMENT, SU, 150.15; HARDING & SHULTZ, SE, 106.00; HAUFF MID-AMERICAN SPORTS, SU, 86.00; HAWKINS, SU, 36.00; HILLYARD/SIOUX FALLS, SU, 9.14; HOCKENBERGS, SU, 53.31; HOMETOWN LEASING, SE, 259.98; HTM SALES, SU, 5975.00; ICMA, SE, 6562.13; INDUSTRIAL TOOL, SU, 66.29; INGRAM BOOK COMPANY, SU, 40.26; INTERSTATE ALL BATTERY, SU, 131.85; IRS, TX, 22797.49; JASON CAROLLO, SE, 140.00; JENSEN CONSTRUCTION, SE, 3200.00; JOHNSON HARDWARE, SU, 47.51; CITY EMPLOYEE, RE, 627.66; KRIZ-DAVIS, SU, 951.48; KTCH, SE, 625.00; LANGEMEIER, WAYNE, SE, 525.00; LITE-FORM TECHNOLOGIES, SU, 333.36; MARCO, SE, 126.36; MATHESON TRI-GAS, SU, 502.64; MIDWEST LABORATORIES, SE, 258.35; MIDWEST STORAGE SOLUTIONS, SE, 1318.00; NNEDD, SE, 90.00; CITY EMPLOYEE, RE, 125.07; NE DEPT OF REVENUE, TX, 3273.97; NE LIBRARY COMMISSION, SE, 1284.00; NE NEB INS AGENCY, SE, 591.00; NE SAFETY COUNCIL, SE, 8.89; NPPD, SE, 343059.65; NNPPD, SE, 16694.12; NORTHEAST TIRE SERVICE, SE, 126.48; ONE CALL CONCEPTS, SE, 78.35; PAC N SAVE, SU, 105.20; CITY EMPLOYEE, RE, 58.14; PHP SALES, SU, 288.00; PUSH-PEDAL-PULL, SU, 14.40; QUILL, SU, 521.93; RANDOM HOUSE, SU, 73.75; REHAB SYSTEMS, SE, 4855.00; ROBERT WOEHLE & SONS, SE, 36241.92; S & S WILLERS, SU, 780.97; SPARKLING KLEAN, SE, 1706.68; STADIUM SPORTING GOODS, SE, 100.00; STANTON COMMUNITY CLUB, RE, 80.00; STATE NEBRASKA BANK, SE, 82996.18; STATE NEBRASKA BANK, RE, 418.12; STEFFEN, SE, 518.21; THE GLASS EDGE, SE, 1558.00; TODD VALLEY FARMS, SU, 568.50; UNITED COMMUNICATIONS, SE, 640.00; UPSTART, SU, 20.95; VIAERO, SE, 127.47; WASTE CONNECTIONS, SE, 73.36; WASTECAP NEBRASKA, FE, 250.00; WAYNE COUNTY CLERK, SE, 1327.00; WAYNE VETERINARY CLINIC, SE, 271.46; WESCO, SU, 266.25; WAPA, SE, 33387.89; YOUNG, BILL, SU, 200.00

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, to approve the claims. 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.

Phil Monahan, Fire Chief, requested Council consideration to approving the membership application of Alison Fler to the Wayne Volunteer Fire Department.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to approve the membership application of Alison Fler to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, requested Council consideration to approving the membership application of Rylee Bessmer to the Wayne Volunteer Fire Department Cadet Program.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, to approve the membership application of Rylee Bessmer to the Wayne Volunteer Fire Department Cadet Program. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would approve a Mutual Aid Agreement between the City of Wayne Fire Department and the Elkhorn Valley Mutual Aid Association.

Phil Monahan and Sean Pearcy of the Wayne Volunteer Fire Department reviewed the agreement and were in favor of approving the same.

Councilmember Sievers introduced Resolution No. 2014-76 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2014-76

A RESOLUTION APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF WAYNE AND THE ELKHORN VALLEY MUTUAL AID ASSOCIATION.

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

Discussion took place concerning parking restrictions in the Western Ridge Subdivision. Phil Monahan, Fire Chief, was present and shared his concerns regarding safety and the ability to maneuver fire trucks in that subdivision in an emergency. He recommended parking on one side only. An ordinance would be brought forward at the next meeting for Council consideration. Administrator Johnson stated a letter would also be sent to the residents in Western Ridge to inform them of this upcoming change.

A request was made by Anthony Cantrell to close off the east end of 10<sup>th</sup> Street from Providence Road to Hillside Drive for an electric vehicle car rally on Saturday, September 27, 2014, from 11:00 a.m. until 5:00 p.m.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving the request of Anthony Cantrell to close off the east end of 10<sup>th</sup> Street from Providence Road to Hillside Drive for an electric vehicle car rally on Saturday, September 27, 2014, from 11:00 a.m. until 5:00 p.m.. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2014-26, and moved for approval of the third and final reading thereof; Councilmember Eischeid 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.

Councilmember Muir advised the Council that he had a concern with this area being in the wellhead protection area for Well No. 6. The water from the aquifer draws from that area. As it sits in A-1, there can currently be four wells placed on 10 acre plots if they were to replat it. Changing it to A-2, there could be a potential, if replatted down to 2.5 acre plots, for up to 16 wells drilled in this area. He wanted to make sure the City was not losing all control in that area. However, he has confirmed that if the property owners want this area replatted, it would have to come before Council for approval.

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

The following Resolution is a requirement by the Nebraska Department of Roads when a state highway will be closed for a celebration/parade. This Resolution pertains to the Annual Christmas on Main Street – Parade of Lights to be held on December 4, 2014.

Councilmember Sievers introduced Resolution No. 2014-77 and moved for its approval; Councilmember Giese seconded.

#### RESOLUTION NO. 2014-77

#### A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF ROADS REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

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

Irene Fletcher, representing Wayne Area Economic Development, Inc., was requesting Council consideration to prohibit parking on Main Street from 1<sup>st</sup> Street to 4<sup>th</sup> Street and to allow 3<sup>rd</sup> Street from Main Street west to the alley, not including the intersections, to be blocked off from 5:30 p.m. until 7:30 p.m. for the Christmas on Main Celebration/Annual Parade of Lights Event to be held on Thursday, December 4<sup>th</sup>.

Councilmember Muir made a motion, which was seconded by Councilmember Giese, approving the request of Wayne Area Economic Development to prohibit parking on Main Street from 1<sup>st</sup> Street to 4<sup>th</sup> Street and to allow 3<sup>rd</sup> Street from Main Street west to the alley, not including the intersections, to be blocked off from 5:30 p.m. until 7:30 p.m. for the Christmas on Main Celebration/Annual Parade of Lights Event to be held on Thursday, December 4<sup>th</sup>. Mayor Chamberlain stated the motion, and the result of roll

call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Roger Protzman of JEO Consulting Group was present to review their proposal on the Biosolids Handling Improvement Project Agreement. In addition, he went over the study or report on the biosolids project.

This engineering agreement will perform three tasks:

- Design and construct a belt press treatment plant and two holding reservoirs for sludge;
- Prepare a preliminary design for a gray water re-use system to return some of the treated water going to Logan Creek; and
- Prepare a preliminary design concept for sunscreens over the final clarifiers to reduce the amount of algae growing.

The estimated cost of the sludge handling tanks and belt press is \$1.8 million.

The other option to a belt press is a downsized lagoon that will still have odor and will need to be pumped out every other year. This is also evaluated in the biosolids report.

Jeff Brady, Water/Wastewater Foreman, stated he preferred to keep the lagoon, but cut it down to 6 acres. The remaining 15 acres could be used to apply the sludge, which would eliminate the need to find ground upon which to apply the sludge. In addition, snow could be dumped or piled on that ground. However, this would not eliminate the odor. There is also a concern that to run the belt press would mean the employees would have to get a higher certification.

Doug Echtenkamp, Water/Wastewater employee, stated his opinion depended upon what the Council wanted to do with the land. If they wanted to sell the land and develop it, then the belt press was the way to go.

Mayor Chamberlain stated Council's decision is do you want the extra six acres of property and the odor to go away, or do you want to keep the lagoon which ties up the six acres.

Administrator Johnson had a concern about the compensation amount being referred to as "estimated." He would like to see this as a "not to exceed" number or to be able to go back through the accounting that the Lincoln office used to arrive at their total number. He wants to see the hours worked at those rates to make sure that they have burned through everything they said they were going to do.

Mr. Protzman stated the Council can amend the contract which he will take back to Lincoln for approval.

Councilmember Eischeid introduced Resolution 2014-78, and moved for its approval with the amendment that the contract amount be a sum not to exceed \$227,610; Councilmember Sievers seconded.

#### RESOLUTION NO. 2014-78

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AGREEMENT WITH JEO CONSULTING GROUP, INC., FOR PROFESSIONAL SERVICES FOR THE WAYNE BIOSOLIDS HANDLING IMPROVEMENT PROJECT.

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

Mayor Chamberlain declared the time was at hand for the public hearing on the proposed FY 2014-2015 budget.

The total of the FY 2014-2015 budget is \$31,777,128. The property tax proposal for the General Fund operation is \$680,600, which compares to the 2013 tax asking of

\$664,200. Pursuant to State Law, the maximum levy for a municipality is \$0.45 per \$100 of property valuation. When combined with the debt service asking, the combined amount for the proposed budget year is \$762,600 or \$.398342 per \$100 of property valuation. The valuation in the community, as reported by the County Assessor for 2014 is \$191,443,581, which is up \$5,939,286 from last year.

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

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

Councilmember Sievers introduced Ordinance 2014-27, and moved for its approval; Councilmember Giese seconded.

#### ORDINANCE NO. 2014-27

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; 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 Ley who was absent, the Mayor declared the motion carried.

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

Councilmember Giese made a motion and Councilmember Sievers seconded to move for final approval of Ordinance No. 2014-27. Mayor Chamberlain stated the

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

The base year started in 1998. The restricted funds are the property taxes, payments in lieu of property taxes, local option sales taxes, motor vehicle taxes, state aid, transfers of surpluses from any user fee, and any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements, but which were not spent and are not expected to be spent for capital improvements. Cities are given the opportunity to increase the base limitation of the restricted funds budget by 1%. The State Auditor is also recommending that entities pass this 1% increase. This increases our base number we can use for our restricted fund revenues.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, approving the allowable 1% increase in base limitation of the restricted funds budget. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

Councilmember Giese introduced Resolution 2014-79, and moved for its approval; Councilmember Sievers seconded.

#### RESOLUTION NO. 2014-79

A RESOLUTION TO ADOPT THE 2014-2015 BUDGET FOR THE CITY OF WAYNE.

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

Mayor Chamberlain declared the time was at hand for the public hearing regarding the tax asking/property tax levy.

To support the proposed general operating and debt service budgets for the City and the Airport Authority, a total property tax levy of \$.450816 per hundred dollars of property value is included. The levy equates to a tax request of \$863,070. Last year's tax levy was \$.402255 per hundred dollars of valuation; this year it is \$.398342, excluding the airport.

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

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

The following Resolution would approve the final property tax request of \$762,600. This Resolution does not include the airport levy.

Councilmember Muir introduced Resolution 2014-80, and moved for its approval; Councilmember Brodersen seconded.

#### RESOLUTION NO. 2014-80

A RESOLUTION APPROVING FINAL PROPERTY TAX REQUEST FOR FY 2014-2015.

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

Finance Director, Nancy Braden, reviewed the sales tax projects and potential projects funded by the city sales tax discussed at the budget work session. The sidewalk project connecting Overin Field with the Summer Sports Complex needed to be deleted from the worksheet.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving the capital project's city sales tax budget. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried.

The following Resolution would direct the City Clerk to file a lien against 810 Brooke Drive for the cost of work hired by the City to abate a violation of City Code after proper notice was given to the property owner.

Councilmember Sievers introduced Resolution No. 2014-81 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2014-81

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON LOT 10 AND LOT B ADMINISTRATIVE SUBDIVISION OF LOT 11, BLOCK 3, VINTAGE HILL 2<sup>ND</sup> ADDITION, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 810 BROOKE DRIVE, WAYNE, NEBRASKA.

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

Councilmember Giese introduced Resolution No. 2014-63 and moved for its approval; Councilmember Sievers seconded.

#### 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."

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

Council reviewed the fee schedule. The following changes were made:

**Pool**

Family Ticket	\$	95.00	105.00
Pre-Season Discount	\$	85.00	95.00
Individual Ticket	\$	55.00	60.00
Pre-Season Discount	\$	50.00	55.00
Daily Admissions - Over 12	\$	4.50	5.00
Ages 6-12	\$	3.50	4.00
Age 5 and below	\$	3.00	3.00
Swimming Lessons	\$	30.00	35.00
Swimming Parties	\$	75.00	85.00

**Activity Center**

Family	\$	268.49	300.00
Adult Married Couple	\$	207.46	230.00
Single Adult	\$	152.55	170.00
Senior Married Couple	\$	99.72	110.00
Single Senior	\$	74.77	85.00
College			
Year	\$	104.69	120.00
9-months	\$	86.66	100.00
Semester	\$	61.50	70.00
College Married Couple	\$	166.15	185.00
High School (Grades 9-12)	\$	88.39	100.00
Middle School (Grades 5-8)	\$	71.27	80.00
Elementary School (Grades K-4)	\$	55.00	65.00
Punch Card (10 visits)	\$	31.95	36.00
Punch Card (5 visits)	\$	21.30	24.00

**CORPORATE RATES**

Family			
6 - 25 Members	\$	246.46	275.00
26+	\$	235.28	260.00
Adult Couple			
6 - 25 Members	\$	192.22	215.00
26+	\$	186.63	210.00
Adult Single			
6 - 25 Members	\$	141.18	160.00
26+	\$	132.79	150.00

Council wanted to review all rec fees once a full-time Recreation Director has been hired.

Councilmember Eischeid introduced Resolution No. 2014-73 and moved for its approval as amended; Councilmember Sievers seconded.

RESOLUTION NO. 2014-73

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES.

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

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Ley who was absent, the Mayor declared the motion carried and the meeting adjourned at 7:14 p.m.

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CLAIMS LISTING OCTOBER 7, 2014

FISCAL YEAR 2013-2014

ABDO PUBLISHING COMPANY	BOOKS	126.65
AMAZON.COM, LLC	DVDS/TABLE/VAC/BAGGIES	385.22
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	1,904.18
APPEARA	LINEN & MAT SERVICE	168.67
ARNIE'S FORD-MERCURY INC	ALIGNMENT	65.33
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	101.88
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
BLACK HILLS ENERGY	GAS BILLINGS	186.78
BLACKBURN MANUFACTURING	FLAGS	342.82
BOMGAARS	BATTERIES/TOWELS/ROPE/PUMP ETC	3,150.63
CITY EMPLOYEE	VISION REIMBURSEMENT	208.35
CITY EMPLOYEE	HEALTH REIMBURSEMENT	41.54
CITY EMPLOYEE	VISION REIMBURSEMENT	56.75
BROWN PLUMBING	BALL VALVE/ADAPTERS/LABOR	486.25
BROWN SUPPLY CO	PIPES/COUPLINGS	932.55
CARROT-TOP INDUSTRIES	FLAG	112.44
CENTURYLINK	TELEPHONE CHARGES	315.26
CHARTWELLS	SENIOR CITIZEN MEALS	6,549.18
CHILD SUPPORT	CS 2962478	100.00
CITY OF WAYNE	AUDITORIUM DP REFUND	600.00
CITY OF WAYNE	BUILDING PERMIT DEPOSIT REFUND	350.00
CITY OF WAYNE	MEN'S SLOW PITCH	600.00
CITY OF WAYNE	PAYROLL	60,606.41
CITY OF WAYNE	WAED HEALTH REIMBURSEMENT	13.84
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
COUNTRY NURSERY INC	AIRPORT/SB COMPLEX TREES	6,285.00
CREATIVE DISPLAYS, INC	CHRISTMAS LIGHTS	455.75
DE LAGE LANDEN FINANCIAL	SR CENTER COPIER LEASE	77.00
DGR & ASSOCIATES CO	RELAY SERVICES	1,496.00
DUGAN BUSINESS FORMS	10,000 A/P CHECKS	517.80
DUTTON-LAINSON COMPANY	FUSE LINK/MEASUREMENT LEVEL	638.45
EASYPERMIT POSTAGE	POSTAGE	1,000.00
ECHO GROUP INC JESCO	HOIST CONTACTOR/SWITCH/CLAMP	629.48
ED. M FELD EQUIPMENT CO	AIRPACK HYDROTEST/FILTER	266.00
EMPLOYERS MUTUAL CASUALTY	WORK COMP	254.40
FIRST CONCORD GROUP LLC	FLEX	3,331.64
FLOOR MAINTENANCE	VACUUM REPAIRS/MOPS/CLEANER/PLATES	596.62
FRANCES POEHLMAN	ENERGY INCENTIVE	500.00
GALE GROUP	BOOKS	115.65
GEMPLER'S INC	PICK UP TOOLS/GLOVES	228.40
GERHOLD CONCRETE CO INC.	SAW BLADE/CONCRETE/SAND/GRAVEL	1,361.91
GROSSENBURG IMPLEMENT INC	CHAIN LINK/OIL/FILTERS/BLADE	264.03

H.K. SCHOLZ COMPANY	RELAY SETTING MODIFICATION	1,043.50
HTM SALES INC	LIFT STATION/WELL COMMUNICATIONS	18,141.92
HUBER TECHNOLOGY INC	VERTICLE SCREEN BAGS	240.00
ICMA RETIREMENT	ICMA RETIREMENT	6,701.31
INTERSTATE BATTERY	BATTERIES	257.90
IRS	FEDERAL WITHHOLDING	22,566.00
JACK'S UNIFORMS	EQUIPMENT-NEW PATROL VEHICLE	6,937.41
JEO CONSULTING GROUP	AQUATIC STUDY	3,122.50
JOHN'S WELDING AND TOOL	TORNADO BENCH REPAIRS/MOWER PARTS	882.36
KATHOL TURF	GRASS & INSTALLATION	609.71
KELLY SUPPLY COMPANY	FLANGE/GASKETS	202.67
KRIZ-DAVIS COMPANY	AC CONTROL RELAY	154.44
L.G. EVERIST	ROCK	1,749.44
LAYNE CHRISTENSEN CO	PUMP & WELL MAINTENANCE TESTS	1,489.05
LUMBERMENS BRICK & SUPPLY	STRAW BLANKET	840.00
LYNN PEAVEY CO	TEST KITS	549.55
MAIN STREET AUTO CARE	TOWING	90.00
MES-MIDAM	9 VOLT BATTERIES-PANCAKE FEED	500.00
MICHAEL TODD & CO INC	CHANNEL POSTS	837.50
MUNICIPAL SUPPLY INC	VALVE OIL/COUPLINGS	2,478.07
N.E. NEB ECONOMIC DEV DIS	WRLF SERVICES	75.00
NE NEB INS AGENCY INC	INSURANCE	1,581.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,210.56
NE PUBLIC HEALTH	COLIFORM TESTING	61.00
NE SALT & GRAIN CO	DEICER	1,760.85
NEBRASKA HOIST LLC	PENDANT - SHOP HOIST	145.30
NORFOLK SPORTING GOODS	JR FIRE PATROL TROPHIES	44.10
NORTHEAST LIBRARY SYSTEM	ANNUAL MEETING	25.00
NORTHEAST NE RED CROSS	PAYROLL DEDUCTIONS	118.48
NORTHEAST NE PUBLIC POWER	ELECTRICITY	4,263.00
NWEA	REGISTRATION-BRADY/JUNCK	360.00
OLSSON ASSOCIATES	GRANDSTAND ASSESSMENT	1,986.53
PAC N SAVE	AFTERSCHOOL SUPPLIES/CLOTH	267.74
CITY EMPLOYEE	HEALTH REIMBURSEMENT	348.88
PHIL CHALMERS	HOMICIDE TRAINING	250.00
PUSH-PEDAL-PULL	SEAT SLEEVE REPAIR	178.80
QUILL CORPORATION	OFFICE SUPPLIES	33.20
CITY EMPLOYEE	SAFETY BOOTS	145.51
SIOUX CITY WINSUPPLY	METER COUNTER	76.59
SIOUX SALES COMPANY	4 PATROL RIFLES	3,500.00
SIOUXLAND HYDRAULIC INC	RESEAL CYLINDAR/SEAL KIT	313.85
SIOUXLAND TURF PRODUCTS	FERTILIZER	1,317.00
STADIUM SPORTING GOODS	UNIFORM CLOTHING/EMBROIDERY	658.98
STATE NEBRASKA BANK	LIBRARY PETTY CASH	83.63
T & S TRUCKING	TRANSPORT ROCK	633.28
TOM JACOBSEN	7 ENERGY INCENTIVES	3,500.00
ULINE	BUBBLE MAILER	102.96

UNITED WAY	PAYROLL DEDUCTIONS	12.40
US BANK	BATTERY BACKUPS/PRINTER/CAMERAS/TV ETC	3,396.25
UTILITIES SECTION	BACKFLOW WORKSHOP	80.00
VERIZON WIRELESS SERVICES	CELL PHONES	97.97
WAYNE COUNTY CLERK	FILING FEES	138.00
WAYNE COUNTY TREASURER	VEHICLE REGISTRATION	459.14
WAYNE HOSPITALITY	PARTIAL TIF INTEREST	21,701.72
WAYNE VETERINARY CLINIC	CAT & DOG IMOUNDS	350.00
WESCO DISTRIBUTION INC	MARKING PAINT/LEVER/SOCKET/BALLAST	2,088.04
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	48.14
ZEE MEDICAL SERVICE CO	FIRST AID SUPPLIES	76.68

FISCAL YEAR 2014-2015

AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,264.84
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	90.00
CHILD SUPPORT	CS 2962478	100.00
CITY OF WAYNE	PAYROLL	61,907.73
CITY OF WAYNE	UTILITIES REFUNDS	302.12
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
ICMA RETIREMENT	ICMA RETIREMENT	6,752.31
IRS	FEDERAL WITHHOLDING	22,689.98
NE DEPT OF REVENUE	STATE WITHHOLDING	3,190.75

DELETE FROM CLAIMS 5/6/14

NE NEB RED CROSS - PAYROLL DEDUCTIONS \$59.24 (REISSUES 9/30/14)



# Knights of Columbus

INTELLECTUAL DISABILITIES FOUNDATION  
OF NEBRASKA, INC.



## A PROCLAMATION

WHEREAS, the quality of life is important to all members of our community, including children and adults with Intellectual disabilities;

AND WHEREAS, the Knights of Columbus is a Charitable and Fraternal Organization that promotes the dignity and welfare of citizens with intellectual disabilities;

NOW, THEREFORE, I Ken Chamberlain, Mayor

of the City of Wayne, do hereby proclaim

the week of October 5-11, 2014 as

### SUPPORT CITIZENS WITH INTELLECTUAL DISABILITIES WEEK

in our fair city, and call upon all of our citizens to support the Knights of Columbus in this most worthwhile and humanitarian effort for children and adults with intellectual disabilities and their families.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City.

  
\_\_\_\_\_

Mayor

**ORDINANCE NO. 2014-28**

**AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE CHAPTER 78, ARTICLE III, SECTION 78-128 RELATING TO PARKING; PROHIBITED PARKING; NORTHWEST QUADRANT OF THE CITY; 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 78, Article III, Section 78-128 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-128 PARKING; PROHIBITED PARKING; NORTHWEST QUADRANT OF THE CITY.

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

1. The south side of the centerline of Westwood Road from the west line of Sherman Street west to the city limits.
2. The north side of the centerline of Crescent Drive from the west line of Sherman Street west to the point where Crescent Drive turns north and then on the east side of the centerline north to the south line of Westwood Road.
3. The south side of the centerline of Fairacres Road from the west line of Sherman Street west to the city limits.
4. The east side of the centerline of Meadow Lane from the north line of Westwood Road north to the city limits.
5. The east side of the centerline of Lawndale Drive from the north line of Fairacres Road north to the south line of Westwood Road.
6. The east side of the centerline of Sunset Drive from the north line of Fairacres Road north to the south line of Westwood Road.
7. The north side of the centerline of West 13<sup>th</sup> Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
8. The south side of the centerline of West 13th Street from the west line of Main Street west to the east line of Lincoln Street.
9. The north side of the centerline of West 12th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
10. The south side of the centerline of West 12th Street from the west line of Main Street west to the east line of Sherman Street.

11. The north side of the centerline of West 11th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
12. The south side of the centerline of West 11th Street from the west line of Main Street to the east line of Sherman Street.
13. The south side of the centerline of West 10<sup>th</sup> Street from the west line of Main Street west to the east line of Sherman Street.
14. The south side of the centerline of West 9<sup>th</sup> Street from the west line of Main Street west to the east line of Lincoln Street; thence from the west line of Douglas Street west to the east line of Sherman Street.
15. The south side of the centerline of West 8<sup>th</sup> Street from the west line of Main Street to the east line of Sherman Street.
16. The north side of the centerline of West 7<sup>th</sup> Street from the west line of Main Street west to the city limits.
17. The east side of the centerline of Sherman Street from the north line of West 7<sup>th</sup> Street north to the city limits.
18. The east side of the centerline of Douglas Street from the north line of West 7<sup>th</sup> Street north to the south line of Park Street.
19. The west side of the centerline of Douglas Street from the north line of Park Street south to the north line of West 13<sup>th</sup> Street.
20. The east side of the centerline of Lincoln Street from the north line of West 7<sup>th</sup> Street to the north line of Park Street.
21. The west side of the centerline of Lincoln Street from the south line of Park Street south to a point 150 feet south of the south line of West 13<sup>th</sup> Street.
22. The east side of the centerline of Pearl Street from the north line of West 7<sup>th</sup> Street north to the south line of West 13<sup>th</sup> Street.
23. The north side of the centerline of Park Street from the east line of Lincoln Street west to the west line of Douglas Street.
24. The south side of the centerline of Park Street from the west line of Lincoln Street west to the east line of Douglas Street.
25. The south side of the centerline of West 13<sup>th</sup> Street from the west line of Douglas Street west to the east line of Sherman Street.
26. The west side of the centerline of Main Street from the north line of East 7<sup>th</sup> Street north to the south line of East 14<sup>th</sup> Street.
27. The west side of the centerline of Sherman Street from the north line of West 7<sup>th</sup> Street north for a distance of 100 feet.

28. The east side of the centerline of Haas Avenue from the north line of West 7<sup>th</sup> Street north to the east line of Neihardt Avenue.
29. The east side of the centerline of Neihardt Avenue from the north line of Wightman Circle north to the south line of Bressler Court.
30. The south side of the centerline of Neihardt Avenue from the north line of Bressler Court west to the east line of Brookdale Drive.
31. The east side of the centerline of Brookdale Drive from the north line of Haas Avenue north to the south line of Neihardt Avenue.
32. The south side of the centerline of LaPorte Street from the west line of Brookdale Drive west to the city limits.
33. All of Wightman Circle from the east line of Neihardt Avenue to and including the entire cul-de-sac.
34. All of Savidge Court from the east line of Neihardt Avenue to and including the entire cul-de-sac.
35. All of Bressler Court from the east line of Neihardt Avenue to and including the entire cul-de-sac.
36. The east side of the centerline of Pheasant Run Road from the north line of West 7<sup>th</sup> Street north to the city limits.
37. The west side of the centerline of Pheasant Run Road from the north line of West 7<sup>th</sup> Street north to the city limits.
38. The east side of the centerline of Milo Drive from the north line of West 7<sup>th</sup> Street north to the city limits.
39. The west side of the centerline of Milo Drive from the north line of West 7<sup>th</sup> Street north to the city limits.

Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

Section 2. Any and all provisions of the Wayne Municipal Code in conflict with this Ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication according to law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**ORDINANCE NO. 2014-29**

**AN ORDINANCE TO AMEND SECTION 78-129 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHWEST QUADRANT OF THE CITY; 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 78, Article III, Section 78-129 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-129 PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHWEST QUADRANT OF THE CITY.

- (a) No person shall, at any time, park a vehicle between the hours of 12:00 midnight and 5:00 a.m. upon any of the following described streets or parts of streets:
1. The north side of the centerline of West 13th Street from the north-south alley between Main Street to the east line of Lincoln Street.
  2. The north side of the centerline of West 13th Street from the west line of Douglas Street to the east line of Sherman Street.
  3. The north side of the centerline of West 12th Street from the west line of the north-south alley between Main Street and Pearl Street west to the east line of Sherman Street.
  4. The north side of the centerline of West 11<sup>th</sup> Street from the north-south alley between Main Street and Pearl Street west to the east line of Sherman Street.
  5. The north side of the centerline of West 10<sup>th</sup> Street from the west line of Main Street to the east line of Sherman Street.
  6. The north side of the centerline of West 9<sup>th</sup> Street from the west line of Main Street to the east line of Lincoln Street.
  7. The north side of the centerline of West 9<sup>th</sup> Street from the west line of Douglas Street to the east line of Sherman Street.
  8. The north side of the centerline of West 8<sup>th</sup> Street from the west line of Main Street to the east line of Sherman Street.
  9. The west side of the centerline of Pearl Street from the north line of West 7<sup>th</sup> Street north to the city limits.
  10. The west side of the centerline of Lincoln Street from the north line of West 7<sup>th</sup> Street north to a point 150 feet south of the south line of West 13th Street.
  11. The west side of the centerline of Douglas Street from the north line of West 7<sup>th</sup> Street north to Park Street.
  12. The west side of the centerline of Sherman Street from the north line of West 7<sup>th</sup> Street to the city limits.
  13. The south side of the centerline of Fairacres Road from the west line of Sherman Street west to the city limits.

14. The north side of the centerline of Crescent Drive from the west line of Sherman Street west to the point where Crescent Drive turns north and then on the west side of the centerline north to the south line of Westwood Road.
15. The north side of the centerline of Westwood Road from the east line of Sherman Street west to the city limits.
16. The west side of the centerline of Lawndale Drive from the north line of Fairacres Road north to the south line of Westwood Road.
17. The west side of the centerline of Sunset Drive from the north line of Fairacres Road north to the south line of Westwood Road.
- 18. The west side of the centerline of Haas Avenue from the north line of West 7<sup>th</sup> Street north to the west line of Neihardt Avenue.**
- 19. The west side of the centerline of Neihardt Avenue from the north line of Wightman Circle north to the north line of Bressler Court.**
- 20. The north side of the centerline of Neihardt Avenue from the north line of Bressler Court west to the north line of LaPorte Street.**
- 21. The west side of the centerline of Brookdale Drive from the north line of Haas Avenue north to the south line of LaPorte Street.**
- 22. The north side of the centerline of LaPorte Street from the north line of Neihardt Avenue west to the city limits.**

- (b) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this \_\_\_\_ day of October, 2014.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



August 28, 2014

Lowell D. Johnson, City Administrator  
City of Wayne  
PO Box 8  
Wayne, NE 68787

RE: Damage Assessment of Grandstand  
Hank Overin Field  
4<sup>th</sup> & Windom Street  
Wayne, Nebraska  
Olsson Project 014-2181

Dear Mr. Johnson,

At your request, Olsson Associates was asked to provide a structural assessment and make recommendations for repair to the grandstand at Hank Overin Field that was damaged by a recent storm. I performed an inspection of the grandstand on August 19, 2014 in the presence of Zac Brown, Interim Recreational Director for the City of Wayne. Also present during a portion of the inspection was Mayor Ken Chamberlain, City Building Official Joel Hansen, and several other interested parties associated with the ball park.

The storm occurred on June 30<sup>th</sup>. A large tree to the west of the grandstand fell atop the west end of the grandstand and an adjacent storage building. The tree, a segment of the grandstand roof and the adjacent top railing has been completely removed from the premises.

The grandstand is mainly of conventional wood-framed construction with three distinct segments in a pie-shaped configuration. The southwest roof segment was impacted and removed. The two remaining roof segments are still in place but have suffered damage. The roof is supported by twelve wood columns attached to the grandstand seating. A press box is located at the top of the center segment of the grandstand. A plan view of the grandstand with location of the grandstand and columns is attached for your reference.

The backside of the grandstand has a half basement used for storage. The basement construction consists of cast-in-place concrete walls and floor. The concrete walls are the foundation for the back half of the grandstand. Foundation for the front edge of the grandstand was not visible, but is thought to be either a concrete wall and/or footings.

There is a storage building adjacent to the grandstand on the southwest and a restroom/concession building adjacent to the grandstand on the northeast. Their construction consists of concrete block walls and simple wood framing for the roof. Refer to the attached Photos 1- 6 for the general layout of the grandstand and adjacent buildings.

Besides the missing roof of the southwest segment, it was quite apparent that significant damage has occurred in the roof of the two remaining segments. The entire remaining roof is racked and

detached from the rest of the grandstand. A description of the observed damage is indicated at various locations below:

Column 1 (Photos 7-8)

The roof has separated from the top of the column and is displaced approximately 2 ½ inches to the north. The top plate is broken and several roof joist connections to the west of the column have been compromised.

Column 2 (Photos 9-10)

The roof has separated from the top of the column and is displaced approximately 1 ½ inches to the north. The beam to the west is splintered and has a large bow due to the racking of the roof to the north. The roof beam to column connection and roof joist connections to the west have been compromised.

Column 3 (Photos 11-12)

The roof is still connected to the top of the column; however, the connections at and near the column have been compromised. The knee brace is slightly disconnected and is rotted at the connection to the column. The 2x connector at the base of the column is splintered. The column is leaning ¾ inches in 4 feet when using a level in both the N-S and E-W directions.

Column 4 (Photo 13)

The column could not be visually inspected; however, the press box to the west has detached from the roof and wall by evidence of a large gap at the top and rotation of the floor.

Column 5 (Photos 14-15)

The roof is still connected to the top of the column; however, the connections at and near the column have been compromised. The roof beam to the east is splintered and severely bowed as previously noted near Column 2. The knee brace connections have also been compromised. The column is plumb in the E-W direction but leaning 1 ¼ inches in 4 feet in the N-S direction when using a level.

Column 6 (Photos 16-18)

The column is splintered at the knee brace level and severely bowed out-of-plumb. All connections at the top of column and surrounding area are severely compromised. The knee braces have broken and have significant rot at their attachment to the column. The 2x connector at the base of the column is splintered.

Column 7 (Photos 19-20)

The roof has separated from the top of the column and is displaced approximately 7-8 inches to the south. The top plate is broken and several roof joist connections to the east of the column have been compromised. Rot in some of the members was also detected. The press box to the west has detached from the roof and wall by evidence of a large gap at the top and rotation of the floor. The column is plumb in the E-W direction but leaning ¾ inches in 4 feet in the N-S direction when using a level.

Column 8 (Photos 21-22)

The column is splintered at the grandstand level. All connections at the top of column and surrounding area are broken or severely compromised. The knee brace is also splintered and has

significant rot at its attachment to the column. The roof beam to the east is severely damaged. The column is plumb in the E-W direction but leaning 3/4 inches in 4 feet in the N-S direction when using a level.

Column 9 (Photo 23)

This column was severely damaged and was removed at the grandstand level. The roof above is unsupported and is displaced downward as a result. Roof beams in two directions have been compromised beyond repair.

Column 10 (Photo 24)

This column is still in place and is plumb. Evidence of rot in the column at previous connections of the roof framing was detected.

Column 11 (Photo 25)

The column was broken off at the grandstand level and has been removed above. Rot in the remaining portion of the column was noticeable.

Column 12 (Photos 26-28)

This column has been completely removed including the base connection. The entire railing from Column 10 to Column 12 has been severely damaged and has detached from the grandstand.

Basement (Photos 29-32)

The underside of the grandstand could only be partially viewed from one location. The framing for the seating was replaced and/or restored approximate 15-20 years ago, but attached to the original wall framing and columns. Although the framing for the seating appeared intact and structurally sound, Olsson Associates has some concern with rotting at connections with the original framing, similar to that previously noted above the grandstand.

Significant rotting of the back sidewall framing that supports the grandstand was found. The sill plate was severely rotted and actually missing for approximately 12 feet. In several locations the wall studs pushed through the rotted sill plate and bear directly on the concrete foundation wall. The base of all exposed studs was severely rotted. The rotting is caused by direct expose from the grandstand above as well as the outside grade being above the top of the concrete foundation wall. A level placed against the back wall of the grandstand near the impacted area revealed the wall was out-of-plumb by as much as 1 ¼ inches in four feet. The interior stud wall on the concrete foundation near the center of the grandstand could not be visually inspected; however, Olsson believes similar rotting is likely along the base.

The concrete foundation wall and the floor are in satisfactory condition and structurally stable. However, some larger cracks allow infiltration of water resulting in a very damp condition. Any reuse of the basement would require waterproofing, extension of the concrete walls above grade, and meeting ADA requirements.

Miscellaneous (Photo 33)

The steel railing in front of the grandstand has been impacted and damaged.

Storage Building (Photos 34-36)

The northeast corner of the storage building was impacted by either the tree or the collapsed portion of the grandstand roof. Inspection of the concrete block walls did not reveal any damage and they were deemed structurally sound. The northeast corner of the roof was significantly damaged, but the majority of the roof was still intact and structurally stable. Repairs to the storage building roof can be easily repaired by a competent carpenter to restore the structural integrity of the building.

Restroom/Concession

This building was found to be structurally sound with no damage caused by the storm. It was noticed that the building does not meet several ADA standards and should be reviewed by an architect for possible upgrades. Should the grandstand be repaired and/or replaced, the restrooms should be brought up to current ADA standards.

Conclusion and Recommendations

The grandstand is structurally unstable and is in an unsafe condition. The grandstand should be properly close off to general public use. Any access on the grandstand should be limited and any work should be performed cautiously for possible collapse and falling objects.

Because of the current condition of the grandstand roof, the racking of the plane of the roof, compromised connections of framing members, and noted rotting detected throughout; it is the opinion of Olsson Associates that the grandstand roof is unsafe and structurally compromised beyond repair. We recommend the roof be completely demolished and removed.

Because of the noted conditions of the original framing below the seating, in particularly the rotting conditions, Olsson Associates is of the opinion that construction repair costs would be beyond reasonable consideration for the grandstand seating and framing below. Construction of a new roof connecting into the remaining grandstand framing is not advisable. Thus, we recommend the grandstand be totally demolished and removed.

New construction of a grandstand will likely not coincide with the current configuration of the basement foundation. Coupled with the poor condition of the basement and extensive cost to rehabilitate the concrete, Olsson Associates recommends the basement foundation be removed and filled to grade level. With construction of a new grandstand, the damaged front railing will need to be removed.

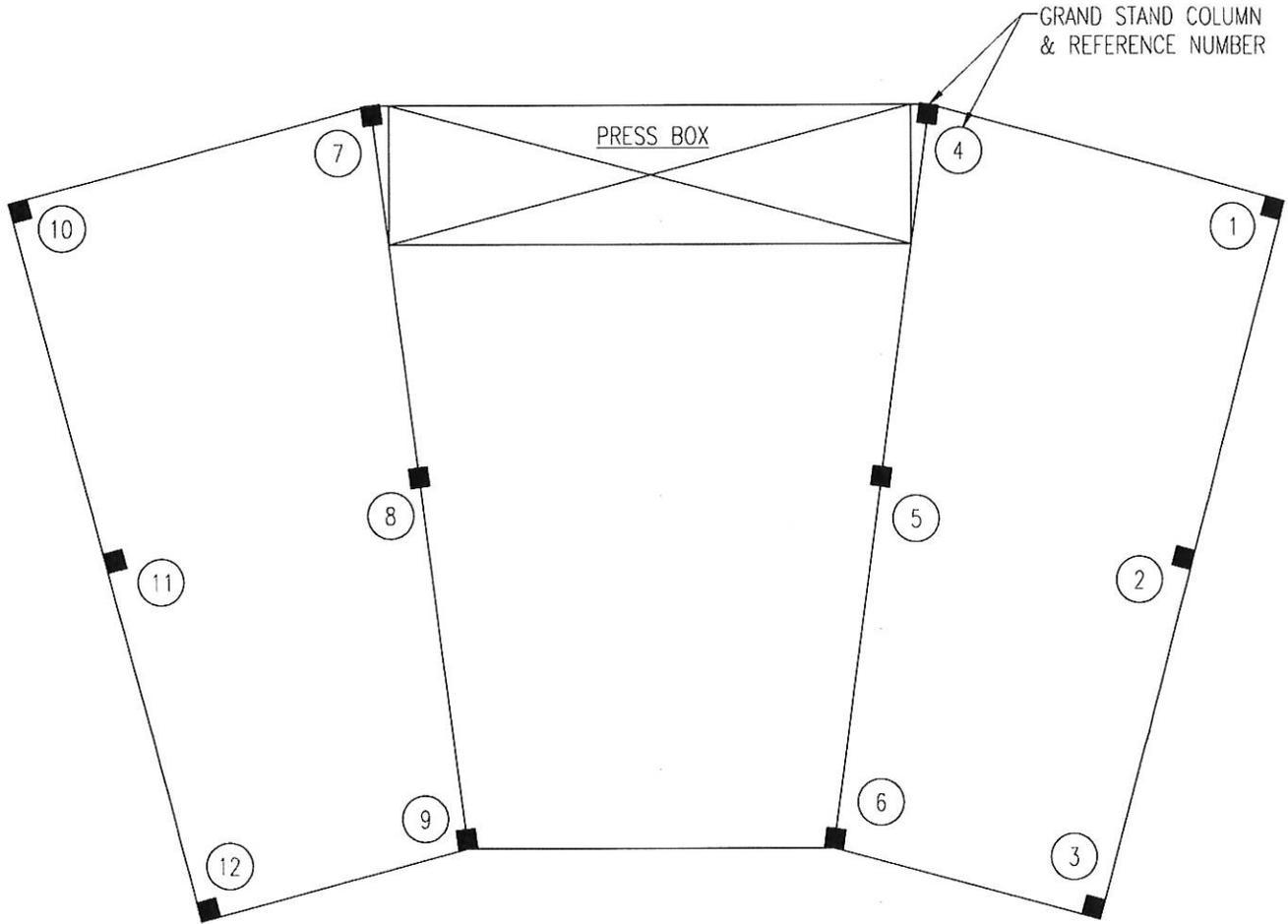
Should you have any questions or wish to discuss this letter report in more detail, please feel free to contact our office.

Sincerely,


Michael D. Spilinek, S.E.  
Group Leader

Attachments



PLAN VIEW



PLAN NORTH



TRUE NORTH

**HANK OVERIN FIELD GRANDSTAND**

4TH & WINDOM STREET  
WAYNE, NEBRASKA

**MOLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.354.8752  
PROJECT #014-2181  
www.oaconsulting.com

DATE: 08.28.14  
SCALE: NONE  
DRAWN BY: FAV  
APPROVED BY: MDS

**Hank Overin Field Grandstand  
4<sup>th</sup> & Windom Street  
Wayne, Nebraska**



Photo 1 – Northwest View of Grandstand



Photo 2 – North View of Grandstand



Photo 3 – West View of Grandstand



Photo 4 – Storage Building at Southwest Corner Of Grandstand



Photo 5 – Southwest View of Grandstand

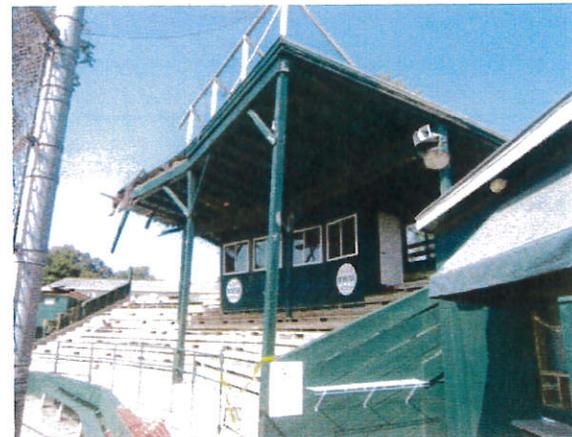


Photo 6 – Southeast View of Grandstand



Photo 7 – Damaged Top Plate & Distressed Connections near Column 1



Photo 8 – Roof Displacement & Disconnection at Column 1



Photo 9 – Distressed Connections at Column 2



Photo 10 – Roof Displacement & Disconnection at Column 2



Photo 11 – Distressed Connections at Column 3



Photo 12 – Splintered & Displaced Members at Base of Column 3

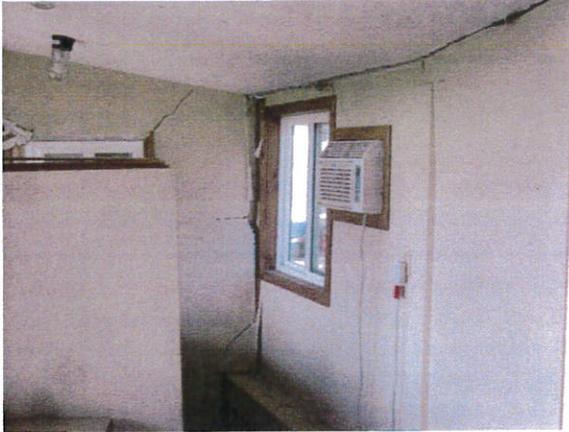


Photo 13 – Detached & Displaced Press Box at Column 4



Photo 14 – Distressed Connections at Column 5



Photo 15 – Damaged & Displaced Roof Beam to East of Column 5



Photo 16 – Broken & Bowed Column 6



Photo 17 – Splintered Connection at Base of Column 6

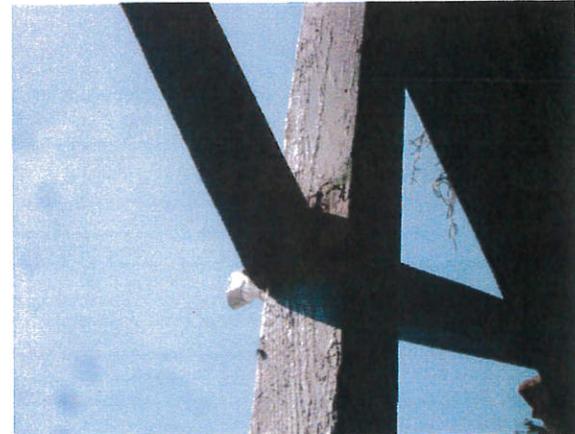


Photo 18 – Disconnection & Rotting at Column 6



Photo 19 – Detached & Displaced Press Box at Column 7



Photo 20 – Roof Displacement & Disconnection at Column 7



Photo 21 – Damaged & Missing Framing Members at Column 8



Photo 22 – Splintered Column 8



Photo 23 – Column 9 Sawn off at Base



Photo 24 – Roof Missing over Column 10



Photo 25 – Base of Broken Column 11



Photo 26 – Missing Column 12

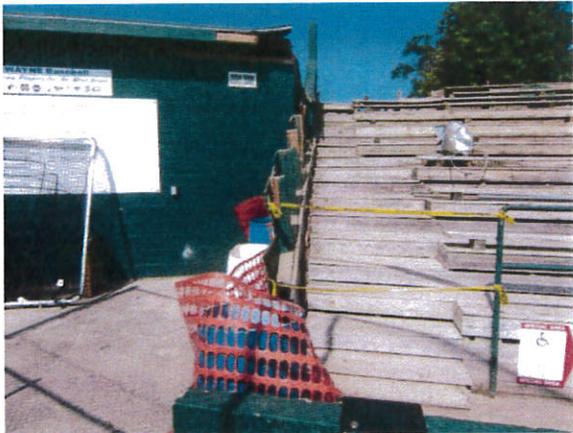


Photo 27 – Separation of Railing from Grandstand



Photo 28 – Separation of Railing from Grandstand



Photo 29 – Underside of Grandstand Framing



Photo 30 – Basement Beneath Grandstand Looking East



Photo 31 – Missing Sill Plate and Rotted Members In Basement



Photo 32 – Rotted Members in Basement



Photo 33 – Damaged Railing



Photo 34 – Corner of Storage Building Beneath Damaged Roof

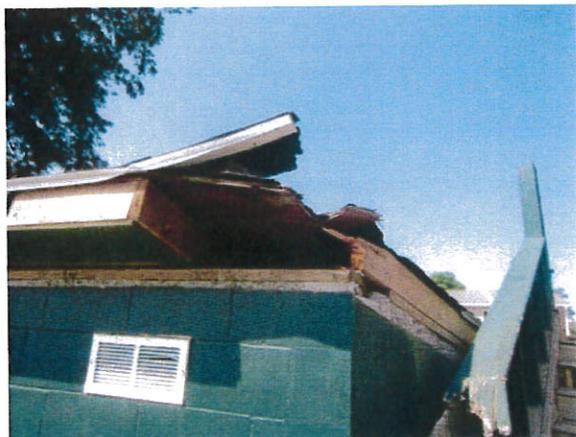


Photo 35 – Damaged Roof at Northeast Corner of Storage Building



Photo 36 – Damaged Roof at Northeast Corner of Storage Building

**RESOLUTION NO. 2014-82**

WHEREAS, El Tequila, LLC, d/b/a “Fiesta Brava” made application to the Nebraska Liquor Control Commission for a Retail Class C Liquor License at 117 Main Street, Wayne, Wayne County, Nebraska; and

WHEREAS, said application has been forwarded to the City of Wayne for public hearing and recommendation by the City Council; and

WHEREAS, notice of hearing on said application was published in one issue of the Wayne Herald on September 25, 2014; and

WHEREAS, a hearing was held on October 7, 2014, and all persons desiring to present evidence for or against said application were heard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the application of the license aforementioned be recommended for approval to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this 7<sup>th</sup> day of October, 2014.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov

<b>RECEIVED</b>		
SEP 5 2014		
NEBRASKA LIQUOR CONTROL COMMISSION		
QA	New	
C	<b>110031</b>	RS

Applicant name LUIS Abundes  
 Trade name Fiesta Brava  
 Previous trade name N/A  
 Contact email address N/A

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the state.

**REQUIRED ATTACHMENTS**

Each item must be checked and included with application or marked N/A (not applicable)

N/A 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed on cards as per brochure. To prevent the delay in issuing your license, we strongly suggest you go to any Nebraska State Patrol office. See fingerprint brochure

X 2. Enclose application fee of \$400, check made payable to the Nebraska Liquor Control Commission.

<p>OFFICIAL USE</p> <p>CHECK NO #</p> <p>\$400 - mm</p> <p>RECEIPT # 168115</p> <p>Received: _____</p>	 <p>1400020667</p>
--	--

*[Handwritten signature]*

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- X 3) Enclose the appropriate application forms:
  - Individual license (requires insert form 1- form number 104)
  - Partnership license (requires insert form 2- form number 105)
  - Corporate license (requires insert form 3a & 3c- form number 101 and 103)
  - Limited liability company (LLC) (requires form 3b & 3c- form number 102 and 103)
- X 4. If building is being leased send a copy of signed lease. Lease must be in the name of the individual, corporation or limited liability company making application. Lease term must run through the license year being applied for (see page 3).
- N/A 5. If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
- N/A 6. If buying the business of a current liquor license holder:
  - a) Provide a copy of the purchase agreement from the seller (must read applicants name).
  - b) Provide a copy of alcohol inventory being purchased (must include brand names and container size)
  - c) Enclose a list of the assets being purchased (furniture, fixtures and equipment).
- N/A 7. If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP)(form 125).
- N/A 8. Enclose a list of any inventory or property owned by other parties that are on the premise.
- X 9. For citizenship enclose copy of U.S. birth certificate; U.S. passport or naturalization paper  
For residency enclose proof of registered voter in Nebraska  
See guideline for further assistance <http://www.lcc.nebraska.gov/brochures.html>
- X 10. Corporation or Limited Liability Company must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office. This document must show barcode stamp.
- X 11. Submit a copy of your business plan. *PRIMARY operation is serving MEXICAN Food  
LIQUOR sale is secondary*

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Jose Luis Abundes mara P.O.A.  
Signature

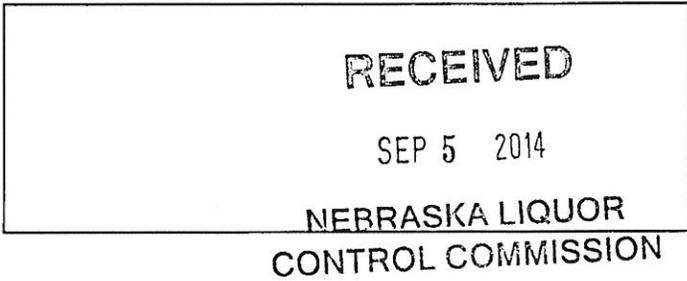
08/25/14  
Date

RECEIPT

DATE	9-5-2014	No. 168115	
FROM	Fiest Brava LLC		
FOR	New App		
	<input type="checkbox"/> CASH		
	<input checked="" type="checkbox"/> CHECK #	400 <sup>00</sup>	\$ 400 <sup>00</sup>
	<input type="checkbox"/> MONEY#		
ORDER			
Received by	<u>Randy Sargent</u>		

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov/



**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS**

**RETAIL LICENSE(S)**

Submit \$400 Non Refundable Application Fee

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- ID BEER, WINE, DISTILLED SPIRITS ON AND OFF SALE

- Class K Catering license (requires catering application form 106) \$100.00

**Additional fees will be assessed at city/village or county level when license is issued**

**LICENSE YEAR**

Class C license term runs from November 1 – October 31  
All other licenses run from May 1 – April 30  
Catering license (K) expires same as underlying retail license

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING  
(CHECK ONLY ONE)**

- Individual License (requires insert form 1- form number 104)
- Partnership License (requires insert form 2- form number 105)
- Corporate License (requires insert form 3a & 3c- form number 101 and 103)
- Limited Liability Company (LLC) (requires form 3b & 3c- form number 102 and 103)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)  
Commission will call this person with any questions we may have on this application**

Name Robert D. Moodie Phone number: (402) 372-5436  
Firm Name Moodie & Wortman Law Office

**PREMISE INFORMATION**

Trade Name (doing business as) Fiesta Brava

Street Address #1 117 MAIN ST

Street Address #2 \_\_\_\_\_

City WAYNE County WAYNE Zip Code 68787

Premise Telephone number (402) 833-0090 Cell (901) 620 1248

Business e-mail address \_\_\_\_\_

Is this location inside the city/village corporate limits:  YES  NO **RECEIVED**

Mailing address (where you want to receive mail from the Commission)

Name Fiesta Brava SEP 5 2014

Street Address #1 117 MAIN ST NEBRASKA LIQUOR CONTROL COMMISSION

Street Address #2 \_\_\_\_\_

City WAYNE State NE Zip Code 68787

**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**

**READ CAREFULLY**

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. **No blue prints please.** Be sure to indicate the direction north and **number of floors** of the building.

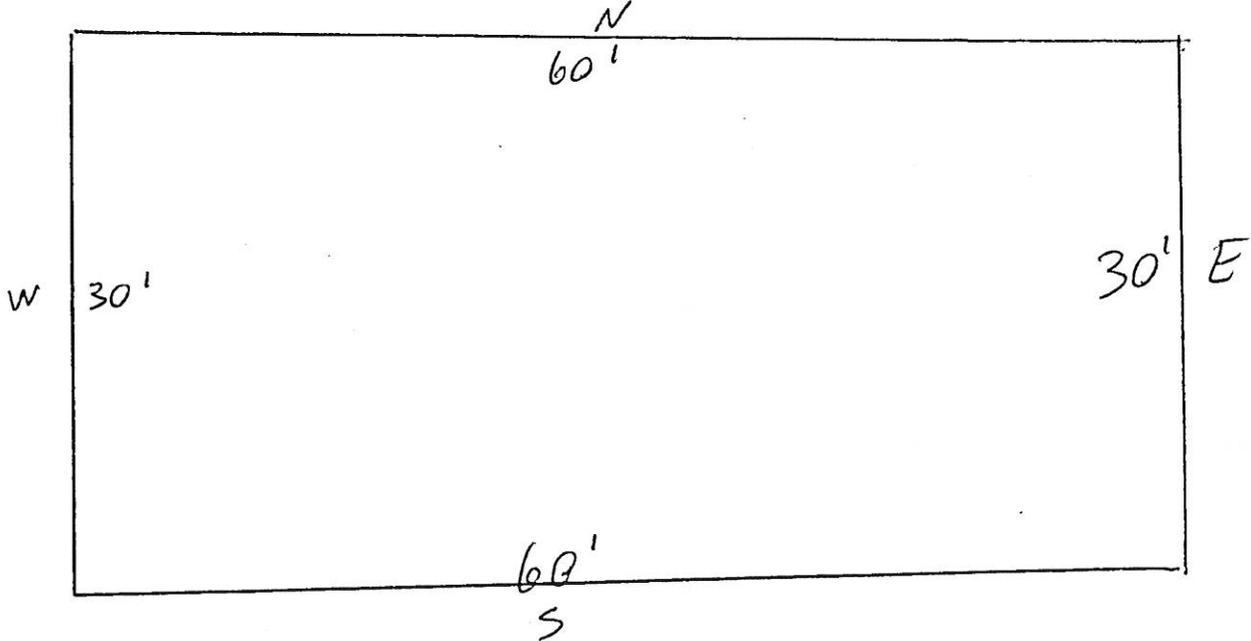
**\*\*For on premise consumption liquor licenses minimum standards must be met by providing at least two restrooms**

Building: length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there a basement to be licensed? Yes \_\_\_\_\_ No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes \_\_\_\_\_ No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



**APPLICANT INFORMATION**

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. Include traffic violations. List the nature of the charge, where the charge occurred, and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. The commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

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YES  NO  
If yes, please explain below or attach a separate page

NEBRASKA LIQUOR  
CONTROL COMMISSION

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

**2. Are you buying the business of a current retail liquor license?**

YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?**

YES  NO

If yes, give name and license number \_\_\_\_\_

**4. Are you filing a temporary operating permit to operate during the application process?**

YES  NO

If yes:

- a) Attach temporary operating permit (TOP) (form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, including family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (All involved persons must be disclosed on application)

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**No silent partners**

NEBRASKA LIQUOR CONTROL COMMISSION

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. ALL EQUIPMENT IS OWNED BY LESSOR

8. Is premise to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. §53-177)(1)

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

BANK FIRST NORFOLK NE Jose Luis Abundis M979

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

~~1129~~ Fiesta Brava - West Point -  
" " - Broken Bow -

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- a) Individual, applicant only (no spouse)
- b) Partnership, all partners (no spouses)
- c) Corporation, manager only (no spouse) as listed on form 3c
- d) Limited Liability Company, manager only (no spouse) as listed on form 3c

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NEBRASKA LIQUOR  
CONTROL COMMISSION

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Jose Luis Abundes Montec	12/12/13	NLCC
MATTHEW JANSEN	12/12/13	NLCC

For list of NLCC certified training programs see: [www.lcc.ne.gov/traininginfo.html](http://www.lcc.ne.gov/traininginfo.html)

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

- Lease: expiration date August 2017
- Deed
- Purchase Agreement

14. When do you intend to open for business? September 2014

15. What will be the main nature of business? MEXICAN RESTAURANT

16. What are the anticipated hours of operation? 11:00 AM to 10:00 PM

17. List the principal residence(s) for the past 10 years for all persons required to sign on page 8, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Rialto, CA	2000	2014	Rialto, CA	2000	2014

If necessary attach a separate sheet.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

X Luis Abundes  
Signature

X Luis Abundes  
Print Name

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Signature  
SEP 5 2014

**NEBRASKA LIQUOR  
CONTROL COMMISSION**  
Print Name

X Angelina Abundes  
Signature of Spouse

X Angelina Abundes  
Print Name

Signature of Spouse

Print Name

**ACKNOWLEDGEMENT**

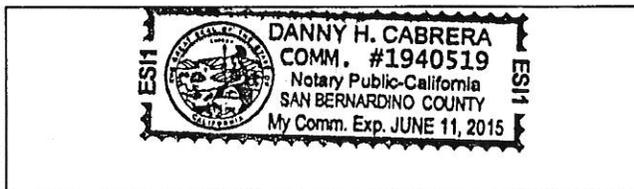
State of ~~Nebraska~~ California  
County of San Bernardino

The foregoing instrument was acknowledged before me this

August 11, 2014  
date

by Luis Abundes & Angelina Abundes  
name of person(s) acknowledged (individual(s) signing)

[Signature]  
Notary Public Signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.ne.gov](http://www.lcc.ne.gov)

Office Use

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**NEBRASKA LIQUOR  
CONTROL COMMISSION**

All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints (2 cards per person)
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (Articles must show barcode receipt by Secretary of States office)

Name of Registered Agent: Jose Luis Abundes Mata

Name of Limited Liability Company that will hold license as listed on the Articles of Organization  
EL tequila LLC 010196593

LLC Address: 117 MAIN ST

City: WAYNE State: NE Zip Code: 68787

LLC Phone Number: (402) 833-0090 LLC Fax Number (402) 833-5001

Name of Managing/Contact Member  
Name and information of contact member must be listed on following page

Last Name: Abundes Mata First Name: Jose MI: Luis

Home Address: 422 MOLLY circle City: West Point

State: NE Zip Code: 68788 Home Phone Number: (901) 620-1248

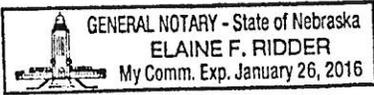
Jose Luis Abundes Mata  
Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

State of Nebraska  
County of Cuming  
Aug 25, 2014  
Date  
Elaine F Ridder

The foregoing instrument was acknowledged before me this  
by Jose Luis Abundes Mata P.A.A.  
name of person acknowledged

Affix Seal



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Abundes <sup>President</sup> First Name: LUIS MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: 10/19/1948  
Spouse Full Name (indicate N/A if single): ANGELINA Abundes  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: 10/01/1950  
Percentage of member ownership 100%

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

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NEBRASKA LIQUOR  
CONTROL COMMISSION

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_  
Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Spouse Full Name (indicate N/A if single): \_\_\_\_\_  
Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Percentage of member ownership \_\_\_\_\_

List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

RECEIVED

SEP 5 2014

NEBRASKA LIQUOR  
CONTROL COMMISSION

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Is the applying Limited Liability Company controlled by another corporation/company?

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YES

NO

SEP 5 2014

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above \_\_\_\_\_
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

NEBRASKA LIQUOR

CONTROL COMMISSION

Indicate the company's tax year with the IRS (Example January through December)

Starting Date: JANUARY 1 Ending Date: December 31

Is this a Non Profit Corporation?

YES

NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

RECEIVED

State of California

SEP 5 2014

County of San Bernardino

NEBRASKA LIQUOR  
CONTROL COMMISSION

On August 11, 2014 before me, Danny H. Cabrera, A Notary Public,  
(Here insert name and title of the officer)

personally appeared Luis Abundes and Angelina Abundes,

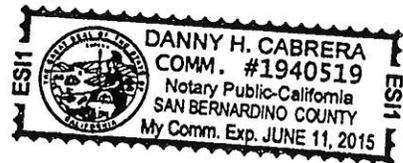
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)



## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

Spousal Affidavit of  
(Title or description of attached document)

Non Participation Insert  
(Title or description of attached document continued)

Number of Pages 2 Document Date 8/11/14

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.ne.gov](http://www.lcc.ne.gov)

Office Use

**RECEIVED**

SEP 5 2014

NEBRASKA LIQUOR  
CONTROL COMMISSION

**MUST BE:**

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. Two cards per person, fees of \$38 per person, made payable to Nebraska State Patrol. If printed at NSP mail check only.**
- ✓ **21 years of age or older**

**Corporation/LLC information**

Name of Corporation/LLC: EL Tequila LLC

**Premise information**

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_  
(if new application leave blank)

Premise Trade Name/DBA: Fiesta Brava

Premise Street Address: 117 MAIN ST

City: WAYNE County: WAYNE Zip Code: 68707

Premise Phone Number: (901) 620-1248

Email address: \_\_\_\_\_

**The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals. [http://www.lcc.ne.gov/license\\_search/licsearch.cgi](http://www.lcc.ne.gov/license_search/licsearch.cgi)**

X Jose Luis Abundes marfa

**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**

(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: Jansen First Name: Matthew MI: J

Home Address (include PO Box if applicable): 502 E Carfield

City: West Point County: Cuming Zip Code: 68788

Home Phone Number: 402 372 4969 Business Phone Number: 402 372 9119

Social Security Number: \_\_\_\_\_ Drivers License Number & State: H12930433 NE

Date Of Birth: 7/17/1978 Place Of Birth: Storm Lake, IA

Email address: \_\_\_\_\_

**RECEIVED**

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES  NO

SEP 5 2014

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**Spouse's information**

Spouses Last Name: Jansen First Name: Tarah MI: M

Social Security Number: \_\_\_\_\_ Drivers License Number & State: H12256301 NE

Date Of Birth: 6/30/1978 Place Of Birth: Omaha, NE

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**  
**APPLICANT SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
<u>Ralston, NE</u>	<u>2001</u>	<u>2005</u>	<u>Ralston, NE</u>	<u>2001</u>	<u>2005</u>
<u>West Point, NE</u>	<u>2005</u>	<u>current</u>	<u>West Point, NE</u>	<u>2005</u>	<u>current</u>

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2001	2005	Omaha Public Schools	Bernice Nared	402 5572222
2005	current	West Point Travel Plaza	Matt Jensen	402 372-9119

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

**Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

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YES       NO

SEP 5 2014

If yes, please explain below or attach a separate page.

**NEBRASKA LIQUOR**

**CONTROL COMMISSION**

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

**IF YES, list the name of the premise(s):**

---

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: 12/12/13 Name on Certificate: NLCC

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
MATTHEW JANSEN	12/13	NLCC
		RECEIVED
		SEP 5 2014
		NEBRASKA LIQUOR CONTROL COMMISSION

\*For list of NLCC Certified Training Programs see [www.lcc.ne.gov/traininginfo.html](http://www.lcc.ne.gov/traininginfo.html)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed the required fingerprint cards and **PROPER FEES** with this application?  
(Check or money order made payable to the Nebraska State Patrol for \$38.00 per person)

YES

NO

**PERSONAL OATH AND CONSENT OF INVESTIGATION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

*Matthew Jansen*  
Signature of Manager Applicant

*Matthew Jansen*  
Signature of Spouse

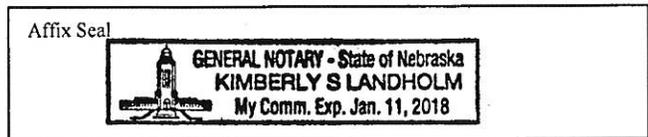
**RECEIVED**  
SEP 5 2014

ACKNOWLEDGEMENT

NEBRASKA LIQUOR  
CONTROL COMMISSION

State of Nebraska  
County of Cuming The foregoing instrument was acknowledged before me this  
9/4/2014 date by Matthew Jansen name of person acknowledged

*Kimberly S. Landholm*  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**RESOLUTION NO. 2014-83**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA, TO APPROVE AND SUBMIT A CONTRACT AMENDMENT REQUEST BETWEEN THE CITY OF WAYNE AND THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GROUP GRANT #13-CIS-006.**

WHEREAS, the City of Wayne, Nebraska, has requested \$215,000 in Community Development Block Grant Funds for 2013 Phase II Comprehensive Investment & Stabilization activities, which included \$30,000 for clearance/demolition, \$80,000 for public facilities, \$75,000 for single-family housing rehabilitation, \$6,000 for housing management, \$4,500 for risk/assessment testing, and \$19,500 for general administration of the grant. The City agreed to provide \$65,200 in water main improvements and \$65,200 in street improvements to East 4<sup>th</sup> Street, Dearborn Street, and Valley Drive. The total project cost was estimated to be \$345,400; and

WHEREAS, the City of Wayne, Nebraska, seeks to amend the request so that \$30,000 will be for demolition/clearance, \$165,500 will be for public facilities, and \$19,500 will be for general administration of the grant. The City will provide \$195,500 in water main improvements on East 5<sup>th</sup> Street and Walnut Street. The total project cost will be \$410,500.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Wayne, Nebraska, that the City approve and submit the aforementioned grant contract amendment request for #13-CIS-106.

PASSED AND APPROVED this 7<sup>th</sup> day of October, 2014

THE CITY OF WAYNE, NEBRASKA

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## **PUBLIC HEARING NOTICE ON BUDGET AMENDMENT REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

---

NOTICE IS HEREBY GIVEN that on October 7, 2014 at 5:30 p.m. in the City Council Chambers, the City of Wayne will hold a public hearing concerning a proposed budget amendment request to the Department of Economic Development for #13-CIS-106, a Community Development Block Grant. This grant is available to local governments for community and economic development activities.

The City of Wayne's original request was for \$215,000 in CDBG Comprehensive Investment & Stabilization funds for improvements to the City's target area (southeastern quadrant). Of this amount, \$30,000 was for clearance/demolition of six (6) structures, \$80,000 for the construction of a tornado shelter/public restroom, \$75,000 for single family owner-occupied rehabilitation of three (3) houses, \$6,000 for housing management, \$4,500 for risk assessment/testing, and \$19,500 for general administration of the grant. Local matching funds of \$130,400 in street and water improvements were to be provided by the City of Wayne. The total project cost was estimated to be \$345,400

After further reviewing the southeastern quadrant's needs, the City plans to submit a budget amendment request to the Department of Economic Development. This amendment consists of the following: \$30,000 for clearance/demolition of six (6) structures, \$165,500 for the construction of a tornado shelter/public restroom, and \$19,500 for general administration of the grant. Local matching funds of \$195,500 in water improvements to sections of East 5<sup>th</sup> Street and Walnut Street will be provided by the City of Wayne. The total project cost is estimated to be \$410,500. All activities will still be conducted within the target area (southeastern quadrant) reviewed through the CIS Phase I Needs Assessment/Strategy. All CDBG funds will benefit low-to-moderate income persons in the community. No persons will be displaced as a result of this project.

The most significant grant award change proposed consists of the reallocation of funds budgeted for housing activities (owner-occupied rehabilitation, housing management, and risk assessment/testing) into the tornado shelter budget. Should the amendment request be approved, \$85,500 would be moved from housing activities into the tornado shelter activity budget. The City of Wayne is proposing to eliminate the housing activities initially proposed for 13-CIS-106 so that those funds may be used to construct a tornado shelter/public restroom in East Park that better meets target area needs.

The local match is also impacted by the amendment. In the current funding year, the City anticipates that water main improvements will be a greater need for the target area. These improvements have been budgeted to cost approximately \$195,500. Should the budget be approved, the City will no longer make street improvements to the target area as part of the grant agreement. Instead, the City anticipates that such improvements may be made in subsequent grant years.

The grant application and budget amendment request will be available for public inspection at the Wayne City Office. All interested parties are invited to attend this public hearing at which time you will have an opportunity to be heard regarding the grant application. Written testimony will also be accepted at the public hearing scheduled for 5:30 p.m., October 7, 2014, at the Wayne City Council Chambers located at 306 Pearl Street, Wayne, Nebraska 68787. Written comments addressed to Betty A. McGuire, City Clerk, at PO Box 8, Wayne, Nebraska 68787 will be accepted if received on or before October 7, 2014.

Individuals requiring physical or sensory accommodations including interpreter service, Braille, large print, or recorded materials, please contact Betty A. McGuire, City Clerk, at PO Box 8, 306 Pearl Street, Wayne, Nebraska 68787 or at (402) 375-1733 no later than October 6, 2014. Accommodations will be made for persons with disabilities and non-English speaking individuals provided that a one day notice is received by the City of Wayne.

**RESOLUTION NO. 2014-84**

**A RESOLUTION APPROVING WHEEL LOADER SPECIFICATIONS  
AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.**

WHEREAS, the Wayne Public Works Department has prepared specifications for a new wheel loader.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, as follows:

1. That the specifications for the wheel loader be and the same are hereby approved.
2. That the estimate of cost of \$217,750 for the wheel loader (which includes grapple fork) be and the same is hereby approved.
3. That the advertisement for and receiving of bids on the aforesaid wheel loader by the City Clerk in a timely manner are hereby directed.

PASSED AND APPROVED this 7<sup>th</sup> day of October, 2014.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**SPECIFICATIONS  
AND  
PROPOSALS  
FOR  
ONE (1) WHEEL LOADER  
FOR  
THE CITY OF WAYNE, NEBRASKA  
  
FALL, 2014**

**SPECIFICATIONS FOR WHEEL LOADER  
FOR THE PUBLIC WORKS DEPARTMENT  
WAYNE, NEBRASKA**

The following specifications shall be the minimum requirements for a new wheel loader for the City of Wayne Public Works Department called for in the attached advertisement for bids.

**GENERAL:**

The wheel loader to be furnished shall meet or exceed all the following or the bid may be rejected.

Unit shall be of a standard design and a current model under regular production by the manufacturer.

Furnish all accessories necessary for the proper and satisfactory operation of the wheel loader whether or not specifically called for below.

**OPERATING WEIGHT:** The complete unit shall not weigh less than 28000 pounds.

**ENGINE:** The loader shall be equipped with a 6 cylinder IT4 Compliant diesel engine capable of 163 maximum net peak horsepower available at the flywheel. Ethylene glycol type coolant/ antifreeze protection to no less than 34 degrees below zero Fahrenheit required. An engine intake air centrifugal pre-cleaner shall be installed. A 120 volt AC block heater with a sturdily mounted male receptacle with a cover that is conveniently located will be furnished.

**AXLES AND BRAKES:** The axles shall have inboard planetaries and enclosed hydraulically operated wet disc brakes. It shall have an automatic, enclosed, wet disc, spring applied, hydraulically release park brake which neutralizes the transmission when engaged. The unit shall have locking front and rear axle differentials.

**TIRES:** Tires shall be 20.5 X 25 Michelin XHA Radial Tires mounted on 3 piece wheels.

**TRANSMISSION:** The unit shall have a torque converter/ power shift transmission with a minimum of 4 forward gears and 3 reverse gears. It shall be auto-shift capable with downshift control and forward/reverse shift control located on the loader control lever. Maximum forward travel speed will be at least 20 MPH.

**STEERING:** Must be articulated frame at wheel base center point capable of turning right and left at least 35 degrees. Steering shall be hydraulically assisted with tilt steering console.

**CAB:** The unit shall have a pressurized ROPS cab of steel construction with heat, defroster, air conditioning, and sound suppression. Tinted safety glass windshield, windows and door(s) are required. Seat must be a padded, adjustable, cloth covered air suspension seat with a seat belt. It shall have an AM/FM/Weather Band radio, front intermittent wiper with washer as well as rear windshield wiper and washer, dome light, 2 heated outside rear view mirrors and floor mat. It shall have a 5 amp/ 12 volt converter with power point located inside of cab.

**INSTRUMENTS:** It shall have gauges for the following functions: Speedometer, engine oil pressure, hydraulic oil temperature, engine coolant temperature, transmission oil temperature, fuel level, voltmeter and hour meter. An electronic back up alarm meeting OSHA requirements must be provided.

**ELECTRICAL SYSTEM:** The unit shall have a 24 volt electrical system and the following: Horn, Two 950 cold cranking amp batteries, 100 amp alternator, master electrical disconnect switch, two front and two rear halogen work/ driving lights as well as L.E.D. turn signals, flashers and stop/tail lights.

**HYDRAULICS:** Unit shall have a single lever loader control with float and return-to-dig, boom height cut out and return to carry. Unit must have a closed center hydraulic system with a piston pump and replaceable system filter. System shall have auxiliary hydraulics plumbed to the loader cross tube and capable for providing full time power for the City's tree spade attachment as currently configured. Unit shall have an automatically reversing, hydraulically driven cooling fan.

**LOADER:** Unit shall be a high lift loader configuration with a hydraulically actuated ACS compatible quick coupler with in-cab controls capable of picking up the City's existing attachments. Vendor is responsible to determine appropriate model and serial number of quick coupler. Loader shall be equipped with a 3.0 cubic yard loader bucket with bolt-on cutting edges. Counterweight shall be appropriate for the loader and are required if normally furnished by manufacturer.

**OPTIONAL EQUIPMENT:** The following shall be installed: Front and rear fenders, rear drawbar and hitch pin, clutch cut-out, ride control, SMV emblem, and a roof mounted amber strobe light.

**GRAPPLE RAKE:** TAG Manufacturing 106 inch wide Bio-Mass Rake with integral paddle style grapples. Unit must be equipped to fit the City's ACS loader quick couplers and hydraulically plumbed to fit the loader's auxiliary hydraulic system.

**WARRANTY:** Manufacturer's usual warranty shall apply and shall be in effect for one year from the date the loader is placed in service by the City of Wayne. Powertrain, engine and hydraulic coverage will be provided for an additional 5 years. There shall be no charge for parts, labor, travel or mileage for any warrantable repair. The City will maintain the unit in accordance with the manufacturer's recommendations and provide oil samples if required, but all materials shall be provided at no charge to the City and a written report will be returned to the City if sampling is required. If the engine is not produced by the loader manufacturer, the vendor will guarantee the engine will be repaired by a certified and registered engine warranty dealer or distributor. If machine cannot be repaired within 30 days, a comparable loaner machine will be provided to the City of Wayne at no cost during the warranty period.

**TRADE IN:** Caterpillar 926E S/N 94Z03348 The trade in can be seen at the Street Department Shop at 207 Fairgrounds Ave, Wayne, NE.

**DELIVERY LOCATION:** FOB: Wayne, Nebraska

## ADVERTISEMENT FOR BIDS

The City of Wayne, Nebraska, will receive sealed bids until 2 p.m., CDT, on Date Here, at the office of the City Clerk, 306 Pearl Street, Wayne, Nebraska 68787, for the purchase of one (1) Wheel Loader. At that time all bids will be opened and read aloud in the Council Chambers at the Wayne City Hall.

Bid proposals offer a new, 2014 or newer standard model.

Specifications and bid forms must be obtained from the City Clerk's office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday. The City of Wayne has and reserves the right to reject any and all bids.

No bid may be withdrawn without the consent of the City of Wayne. The City agrees to make a selection as soon as possible after the letting based on price, guarantees, serviceability, time of delivery, and any other pertinent facts and features, and to enter into a contract with the bidder who submits the best bid proposal.

Any questions concerning this request for bid should be directed to Lowell Johnson.

Dated at Wayne, Nebraska, this Date Here.

THE CITY OF WAYNE, NEBRASKA

**RESOLUTION NO. 2014-85**

**A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH JEO CONSULTING GROUP, INC., FOR THE ENGINEERING, DESIGN, BIDDING AND LIMITED CONSTRUCTION SERVICES FOR THE 2014-2015 WAYNE WATER TOWER REPAINTING PROJECT.**

WHEREAS, a proposal for engineering services was received from JEO Consulting Group, Inc, for the 2014-2015 Wayne Water Tower Repainting Project; and

WHEREAS, City staff has evaluated said proposal and is recommending that JEO Consulting Group, Inc., be approved as the engineer on the project for a sum of not to exceed \$9,950.00; and

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska, find and declare that JEO Consulting Group, Inc., has the qualifications and meets all of the requirements to perform the engineering services required to oversee the said project.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that they hereby appoint JEO Consulting Group, Inc., as the project engineer for said project in the City of Wayne, Nebraska; and

BE IT FURTHER RESOLVED that the Mayor be, and he hereby is instructed and authorized to enter into a contract on behalf of the City of Wayne, Nebraska, with said firm for the work proposed.

PASSED AND APPROVED THIS 7<sup>th</sup> day of October, 2014.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



September 16, 2014

Lowell Johnson  
City of Wayne  
306 Pearl Street  
PO Box 8  
Wayne, NE 68787-0008

RE: Wayne, Nebraska  
2014-2015 Wayne Water Tower Repaint  
JEO Project No. P140925

Dear Mr. Johnson:

The following is our understanding that the City of Wayne desires JEO Consulting Group, Inc. to provide for the engineering design, bidding, and limited construction services for the 2014-2015 Wayne Water Tower Repainting Project. This project generally consists of evaluating, specifying, bidding, and administering construction for a new exterior top coating system and blast and recoating system for the interior of the existing water tower.

**Scope:** Engineering services provided shall be as indicated in the scope of services included in Attachment A. If our proposed scope is not consistent with your needs, please advise us and we will tailor our services appropriately to meet your needs and budget.

**Fee:** JEO's fees from the proposed services are outlined as follows:

<b>Design:</b>	<b>\$4,500.00</b>	<b>Lump Sum</b>
<b>Bidding:</b>	<b>\$3,500.00</b>	<b>Lump Sum</b>
<b>Construction Admin:</b>	<b>\$1,950.00</b>	<b>Estimated Hourly (15 hours estimated)</b>
<b>Total:</b>	<b>\$9,950.00</b>	

Estimated Hourly Fees for services shall be conducted on an hourly rate based on the standard hourly billing rates for JEO Consulting Group, Inc.

**Payment:** Payment is due 30 days of the Invoice date. Invoices unpaid after 30 days will accrue interest at 12% per annum (1.0%/Month).

Michael Schultes will be the Project Manager on this project and Roger Protzman will be the designated representative. We ask that you also designate a representative for JEO to work with that has the authority to give direction and act on your behalf during the project.

City of Wayne  
September 16, 2014  
Page 2

Our firm appreciates the opportunity to work with the City of Wayne on this project. If you concur that our firm should provide these services for the project, we request that you please sign the copies attached and return one copy to us for our records. If any of this does not agree with your understanding of this project or you have any questions concerning the above, please contact us at your convenience.

Sincerely,



Michael E. Schultes PE  
Project Manager



Roger S. Protzman PE  
Senior Project Engineer

Encl.

Pc: Jeff Brady, City of Wayne

Accepted:

---

City of Wayne

Date: \_\_\_\_\_

## **ATTACHMENT A SCOPE OF SERVICES**

**Project Description:** Engineering design, bidding, and construction administration services for recoating of the City's existing 500,000 gallon fluted column water tower.

- Exterior – Spot repair, reprime
- Exterior – Top Coat
- Interior Wet – Blast and recoat
- Interior Dry – Blast and recoat above the upper landing

### **Design Phase:**

- A. Complete a bidding and specifications booklet outlining the bidding and construction procedures necessary for the Contractor to follow in obtaining the contract and in performing the work.
- B. Complete list of quantities and opinion of cost.
- C. Provide Owner with the Final Design and Opinion of Cost for their review and approval.
- D. Upon City approval, send the bidding and specification booklet to the Nebraska Department of Health and Human Services for their review. Owner to pay review fee.

### **Bidding & Negotiation Phase:**

- A. Furnish copies of specifications and contract documents of the project to prospective bidders, material suppliers, and other interested parties upon their request and payment of the purchase cost established for the documents.
- B. Respond to inquiries from prospective bidders and prepare any addenda required.
- C. Assist the Owner in securing construction bids for the project by holding the bid opening at the offices of JEO Consulting Group.
- D. Tabulate and analyze construction bids and report on them to the Owner, together with advice and assistance to the Owner in award of construction contract.
- E. Prepare and submit necessary information to the Owner for project award approval.
- F. Prepare Contract Documents for execution by Contractor and the Owner, and approval by Owner and Owner's legal and insurance counsel.
- G. Provide the Owner with the bid tab summary and notice of award for the lowest, responsive bidder.

### **Construction Administration Phase Services:**

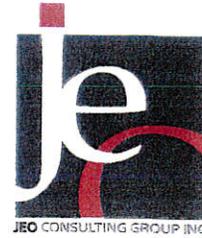
- A. Provide interpretation of the specifications, when necessary.
- B. Review shop drawing and material certifications, as necessary.
- C. Consult with and advise Owner during construction.
- D. Review pay applications from Contractor and provide them to the Owner.
- E. Provide up to two (2) periodic site visits during construction to verify the construction is being performed in accordance with the approved plans and specifications.
- F. Conduct a final inspection of project with the Owner, as necessary.
- G. Provide Owner with the recommendation of acceptance and final pay application.

### **Additional Services Not Included, But Can Be Included If Requested**

- A. On-Site Construction Observation RPR Services.
- B. Additional Site Visits and City Council meetings will be billed as needed.
- C. Other services not listed in the above scope of services.

### **Project Timeline**

- A. Final bidding and specification book to be provided approximately 60 days after Owner approves the agreement.



FEBRUARY 1, 2014  
JEO CONSULTING GROUP INC.  
CURRENT HOURLY RATE SCHEDULE RANGE

ACTUAL HOUR BASIS

Project Managers:	\$120.00	-	\$190.00
Project Engineers/Architects:	\$100.00	-	\$158.00
Project Engineers (E.I.):	\$75.00	-	\$110.00
Engineering/Surveying/ Architectural/Planning/GIS Technicians:	\$75.00	-	\$120.00
Office/Administrative:	\$76.00	-	\$100.00
Principals:	\$175.00	-	\$205.00

NOTE: Cost of telephone calls, copying, postage, travel expenses, mileage, meals, lodging, etc. are included in our hourly rates and fees, and not charged separately.

**ORDINANCE NO. 2014-30**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 6 ALCOHOLIC BEVERAGES, SECTION 6-18 HOURS OF SALE; 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 6, Sections 6-18 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 6-18. Hours of sale

(a) It shall be unlawful for any licensed person or his agents to sell any alcoholic beverages within the city, except during the following hours:

**HOURS OF SALE**

Alcoholic Liquors (except beer and wine):

Secular Days:

Off Sale.....6:00 a.m. to **2:00** ~~1:00~~ a.m.  
On Sale..... 6:00 a.m. to 2:00 a.m.

Sundays:

Off Sale..... **6:00 a.m. to 2:00 a.m.**  
~~12:00 Noon to 1:00 a.m.~~  
On Sale..... **6:00 a.m. 12:00 Noon** to 2:00 a.m.

Beer and Wine:

Secular Days:

Off Sale.....6:00 a.m. to **2:00** ~~1:00~~ a.m.  
On Sale..... 6:00 a.m. to 2:00 a.m.

Sundays:

Off Sale.....6:00 a.m. to **2:00** ~~1:00~~ a.m.  
On Sale..... 6:00 a.m. to 2:00 a.m.

(b) No person shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed in this section for stopping the sale of alcoholic beverages on the premises. For the purposes of this section, the term "on sale" shall be defined as alcoholic beverages sold by the drink for consumption on the premises of the licensed establishment. The term "off sale" shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

(c) Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

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

## CITY OF WAYNE INCENTIVE PROGRAMS

### Fiscal Year Heat Incentive

2005-06	\$	(25,725.60)
2006-07	\$	(21,900.00)
2007-08	\$	(20,850.00)
2008-09	\$	(14,100.00)
2009-10	\$	(10,700.00)
2010-11	\$	(4,450.00)
2011-12	\$	(1,000.00)
2012-13	\$	(500.00)
2013-14	\$	(15,000.00)
	<b>\$</b>	<b>(114,225.60)</b>

### Energy Incentive

2005-06	\$	-
2006-07	\$	-
2007-08	\$	(3,320.47)
2008-09	\$	(20,431.18)
2009-10	\$	(27,700.94)
2010-11	\$	(23,025.66)
2011-12	\$	(67,274.36)
2012-13	\$	(21,523.72)
2013-14	\$	(14,643.85)
	<b>\$</b>	<b>(177,920.18)</b>

### Lighting Incentive

2005-06	\$	-
2006-07	\$	-
2007-08	\$	-
2008-09	\$	(42,250.00)
2009-10	\$	(31,849.00)
2010-11	\$	(22,906.00)
2011-12	\$	(6,581.00)
2012-13	\$	(41,168.00)
2013-14	\$	(9,997.36)
	<b>\$</b>	<b>(154,751.36)</b>

### Wayne Community Housing/Habitat

2005-06	\$	-
2006-07	\$	-
2007-08	\$	(4,537.95)
2008-09	\$	(6,182.50)
2009-10	\$	(3,462.50)
2010-11	\$	(2,200.00)
2011-12	\$	(5,892.50)
2012-13	\$	(531.30)
2013-14	\$	-
	<b>\$</b>	<b>(22,806.75)</b>

### Cooling System Tune-up

2009-10	\$	(270.00)
2010-11	\$	(90.00)

2011-12	\$	(210.00)
2012-13	\$	(30.00)
2013-14	\$	-
	<b>\$</b>	<b>(270.00)</b>

**Energy Audits**

2010-11	\$	(800.00)
2011-12	\$	(100.00)
2012-13	\$	-
2013-14	\$	(100.00)
	<b>\$</b>	<b>(800.00)</b>

**TOTAL ALL PROJECTS**

2005-06	\$	(25,725.60)
2006-07	\$	(21,900.00)
2007-08	\$	(28,708.42)
2008-09	\$	(82,963.68)
2009-10	\$	(73,982.44)
2010-11	\$	(53,471.66)
2011-12	\$	(81,057.86)
2012-13	\$	(63,753.02)
2013-14	\$	(39,741.21)
	<b>\$</b>	<b>(469,973.89)</b>

**ANNUAL REFUNDS FROM NPPD (calendar year)**

2008	\$	600.00
2009	\$	91,373.03
2010	\$	65,275.48
2011	\$	57,160.41
2012	\$	63,699.27
2013	\$	62,353.26
2014	\$	11,738.20
	<b>\$</b>	<b>352,199.65</b>

# Change Order

No. 3

Date of Issuance: 9/29/14 Effective Date: 9/1/14

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

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

Description: Joel Added 20'x15' of 6" Alley Paving + Appurds  
as per plan billed as 6"  
Lowell Asked for all seeding on South to be covered with mat  
 Attachments: (List documents supporting change): that they supplied  
See Attached Item list for additional Quantities  
Extra Sidewalk 4x12 to the South 3x15 to House  
6x12 to the East

### CHANGE IN CONTRACT PRICE:

### CHANGE IN CONTRACT TIMES:

Original Contract Price:  
\$ 73,760 -

Original Contract Times:  Working days  Calendar days  
 Substantial completion (days or date): August 1, 2014  
 Ready for final payment (days or date): \_\_\_\_\_

(Increase)  (Decrease) from previously approved Change Orders No. 1 to No. 2:

(Increase)  (Decrease) from previously approved Change Orders No. 1 to No. 2:

\$ 4,280 -

Ready for final payment (days): Sept 26, 2014

Contract Price prior to this Change Order:

Contract Times prior to this Change Order:

\$ 78,040 -

Ready for final payment (days or date): Sept 26, 2014

(Increase)  (Decrease) of this Change Order:

(Increase)  (Decrease) of this Change Order:

\$ 10,117 <sup>65</sup>

Ready for final payment (days or date): Sept 30, 2014

Contract Price incorporating this Change Order:

Contract Times with all approved Change Orders:

\$ 88,157 <sup>65</sup>

Ready for final payment (days or date): Sept 30, 2014

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: \_\_\_\_\_  
 Engineer (Authorized Signature)

By: \_\_\_\_\_  
 Owner (Authorized Signature)

By: [Signature]  
 Contractor (Authorized Signature)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Date: 9/29/14

Approved by Funding Agency (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_



Robert Woehler & Sons Construction, Inc.  
 123 Fairgrounds Ave.  
 Wayne NE 68787

Phone: 402-375-3744  
 Fax: 402-833-5363  
 Cell: 402-369-0049

Pay App # 2

9/29/2014

To: Owner

Highway 15 & 10th Street Intersection  
 Wayne, NE  
 Engineer: ACES

Office:  
 Cell:  
 Fax:

			Bid Quantity	Installed Quantity		
<b>Water Main</b>						
1	10" Concrete Paving NDOR Ype 47B-3625	SY	608.00	641.11	\$75.00	\$48,083.25
2	Subgrade Prep	SY	750.00	805.67	\$5.00	\$4,028.35
3	4" Concrete Walk NDOR Type 47B-SG-3000	SY	156.00	164.56	\$36.00	\$5,924.16
4	Construct Handicamp Ramp	EA	2.00	2.00	\$1,500.00	\$3,000.00
5	Paint Striping	Lump	1.00	1.00	\$2,000.00	\$2,000.00
6	Saw Concrete	LF	576.00	576.00	\$5.00	\$2,880.00
7	Remove Concrete Paving (Extra 6" Width on Curb)	SY	168.00	190.00	\$5.00	\$950.00
8	Remove Concrete Drive	SY	99.00	99.00	\$4.00	\$396.00
9	Remove Concrete Walk	SY	66.00	84.33	\$3.00	\$252.99
10	Barricading	Lump	1.00	1.00	\$2,000.00	\$2,000.00
11	Seeding	Acre	0.12	0.27	\$4,000.00	\$1,080.00
12	Erosion Control	Lump	1.00	1.00	\$2,000.00	\$2,000.00
13	Earthwork	Lump	1.00	1.00	\$2,000.00	\$2,000.00
14	Mobilization	Lump	1	1	\$3,000.00	\$3,000.00

**Total** \$77,594.75

**Change Order #2 Water Main**

1	8" Water Main C900 DR 18 PVC	LnFt	115.00	115.00	\$15.00	\$1,725.00
2	8" Cap W/O Concrete Backing	EA	2.00	2.00	\$150.00	\$300.00
3	Abandon Existing Service	EA	2.00	2.00	\$340.00	\$680.00
4	Water Service	LnFt	55.00	55.00	\$15.00	\$825.00
5	Curb Stop and Connect to existing	EA	1.00	1.00	\$750.00	\$750.00

**Change Order 2 Total** \$4,280.00

**Total with Change Order 2** \$81,874.75

**Change Order #3 Extra 6" Paving & Erosion Mat**

1	6" Concrete Paving NDOR Ype 47B-3625	SY	56.66	56.66	\$60.00	\$3,399.60
2	Subgrade Prep	SY	56.66	56.66	\$5.00	\$283.30
3	Install Erosion Control Mat No Material	SY	1300.00	1300.00	\$2.00	\$2,600.00

**Change Order 3 Total** \$6,282.90

**Total with Change Order 3** \$88,157.65

# DRAFT

October \_\_, 2014

Mr. Kevin Domagalla, District 3 Engineer  
Nebraska Department of Roads  
408 North 13<sup>th</sup>  
Norfolk, NE 68701

Dear Mr. Domagalla,

On September 30, 2014, a 3<sup>rd</sup> grade student was injured by a car while in the pedestrian crossing on N35 just west of the 7<sup>th</sup> and Sherman Street intersection in Wayne. The student is expected to fully recover, but that is the third car-pedestrian accident at that crossing light since it was installed. This is a higher rate than any other intersection or pedestrian crossing in Wayne. In addition, we have recorded seven rear end accidents at this location. We are discussing local options to make this crossing safer, but we need NDOR involved in the discussion.

We have the following suggestions for your consideration:

1. Add yellow flashing signals a block ahead for traffic approaching from each direction that come on and operate when the crossing button has been activated and the crossing signal is red, similar to the new yellow flashing lights timed with traffic signals in Lincoln and Omaha;
2. Change the current crossing signal to a regular stop light traffic signal;
3. Perform a safety study of the traffic and the signal operation at this location and at St. Mary's School at 7th and Walnut Streets; and
4. Designate an NDOR contact person for us in this process.

Thank you for your assistance in this matter.

---

Mark Lenihan, Superintendent

---

Ken Chamberlain, Mayor

Wayne Public Library Board of Trustees  
Tuesday, July 1, 2014 / 5 p.m., Conference Room

AGENDA

CALL TO ORDER - The meeting was called to order at 5:00 pm.

ROLL CALL – Present were Joel Ankeny, Spring Dahl, Ellen Imdieke, and Luran Lofgren, Library Director

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 Library/Senior Center Conference Room.

The Library Board 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.

APPROVAL OF MINUTES

- Minutes from previous meeting were approved as presented.

FINANCIAL REPORT

- Approved as presented. Notes: We are 75% through the year and have expended 67% of budget.

DIRECTOR'S REPORT

- Statistics

	MAY14	JUN14	JUN13
Circulation	5945	7785	8306
Patrons	4131	5444	5930
Meeting Room	12	7	2
Reference ?s	136	175	189
Computer ?s	87	83	100
Phone Calls	341	388	407
OPACS	207	211	222
AWEs	480	520	819
Internet	908	906	985
New Patron Cards	29	34	38
Items Added	257	144	128
Items Deleted	5	12	3

- Staff Activities
  - LKL serving on Nebraska Library Commission committee dealing with the merging of the Northeast Library System and the Eastern System.

- LKL serving on the Nebraska Library Association PLT section service awards committee.
- RMcLean reported that the adult class on using your iPad went well. Class filled with a waiting list. The July classes on creating a Ladder Necklace are also filling rapidly.
- Summer Reading program is more than half way through. Over 120 books have been given out to children reaching Level 1. Close to 300 children are enrolled, not including the outreach group at Rainbow World.
- Library received a \$400 donation for large print books from the Eagles Auxiliary
- JOsnes attended the OneLibrary quarterly executive board meeting in Columbus. LKL will be serving as president of the group for the next two years.

#### OLD BUSINESS

- Privacy policy and procedures
  - First item of old business involved a discussion of the privacy policy and procedures. Amy Miller, city attorney, was present. Major concerns addressed were board options for confidentiality and the need for consistency.
- Board continuing education
  - Second item of old business addressed “board continuing education.” NOTE: 2 hours yet remaining to complete requirement prior to August 31, 2014.

#### NEW BUSINESS

- Staff Impact of Privacy Policy and Procedures. Discussion centered on two areas: legal obligations for staff and staff training for releasing patron records.

Meeting adjourned.

Respectfully submitted, Ellen Imdieke, Board Member