

**MINUTES  
CITY COUNCIL MEETING  
October 21, 2014**

The Wayne City Council met in regular session at City Hall on Tuesday, October 21, 2014, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Rod Greve, Jennifer Sievers, Nick Muir, Matt Eischeid, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Cale Giese, Jon Haase and Kaki Ley.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on October 9, 2014, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, whereas, the Clerk has prepared copies of the Minutes of the meeting of October 7, 2014, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Giese, Haase and Ley who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:**

**FISCAL YEAR 13-14:** CLAUSSEN & SONS IRRIG., SE, 12152.18; CLEAN TO A T, SE, 1300.00; ENVIRONMENTAL SYSTEM, SE, 266.25; FAITH REGIONAL, SE, 215.00; FIRE CATT, SE, 447.18; GERHOLD CONCRETE, SU, 14.40; HARDING & SCHULTZ, SE, 106.00; HIRERIGHT SOLUTIONS, SE, 179.45; KTCH, SE, 625.00; LEAGUE OF NEBRASKA, FE, 1001.18; MATHESON TRI-GAS, SU, 28.80;

MUNICIPAL SUPPLY, SU, 3530.00; NEBRASKA COMM. FOUNDATION, FE, 550.00; NO SWETT FENCING, SU, 94930.40; POLLARD PUMPING, SE, 505.00; SPARKLING KLEAN, SE, 700.00; STAN HOUSTON EQUIPMENT, SU, 348.00; SUPER CIRCUITS, SU, 6622.38; WESCO, SU, 115.02; CITY EMPLOYEE, RE, 11.86; DANKO EMERGENCY EQUIPMENT, SU, 320.92; CITY EMPLOYEE, RE, 42.52; JORGENSEN LAW OFFICE, SE, 287.50; JWC ENVIRONMENTAL, SE, 2500.00; NPPD, SE, 327963.15; WAYNE COMMUNITY SCHOOLS, RE, 1832.25

**FISCAL YEAR 14-15:** ADMINISTRATIVE PROFESSIONAL, SU, 89.00; ADVANCED CONSULTING, SE, 4033.50; AMERITAS, SE, 2298.69; APPEARA, SE, 327.43; ARCTIC ICE, SU, 252.00; CITY EMPLOYEE, RE, 45.38; BANK FIRST, FE, 15.00; BRADY, JEFFREY, SU, 75.00; BROWN PLUMBING, SE, 696.70; CHEMQUEST, SE, 595.00; CITY OF NORFOLK, SE, 43.05; CITY OF WAYNE, RE, 300.00; CITY OF WAYNE, RE, 12.00; CITY OF WAYNE, PY, 63306.07; CITY OF WAYNE, RE, 1964.62; CLAUSSEN & SONS IRRIG., SE, 175.00; COMMUNITY HEALTH, RE, 4.00; COOPORTUNITY HEALTH, SE, 31343.75; COUNTRY INN & SUITES, SE, 469.96; CRANBERRY MESSENGER, SU, 60.00; DIAMOND VOGEL, SU, 191.00; ECHO GROUP, SU, 166.46; ECONOMY VOLUNTEER FIRE, SU, 28000.00; FREDRICKSON OIL, SE, 5.00; GERHOLD CONCRETE, SU, 1023.50; GILL HAULING, SE, 133.00; HOMETOWN LEASING, SE, 73.51; HR SPECIALIST, SU, 199.00; HTM SALES, SE, 3027.08; IAEI, FE, 102.00; ICMA, SE, 6813.94; IRS, TX, 22933.50; JACK'S UNIFORMS, SU, 24.50; CITY EMPLOYEE, RE, 313.50; KRIZ-DAVIS, SU, 320.03; LOGAN VALLEY FOOTBALL, FE, 100.00; LYNN PEAVEY, SU, 105.00; CITY EMPLOYEE, RE, 116.11; MICHAEL TODD & CO, SU, 316.70; MIDWEST LABORATORIES, SE, 258.35; MUNICIPAL SUPPLY, SU, 3732.36; MURRAY, DENNIS, SE, 609.23; NE AIR FILTER, SU, 45.84; NE DEPT OF REVENUE, TX, 3230.42; NE SAFETY COUNCIL, SE, 127.92; NEBRASKA COMM. FOUNDATION, FE, 50.00; NO SWETT FENCING, SU, 4800.00; NORTHEAST NE ENERGY SYSTEM, SE, 13801.49; NOVELTY MACHINE & SUPPLY, SU, 274.02; OAKSTONE PUBLICATIONS, SU, 138.60; OLSSON ASSOCIATES, SE, 2709.33; PEERLESS WIPING CLOTH, SU, 320.00; POWER MONITORS, SU, 200.00; QUALITY INN, SE, 449.70; SPARKLING KLEAN, SE, 1155.57; STADIUM SPORTING GOODS, SU, 506.25; STATE NEBRASKA BANK, RE, 9175.00; STATE NEBRASKA BANK, RE, 500.00; SUPERCIRCUITS, SU, 386.96; THE MAX AGAIN, SU, 15.00; THOMPSON INFORMATION SERV, SU, 536.99; TRANS-IOWA EQUIPMENT, SU, 390.51; TYLER TECHNOLOGIES, SE, 3634.50; UTILITIES SECTION, FE, 370.00; VIAERO, SE, 127.47; WASTE CONNECTIONS, SE, 73.36; WAYNE AIRPORT, SE, 7778.37; WAYNE KIWANIS, FE, 260.00; WESCO, SU, 591.29; WEST-E-CON, SU, 1300.00; AMAZON.COM, SU, 206.19; CITY EMPLOYEE, RE, 90.26; BLACK HILLS ENERGY, SE, 30.60; BOMGAARS, SU, 29.94; CITY EMPLOYEE, RE, 1654.74; BROWN SUPPLY, SU, 2567.86; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 100.00; CLARITUS, SU, 135.00; DEARBORN NATIONAL LIFE, SE, 1942.60; DUTTON-LAINSON, SU, 308.32; ED. M FELD EQUIPMENT, SU, 105.00; ERMA BARKER, SE, 45.00; CITY EMPLOYEE, RE, 1750.21; GERHOLD CONCRETE, SU, 988.00; GODFATHER PIZZA, SU, 244.00; GP GFOA, FE, 50.00; HOMETOWN LEASING, SE, 259.98; JEO CONSULTING GROUP, SE, 1106.00; KARI BALDWIN, RE, 100.00; MODEL ELECTRIC, SE,

294.45; NE LIBRARY COMMISSION, FE, 766.00; NE PUBLIC HEALTH, SE, 169.00; N.E. NEB AMERICAN RED CROSS, RE, 59.24; PIEPER & MILLER, SE, 3653.00; PITNEY BOWES, SE, 648.00; QUILL, SU, 124.39; REAMS SPRINKLER SUPPLY, SU, 462.00; SKARSHAUG TESTING LAB, SE, 939.62; UNITED WAY, RE, 12.40; VERIZON, SE, 99.09; WAYNE COUNTY COURT, RE, 150.00; WESCO, SU, 289.68

Councilmember Giese arrived at 5:31 p.m.

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

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the 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.

Mayor Chamberlain declared the month of October as “Head Start Awareness Month.”

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, to approve the membership application of Jacob Flynn to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Sandy Brown, representing the Wayne Green Team, gave a report on what they have been doing over the past few years and what they are currently working on.

Brian Kesting, Information Technology Specialist, and Joel Hansen, Building Inspector, gave a demonstration of the new GIS system. Council gave the direction to go live with the product.

Councilmember Eischeid introduced Ordinance No. 2014-28, and moved for approval of the second reading thereof; Councilmember Giese seconded.

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.

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

Councilmember Eischeid introduced Ordinance No. 2014-29, and moved for approval of the second reading thereof; Councilmember Giese seconded.

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.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor

declared the motion carried. The third and final reading will take place at the next meeting.

Discussion took place on placing 4-way stop signs at all four corners of the Elementary School. Mayor Chamberlain received communication from Sonya Tompkins who was in favor of the 4-way stop signs. Another suggestion he received was to make Douglas and Sherman Streets one way from 7<sup>th</sup> to Third Street. This is all in an effort to help the traffic flow around the school.

Councilmember Eischeid did not think the 4-way stop sign suggestion would help the traffic flow around the school. While he wants the kids to be safe, he thought this was overreacting or jumping the gun on the situation.

Mayor Chamberlain opined this was not a reaction to the accident that happened at 7<sup>th</sup> and Sherman Street. This is an effort to get the one police officer on duty away from directing traffic.

Councilmember Eischeid thought the school needed to take more responsibility of the traffic control in that area. He did not think it was the Police Chief's responsibility to have an officer there every day controlling traffic.

While Councilmember Sievers agreed with Councilmember Eischeid, she did like the police presence in the area.

Joel Hansen, Street Superintendent, stated according to federal highway guidelines, stop signs should not be used to control speed. That is not their purpose. A four-way stop is supposed to be used for guidance when you have two streets that intersect where it is unclear as to which street has precedence or more traffic than the other one. He had concerns about 4<sup>th</sup> Street having stop signs on it, especially at both

Sherman and Douglas Streets. In addition, Third Street is an arterial street, which means it is meant to hold a higher volume of traffic.

Councilmember Eischeid suggested setting up a meeting with representatives from the School and the Police Department to discuss the matter.

Mayor Chamberlain stated that maybe it is also time to discuss with the School the hiring of a school resource officer. He would contact school officials to come up with a proposed date and time in which to discuss these matters.

Councilmember Giese introduced Ordinance No. 2014-30, and moved for approval of the second reading thereof; Councilmember Sievers seconded.

#### 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.

Verdel Lutt was present representing Wayne East Prime Stop to request Council consideration to allowing the off sale to go until 2:00 a.m. He felt that Council has set precedence by granting previous requests made by only one person. He asked for city continuity to follow what the State has done and what the council has approved for other individuals and/or businesses.

Councilmember Eischeid stated this is something the City of Wayne can do to actively try to prevent house parties from 1:00-2:00 a.m. If this does that, then they have succeeded as a Council.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor

declared the motion carried. The third and final reading will take place at the next meeting.

The following Ordinance would amend Sec. 22-37 of the Wayne Municipal Code to increase the electric and water utility franchise fees as follows:

- Electric from 8.5% to 10.5%
- Water from 7% to 8%
- Sewer would remain the same at 7%

These franchise fees have not been amended since 2007. This additional revenue has already been built into the budget.

Councilmember Muir introduced Ordinance No. 2014-31, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2014-31

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 22, ARTICLE II. OCCUPATION TAX BY ADDING SECTION 22-37 UTILITY FRANCHISE FEES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

The following Ordinance would amend Sec. 22-33 of the Wayne Municipal Code to increase the natural gas franchise fees as follows:

<b>CUSTOMER CLASS</b>	<b>FEE</b>
Residential	<del>\$2.50</del> <b>4.00</b> /month/customer
Commercial	<del>\$5.00</del> <b>7.00</b> /month/customer
Industrial	\$50.00/month/customer

These franchise fees have not been amended since 2007.

Councilmember Giese introduced Ordinance No. 2014-32, and moved for approval thereof; Councilmember Greve seconded.

ORDINANCE NO. 2014-32

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE II, SECTION 22-33 OF THE WAYNE MUNICIPAL CODE REGARDING NATURAL GAS COMPANIES; FRANCHISE FEE; TO REPEAL THE ORIGINAL SECTION; AND PROVIDE AN EFFECTIVE DATE.

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

Agenda item nos. 13 and 14 regarding ordinances to create both a water extension district and a sewer extension district were placed on the agenda for discussion purposes only. The area of the district proposed would extend west on both sides of Grainland Road from the east boundary of the Wayne County Fairgrounds west to the west boundary of the right-of-way of South Pheasant Run Road. We have received a request from Kelby Herman who has purchased property going west on the south side of Grainland Road. He wants to annex, subdivide and develop the property.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to table action on Ordinance No. 2014-33 until brought back by city staff. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Mayor Chamberlain pushed back Ord. 2014-34 as well.

Administrator Johnson stated the following Resolution would accept the proposal and approve the agreement with Advanced Consulting Engineering Services for the design and construction phase services for the North Main Street Water Main Improvement Project. The fee for said services would be a sum not to exceed \$18,000.

Councilmember Sievers introduced Resolution No. 2014-86 and moved for its approval; Councilmember Giese seconded.

#### RESOLUTION NO. 2014-86

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING THE SHORT FORM OF AGREEMENT BETWEEN THE CITY OF WAYNE AND ADVANCED CONSULTING ENGINEERING SERVICES FOR DESIGN AND CONSTRUCTION PHASE SERVICES FOR THE NORTH MAIN STREET WATER MAIN IMPROVEMENT PROJECT.

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

Administrator Johnson stated the following Resolution would authorize the borrowing of \$70,000 from the City of Wayne's electric fund for airport improvements.

Mayor Chamberlain stated this would be a loan, and is gap financing between the bills they need to pay and the insurance money they have yet to receive. The Resolution has been prepared without interest, but Council can change that. It was noted that Finance Director Nancy Braden thought the loan would be repaid within one year.

Councilmember Eischeid thought interest should be assessed, and had concerns about always borrowing money from the Electric Fund.

Councilmember Sievers thought interest should be charged just as they do with the LB840 loans.

Councilmember Giese thought there needed to be more specific terms of the loan identified in the Resolution. He was not comfortable with the wording in the resolution.

Attorney Miller stated normally when you loan someone money, they are giving you a lien on their property. There has to be something in return they are giving you, so

there has to be some sort of an interest rate or some other consideration they are giving you; otherwise, it is not enforceable. In addition, you have to have a start date and an end date in order for it to be enforceable.

Councilmember Eischeid wanted to make sure that before the City loans \$70,000, that there are designated places for this money to go because they have outstanding bills, etc.

Administrator Johnson stated improvements have been made at the airport which were not covered by insurance, and most of this \$70,000 is for that (concrete). They are trying to make everything the way they want it to be and do it all at the same time, so they burned through the \$70,000 they received from the City for last year. He will have the Finance Director list out the information requested.

Councilmember Eischeid had concerns about doing all of the improvements now and not worrying about a wish list for the future. He wondered whether these improvements could have been put off for a year.

Councilmember Sievers opined you do not spend money that you do not have.

Councilmember Sievers made a motion, which was seconded by Councilmember Eischeid, to table action on Resolution 2014-87. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would accept the proposal and approve the interlocal agreement with Wayne County regarding the repair of Bridge C009011620, located on 857<sup>th</sup> Road between Sections 5 and 8, T26N, R4E.

Administrator Johnson stated the \$71,080 (Bridge Repair – Cost from FEMA Project Workshop) is 87.5% of the estimated cost that only includes planking the east third of the bridge where the planks came loose. They are planning to plank all of the bridge, which is the right thing to do.

Councilmember Eischeid had concerns about the County ordering the engineering study and questioned why that would be part of the City’s responsibility, especially when the annexation took place well after the time the engineering study was ordered.

Mayor Chamberlain noted that the damaged part of the bridge belongs to the City. The County was ready to let the project. The City’s share of that engineering study would be about \$9,000, and he did not think it would take long to save that amount of money with the County putting gravel on the road and maintaining the road for us. The County has been more than willing to step up and bring their excavator in and do dirt work for us.

Our estimated cost or share in this project will be about \$18,500.

Councilmember Sievers introduced Resolution No. 2014-88 and moved for its approval; Councilmember Muir seconded.

#### RESOLUTION NO. 2014-88

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH WAYNE COUNTY REGARDING THE REPAIR OF BRIDGE C009011620, LOCATED ON 857<sup>TH</sup> ROAD BETWEEN SECTIONS 5 AND 8, T26N, R4E, WAYNE COUNTY, NEBRASKA.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, and Councilmember Eischeid who voted Nay, the Mayor declared the motion carried.

Brian Kesting, Information Technology Specialist, was present to request Council consideration to approving the interlocal agreement with Wayne County regarding the 2015 Pictometry Flight Project. The City's share in this project would be \$9,962.75. The County Commissioners approved this interlocal agreement this morning. The last time we did this on our own was in 2013.

After discussion, Councilmember Sievers made a motion to introduce and approve Resolution 2014-89.

Councilmember Giese thought that 2013 was too recent and did not think this expenditure would be fiscally responsible. Councilmember Eischeid agreed.

The said motion died for lack of a second.

Discussion took place in regard to a request to extend sidewalk from Pac N Save west to Pheasant Run Road and then north to the far north end of Bomgaars' fence.

Administrator Johnson stated that our City Code states that as our town develops, sidewalks develop with it, and it's the responsibility of the property owners. We have received two requests from residents in Western Ridge for sidewalks to be extended along Highway 35 west to Pheasant Run Road and north into the Bomgaars' entrance. Our obligation now is to give the property owners notice that they need to install sidewalks.

Mayor Chamberlain stated another area he has heard a lot about, but has not received a formal request about yet, is on the north side of the highway where it stops by the cemetery going west to Western Ridge.

We have a 50% cost-share program for replacement of existing sidewalks, but no incentive to install original sidewalks.

BJ Woehler spoke in favor of pushing forward with sidewalks or reinstating sidewalk districts that used to be done several years ago.

No action was taken on the matter.

A pay request has been received from Robert Woehler & Sons Construction for the “Highway 15 and 10<sup>th</sup> Street Intersection Project” for \$51,915.73. The engineer on the project has approved the same. This the final pay request on this project..

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Pay Application No. 2 (Final) for \$51,915.73 to Robert Woehler & Sons Construction for the “Highway 15 and 10<sup>th</sup> Street Intersection Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Discussion took place regarding foreclosure proceedings on 111 Fairgrounds Avenue.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid to start the foreclosure proceedings on 111 Fairgrounds Avenue.

City Attorney Miller explained the procedures that would have to take place to foreclose on this property.

Councilmember Giese amended his motion, and Councilmember Eischeid seconded the amendment, to start the foreclosure proceedings on 111 Fairgrounds Avenue and to allow Amy Miller, City Attorney, to execute the process at her discretion. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the

exception of Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Discussion took place regarding the Nebraska Street Park.

Mayor Chamberlain stated he had somebody come forward and talk to him about whether or not the City would have an interest in selling that piece of property so he could turn it into a pay parking lot. This will get the property back on the tax roll, and we will not have to maintain it anymore. This would relieve pressure off the streets. This person has not made an offer as of yet.

Councilmember Brodersen questioned why we would take it out of being park. It's a nice green space. She did not think the City had enough green space.

Councilmember Eischeid thought a public hearing should take place for people to voice their opinion.

Mayor Chamberlain suggested sending a letter to the residents in the area asking for their opinion in lieu of holding a public hearing.

No further discussion took place on that matter.

Administrator Johnson stated the following Ordinance would amend Sec. 30-12 of the Wayne Municipal Code regarding Candidate Qualifications. Attorney Miller explained that a high school student has paid the fee to be a write-in candidate for Mayor, and she is 18 years old. Nebraska law states that you have to be 18 years old by the time you take office. The City Code states, however, that you have to be the age of majority, which is 19. In the 1970's, the age of majority, for federal purposes, went to 18, but in Nebraska, it stayed at 19. Their office has discussed the matter and done some research, and they think the City Code should be the same as what the State Statute is so that there

are no discrimination issues. Generally, you can make your laws stricter, but this is probably not the area to do it in. It should conform with State Statute. Ms. Miller also suggested the three readings be waived at this time.

It was also noted that if the code was not amended and it was challenged in court, we would probably lose.

Councilmember Giese introduced Ordinance 2014-35, and moved for its approval; Councilmember Greve seconded.

#### ORDINANCE NO. 2014-35

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 30 ELECTIONS, SECTION 30-12 CANDIDATE QUALIFICATIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Giese made a motion and Councilmember Brodersen 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 Councilmembers Haase and Ley who were absent, the Mayor declared the motion carried.

Councilmember Giese made a motion and Councilmember Greve seconded to move for final approval of Ordinance No. 2014-35. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Ley who were 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, the Mayor declared the motion carried and the meeting adjourned at 7:59 p.m.