

**MINUTES  
CITY COUNCIL MEETING  
April 7, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, April 7, 2015, 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, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Nick Muir and Jason Karsky.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on March 26, 2015, 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 Giese made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of March 17, 2015, 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 Muir and Karsky who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**CORRECTIONS TO CLAIMS LIST OF 3/17/15:** CHANGE LINPEPCO FROM \$229 TO \$226

**VARIOUS FUNDS:** ALL-AMERICAN PUBLISHING, SE, 224.00; AMERICAN BROADBAND, SE, 2501.19; AMERITAS, SE, 5417.56; APPEARA, SE, 337.58; AS CENTRAL SERVICES, SE, 448.00; BARCO MUN PRODUCTS, SU, 195.00; BEHLEN MFG, SU, 2750.00; BLACK HILLS, SE, 1145.99; BLUE CROSS BLUE SHIELD, SE, 61613.99; BOMGAARS, SU, 1027.19; CITY EMPLOYEE, RE, 162.32; CARHART LUMBER, SU, 1139.18; CENTURYLINK, SE, 315.12; CITY OF WAYNE, RE, 400.00; CITY OF WAYNE, RE, 550.00; CITY OF WAYNE, RE, 90.00; CITY OF WAYNE, PY, 138051.63; CITY OF WAYNE, RE, 717.10; COLONIAL RESEARCH, SU, 111.56; COMMUNITY HEALTH, RE, 8.00; CONSOLIDATED MANAGEMENT, SE, 363.50; COPY WRITE, SE, 519.95; DANKO EMERGENCY EQUIPMENT, SU, 695.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 2004.05; DGR & ASSOCIATES, SE, 525.00; DUNRITE,

SU, 160.36; DUTTON-LAINSON, SU, 477.12; ECHO GROUP, SU, 1382.80; CITY EMPLOYEE, RE, 653.36; ELECTRIC PUMP, SU, 486.27; ELLIOT EQUIPMENT, SE, 599.09; ENGINEERED CONTROLS, SE, 790.00; FAITH REGIONAL, SE, 30.00; FASTENAL, SU, 24.15; FIREGUARD, RE, 4093.59; FIRST CONCORD GROUP, SE, 3,476.32; FLOOR MAINTENANCE, SU, 482.46; GALE GROUP, SU, 37.18; GILL HAULING, SE, 170.50; GLEN'S AUTO BODY, SE, 125.94; GROSSENBURG IMPLEMENT, SU, 828.27; HD SUPPLY WATERWORKS, SU, 1053.04; ICC, FE, 125.00; ICMA, SE, 14635.08; IRS, TX, 52634.49; JEO CONSULTING GROUP, SE, 38666.38; KRIZ-DAVIS, SU, 21949.22; LEAGUE OF NEBRASKA, FE, 2392.00; LOUIS BENSOTER, RE, 4461.74; LOVE SIGNS, SE, 521.94; CITY EMPLOYEE, RE, 40.00; MICHAEL TODD & CO, SU, 1203.45; MIDWEST SERVICE & SALES, SU, 1525.00; N.E. NEB ECONOMIC DEV DIS, SE, 120.00; CITY EMPLOYEE, RE, 1169.39; NE AIR FILTER, SU, 159.43; NE COLORADO CELLULAR, SE, 234.55; NE DEPT OF REVENUE, TX, 7744.41; NE DEPT OF ROADS, SE, 2500.00; NE NEB INS AGENCY, SE, 78181.00; NE PUBLIC HEALTH, SE, 1383.00; NORTHEAST NE RED CROSS, RE, 39.24; NNPPD, SE, 4166.00; NORTHWEST ELECTRIC, SE, 332.65; O'REILLY AUTOMOTIVE STORE, SU, 34.85; ONE CALL CONCEPTS, SE, 84.75; QUALITY FOODS, SU, 17.13; RESCO, SU, 860.63; SANTA FE SYSTEMS, SU, 368.36; SCOREBOARD SERVICE, SE, 1070.00; STADIUM SPORTING GOODS, SU, 2140.00; STAPLES ADVANTAGE, SU, 441.51; TERRENCE BARTLING, RE, 500.00; THE MAX AGAIN, SU, 55.31; TOM'S BODY & PAINT SHOP, SE, 263.26; TONI HYTREK, SE, 700.00; TYLER TECHNOLOGIES, SE, 187.50; ULTRAMAX AMMUNITION, SU, 1932.00; UNITED WAY, RE, 14.00; US BANK, SU, 7898.45; UTILITIES SECTION, FE, 2156.00; VAKOC CONSTRUCTION, SU, 155.96; VAN DIEST SUPPLY, SU, 624.00; VERIZON, SE, 99.26; WAED, RE, 7216.66; WAYNE COUNTRY CLUB, RE, 8969.20; WAYNE HERALD, SU, 48.00; WESCO, SU, 3616.64; WIGMAN CO, SE, 751.36; WINDOM RIDGE, RE, 2691.34; WINGATE INN, SE, 359.80; ADVANCED CONSULTING, SE, 9000.00; CERTIFIED TESTING SERVICE, SE, 2881.50; CHARTWELLS, SE, 5901.88; CITY OF WAYNE, RE, 35.00; CITY OF WAYNE, SU, 49.50; CONSOLIDATED MANAGEMENT, SE, 154.25; DEMCO, SU, 205.31; DUTTON-LAINSON, SU, 485.03; ECHO GROUP, SU, 203.76; ELECTRONIC SYSTEMS, SU, 65.00; GALE GROUP, SU, 249.75; HIRERIGHT SOLUTIONS, SE, 20.00; INGRAM BOOK CO, SU, 547.72; JILL BRODERSEN, AIA, SE, 576.00; KTCH, SE, 741.00; MAIN STREET AUTO CARE, SE, 130.00; MARCO, SE, 130.51; MATHESON TRI-GAS, SU, 29.76; MIDWEST LABORATORIES, SE, 280.50; NORTHEAST NEBRASKA NEWS, SU, 30.00; ORIENTAL TRADING CO, SU, 171.18; PAC N SAVE, SU, 182.43; PENGUIN RANDOM HOUSE, SU, 221.25; SKARSHAUG TESTING LAB, SE, 135.39; STADIUM SPORTING GOODS, SU, 97.50; CITY EMPLOYEE, RE, 90.72; WASTE CONNECTIONS, SE, 72.05; WAYNE COUNTY CLERK, SE, 118.00; WAYNE VETERINARY CLINIC, SE, 28.00; ZACH HEATING & COOLING, SU, 5316.50

Councilmember Haase made a motion, which was seconded by Councilmember Greve, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky who were absent and Councilmember Brodersen who abstained due to a conflict of interest, 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.

Steve Lutt and Pat Melena, representing the “Rebuild Hank Committee,” updated the Council on the proposed design of the Hank Overin Field Grandstand Project, in addition to the improvements that have been made this spring to the facility.

Councilmember Giese requested Administrator Johnson to email the Council the operating budget for the ballpark.

Sandy Brown, Chair of the Wayne Green Team, was present to obtain “Go Green Pledges” from the Councilmembers indicating what activities they plan to do over the course of the upcoming year to reduce the amount of waste they create. In addition, she talked about partnerships between the Wayne Green Team and Wayne State College to conduct Earth Day activities, in conjunction with the 40<sup>th</sup> anniversary observance of Earth Day.

Phil Monahan, Fire Chief, updated the Council on the storm shelter that is being donated to the Wayne Volunteer Fire Department. This storm shelter will hold up to six six people, but more modules can be added at \$950 per module. This will be located at the Fire Hall.

Mayor Chamberlain stated the time was at hand for the public hearing regarding an application for a Retail Class C Liquor License for Lewellyn B. Whitmore Post 5291, d/b/a “Wayne Vets Club.”

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

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

Councilmember Giese introduced Resolution No. 2015-39 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-39

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS C LIQUOR LICENSE — LEWELLYN B. WHITMORE POST 5291, D/B/A “WAYNE VETS CLUB.”

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

Darin Greunke, Leader of the Sharp Shooters 4-H Club, was present requesting Council consideration to allowing them to rent the Community Activity Center to host the 2016 Nebraska State 4-H BB Gun and Air Rifle Championships on April 2<sup>nd</sup> and 3<sup>rd</sup>, with set up on April 1<sup>st</sup>. They host this event every four years.

Discussion took place regarding the rental rates to be charged.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve approving the request of Darin Greunke, Leader of the Sharp Shooters 4-H Club, to rent the Wayne Community Activity Center to host the 2016 Nebraska State 4-H BB Gun and Air Rifle Championships on April 2<sup>nd</sup> and 3<sup>rd</sup>, with setup on April 1<sup>st</sup>, with the rental rate being the same as what they were charged four years ago.

Councilmember Giese wanted the Council to review the rental rates for all city facilities at a future meeting.

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

Darin Greunke, Leader of the Sharp Shooters 4-H Club, was present requesting Council consideration to allowing them to operate a shooting gallery style air gun trailer at the Henoween and Chicken Show activities in July.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving the request of Darin Greunke, Leader of the Sharp Shooters 4-H Club, to operate a

shooting gallery style air gun trailer at the Henoween and Chicken Show activities in July. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky who were absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance No. 2015-11, and moved for approval of the third and final reading thereof; Councilmember Giese seconded.

#### ORDINANCE NO. 2015-11

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE SOUTHWEST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (SOUTHVIEW ADDITION).

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

Councilmember Eischeid introduced Ordinance No. 2015-12, and moved for approval of the second reading thereof; Councilmember Haase seconded.

#### ORDINANCE NO. 2015-12

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF BLOCKS 5 AND 6, COLLEGE HILL FIRST ADDITION, CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM R-3 RESIDENTIAL DISTRICT TO R-5 RESIDENTIAL DISTRICT.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky 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. 2015-14, and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2015-14

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

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky 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. 2015-15, and moved for approval of the second reading thereof; Councilmember Giese seconded.

ORDINANCE NO. 2015-15

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY AMENDING SECTION 90-112 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 Muir and Karsky 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. 2015-16, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-16

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY AMENDING SECTION 90-114 EXCEPTIONS; 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 Muir and Karsky 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. 2015-17, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-17

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY AMENDING SECTION 90-115 CONDITIONS FOR GRANTING EXCEPTIONS; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Discussion took place concerning Ordinance No. 2015-18, and more particularly regarding the number of animal units that should be allowed in an A-2 district adjacent and not adjacent to the city limits or any R District.

Councilmember Eischeid introduced Ordinance No. 2015-18, and moved for approval of the second reading thereof with the following amendments:

Sec. 90-121 Permitted Conditional Uses

A building or premises in an A-1 district may be used for the following in conformance with the prescribed conditions:

1. Second Class Animal Production
  - a. Where the parcel is adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 20 animal units.~~
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
  - b. Where the parcel is adjacent to the city limits or any R district, and is at least 40 acres in size,
    - i. ~~No more than 20 animal units~~ **Two (2) animal units per acre.**
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
  - c. Where the parcel is not adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 40 animal units.~~

- ii. No more than 10 of those animal units may consist of turkeys, ducks, and geese combined.
  - iii. No more than 10 of those animal units may consist of chickens.
- d. Where the parcel is not adjacent to the city limits or any R district, and is at least 40 acres in size
- i. No more than 80 animal units
  - ii. No more than 20 of those animal units may consist of turkeys, ducks, and geese combined.
  - iii. No more than 20 of those total animal units may consist of chickens.

Councilmember Sievers seconded.

After additional discussion on the matter, Councilmember Eischeid amended his motion, and Councilmember Sievers amended her second, to amend Sec. 90-121 as follows.

#### Sec. 90-121 Permitted Conditional Uses

A building or premises in an A-1 district may be used for the following in conformance with the prescribed conditions:

1. Second Class Animal Production +
  - a. Where the parcel is adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 20 animal units.~~
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
  - b. Where the parcel is adjacent to the city limits or any R district, and is at least 40 acres in size,
    - i. ~~No more than 20 animal units~~ **Two (2) animal units per acre.**
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
  - c. Where the parcel is not adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 40 animal units.~~
    - ii. No more than 10 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 10 of those animal units may consist of chickens.
  - d. Where the parcel is not adjacent to the city limits or any R district, and is at least 40 acres in size
    - i. ~~No more than 80 animal units.~~ **Two (2) animal units per acre.**
    - ii. No more than 20 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 20 of those total animal units.

After additional discussion, Councilmember Eischeid amended his motion, and Councilmember Sievers amended her second, to amend Sec. 90-121 as follows.

Sec. 90-121 Permitted Conditional Uses

A building or premises in an A-1 district may be used for the following in conformance with the prescribed conditions:

1. Second Class Animal Production
  - a. Where the parcel is adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 20 animal units.~~
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
    - iv. **Any A-1 property abutting any Residential District or city limits must have a 100' buffer. (Joel Hansen advised the Council he would prepare appropriate language for this section.)**
  - b. Where the parcel is adjacent to the city limits or any R district, and is at least 40 acres in size,
    - i. ~~No more than 20 animal units~~ **Two (2) animal units per acre.**
    - ii. No more than 4 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 4 of those animal units may consist of chickens.
    - iv. **Any A-1 property abutting any Residential District or City limits must have a have a 100' buffer. (Joel Hansen advised the Council he would prepare appropriate language for this section.)**
  - c. Where the parcel is not adjacent to the city limits or any R district, and is less than 40 acres in size,
    - i. ~~One~~ **Two (2)** animal units per acre, ~~not to exceed 40 animal units.~~
    - ii. No more than 10 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 10 of those animal units may consist of chickens.
  - d. Where the parcel is not adjacent to the city limits or any R district, and is at least 40 acres in size
    - i. ~~No more than 80 animal units.~~ **Two (2) animal units per acre.**
    - ii. No more than 20 of those animal units may consist of turkeys, ducks, and geese combined.
    - iii. No more than 20 of those total animal units.

ORDINANCE NO. 2015-18

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 2. A-1 AGRICULTURAL DISTRICT, BY ADDING SECTION 90-121 PERMITTED CONDITIONAL USES; 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 Muir and Karsky who were absent and Councilmember Giese who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Eischeid introduced Ordinance No. 2015-19, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

#### ORDINANCE NO. 2015-19

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 3. A-2 AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 90-142 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Discussion took place regarding Ordinance No. 2015-20, which was tabled at the last meeting. Councilmember Eischeid advised that after making the changes to the A-1 District, he did not have any issues with how the ordinance was written for the A-2 District.

The consensus seemed to be if you want to be able to have more animals on your property, a property owner should rezone his/her property to A-1, which is for animal production.

Susan Boust, Todd Luedeke and Al Walton spoke regarding this matter.

A request was made to have a reasonable cap on the number of animals that can be in an A-2 district. A cap should be in place and should be well thought out, and not just a decision to be made randomly.

Council discussion included adding definitions for stable, arena, etc., which would need to go back before the Planning Commission for a recommendation to Council.

Councilmember Brodersen would like to see a special permit allowed for certain circumstances. Councilmember Sievers agreed.

After discussion, Councilmember Eischeid introduced Ordinance No. 2015-20, and moved for approval thereof; Councilmember Giese seconded.

ORDINANCE NO. 2015-20

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III. AGRICULTURAL DISTRICTS, DIVISION 3. A-2 AGRICULTURAL RESIDENTIAL DISTRICT, BY ADDING SECTION 90-150 PERMITTED CONDITIONAL USES; 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 Muir and Karsky who were absent, and Councilmember Sievers who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Giese introduced Ordinance No. 2015-21, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-21

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE V. BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 1. B-1 HIGHWAY BUSINESS DISTRICT, SECTION 90-352 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Giese introduced Ordinance No. 2015-22, and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2015-22

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE V. BUSINESS AND COMMERCIAL DISTRICTS, DIVISION 1. B-1 HIGHWAY BUSINESS DISTRICT, BY ADDING SECTION 90-363 PERMITTED CONDITIONAL USES; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Giese introduced Ordinance No. 2015-23, and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2015-23

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VI. INDUSTRIAL AND MANUFACTURING DISTRICTS, DIVISION 2. I-1 LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT, SECTION 90-482 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Giese introduced Ordinance No. 2015-24, and moved for approval of the second reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2015-24

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VI. INDUSTRIAL AND MANUFACTURING DISTRICTS, DIVISION 3. I-2 HEAVY INDUSTRIAL AND MANUFACTURING DISTRICT, SECTION 90-512 PERMITTED PRINCIPAL USES AND STRUCTURES; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

The following two ordinances will create Sanitary Sewer Extension District No. 2015-01 and Water Extension District No. 2015-01 (Grainland Road – Southview Addition).

Councilmember Eischeid introduced Ordinance 2015-25, and moved for its approval; Councilmember Giese seconded.

#### ORDINANCE NO. 2015-25

AN ORDINANCE CREATING SANITARY SEWER EXTENSION DISTRICT NO. 2015-01 OF THE CITY OF WAYNE, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF WATER MAINS AND WATER LINES WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATES AS PREPARED BY THE ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK.

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

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, 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 Muir and Karsky who were absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid to move for final approval of Ordinance No. 2015-25. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky who were absent, the Mayor declared the motion carried.

Councilmember Giese introduced Ordinance 2015-26, and moved for its approval; Councilmember Haase seconded.

#### ORDINANCE NO. 2015-26

AN ORDINANCE CREATING WATER EXTENSION DISTRICT NO. 2015-01 OF THE CITY OF WAYNE, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS

OF WATER MAINS AND WATER LINES WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATES AS PREPARED BY THE ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK.

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

Councilmember Giese made a motion, which was seconded by Councilmember Haase, 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 Muir and Karsky who were absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, to move for final approval of Ordinance No. 2015-26. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky who were absent, the Mayor declared the motion carried.

The following Ordinance would provide for three one-hour parking stalls in front of Bailey's Hair & Nails on Pearl Street. This would be the same request as was granted in front of the Mineshaft Mall.

Councilmember Sievers introduced Ordinance 2015-27, and moved for its approval; Councilmember Greve seconded.

#### ORDINANCE NO. 2015-27

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78, ARTICLE III, SECTION 78-134 RELATING TO PARKING TIME LIMITS OF 15 MINUTES, 30 MINUTES AND ONE HOUR; LOCATION; 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 Muir and Karsky who were absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

The following Ordinance will vacate a portion of the frontage road north of the Wayne Veterinary Clinic. At some time in the past, a sign for the Wayne Vet Clinic was erected in the east end of this right-of-way. The service road was originally platted by the city to give non-highway access to future businesses as they developed. The west end of the service road was traded for other land to give the McDonald's restaurant a better location. The remaining east end can no longer be used to access Thorman because of new highway regulations for greater side street intersection setbacks from highway intersections. Staff recommendation is to clean up the old railroad lines in this unusable parcel and allow Ken Jorgensen a permanent easement to use the west triangle-shaped portion of this small parcel for parking. In addition, staff recommended allowing the Vet Clinic a permanent easement for their sign, in return for a concrete driveway approach into the north clinic driveway to help stabilize the new sidewalk and the driveway portion of Thorman Street.

Councilmember Eischeid introduced Ordinance 2015-28, and moved for its approval; Councilmember Greve seconded.

#### ORDINANCE NO. 2015-28

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, TO VACATE THE REAL ESTATE DEDICATED TO THE PUBLIC FOR USE AS A PUBLIC ROAD LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF LOT 1, MOHR'S INDUSTRIAL TRACT, SAID POINT BEING THE POINT OF BEGINNING; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1 TO THE SOUTHEAST SIDE OF LOT 1, JORGENSEN SUBDIVISION; THENCE NORTHEASTERLY ALONG THE SOUTHEAST SIDE OF LOT 1, JORGENSEN SUBDIVISION TO THE SOUTH SIDE OF NEBRASKA HIGHWAY 35 ROW; THENCE EASTERLY ALONG THE SOUTH SIDE OF NEBRASKA HIGHWAY 35 ROW TO THE WEST SIDE OF THORMAN STREET ROW; THENCE SOUTHERLY ALONG THE WEST SIDE OF THORMAN STREET ROW 60 FEET TO THE POINT OF BEGINNING, CONTAINING 0.15 ACRES, MORE OR LESS, PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4 EAST OF THE 6TH P.M., WAYNE COUNTY, NEBRASKA, AND TO APPROVE THE RETENTION OF SAID REAL ESTATE AS ALLOWED BY NEB. REV. STAT. § 19-917.

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

The City received four bids on the “2015 Wayne Storm Shelter Project.” Roger Protzman, the City’s Engineer with JEO Consulting Group, has reviewed the four bids and is recommending that the award go to the low bidder, OCC Builders, LLC, Wayne, NE, for \$179,407. The engineer’s estimate on the project was \$135,000.

Councilmember Sievers introduced Resolution 2015-40, and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2015-40

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “2015 WAYNE STORM SHELTER PROJECT.”

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

The City received two bids on the “Grainland Road Water and Sanitary Sewer Extension Project.” John Zwingman, the City’s Engineer with Advanced Consulting Engineering Services, has reviewed the two bids and is recommending that the award go to the low bidder, Robert Woehler & Sons Construction, Inc., for \$197,220. The engineer’s estimate on this project was \$165,000.

Councilmember Eischeid introduced Resolution 2015-41, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2015-41

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “GRAINLAND ROAD WATER AND SANITARY SEWER EXTENSION PROJECT.”

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

The following Resolution would approve the plans, specifications and estimate of cost (\$80,000 to \$120,000) for the “Airport Lift Station Project,” and authorize the City Clerk to begin advertising for bids.

Councilmember Sievers introduced Resolution 2015-42, and moved for its approval; Councilmember Brodersen seconded.

#### RESOLUTION NO. 2015-42

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2015 WAYNE AIRPORT LIFT STATION PROJECT,” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

A final pay request (Pay Application No. 6) has been received from Robert Woehler & Sons Construction for the “Chief’s Way Sanitary Sewer and Water Extension Project” for \$32,913.24. The engineer on the project has not yet approved the same.

Administrator Johnson stated he had a request from the Wayne Airport Authority to hold off payment until some remaining items are completed by the contractor on this project.

The City has not yet received the engineer’s formal recommendation.

Councilmember Giese made a motion, which was seconded by Councilmember Brodersen, to authorize the City Administrator to take action on Pay Application No. 6 (Final) for \$32,913.24 to Robert Woehler & Sons Construction for the “Chief’s Way Sanitary Sewer and Water Extension Project.” Mayor Chamberlain stated the motion, and the result of roll call being

all Yeas, with the exception of Councilmembers Muir and Karsky who were absent, the Mayor declared the motion carried.

Police Chief Marlen Chinn was requesting Council consideration to purchasing an emergency siren to be located/placed in the industrial park area that has recently been annexed. The siren project undertaken a year ago did not cover this area because it was not within city limits at that time. They may be able to apply for another grant, but the grant process takes over a year. The company recommended placing the siren in the cul de sac; however, there is no power out there. Another option the company provided was a solar powered siren, which is becoming more popular, especially in areas that have not been fully developed with infrastructure. This type of siren is self-contained, so it could be moved or placed anywhere we would want. The quote for a solar powered siren is \$23,250. The quote for a regular siren, which would require the City to bring power to the pole, is \$21,450. He believed there was a 50-year warranty on the solar panel for the siren.

Councilmember Eischeid questioned whether this purchase should be that of the Community Redevelopment Authority, since they made the request to be annexed.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, authorizing the purchase of a solar emergency warning siren to be located by the Marra storage units. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Karsky 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, with the exception of Councilmembers Muir and Karsky who were absent, the Mayor declared the motion carried and the meeting adjourned at 7:50 p.m.