

**MINUTES
CITY COUNCIL MEETING
May 19, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, May 19, 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, Nick Muir, Jason Karsky, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on May 7, 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.

Mayor Chamberlain requested Council consideration to his appointment of Amy Miller as City Attorney.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of May 5, 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ADVANCED CONSULTING, SE, 1750.00; ALTEC INDUSTRIES, SU, 596.15; AMERITAS, SE, 2407.89; APPEARA, SE, 169.41; BAKER & TAYLOR BOOKS, SU, 489.60; CARHART LUMBER CO, SU, 660.47; CARROLL DISTRIBUTING, SU, 105.03; CDBG CERTIFICATION, FE, 100.00; CERTIFIED TESTING SERVICE, SE, 2939.50; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, PY, 79575.60; CITY OF WAYNE, RE, 2001.34; COMMUNITY HEALTH, RE, 4.00; CONSOLIDATED MANAGEMENT, SE, 46.50; CORNHUSKER INTERNATIONAL, SU, 82.99; ECHO GROUP, SU, 128.66; CITY EMPLOYEE, RE, 588.34; ERNEST E PING, SE, 779.00; FLOOR MAINTENANCE, SU, 309.70; FREDRICKSON OIL, SU, 1108.50; GALE GROUP, SU, 163.73; GEMPLER'S, SE, 291.25; GEOCOMM, SE, 2084.00; GERHOLD CONCRETE, SU, 1680.22; GROSSENBURG IMPLEMENT, SU, 337.40; HEARTLAND FIRE PROTECTION, SE, 77.00; HIRERIGHT

SOLUTIONS, SE, 106.30; HOMETOWN LEASING, SE, 259.98; ICMA, SE, 8275.84; IRS, TX, 28327.09; JACK'S UNIFORMS, SU, 27.95; JEO CONSULTING GROUP, SE, 50237.37; KAREN MECSEJI, RE, 26.40; KEPKO, SU, 8.68; KRIZ-DAVIS, SU, 1015.98; KTCH, SE, 1141.00; L.G. EVERIST, SU, 1837.36; LUTT OIL, SU, 4641.97; MAEDC, FE, 425.00; MICHAEL TODD & CO, SU, 244.21; MIDSTATES ERECTORS, SE, 19375.16; MIDWEST LABORATORIES, SE, 337.50; MIKE TOWNE, SE, 300.00; MOTOR MIDWEST, SU, 325.00; CITY EMPLOYEE, RE, 60.84; NE DEPT OF REVENUE, TX, 3887.12; NE NEB INS AGENCY, SE, 863.00; NE SAFETY COUNCIL, SE, 18.64; NPPD, SE, 246766.67; NEBRASKA COMMUNITY FOUND., FE, 200.00; NLA, SU, 4.40; NNPPD, SE, 12306.60; NORTHEAST TIRE SERVICE, SE, 126.48; NORTHERN SAFETY CO, SU, 213.81; OLSSON ASSOCIATES, SE, 2188.19; ONE CALL CONCEPTS, SE, 108.60; PEPSI, SU, 226.00; PLUNKETT'S PEST CONTROL, SE, 1129.93; RON'S RADIO, SU, 730.75; SKARSHAUG TESTING LAB, SE, 153.57; SOOLAND BOBCAT, SU, 579.00; SPARKLING KLEAN, SE, 2930.36; SHOPKO, SU, 135.04; STADIUM SPORTING GOODS, SU, 385.25; STAPLES ADVANTAGE, SU, 63.99; STATE NEBRASKA BANK, SE, 68.56; TATE NELSON, RE, 500.00; US BANK, SU, 2075.35; VAN DIEST SUPPLY, SU, 66.80; VIAERO, SE, 137.84; WASTE CONNECTIONS, SE, 209.55; WAED, SE, 7216.66; WAYNE AUTO PARTS, SU, 380.06; WAYNE FIREWORKS COMMITTEE, RE, 2000.00; WAYNE HERALD, SE, 3832.07; WAYNE KRAMER, RE, 50.00; WAYNE STATER, SE, 138.00; WESCO, SU, 754.35; ZACH HEATING & COOLING, SE, 449.70; APPEARA, SE, 63.97; CITY EMPLOYEE, RE, 213.57; BROWN PLUMBING, SE, 97.50; BROWN SUPPLY, SU, 75.53; CHILVERS ABSTRACT & TITLE, SE, 1025.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 2070.97; CONSOLIDATED MANAGEMENT, SE, 27.50; CUMMINS CENTRAL POWER, SE, 844.04; DGR & ASSOCIATES, SE, 510.00; DOUGLAS CO COURT, RE, 149.00; DUTTON-LAINSON, SU, 1155.60; ECHO GROUP, SU, 169.48; GERHOLD CONCRETE, SU, 75.99; GROSSENBURG IMPLEMENT, SU, 1361.56; CITY EMPLOYEE, RE, 2709.57; HAWKINS, SU, 1041.33; HD SUPPLY WATERWORKS, SU, 2671.20; HEWLETT-PACKARD, SU, 85.00; JWC ENVIRONMENTAL, SE, 1500.00; KELLY SUPPLY, SU, 462.86; LITE-FORM TECHNOLOGIES, SU, 1078.95; MSC INDUSTRIAL, SU, 74.80; MUNICIPAL SUPPLY, SU, 1104.99; NE DEPT OF ENVIRONMENTAL, RE, 199312.49; OMAHA WORLD-HERALD, SE, 565.18; OVERHEAD DOOR COMPANY, SE, 86.00; PITNEY BOWES, SE, 258.00; PROFESSIONAL POOL & SPA, SU, 431.90; QUALITY 1 GRAPHICS, SU, 25.00; REED ALLEN, RE, 50.00; ROBERTSON IMPLEMENT, SU, 446.19; TYLER TECHNOLOGIES, SE, 2467.96; VERIZON WIRELESS, SE, 99.30; WESCO, SU, 408.53

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, 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 advised the Council that he was appointed the Fire Chief by the Wayne Volunteer Fire Department for the upcoming year. This would be his 4th year serving as Fire Chief, if approved by the Council.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, approving the appointment of Phil Monahan as Fire Chief. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, introduced Nate Temme, who submitted an application for membership to the Wayne Volunteer Fire Department.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, approving the Application for Membership of Nate Temme to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would approve what is called “Active Status Policy Requirements” for the Wayne Volunteer Fire Department. This proposal was prepared by him, has been reviewed by the Fire Chief, was presented to the Rural Fire Board and approved, and now is being brought before Council for consideration and approval. This is a way to measure the participation rate in regular training and emergency calls, and to assess the need for fire department gear. Liability issues are a concern for untrained members attending fire calls.

Several Fire Department members voiced their concern over the policy and how the matter was handled, noting that some of the items in this policy are already addressed in their By-Laws. They were of the opinion these matters could be handled internally.

The Council was advised that the Fire Department voted down a proposed amendment to add a requirement to the By-Laws of having to attend a certain number of fire calls per year.

At this time, 35 members and 2 cadets are on the Department. On average, 18 members usually respond to fire calls, and they average 60 calls per year. Fire Chief Monahan stated if this

point system were in effect today, approximately 8 or 9 out of 35 firefighters would be affected by this.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to table action on Resolution 2015-52 – approving Fire Department Active Status Policy Requirements for six months. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Dave Ley, representing the Masonic Lodge, was present requesting Council consideration to allowing them to place cornerstones in future public buildings. The last Masonic Lodge cornerstone was placed in the Community Activity Center. They prefer to have the cornerstones located in major buildings, with the next one being the swimming pool.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the request of Dr. Ken Liska to place Masonic Lodge cornerstones in future public buildings. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Irene Fletcher, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Friday, July 10th, the Committee is requesting the closure of the following streets from 2:30 p.m. until 2:00 a.m. for the Annual Henoween Celebration: Main Street from 1st Street to the alley between 3rd and 4th Streets; 2nd and 3rd Streets from the alley west of Main Street to the alley east of Main Street.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, approving the request of the Chicken Show Committee to close the following streets on Friday, July 10th from 2:30 p.m. until 2:00 a.m. for the Annual Henoween Celebration: Main Street from 1st Street to the alley between 3rd and 4th Streets; 2nd and 3rd Streets from the alley west of Main Street to the alley east of Main Street. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Irene Fletcher, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Saturday, July 11th, the Committee is requesting the closure of the following streets from 6:00 a.m. until 5:00 p.m., for the Annual Chicken Show Celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and Douglas Street from 8th Street to 10th Street. The intersections at 10th and Douglas and 10th and Lincoln Streets are also requested to be closed.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase approving the request of the Chicken Show Committee to close the following streets on Saturday, July 11th from 6:00 a.m. until 5:00 p.m. for the annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; Douglas Street from 8th Street to 10th Street; and the intersections at 10th and Douglas and 10th and Lincoln Streets. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Irene Fletcher, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Saturday, July 11th for the Annual Chicken Show Parade from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase approving the request of the Chicken Show Committee to close the following streets on Saturday, July 11th for the Annual Chicken Show Parade from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers introduced Resolution No. 2015-53 and moved for its approval;
Councilmember Giese seconded.

RESOLUTION NO. 2015-53

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, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding a Use by Exception Request under Sec. 90-354 Exceptions (5) of the B-1 Highway Business District. The applicant, Sunnyview Place, LLC, is seeking the request to allow for a preschool to be located at 803 Providence Road.

Joel Hansen, Zoning Administrator, stated the Planning Commission held a public hearing on this matter on May 4, 2015, and recommended approval thereof, subject to the following "Findings of Fact:"

1. Staff's recommendation; and
2. Consistency with the current and future land use maps.

John Vakoc, owner of the property, and Mark Lenihan, Wayne-Carroll School Superintendent, were present to answer questions.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Eischeid introduced Resolution 2015-54, and moved for its approval;
Councilmember Greve seconded.

RESOLUTION NO. 2015-54

A RESOLUTION APPROVING THE APPLICATION OF SUNNYVIEW PLACE, LLC, FOR A ZONING USE BY EXCEPTION PERMIT TO ALLOW FOR A PRESCHOOL TO BE LOCATED AT 803 PROVIDENCE ROAD.

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

Mayor Chamberlain declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the final plat for the Opportunity Park Addition. The applicant, City of Wayne, is seeking the request.

Joel Hansen, Zoning Administrator, stated the Planning Commission reviewed the Final Plat for Opportunity Park Addition and forwarded a recommendation to approve the same subject to the following "Findings of Fact:"

- Staff's recommendation; and
- Consistency with the current and future land use maps.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Eischeid introduced Resolution 2015-55, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2015-55

A RESOLUTION APPROVING THE FINAL PLAT FOR OPPORTUNITY PARK ADDITION.

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

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to amending the Wayne Municipal Code, Chapter 90 Zoning, Section 90-10 Definitions, to include "Stables" and "Livestock Arena." The applicant, City of Wayne, wishes to add these definitions to more clearly define them.

The Planning Commission reviewed the matter at their public hearing on May 4, 2015, and forwarded a recommendation to approve the same subject to the "Finding of Fact" being staff's recommendation.

Joel Hansen, Zoning Administrator, stated that he and the Planning Commission reviewed the definitions and uses proposed by RDG, as a part of matching the Comprehensive Plan, and feel that the definition of “Stables” will adequately address both terms.

The definition is as follows:

Stables: Boarding, breeding or raising of horses, llamas, or other hooved animals which are not owned by the occupants of the premises; or for the purpose of riding animals included in this definition by members of the public other than the occupants of the premises or their nonpaying guests. Typical uses include boarding stables or public stables.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Eischeid introduced Ordinance No. 2015-29, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-29

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, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission’s recommendation in regard to amending the Wayne Municipal Code, Chapter 90 Zoning, Section 90-114 Exceptions in the A-1 Agricultural District. The applicant, City of Wayne, seeks the request to add Stables and Livestock Arena.

The Planning Commission reviewed the matter at their public hearing on May 4, 2015, and forwarded a recommendation to approve the same subject to the “Finding of Fact” being staff’s recommendation.

Joel Hansen, Zoning Administrator, stated that since the definition of “Stables” adequately addresses both terms, then “Stables” should be the only thing addressed in the exceptions.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

BJ Woehler spoke against the passage of this ordinance, especially in an A-1 district.

Councilmember Eischeid introduced Ordinance No. 2015-30, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-30

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, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission’s recommendation in regard to amending the Wayne Municipal Code, Chapter 90 Zoning, Section 90-115 Conditions for Granting Exceptions in the A-1 Agricultural District, by adding (4) Stables and (5) Livestock Arena. The applicant for this request is the City of Wayne.

The Planning Commission reviewed the matter at their public hearing on May 4, 2015, and forwarded a recommendation to approve the same subject to the “Finding of Fact” being staff’s recommendation.

Joel Hansen, Zoning Administrator, stated this would address Mr. Woehler’s concerns. Again, they are just addressing “Stables” and not “Livestock Arena.” The proposed language is as follows:

For Stables, there shall be:

- i. No more than 2 animals per acre allowed outside of an enclosed building at any given time, with a maximum limit of 40 animals.
- ii. No structure housing animals, or storing or composting manure, **and** any open area used for grazing, loafing, or spreading manure within 100 feet of any property line, which borders the city limits, any R District, or any A District.
- iii. No structure housing animals, or storing or composting manure, **and** any open area used for grazing, loafing, or spreading manure within 300 feet of a residential dwelling on another property when there are more than 15 animals associated with the use as a stable.

City Attorney Miller suggested changing the word “and” (highlighted above) to “or.”

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Brodersen introduced Ordinance No. 2015-31, and moved for approval thereof, and changing the word “and” to “or” in subparagraphs ii and iii; Councilmember Giese seconded.

ORDINANCE NO. 2015-31

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, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Joel Hansen stated that the following Ordinance would vacate the north-south alley adjacent to the east side of Lot 1, Carhart’s First Addition, and lying between Lot 2, Carhart’s First Addition, and Lot 3, Westwood Addition (between the Scott Hasemann and Denny Lutt properties). Scott Hasemann would like to build a garage space onto his house, but is limited by the rear yard setback from the platted alley. The alley is currently lawn and not traveled, but has buried city utilities in it. At this time, the City owns the alley.

It was noted if Mr. Hasemann would want to purchase the property, he would have to make an offer.

Mr. Hasemann was present to answer questions.

Councilmember Eischeid introduced Ordinance No. 2015-32, and moved for approval thereof; Councilmember Muir seconded.

ORDINANCE NO. 2015-32

AN ORDINANCE APPROVING THE VACATION OF AN ALLEY LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THE NORTH-SOUTH ALLEY ADJACENT TO THE EAST SIDE OF LOT 1, CARHART'S FIRST ADDITION, AND LYING BETWEEN LOT 2, CARHART'S FIRST ADDITION, AND LOT 3, WESTWOOD ADDITION, WAYNE, WAYNE COUNTY, NEBRASKA.

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

Dean Carroll, General Manager of Mid-States School Bus, Inc., was present requesting Council consideration to establishing prohibited parking on the west side of Lincoln Street from First Street North a distance of two parking stalls. At this time, there are no parking restrictions, and it is difficult getting the school buses in and out of the building when cars are parked in that area on the street.

Consensus was for staff to prepare an ordinance for Council consideration (no parking here to corner or no parking 8:00 a.m. to 5:00 p.m.).

Administrator Johnson stated the following Resolution would approve an agreement with JEO Consulting Group to assist staff in completing the permit application that needs to be submitted to the Nebraska Department of Environmental Quality in July for renewal in December. Because of the new Aquarius system, and our transition from the lagoon to a belt press sludge handling system, the application process is more complicated this year. We are required to renew this permit every five years. The fees will be charged on a per hour basis, up to \$1,000 maximum.

Roger Protzman of JEO Consulting Group was present to answer questions.

Councilmember Sievers introduced Resolution 2015-56, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-56

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AGREEMENT WITH JEO CONSULTING GROUP, INC., FOR PROFESSIONAL SERVICES TO COMPLETE THE NPDES PERMIT APPLICATION PROCESS FOR THE CITY'S WASTEWATER FACILITY.

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

Administrator Johnson stated the following Resolution would approve an amendment to the Owner-Engineer Agreement with JEO Consulting Group for the "Storm Shelter & Water Main Improvement Projects" for an additional amount of not to exceed \$10,000.

When Council approved the agreement to design the storm shelter/restroom for East Park, it was considered a simple "Lite-Form" project. Because of the FEMA design requirements and the Federal funding, the project has been more difficult and staff has needed more help. JEO Consulting Group did not list the additional work in the first agreement and is submitting the attached amendment to authorize work they have already done and for construction oversight services they will do.

Roger Protzman, representing JEO Consulting Group, was present to answer questions. The original agreement included design of the storm shelter and then design and construction services for the water main project, which was requested by staff. Staff is completing the construction inspections for the storm shelter. However, JEO has helped with the bid letting, reviewed the shop drawings from the contractor, held the preconstruction conference, and completed all of the contract document paperwork for the City, for which they are seeking compensation.

Councilmember Giese introduced Resolution No. 2015-57 and moved for its approval, as amended, by adding the words “not to exceed \$10,000;” Councilmember Greve seconded.

RESOLUTION NO. 2015-57

A RESOLUTION APPROVING AMENDMENT TO OWNER-ENGINEER AGREEMENT WITH JEO CONSULTING GROUP, INC., FOR ADDITIONAL SERVICES FOR THE “WAYNE STORM SHELTER/WATER LINE IMPROVEMENT PROJECTS.”

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

Administrator Johnson stated one proposal was received for the operation of the transfer station. That proposal came from Gill Hauling, Inc., for \$1,000 per month.

Councilmember Giese introduced Resolution No. 2015-58 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2012-58

A RESOLUTION APPROVING AGREEMENT WITH GILL HAULING FOR OPERATION OF THE WAYNE TRANSFER STATION.

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

A pay request has been received from Robert Woehler & Sons Construction, Inc., for the “2014 Hillside Drive, Paving & Storm Sewer Improvement Project” for \$76,912.72. The engineer on the project has approved the same.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving Pay Application No. 2 for \$76,912.72 to Robert Woehler & Sons Construction, Inc., for the “2014 Hillside Drive, Paving & Storm Sewer Improvement Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson presented a rental agreement for 3 of the 5 acres of former Chicago Northwestern Railroad right-of-way the City owns. The other two acres are in a drainage ditch. Glen Johnson is farming the property. The rental rate is \$250 per acre.

Councilmember Giese made a motion, which was seconded by Councilmember Muir approving the Lease Agreement with Glen Johnson for the city railroad right-of-way property. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to approving the following appointments to the Recreation-Leisure Services Commission: Katie Jensen and Brigitte Burbach. They will replace Jodi Pulfer and Jill Walling. Their terms will expire 4/30/18.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, approving the appointments of Katie Jensen and Brigitte Burbach to the Recreation-Leisure Services Commission. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Steve and Connie Hall were present to talk to the Council about the trail signage. They thought the trail signage should relate more to Wayne and not the State of Nebraska. After a considerable amount of discussion, Mayor Chamberlain suggesting putting together a committee to review the signs and suggest updates, etc.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, to enter into executive session for the annual review of the City Administrator, to protect the needless injury to the reputation of the City Administrator, and to allow Attorney Miller to attend. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and executive session began at 8:04 p.m.

Mayor Chamberlain again stated that the matter to be discussed in execution session relates to the annual review of the City Administrator.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, to resume open session. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 8:22 p.m.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 8:22 p.m.