

**MINUTES
CITY COUNCIL MEETING
June 2, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, June 2, 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 21, 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 19, 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: ABBIE BAACK, RE, 2149.00; AMERITAS, SE, 2314.06; AMY K. MILLER, SE, 10833.34; APPEARA, SE, 68.29; AS CENTRAL SERVICES, SE, 448.00; BARRACUDA NETWORKS, SU, 1499.20; BLACK HILLS, SE, 249.92; BOARDERS INN & SUITES, SE, 1188.00; BOMGAARS, SU, 19.98; FIREMAN, RE, 306.90; BROWN SUPPLY, SU, 163.36; CARROLL DISTRIBUTING, SU, 66.15; CITIZENS STATE BANK, RE, 2358.61; CITY OF WAYNE, PY, 82933.12; CITY OF WAYNE, RE, 40.00; CLEAN TO A T, SE, 840.00; COMMUNITY HEALTH, RE, 4.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 2013.11; DUTTON-LAINSON, SU, 468.66; ECHO GROUP, SU, 104.34; ED. M FELD EQUIPMENT, SU, 340.00; FASTENAL, SU, 16.97; FIREMAN, RE, 303.50; FIREMAN, RE, 323.19; GERHOLD CONCRETE, SU, 92.00; GROSSENBURG IMPLEMENT, SU, 231.43; HD SUPPLY WATERWORKS, SU, 6006.34;

HOA SOLUTIONS, SE, 498.00; HTM SALES, SU, 1795.00; HYDRAULIC SALES & SERVICE, SE, 386.00; ICMA, SE, 6853.00; INDUSTRIAL CHEM LABS, SU, 1132.26; INDUSTRIAL TOOL, SU, 101.94; IRS, TX, 28103.82; JEO CONSULTING GROUP, SE, 4106.00; FIREMAN, RE, 298.15; FIREMAN, RE, 283.63; KAY PARK REC CORP, SU, 5580.20; KRIZ-DAVIS, SU, 68.48; LANGEMEIER, WAYNE, SE, 187.50; LAW ENFORCEMENT SYSTEMS, SU, 73.84; CITY EMPLOYEE, RE, 238.69; LOUIS BENSCOTER, RE, 3751.65; FIREMAN, RE, 297.92; MUNICIPAL SUPPLY, SU, 60.11; MURPHY TRACTOR & EQUIPMENT, SU, 395.61; MZRB LLC, RE, 2884.00; N.E. NEB ECONOMIC DEV DIS, SE, 480.00; NANCI WALSH, SE, 400.00; CITY EMPLOYEE, RE, 462.87; NE DEPT OF REVENUE, TX, 3786.84; NE LAW ENFORCEMENT, SE, 80.00; NEBRASKA ARBORETUM, FE, 100.00; NORFOLK DAILY NEWS, SE, 190.20; N.E. NE AMERICAN RED CROSS, RE, 39.24; NWOD, FE, 120.00; OVERHEAD DOOR CO, SU, 13.00; CITY EMPLOYEE, RE, 723.06; QUALITY 1 GRAPHICS, SU, 275.00; QUILL, SU, 100.78; ROBERT WOehler & SONS, SE, 76912.72; STADIUM SPORTING GOODS, SU, 209.25; STANDARD & POOR'S, FE, 120.00; STAPLES ADVANTAGE, SU, 123.20; STATE NEBRASKA BANK, RE, 200.00; T & S TRUCKING, SE, 653.28; UNITED WAY, RE, 14.00; VAN DIEST SUPPLY, SU, 260.00; WAYNE HOSPITALITY, RE, 20014.65; ADVANCED CONSULTING, SE, 2311.13; APPEARA, SE, 109.77; CITY EMPLOYEE, RE, 51.26; BERRY, KATHY, RE, 40.65; BLACK HILLS, SE, 85.62; BLUE CROSS BLUE SHIELD, SE, 29697.12; BOMGAARS, SU, 1681.25; BROWN SUPPLY, SU, 469.14; BSN SPORTS, SU, 28.99; CENTURYLINK, SE, 510.48; CITY EMPLOYEE, RE, 635.78; CITY OF WAYNE, RE, 20.00; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, RE, 2837.49; DEMCO, SU, 79.71; EAKES OFFICE PLUS, SE, 905.04; ED. M FELD EQUIPMENT, SU, 60.00; FIRST CONCORD GROUP, SE, 5090.63; FYR-TEK, SU, 90.00; GALE GROUP, SU, 46.48; GERHOLD CONCRETE, SU, 394.00; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 151.90; HEWLETT-PACKARD, SU, 3747.10; HUNTEL CABLEVISION, SE, 2639.67; JEO CONSULTING GROUP, SE, 70606.00; CITY EMPLOYEE, RE, 1625.75; KRIZ-DAVIS, SU, 141.56; MIKE DICKES, RE, 97.07; NNPPD, SE, 3698.00; OAKSTONE PUBLICATIONS, SU, 138.60; ONE CALL CONCEPTS, SE, 87.55; CITY EMPLOYEE, RE, 1383.03; SKARSHAUG TESTING LAB, SE, 145.89; STAPLES ADVANTAGE, SU, 323.74; STATE NEBRASKA BANK, RE, 96.94; VAKOC CONSTRUCTION, SU, 2,418.35; VAN DIEST SUPPLY, S;U, 416.00; VIAERO, SE, 318.11; WATSON LABEL PRODUCTS, SU, 188.89; WAED, RE, 7216.66; WAYNE GROCERY, SU, 10.94; WAYNE HERALD, SE, 46.00; WESCO, SU, 529.0; WAPA, SE, 21837.18

Councilmember Sievers 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, 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.

Councilmember Sievers introduced Ordinance No. 2015-29, and moved for approval of the second reading thereof; Councilmember Haase 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 third and final reading will take place at the next meeting.

Councilmember Sievers introduced Ordinance No. 2015-30, and moved for approval of the second reading thereof; Councilmember Haase 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 third and final reading will take place at the next meeting.

Councilmember Sievers introduced Ordinance No. 2015-31, and moved for approval of the second reading thereof; Councilmember Haase 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 third and final reading will take place at the next meeting.

Councilmember Sievers introduced Ordinance No. 2015-32, and moved for approval of the second reading thereof; Councilmember Haase 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.

Councilmember Sievers 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, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, to move for final approval of Ordinance No. 2015-32. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Scott and Mary Kay Hasemann presented a proposal to purchase 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 for \$150.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, accepting the proposal of Scott and Mary Kay Hasemann to purchase 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 for \$150. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers introduced Resolution 2015-59, and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2015-59

A RESOLUTION AUTHORIZING THE SALE OF 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, CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Councilmember Sievers introduced Ordinance 2015-33, and moved for its approval; Councilmember Haase seconded.

ORDINANCE NO. 2015-33

AN ORDINANCE DIRECTING THE SALE OF 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, CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Councilmember Sievers made a motion, which was seconded by Councilmember 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, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, to move for final approval of Ordinance No. 2015-33. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following ordinance would amend Section 34-1 Misdemeanors; use of tobacco products on city property, to include the following locations: Hank Overin Field, Summer Sports Complex, and the swimming pool.

Councilmember Sievers introduced Ordinance 2015-34, and moved for its approval; Councilmember Haase seconded.

ORDINANCE NO. 2015-34

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 34, ARTICLE I, SECTION 34-1 MISDEMEANORS; USE OF TOBACCO PRODUCTS ON CITY PROPERTY; 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.

The following ordinance would prohibit parking on the west side of the centerline of Lincoln Street from the north line of West 1st Street north 50 feet. This comes forward at the request of Dean Carroll, General Manager of Mid-States School Bus, Inc.

Councilmember Brodersen introduced Ordinance 2015-35, and moved for its approval; Councilmember Haase seconded.

ORDINANCE NO. 2015-35

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, CHAPTER III PARKING, SECTION 78-132 PROHIBITED PARKING, SOUTHWEST 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, the Mayor declared the motion carried. The second reading will take place at the next meeting.

The following Resolution would adopt the City Administrator's contract for the upcoming year. This includes a 2% cost of living increase.

Councilmember Giese introduced Resolution No. 2015-60 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2015-60

A RESOLUTION TO ADOPT EMPLOYMENT AGREEMENT.

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

The following Resolution would approve an agreement with Adanced Consulting Engineering Services for the Logan Valley Drive Sanitary Sewer Extension Project. Said services are for a “not to exceed” sum of \$4,000. This will extend the last segment of sanitary sewer from Chief’s Way south on Logan Valley Drive about 900 feet or as far as the sewer can extend and still gravity flow back to the north. The estimated cost of this project is \$46,250 for construction.

Gill Hauling is building a new building that needs to be connected to sewer. Gill and the owner of the subdivision have both requested the City to extend this sewer line and will pay the calculated hook-up fee per lot. This is outside city limits, and, as we did with Chief’s Way, the City sewer utility will carry the remaining costs of this project until all of the lots are connected.

All of the new construction and engineering costs will be assessed to the sewer hookup fees for the lots to be served. As these new lots are connected, we will recover \$39,000 in sewer fees to go towards the reimbursement of the costs of the big lift station by Milo Meyer Construction and the force main to connect into the city sewer system.

Administrator Johnson advised the Council that this will not increase the sewer rates.

Councilmember Giese introduced Resolution No. 2015-61 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-61

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING THE SHORT FORM OF AGREEMENT BETWEEN THE CITY OF WAYNE AND ADVANCED CONSULTING ENGINEERING SERVICES FOR THE “LOGAN VALLEY DRIVE SANITARY SEWER EXTENSION PROJECT.”

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

The following Resolution would authorize staff to submit a grant application to the United States Department of Agriculture for energy reduction funding assistance and approve the sum of \$500 to be paid to Energy Transportation Partners to prepare and submit the grant application. This would be for low-income households and used to educate those households on energy savings. The grant is for \$50,000 (minimum) and the City would be required to match that amount. After discussion, no action was taken on the matter, and said Resolution died for lack of a motion.

Administrator Johnson stated that Change Order No. 2 represents a deduct of \$1,949.82 for the “2014 Hillside Drive Paving and Storm Sewer Improvement Project.” This is for an adjustment in quantities. The engineer has approved this Change Order as well as Pay Application No. 3 on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Giese, approving Change Order No. 2 (Final) — (\$1,949.82) for the “2014 Hillside Drive Paving and Storm Sewer Improvement Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Pay Application No. 3 (Final) for \$19,367.63 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.

The following Resolution would accept the “2014 Hillside Drive Paving and Storm Sewer Improvement Project,” as recommended by the City’s engineer on the project, JEO Consulting Group, Inc.

Councilmember Brodersen introduced Resolution No. 2015-63 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-63

A RESOLUTION ACCEPTING WORK ON THE “2014 HILLSIDE DRIVE PAVING AND STORM SEWER IMPROVEMENT PROJECT” AND AUTHORIZING FINAL PAYMENT THERETO.

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

Discussion took place in regard to implementing a new policy to allow the pool passes to be paid through the monthly utility bill. After discussion, since the new pool will or should be open next year, it was the consensus to wait and add this item to one of the February, 2016, agendas.

Council reviewed the current rental rates and proposed changes in those rates for the Community Activity Center.

Locker Rentals (Annual)	Current Rate	New Rate
Large	\$35.00	
Medium	\$25.00	
Small	\$15.00	
 Community Room (2-4 hours)		
Member	\$37.28	\$20.00
Non-Member	\$42.60	\$40.00
 Community Room (4+ hours)		
Member	\$79.88	\$60.00
Non-Member	\$106.50	\$100.00
 Youth Center (2-4 hours)		
Member	\$40.00	
Non-Member	\$45.00	
 Youth Center (4+ hours)		
Member	\$75.00	
Non-Member	\$100.00	
 Gym Court Space		
¼ gym floor	\$25/hr	
½ gym floor	\$50/hr	

Rental of the gym to non-profit organizations is a flat rate of ~~\$75.00~~

Non-Profit \$250.00
For Profit \$350.00

High School team court rental is \$20/hr

Yoga rental fee - ~~\$50.00/month~~ **\$50/month w/ membership**
\$75/month w/o membership

Weight Watchers Rental Fee - \$117.37/month

After discussion, Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the following rental rates at the Community Activity Center, which shall take effect immediately:

Locker Rentals (Annual)	Current Rate	New Rate
Large	\$35.00	
Medium	\$25.00	
Small	\$15.00	

Community Room (2-4 hours) per hour	Current Rate	New Rate
Member	\$37.28	\$20.00
Non-Member	\$42.60	\$40.00

Community Room (4+ hours)	Current Rate	New Rate
Member	\$79.88	\$60.00
Non-Member	106.50	\$100.00

Youth Center (2-4 hours)		
Member	\$40.00	
Non-Member	\$45.00	

Youth Center (4+ hours)		
Member	\$75.00	
Non-Member	\$100.00	

Gym Court Space		
¼ gym floor	\$25/hr	
½ gym floor	\$50/hr	

~~Rental of gym to non-profit organizations is a flat rate of \$75.00~~

Non-Profit \$250.00/day
For Profit \$350.00/day

~~High School team court rental is \$20/hr~~

Yoga rental fee - ~~\$50.00/month~~

\$50/month w/ membership
\$75/month w/o membership

Weight Watchers Rental Fee - \$117.37/month

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

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 6:34 p.m.