

**MINUTES  
CITY COUNCIL MEETING  
August 4, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, August 4, 2015, 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, Jason Karsky, and Matt Eischeid; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Cale Giese, Jon Haase and Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 23, 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 Sievers made a motion, which was seconded by Councilmember Greve, whereas, the Clerk has prepared copies of the Minutes of the meeting of July 21, 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 Giese, Haase and Brodersen 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:** AMERICAN BROADBAND, SE, 990.00; AMERITAS, SE, 2397.26; AMY K. MILLER, SE, 5416.67; APPEARA, SE, 176.73; AS CENTRAL SERVICES, SE, 448.00; BLACK HILLS, SE, 455.44; BLUE CROSS BLUE SHIELD, SE, 29618.40; BOMGAARS, SU, 1405.47; CITY OF WAYNE, RE, 28.34; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 700.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, PY, 75806.92; CITY OF WAYNE, RE, 190.90; CLEAN TO A T, SE, 440.00; COMMUNITY HEALTH, SE, 4.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DUTTON-LAINSON, SU, 3809.20; ECHO GROUP, SU, 240.73; ED. M FELD EQUIPMENT, SE, 825.35; FASTENAL, SU, 27.69; FIRST CONCORD GROUP, SE, 3245.30; GERHOLD CONCRETE, SU, 2506.29; GROSSENBURG IMPLEMENT, SU, 319.38; HOA SOLUTIONS, SU, 189.00; ICMA, SE, 6457.20; IMPACT SPECIALTIES, SU, 809.25; IRS, TX, 26463.92; JEO CONSULTING GROUP, SE, 19200.85; JORGENSEN CONCRETE & CONS, SE, 800.00; KLEIN ELECTRIC, SE, 12245.75; KRIZ-DAVIS, SU, 134.82; LANGEMEIER, WAYNE, SE, 75.00; LYNN PEAVEY, SU, 904.50; MARRIOTT HOTELS, SE, 297.00; MATT PARROTT, SU, 2620.30; MID STATES SCHOOL BUS, SE, 100.00; MONAHAN, PHILLIP, RE, 363.86; CITY

EMPLOYEE, RE, 133.80; NE AIR FILTER, SU, 323.16; NE DEPT OF REVENUE, TX, 3650.46; NE PUBLIC HEALTH, SU, 1811.00; N.E. NE AMERICAN RED CROSS, RE, 39.24; NNPPD, SE, 4599.00; NOVELTY MACHINE & SUPPLY, SU, 698.11; OCC BUILDERS, SE, 42794.00; PICK EQUIPMENT & CHOPPING, SE, 3024.75; POLLARD PUMPING, SE, 1110.00; REHAB SYSTEMS, SE, 35791.75; STADIUM SPORTING GOODS, SU, 426.00; THE RADAR SHOP, SE, 273.00; TIEDTKE CONSTRUCTION, SE, 5348.46; TYLER TECHNOLOGIES, SE, 17213.33; UNITED WAY, RE, 14.00; VIAERO, SE, 322.24; WAED, SE, 7216.66; WAYNE ROTARY, FE, 160.00; WESCO, SU, 938.39; WEST-E-CON, SE, 7033.60; WINGATE INN, SE, 379.80; 4IMPRINT, SU, 1105.25; AMERICAN BROADBAND, SE, 1594.30; CARHART LUMBER CO, SU, 2109.61; CAROL DUNNING, RE, 500.00; CHAD SOKOL, RE, 500.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, RE, 697.44; COPY WRITE, SU, 304.62; DEMCO, SU, 80.94; DUTTON-LAINSON, SU, 460.10; ECHO GROUP, SU, 249.52; FAITH REGIONAL, SE, 60.00; FLOOR MAINTENANCE, SU, 430.56; GEMPLER'S, SU, 8.00; GERHOLD CONCRETE, SU, 3235.57; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 25.90; HAWKINS, SU, 1032.43; CITY EMPLOYEE, RE, 150.00; IRS-DEPT OF TREASURY, FE, 74.88; K & S DOOR CO, SE, 100.95; CITY EMPLOYEE, RE, 1664.92; NE NEB INS AGENCY, SE, 521.00; ONE CALL CONCEPTS, SE, 97.05; OVERDRIVE, SU, 316.85; PLUNKETT'S PEST CONTROL, SE, 175.18; SIMPLEXGRINNELL, SE, 446.00; SIOUX CITY JOURNAL, SU, 245.43; STAPLES ADVANTAGE, SU, 645.48; WASTE CONNECTIONS, SE, 140.80; WAPA, SE, 28038.87

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, with the exception of Councilmembers Giese, Haase and Brodersen 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.

Administrator Johnson introduced Diane Bertrand, who he is recommending be appointed as the new Senior Citizens Center Coordinator.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, to approve the appointment of Diane Bertrand as the new Senior Citizens Center Coordinator. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas,

with the exception of Councilmembers Giese, Haase and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Giese arrived at 5:35 p.m.

Administrator Johnson introduced Bryce Meyer, who he is recommending be appointed as the new Recreation Services Director.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, to approve the appointment of Bryce Meyer as the new Recreation Services Director. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

Wes Blecke, Executive Director of Wayne Area Economic Development provided the Council with the six-month LB 840 activity update.

Wes Blecke, Director of Wayne Area Economic Development, was present and advised the Council that the LB840 Sales Tax Advisory Committee met and reviewed one application to Wayne's Economic Development Program Fund. The Committee reviewed the request by Rezurrected Rod & Kustom for a \$50,000 loan to expand at its current location (2,400 sq. ft. at 115 Clark Street). The requested terms were for a low-interest loan at \$25,000 and a forgivable loan at \$25,000. The recommended terms from the Committee were \$25,000 as a performance-based loan, requiring two FTE employees hired over ten years, and \$25,000 as a loan for 10 years at 3% interest.

Garek Bebee was present to answer questions.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving the recommendation of the LB840 Sales Tax Advisory Committee to approve a \$25,000, performance-based loan requiring two FTE employees hired over ten years, and a \$25,000 loan for 10 years at 3% interest. Mayor Chamberlain stated the motion, and the result of

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

In addition, Mr. Blecke advised the Council that the LB840 Sales Tax Advisory Committee discussed a previously approved loan/project for tornado relief funds from October, 2013. Since only \$241,000 of the \$500,000 set aside for emergency business cash flow funding after the tornado has been allocated to businesses, the Committee was recommending that the remaining \$259,000 be de-committed for tornado relief.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the recommendation of the LB840 Sales Tax Advisory Committee to de-commit the remaining balance of \$259,000 of the \$500,000 that was set aside for emergency business cash flow funding after the October, 2013, tornado. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, approving the reappointment of Curt Frye, Kari Wren and Don Buryanek to the LB840 Sales Tax Advisory Committee. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

Joel Hansen, ADA Coordinator, presented his recommendations for the removal and relocation or placement of handicapped parking stalls in the downtown area.

Councilmember Eischeid introduced Ordinance No. 2015-36, and moved for approval of the third and final reading thereof, as amended, by adding and removing handicapped parking stalls as identified/recommended by Joel Hansen, ADA Coordinator; Councilmember Giese seconded.

ORDINANCE NO. 2015-36

AN ORDINANCE AMENDING CHAPTER 78, ARTICLE III, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING OF THE WAYNE MUNICIPAL CODE; 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 Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2015-40, and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2015-40

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, BY AMENDING SECTION 90-703 REGARDING ACCESSORY 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 Haase and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Eischeid 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 Brodersen who were absent, and Councilmember Giese who voted Nay, the Mayor declared the motion carried.

Councilmember Sievers made a motion and Councilmember Eischeid seconded to move for final approval of Ordinance No. 2015-40. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

Because there were not enough Councilmembers voting in the affirmative to waive the required three readings (6), this matter will be brought forward at the next Council meeting for the third and final reading.

Discussion took place regarding the Resolution that would authorize the allocation of property taxes to the Wayne Airport Authority. The consensus of Council was to wait until after the budget work session is done before taking any action on the Resolution.

The following Resolution is a requirement by the Nebraska Department of Roads when a State highway will be closed for a celebration/parade. This Resolution pertains to the Wayne State College Homecoming Parade and Band Day on Saturday, October 10, 2015.

Councilmember Eischeid introduced Resolution No. 2015-80 and moved for its approval; Councilmember Sievers seconded.

#### RESOLUTION NO. 2015-80

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

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

Three bids were received on the "Main Street Water Main Improvement Project." Advanced Consulting Engineering Services reviewed the bids and was recommending that the project be awarded to the low bidder, Rutjens Construction, Inc., of Tilden, NE, for \$262,983.53. The other two bids were from Penro Construction, \$352,567.89 and Robert Woehler & Sons Construction, \$397,716.01.

Councilmember Giese introduced Resolution No. 2015-81 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-81

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “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 Brodersen who were absent, the Mayor declared the motion carried.

Roger Protzman, Engineer with JEO Consulting Group, advised the Council that three bids were received on the “2015 Wastewater Treatment Facility Improvement Project.” Those three bids ranged from \$1,623,000 to \$1,950,000. The engineer’s estimate was \$1,600,000 to \$1,800,000. The low bidder was Erickson Construction Co., Inc., Blair, NE, for \$1,623,000. He noted that Erickson Construction was the general contractor for the first phase of the project. JEO recommended awarding the contract to the low bidder, Erickson Construction for \$1,623,000. The completion date on this project is August 1, 2016.

Councilmember Giese introduced Resolution No. 2015-82 and moved for its approval, Councilmember Eischeid seconded.

RESOLUTION NO. 2015-82

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “2015 WASTEWATER TREATMENT FACILITY IMPROVEMENTS – PHASE 3, 4, & 5 PROJECT” (BIOSOLIDS PROJECT).

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

A pay request has been received from Robert Woehler & Sons Construction, Inc., for the “Windom Street Storm Sewer Improvement Project” for \$44,772.75. The engineer on the project, Advanced Consulting Engineering Services, has approved the same.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving Pay Application No. 1 for \$44,772.75 to Robert Woehler & Sons Construction, Inc.,

for the “Windom Street Storm Sewer Improvement Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

Roger Protzman of JEO Consulting Group was present to review Change Order No. 2 for \$649.00 for the “2015 Water System Improvement – Water Main Relocation Project.” There will, in all likelihood, be a final change order to adjust quantities, etc.

Councilmember Giese made a motion, which was seconded by Councilmember Greve approving Change Order No. 2 for \$649.00 for the “2015 Water System Improvements – Water Main Relocation Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

A pay request has been received from Robert Woehler & Sons Construction, Inc., for the “2015 Water System Improvements – Water Main Relocation Project” for \$71,578.80. The engineer on the project, JEO Consulting Group, has approved the same.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, approving Pay Application No. 1 for \$71,578.80 to Robert Woehler & Sons Construction, Inc., for the “2015 Water System Improvements – Water Main Relocation Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

A pay request has been received from Christiansen Construction Co., LLC, for the “2016 Wayne Aquatic Center Project” for \$275,036.58. The engineer on the project, JEO Consulting Group, has approved the same.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving Pay Application No. 1 for \$275,036.58 to Christiansen Construction Co., LLC, for the “2016 Wayne Aquatic Center Project.” Mayor Chamberlain stated the motion, and the result of

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

Joel Hansen, Zoning Administrator, advised the Council that there is an old part of a frontage road that runs on the north side of the Wayne Vet Clinic that the City has vacated, but retained ownership in. That was done so we could split the lot because Ken Jorgensen, as well as the Vet Clinic, were interested in part of it. Mr. Jorgensen wants to expand his parking lot and is asking for a permanent easement. This would still reserve the east part of the frontage road where the Vet Clinic sign is located, if they would come and ask for a permanent easement as well.

Ken Jorgensen was present to answer questions.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, approving the request of Ken Jorgensen for a permanent easement on the frontage road that runs on the north side of the Wayne Vet Clinic. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried.

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

Mayor Chamberlain noted for the public that this is a work session where the Council takes input from the department heads and staff. This is not a work session where the Council takes input from the public. There will be a public hearing in September for public input before final passage of the budget.

Nancy Braden, Finance Director, presented the proposed 2015-2016 budget.

Council reviewed the General Fund Revenue Sources and Expenditures along with the Utility Revenue Sources and Expenditures for the upcoming FY2015-2016 Budget.

Some of the items Council discussed were as follows:

- Property taxes - \$685,835 – this retains the same mill levy as last year. The increase from last year is due to the property valuation increases. The general fund, plus the airport, can have a maximum levy of \$.45. If the Community Redevelopment Authority would ever come forward and ask for a portion of the mill levy, that would have to come out of the \$.45 also. Debt service is outside the \$.45.
- Delete “Youth Council” from Mayor and Council - \$2,000
- Reduce Admin Travel, Conf. and Meetings by \$1,500
- In Recreation, there were no monies budgeted (capital outlay) for the Hank Overin Field or the Summer Sports Complex facilities.
- Need to look into charging a fee for patrons wishing to use a credit card to pay for services.
- Increase CAC Professional Services by \$1,000
- Delete Adult Softball League - \$700
- Increase Senior Center Promotional and Advertising by \$500
- Increase Library Travel, Conf. and Meetings by \$500
- Increase Library Materials – Children’s by \$1,000
- Decrease Rugby/Soccer in General Fund – Sales Tax by \$17,500
- Delete Green Team from the Transfer Station Fund - \$2,500
- Reduce Admin Community Services by \$1,000
- Reduce WAED Support by \$33,930 and put that into Economic Development (e.g. for to Community Redevelopment Authority) (new line item)
- Move Sewer Laptop Computer - \$2,000 into the Sewer Small Tools line item
- Council was advised that the Rural Water Association has completed a rate analysis for the City and is recommending an increase in water rates by around 23%.
- Budget assumes a 2% cost of living increase for employees.
- The employee’s percentage of the health insurance premium will be increased as well as deductibles in 2016. (Employee from 10% to 20% in 2016; Family from 20% - 30% in 2016; with deductibles being increased from \$1000 single/\$2000 family to \$1500 single/\$3000 family in 2016 if employee and spouse get a physical and are non-smokers).

Councilmember Karsky left the meeting at 10:05 p.m.

Discussion took place regarding the allocation of property taxes to the Wayne Airport Authority.

The following Resolution would allocate \$68,680 in property tax to the Wayne Municipal Airport Authority. This is an annual request that the Airport Authority makes to the Council. This amount represents about \$.035 of the \$.45 property tax allocation that the City could receive. Last year’s allocation was \$64,000.

Councilmember Sievers introduced Resolution No. 2015-79 and moved for its approval, Councilmember Muir seconded.

RESOLUTION NO. 2015-79

A RESOLUTION AUTHORIZING THE ALLOCATION OF PROPERTY TAXES TO THE WAYNE AIRPORT AUTHORITY.

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

Councilmember Sievers 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, with the exception of Councilmembers Haase and Brodersen who were absent, the Mayor declared the motion carried and the meeting adjourned at 10:47 p.m.