

**MINUTES  
CITY COUNCIL MEETING  
October 20, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, October 20, 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, Jennifer Sievers, Nick Muir, Jason Karsky, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Jon Haase.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on October 8, 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 Greve, whereas, the Clerk has prepared copies of the Minutes of the meeting of October 6, 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 Councilmember Haase who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:**

**FISCAL YEAR 2014-2015:** A-1 TEXTILES, SU, 346.99; ARC-HEALTH & SAFETY, SE, 171.00; BAKER & TAYLOR BOOKS, SU, 751.77; BOMGAARS, SU, 1170.95; BROWN SUPPLY, SU, 2407.02; CARHART LUMBER CO, SU, 77.31; CERTIFIED TESTING SERVICE, SE, 529.50; ENGINEERED CONTROLS, SE, 384.00; FLOOR MAINTENANCE, SU, 150.85; GERHOLD CONCRETE, SU, 644.00; HAWKINS, INC, SU, 805.51; HD SUPPLY WATERWORKS, SU, 2292.98; KRIZ-DAVIS, SU, 19952.29; KTCH, SE, 1091.12; LUTT OIL, SU, 4549.66; MIDWEST LABORATORIES, INC, SE, 1176.50; NPPD, SE, 362635.06; NE SAFETY COUNCIL, SE, 18.54; PROVIDENCE MEDICAL CENTER, SE, 61.00; S & S WILLERS, SU, 1725.00; SPARKLING KLEAN, SE, 700.00; STADIUM SPORTING GOODS, SU, 1659.40; STAPLES ADVANTAGE, SU, 288.44; TYLER TECHNOLOGIES, FE, 667.50; US BANK, SU, 2191.71; VAKOC BUILDER'S RESOURCE, SE, 405.98; WAYNE AUTO PARTS, SU, 275.68; WESCO, SU, 293.18; WAPA, SE, 20388.01; ENGINEERED EQUIPMENT, SU, 715.00; FLOOR MAINTENANCE, SU, 93.11; JEO CONSULTING

GROUP, SE, 9947.00; NE AIR FILTER, SU, 185.71; NNPPD, SE, 12134.60; WAYNE STATER, SE, 144.00

**FISCAL YEAR 2015-2016:** FAITH REGIONAL, SE, 60.00; AMERICAN LIBRARY ASSOC, FE, 209.00; AMERICAN RED CROSS, RE, 19.62; AMERITAS, SE, 2440.71; APPEARA, SE, 176.94; CITY EMPLOYEE, RE, 440.14; CITY EMPLOYEE, RE, 168.08; CENTURION TECHNOLOGIES, SE, 76.00; CHAMPION COATINGS, SE, 173850.00; CHEMQUEST, SE, 595.00; CHRISTIANSEN CONSTRUCTION, SE, 110819.84; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, SE, 625.00; CITY OF WAYNE, PY, 63340.87; CITY OF WAYNE, RE, 603.15; COMMUNITY HEALTH, RE, 4.00; CITY EMPLOYEE, RE, 1637.38; CREATIVE DISPLAYS, SU, 248.35; DGR & ASSOCIATES, SE, 6175.11; ECHO GROUP, SU, 692.05; CITY EMPLOYEE, RE, 198.41; ELECTRIC PUMP, SU, 748.63; ELECTRONIC ENGINEERING, SE, 515.00; EMPLOYERS MUTUAL CASUALTY, SE, 294.69; ERIKSEN CONSTRUCTION, SE, 171045.00; ERNEST E PING, SE, 392.00; FLOOR MAINTENANCE, SU, 74.74; CITY EMPLOYEE, RE, 722.08; CITY EMPLOYEE, RE, 285.14; GARY BOEHLE, RE, 69.75; GERHOLD CONCRETE, SU, 455.59; GREG MOSELY, RE, 300.00; HAWKINS, INC, SU, 96.55; IAEI, FE, 120.00; IAEI, FE, 102.00; ICMA, SE, 6124.29; INTERSTATE ALL BATTERY, SU, 188.94; IRS, TX, 23155.28; KELLY SUPPLY, SU, 153.22; KRIZ-DAVIS, SU, 5017.32; LEAGUE OF NEBRASKA, FE, 1407.00; CITY EMPLOYEE, RE, 119.96; CITY EMPLOYEE, RE, 239.00; NE CODE OFFICIAL, FE, 130.00; NE DEPT OF REVENUE, TX, 3294.92; NORTHWEST ELECTRIC, SU, 162.97; PUSH-PEDAL-PULL, SE, 154.70; ROGER SCHWANKE, RE, 317.40; CITY EMPLOYEE, RE, 124.70; SALT CREEK SOFTWARE, SU, 735.32; SPARKLING KLEAN, SE, 2474.83; STATE NEBRASKA BANK, SE, 66.72; SUTTON, TIM, RE, 40.50; UNITED WAY, RE, 6.00; VAN DIEST SUPPLY, SU, 20.83; VIAERO, SE, 132.17; W.T. COX SUBSCRIPTIONS, SU, 1768.14; WAYNE COUNTY COURT, RE, 300.00; WATCHGUARD VIDEO, SU, 4000.00; WESCO, SU, 824.97; APPEARA, SE, 71.56; BLUETARP FINANCIAL, SE, 39.99; CITY OF WAYNEK, RE, 150.00; CITY OF WAYNE, RE, 150.00; DEARBORN NATIONAL LIFE, SE, 1919.36; DEMCO, SU, 136.41; CITY EMPLOYEE, RE, 1895.11; ECHO GROUP, SU, 251.30; ED. M FELD EQUIPMENT, SE, 253.40; FASTENAL, SU, 84.39; CITY EMPLOYEE, RE, 107.78; GALE GROUP, SU, 196.22; GERHOLD CONCRETE, SU, 178.00; ISLAND SPRINKLER SUPPLY, SU, 166.87; CITY EMPLOYEE, RE, 385.76; KRIZ-DAVIS, SU, 593.85; MERIT MECHANICAL, SE, 3855.00; NORFOLK DAILY NEWS, SU, 153.00; OLSSON ASSOCIATES, SE, 964.00; PITNEY BOWES, SU, 253.85; PREMIER PORTABLE BUILDING, SU, 4389.25; STADIUM SPORTING GOODS, SU, 232.00; STAPLES ADVANTAGE, SU, 113.82; VERIZON, SE, 99.29; WAYNE COMMUNITY SCHOOLS, SU, 178.54; WESCO, SU, 1168.44; ZEE MEDICAL SERVICE, SU, 98.28

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Haase who was 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. In addition, he advised the public that the Council would take public comments on agenda items 5, 7 and 9.

Sandy Brown and Lois Shelton, representing the Wayne Green Team, updated Council on what the Green Team is and has been doing and showed a video show casing the same. They also presented to the Council, which they asked to be located in Council Chambers, the award they received for their efforts — the “Wastecap Nebraska Green Team of the Year” award.

Because Fire Chief Phil Monahan and Dylan Ellis were not at the meeting, Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, to table action on the Wayne Volunteer Fire Department Application for Membership of Dylan Ellis until they arrived. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Haase who was absent, the Mayor declared the motion carried.

Mayor Chamberlain stated the time was at hand for the public hearing regarding an application for a Retail Class C Liquor License for Miss Molly’s Coffee Company, LLC, d/b/a “Miss Molly’s.”

Kyle Dahl, representing Miss Molly’s Coffee Company, LLC, was present to answer questions.

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 Sievers introduced Resolution No. 2015-91 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2015-91

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS C LIQUOR LICENSE — MISS MOLLY’S COFFEE COMPANY, LLC, D/B/A “MISS MOLLY’S.”

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

The following Ordinance would establish one-hour parking on the north side of East 2<sup>nd</sup> Street, going from the alley east to Logan Street. This request came from the Torres Family Restaurant owner.

Councilmember Sievers stated another person told her he was going to ask for one-hour parking in front of his business, too.

Councilmember Karsky thought each request would have to be looked at on a case-by-case basis because they are not all the same.

Councilmember Brodersen stated she talked with a business owner in the Mineshaft Mall who was in favor of this because they wanted to see businesses there succeed.

Mayor Chamberlain stated this is a unique situation where we have a high concentration of businesses that need temporary traffic and parking stalls in a half block.

Councilmember Muir introduced Ordinance No. 2015-44, and moved for its approval; Councilmember Brodersen seconded.

ORDINANCE NO. 2015-44

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78, ARTICLE III, SECTION 78-134 RELATING TO PARKING TIME LIMITS OF 15 MINUTES, 30 MINUTES, AND 1 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 Councilmember Haase who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Phil Monahan, Fire Chief, introduced Dylan Ellis and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the membership application of Dylan Ellis to the Wayne Volunteer Fire Department. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Haase who was absent, the Mayor declared the motion carried.

The following Resolution would approve the Service/Consultant Agreement with Northeast Nebraska Economic Development District for the general administration of the CIS grant (this is year two of a three-year grant) for a sum not to exceed \$13,000. This grant will probably be used to replace old water and sewer lines.

Councilmember Sievers introduced Resolution No. 2015-92 and moved for its approval; Councilmember Giese seconded.

#### RESOLUTION NO. 2015-92

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR THE GENERAL ADMINISTRATION OF THE COMPREHENSIVE INVESTMENT AND STABILIZATION GRANT (13-CIS-106).

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

The following Resolution would reaffirm the Project Engineer (Advanced Consulting Engineering Services) and approve the plans and specifications and estimate of cost of \$130,000 (\$60,000 for water and \$70,000 for sewer) for the “Logan Valley Drive Water & Sewer Extension Project,” and authorize the City Clerk to begin advertising for bids.

John Zwingman of Advanced Consulting Engineering Services was present to answer questions regarding the project. He advised the Council that 1,158 feet of water main and 1,200 feet of sewer main will be installed. The project should take 4-6 weeks to complete, and June 15<sup>th</sup>

is the scheduled completion date. Bids will be opened November 12<sup>th</sup>, with the award being at the November 17<sup>th</sup> Council meeting.

Councilmember Sievers introduced Resolution No. 2015-93 and moved for its approval; Councilmember Eischeid seconded.

#### RESOLUTION NO. 2015-93

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “LOGAN VALLEY DRIVE WATER & SEWER EXTENSION 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 Councilmember Haase who was absent, the Mayor declared the motion carried.

City Administrator Johnson stated we have received the new “Wayne Urban Area Boundary Map,” from the Department of Roads. This map is revised about every ten years by the Department of Roads. Council must approve the same. The only change on this map is the reclassification of Highway 35 going through town.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, approving the “Wayne Urban Area Boundary Map.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Haase who was 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 Councilmember Haase who was absent, the Mayor declared the motion carried and the meeting adjourned at 6:09 p.m.