

**MINUTES
CITY COUNCIL MEETING
November 3, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, November 3, 2015, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers 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. Absent: Councilmember Cale Giese.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on October 22, 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 Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of October 20, 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 Giese 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: AMAZON.COM, SU, 590.86; AMERICAN RED CROSS, RE, 19.62; AMERITAS, SE, 2321.16; AMY K. MILLER, SE, 5416.67; APPEARA, SE, 109.77; AS CENTRAL SERVICES, SE, 448.00; B & D DIAMOND PRO, SU, 1720.00; BARCO MUN PRODUCTS, SU, 229.51; CITY EMPLOYEE, RE, 58.43; BLACK HILLS, SE, 289.06; BLACKBURN MANUFACTURING, SU, 660.06; BLUE CROSS BLUE SHIELD, SE, 31074.72; BOMGAARS, SU, 609.22; CITY EMPLOYEE, RE, 121.40; CITY EMPLOYEE, RE, 150.00; CENTURYLINK, SE, 414.97; CITY OF WAYNE, RE, 300.00; CITY OF WAYNE, RE, 350.00; CITY OF WAYNE, RE, 144.90; CITY OF WAYNE, PY, 64282.99; CITY OF WAYNE, RE, 50.00; COMMUNITY HEALTH, RE, 4.00; CPO, FE, 150.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 116.96; DEMCO, SU, 270.65; CITY EMPLOYEE, RE, 271.60; ECHO GROUP, SU, 118.13; FASTENAL, SU, 94.30; FIRE CATT, SE, 1916.90; FLOOR MAINTENANCE, SU, 73.59; GEMPLER'S, SU, 95.60; GERHOLD CONCRETE, SU, 270.00; GROSSENBURG IMPLEMENT, SU, 129.40; CITY EMPLOYEE, RE, 727.20; HEIMAN, SU, 58.85; HOLIDAY INN-DOWNTOWN, SE, 947.55; HOMETOWN LEASING, SE, 412.86; ICMA, SE, 6406.43; IRS, TX, 23358.82; JENSEN

CONSTRUCTION, SE, 7800.00; JEO CONSULTING GROUP, SE, 13468.50; JON WREN, RE, 500.00; CITY EMPLOYEE, RE, 4868.76; CITY EMPLOYEE, RE, 367.79; KRIZ-DAVIS, SU, 58.85; L.G. EVERIST, SU, 1195.40; CITY EMPLOYEE, RE, 10.26; LIBRARY IDEAS, SU, 1543.00; LIFETIME PRODUCTS, SU, 1230.00; LIVING HERE, SU, 17.00; LOVE SIGNS, SU, 175.24; MARK ALBENESIUS, SE, 65155.00; MARRIOTT HOTELS, SE, 822.98; NE DEPT OF REVENUE, TX, 3295.21; NE LIBRARY COMMISSION, FE, 800.00; NE PUBLIC HEALTH, SE, 2363.00; NORFOLK GM AUTO CENTER, SU, 2124.60; NNPPD, SE, 5820.00; OAKSTONE PUBLICATIONS, SU, 138.60; PEERLESS WIPING CLOTH CO, SU, 240.00; SANDRA ATKINS, SE, 325.00; SKARSHAUG TESTING LAB, SE, 145.51; SOCIETY FOR HUMAN, FE, 190.00; STADIUM SPORTING GOODS, SU, 144.00; STATE NEBRASKA BANK, RE, 8725.00; STATE NEBRASKA BANK, RE, 100.00; THOMPSON INFORMATION, SU, 536.99; THREE RIVERS LIBRARY SYSTEM, FE, 5.00; CITY OF WAYNE, RE, 150.00; TYLER TECHNOLOGIES, SE, 200.00; UNITED WAY, RE, 6.00; US BANK, SU, 3542.24; UTILITIES SECTION, FE, 645.00; VAKOC BUILDER'S RESOURCE, SU, 126.76; VIAERO, SE, 243.22; WAED, RE, 7216.66; WAYNE COMMUNITY HOUSING, RE, 4247.38; WAYNE COUNTY COURT, RE, 7650.00; WAYNE HERALD, SU, 96.00; WESCO, SE, 235.40; WISNER WEST, SU, 200.92; ADVANCED CONSULTING, SE, 250.00; AMERICAN BROADBAND, SE, 2516.22; APPEARA, SE, 128.23; CITY EMPLOYEE, RE, 163.07; CARHART LUMBER CO, SU, 225.08; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 350.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, RE, 263.53; DAVE & JEANETTE SWANSON, RE, 500.00; DAVE'S DRY CLEANING, SE, 111.00; EASYPERMIT POSTAGE, SU, 826.90; FIREMAN'S ASSOCIATION, SE, 5000.00; FIRST CONCORD GROUP, RE, 4477.95; FIRST SOURCE TITLE&ESCROW, SE, 100.00; FLOOR MAINTENANCE, SU, 106.65; FRANK SHEDA, SE, 266.25; CITY EMPLOYEE, RE, 648.23; GODFATHERS, SU, 144.00; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 15.85; HTM SALES, SU, 681.05; JASON CAROLLO, SE, 110.00; JEO CONSULTING GROUP, SE, 18887.50; KRIZ-DAVIS, SU, 5154.94; MAEDC, FE, 300.00; MAXIMUM SOLUTIONS, SU, 12960.00; MCLAURY ENGINEERING, SE, 100.00; NNPPD, SE, 615.26; O'KEEFE ELEVATOR, SE, 2432.35; OLSSON ASSOCIATES, SE, 5411.00; PLUNKETT'S PEST CONTROL, SE, 90.00; PROVIDENCE MEDICAL CENTER, SE, 10000.00; QUALITY FOODS, SU, 19.25; S & S WILLERS, SU, 307.49; SIOUXLAND TURF PRODUCTS, SU, 1925.00; SOLOMON CORP, SU, 108.73; STAPLES ADVANTAGE, SU, 66.27; STATE NEBRASKA BANK, RE, 99.42; STATE TREASURER OF NE, RE, 640.20; STRATTON, DELAY, DOELE, SE, 958.50; T & S TRUCKING, SE, 425.04; WASTE CONNECTIONS, SE, 140.80; WAYNE AUTO PARTS, SU, 921.64; WESCO, SU, 145.52; WAPA, SE, 21228.39

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 Councilmember Giese 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 4.

Wes Blecke, Director of Wayne Area Economic Development (WAED), was present and advised the Council that the LB840 Sales Tax Advisory Committee met to review and make a recommendation on an LB840 request by WAED for a \$5,000 grant for administration of the WAED Program Fund. WAED is requesting funds to help cover the costs associated with its role in administering the WAED program, which includes reviewing the program with potential applicants, attending committee meetings, attending Council meetings for both requests and semi-annual reports, as well as preparing reports. It was noted that this request has been reduced to \$5,000 since Wayne County increased its contribution to WAED by \$5,000.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, approving the recommendation of the LB840 Sales Tax Advisory Committee for a \$5,000 grant to Wayne Area Economic Development for its role in administering the Wayne Economic Development Program Fund. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who was absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2015-44, and moved for approval of the second reading thereof; Councilmember Greve 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 Giese who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Johnson stated he still had some questions regarding the low bid received on the City Hall replacement roof project, and asked Council to postpone action on the Resolution that would award the contract until the next Council meeting.

JEO Consulting Group, Inc. presented Application for Payment No. 3 for the “2015 Wastewater Treatment Facility Improvement Project” for \$146,199.12 to Eriksen Construction. They have found the work to date completed in accordance with the plans and specifications, and recommended approval of the same. However, they did advise that the contractor is slightly behind in getting the necessary payroll information to them, so they recommended holding payment until the payroll is current. They will advise the City Clerk when it is up to date.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, approving Application for Payment No. 3 for \$149,199.12 to Eriksen Construction for the “2015 Wastewater Treatment Facility Improvement Project,” pending receipt of the payroll information. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc., presented Application for Payment No. 4 for the “2016 Wayne Aquatic Center Project” for \$175,746.94 to Christiansen Construction Co., LLC. They have found the work to date completed in accordance with the plans and specifications and recommended approval of the same.

Administrator Johnson advised the Council that this project is not on schedule. The contractor has estimates ranging from being 14-30 days behind. He will email to Council an update on the project.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving Application for Payment No. 4 for \$175,746.94 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 Councilmember Giese who was absent, the Mayor declared the motion carried.

Advanced Consulting Engineering Services presented Contractor's Application for Payment No. 1 for the "Grainland Road Water & Sewer Extension Project" for \$99,912.12 to Robert Woehler & Sons Construction, Inc. They have found the work to date completed in accordance with the plans and specifications and recommended approval of the same.

This project is also not on schedule. Administrator Johnson will email the Council an update on this project, too.

Councilmember Muir made a motion, which was seconded by Councilmember Brodersen, approving Contractor's Application for Payment No. 1 for \$99,912.12 to Robert Woehler & Sons Construction, Inc., for the "Grainland Road Water & Sewer Extension Project." Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who was absent, the Mayor declared the motion carried.

Administrator Johnson stated the original Nebraska Community Energy Alliance (NCEA) Interlocal Agreement had nine cities as members. That Agreement requires the unanimous approval of every member in order to make any amendment or update to the Agreement. There are now 22 member cities across Nebraska in this alliance. NCEA board members representing the cities want to make some changes to improve their procedures so that whenever they want to make a change they do not have to have it on the agenda of every member's governing body.

This amended agreement amends the original Interlocal Agreement to:

1. Allow a vote of the NCEA board members representing the cities to amend the Interlocal Agreement at a board meeting; and
2. Establish an executive committee to conduct some of the routine business of the NCEA board when a quorum of the total board is not present.

Councilmember Muir made a motion, which was seconded by Councilmember Brodersen, approving the Interlocal Agreement with the Nebraska Community Energy Alliance. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who was absent, the Mayor declared the motion carried.

Administrator Johnson stated that after the completion of all of the CDBG (CIS) projects, the Clearance and Demolition line item was under budget by \$4,335, and the Public Facilities line item was over budget by \$39,000. If approved, this budget amendment would reallocate the leftover funds from the demolition project to the storm shelter project.

Councilmember Muir made a motion, which was seconded by Councilmember Sievers, approving the budget amendment request for Community Development Block Grant #13-CIS-106 for CDBG Fund Allocations. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who was 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 Councilmember Giese who was absent, the Mayor declared the motion carried and the meeting adjourned at 5:49 p.m.