

**MINUTES
CITY COUNCIL MEETING
December 1, 2015**

The Wayne City Council met in regular session at City Hall on Tuesday, December 1, 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 November 19, 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 Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of November 17, 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: AMAZON.COM, SU, 145.28; AMERICAN RED CROSS, RE, 19.14; AMERITAS, SE, 2700.16; APPEARA, SE, 109.77; AS CENTRAL SERVICES, SE, 448.00; CITY EMPLOYEE, RE, 8.00; BIG T ENTERPRISES, SU, 368.85; BLACK HILLS, SE, 354.59; BOMGAARS, SU, 732.81; CITY EMPLOYEE, RE, 32.47; BROWN SUPPLY, SU, 613.63; CENTURYLINK, SE, 414.29; CHAMPION COATINGS, SE, 84150.00; CITY OF WAYNE, RE, 250.00; CITY OF WAYNE, PY, 77575.58; CITY OF WAYNE, RE, 507.27; CITY EMPLOYEE, RE, 142.00; COLONIAL RESEARCH, SU, 89.41; COMMUNITY HEALTH, RE, 4.00; CREDIT BUREAU SERVICES, RE, 20.74; DANKO EMERGENCY EQUIPMENT, SE, 2687.50; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 123.84; DEMCO, SU, 78.19; DUTTON-LAINSON, SU, 491.03; ECHO GROUP, SU, 44.80; ED. M FELD EQUIPMENT, SU, 610.40; FASTENAL CO, SU, 194.17; FLOOR MAINTENANCE, SU, 196.04; GALE GROUP, SU, 223.51; GERHOLD CONCRETE, SU, 384.94; GOVERNMENTAL ACCOUNTING, SU, 240.00; GROSSENBURG IMPLEMENT, SU, 25.21; HOMETOWN LEASING, SE, 412.86; ICMA, SE, 6408.32; IRS, TX, 27688.50; JACK'S UNIFORMS, SU, 299.90; JASON CAROLLO, SE, 70.00; JEO CONSULTING

GROUP, SE, 14230.00; JORGENSEN CONCRETE, SE, 1000.00; CITY EMPLOYEE, RE, 1031.77; CITY EMPLOYEE, RE, 258.22; MILO MEYER CONSTRUCTION, SE, 310.00; NNEDD, SE, 120.00; NE DEPT OF ENVIRONMENTAL, RE, 198746.73; NE DEPT OF REVENUE, TX, 3838.31; NE PUBLIC HEALTH, SE, 500.00; NORFOLK SPORTING GOODS, SU, 3.94; NNPPD, RE, 752.54; O'REILLY AUTOMOTIVE STORE, SU, 6.99; OLSSON ASSOCIATES, SE, 1170.00; RON'S RADIO, SU, 525.00; SIOUX CITY WINNELSON, SU, 55.73; SKARSHAUG TESTING LAB, SE, 166.77; STADIUM SPORTING GOODS, SU, 2905.75; STAPLES ADVANTAGE, SU, 83.43; STATE NEBRASKA BANK, RE, 110.11; STRATTON, DELAY, DOELE, SE, 427.40; SUN RIDGE SYSTEMS, SE, 2841.00; THE CHILD'S WORLD, SU, 114.75; TITAN MACHINERY, SU, 794.00; TYLER TECHNOLOGIES, SE, 200.00; UNITED WAY, RE, 6.00; VERIZON, SE, 99.29; WAYNE COUNTY COURT, RE, 150.00; ADVANCED CONSULTING, SE, 7000.00; AMERICAN BROADBAND, SE, 2511.16; AMY MILLER, SE, 5416.67; APPEARA, SE, 143.70; CITY EMPLOYEE, RE, 43.86; BLUE CROSS BLUE SHIELD, SE, 32216.16; CERTIFIED TESTING SERVICE, SE, 1857.00; ECHO GROUP, SU, 299.49; ED. M FELD EQUIPMENT, SU, 129.40; FIRST CONCORD GROUP, SE, 2985.30; FREDRICKSON OIL, SU, 1047.62; GROSSENBURG IMPLEMENT, SU, 13.41; KELLY SUPPLY, SU, 1232.80; KRIZ-DAVIS, SU, 470.57; MERIT MECHANICAL, SE, 2535.00; NE DEPT OF ROADS, SE, 11196.34; NE DEPT OF ROADS, SE, 178561.96; PROGRESSIVE BUSINESS PUBL, SU, 299.00; STAPLES ADVANTAGE, SU, 283.48; VIAERO, SE, 246.13; WAED, SE, 7216.66; WAYNE COUNTY TREASURER, FE, 1145.10; WESCO, SU, 350.96

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, 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.

Mark Lenihan, Wayne Public School Superintendent, gave a report and updated the Council on the School Board's goals, as well as building plans, student testing, student and pre-school enrollment, and other school-related activities. Mayor Chamberlain advised the Council that his hope was to have a joint Council/School Board retreat after the Council's retreat in January.

Wes Blecke, Director of Wayne Area Economic Development, was present and advised the Council that the LB840 Sales Tax Advisory Committee met to review and make a

recommendation on the LB840 request/application of Dale and Debbie Paulson. They requested \$50,000 to purchase and remodel the property at 202 Main Street (Tim Fertig property). The terms of their request included assuming the current property owner's LB840 loan of \$50,000 at 3% interest for 15 years.

The Committee, however, modified the terms and recommended a new loan for \$50,000 or the current balance of the existing LB840 loan on the same property, whichever is less, at 3% interest for 15 years, with the proceeds going to pay off the outstanding LB840 loan amount on the same property. The Committee also recommended that the front of the building remodel be completed within 6 months of closing on the property.

Teresa Stabler, representing Dale and Debbie Paulson, was present to answer questions. Paulson Construction was contracted by Tim Fertig to do some of the renovations on the property. They had to file a lien against the property for non-payment. They filed this LB840 application to assume the assisting loan, in the hopes of purchasing the building and reconstructing the front to its original design. The Paulsons' intent is to keep the rental units upstairs and to renovate the downstairs for office space. This is the only way they feel they can recoup their money on the property.

Council had concerns regarding the information provided with the loan application. Councilmember Giese and Sievers wanted to see or know the plans for the building. Councilmember Giese did not think he could say yes to loaning public funds (\$50,000) to someone without a definitive plan to hold them accountable. He would like to see cost breakdowns of the electrical and plumbing work that needs to be done, as well as any interior work that needs to be done, etc. He did not think the Council could blindly give, in good faith, \$50,000 without any type of plan. He wanted the plans and a cost breakdown for what this money will be going towards.

Councilmember Brodersen wanted the architectural review committee involved this time, in light of the fact of what was done to the front of the building after the initial loan was given to Tim Fertig.

Mayor Chamberlain stated typically what comes before the Council are full sets of plans, budget and sources of revenues, etc.

Councilmember Haase made a motion, which was seconded by Councilmember Giese, to table action on the recommendation of the LB840 Sales Tax Advisory Committee on the loan to Dale and Debbie Paulson for two weeks (next Council meeting). Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

JEO Consulting Group presented the City with Application for Payment No. 4 for the “2015 Wastewater Treatment Facility Improvements – Phases 3, 4, & 5 Project” in the amount of \$67,257.60 to Eriksen Construction. This is for work completed in accordance with the contract and approved by the project engineer.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Application for Payment No. 4 for the “2015 Wastewater Treatment Facility Improvements – Phases 3, 4, & 5 Project” in the amount of \$67,257.60 to Eriksen Construction. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated a change order is being requested to extend the completion date on the Airport Sewer Project from December 2015 to July 2016 due to delays with Northern Natural Gas abandoning the gas line. We have not allowed the contractor to start on the project because Northern Natural Gas has not transferred ownership of the 4-inch line under Logan Creek to the City of Wayne yet.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving Change Order No. 1 to extend the completion date on the Airport Sewer Project from December 2015 to July 2016 due to the delays with Northern Natural in abandoning the gas line.

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

The City has received the Annual Renewal Maintenance Agreement from the Nebraska Department of Roads. This is a standard form agreement.

Councilmember Eischeid made a motion, which was seconded by Councilmember Muir, approving the Annual Renewal Maintenance Agreement (2016) with the Nebraska Department of Roads. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

JEO Consulting Group, Inc., presented Application for Payment No. 5 for the “2016 Wayne Aquatic Center Project” for \$287,414.93 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.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, approving Application for Payment No. 5 for \$287,414.93 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, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, setting the annual Mayor/Council Retreat for Friday, January 29, 2016, and Saturday, January 30, 2016, at the Wayne Senior Center. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, 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, the Mayor declared the motion carried and the meeting adjourned at 7:00 p.m.