

**MINUTES
CITY COUNCIL MEETING
January 5, 2016**

The Wayne City Council met in regular session at City Hall on Tuesday, January 5, 2016, 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, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Matt Eischeid.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 24, 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 Haase made a motion, which was seconded by Councilmember Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of December 15, 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 Eischeid 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: ALTEC INDUSTRIES, SU, 167.75; AMAZON.COM, SU, 156.26; AMERICAN RED CROSS, RE, 20.00; AMERITAS, SE, 2378.56; AMY K. MILLER, SE, 5,416.67; APPEARA, SE, 178.24; ARC-HEALTH & SAFETY, SE, 19.00; AS CENTRAL SERVICES, SE, 448.00; AWWA, FE, 300.00; BAKER & TAYLOR BOOKS, SU, 513.36; CITY EMPLOYEE, RE, 264.95; BLACK HILLS, SE, 1205.36; BLACKBURN MANUFACTURING, SU, 347.19; BOMGAARS, SU, 6.99; CITY EMPLOYEE, RE, 51.86; BROWN SUPPLY, SU, 292.88; CARHART LUMBER CO, SU, 234.67; CENTURYLINK, SE, 413.95; CITY OF WAYNE, RE, 845.00; CITY OF WAYNE, PY, 66480.07; CITY OF WAYNE, RE, 817.66; CLARITUS, SU, 145.04; COMMUNITY HEALTH, RE, 4.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 2085.43; ECHO GROUP, SU, 208.04; FIRST CONCORD GROUP, SE, 2985.30; FIRST SOURCE TITLE&ESCROW, SE, 340.00; FLOOR MAINTENANCE, SU, 676.63; GALE GROUP, SU, 99.41; GERHOLD CONCRETE, SU, 2113.51; GROSSENBURG IMPLEMENT, SU, 16.75; HOMETOWN LEASING, SE, 412.86; HTM SALES, SU, 196.19; ICMA, SE, 6435.14; INTERSTATE INDUSTRIAL SER, SE, 130.88; IRS, TX, 24255.93; JEO CONSULTING GROUP, SE,

9637.50; JILL BRODERSEN, AIA, SE, 774.00; JOHNSON HARDWARE, SU, 93.68; CITY EMPLOYEE, RE, 258.22; CITY EMPLOYEE, RE, 527.83; MICHAEL FELDMAN, RE, 500.00; MICHAEL TODD & CO, SU, 757.96; MIDLAND COMPUTER, SE, 2447.25; MUNICIPAL SUPPLY, SU, 658.28; NNEDD, SE, 165.00; CITY EMPLOYEE, RE, 116.75; NE DEPT OF REVENUE, TX, 3457.34; NE LIBRARY COMMISSION, SE, 1024.64; NE NEB INS AGENCY, SE, 65697.00; NE PUBLIC HEALTH ENVIRONM, SU, 1762.00; NNPPD, RE, 1514.85; NNPPD, SE, 12134.60; NWOD, FE, 15.00; OLSSON ASSOCIATES, SE, 205.99; OPTIMUM DATA, SU, 1161.70; CITY EMPLOYEE, RE, 132.06; PITNEY BOWES, SE, 1479.79; RESCO. SU, 1850.03; ROBERT WOEHLE & SONS, SE, 101358.18; ROBERT WOEHLE & SONS, SE, 6137.84; ROBERTSON IMPLEMENT, SU, 79.30; SAND CREEK POST & BEAM, SU, 989.67; SKARSHAUG TESTING LAB, SE, 457.17; SOOLAND BOBCAT, SU, 342.00; STADIUM SPORTING GOODS, SU, 63.00; STAPLES ADVANTAGE, SU, 155.57; SUPERCIRCUITS, SU, 420.00; UNITED WAY, RE, 12.00; VERIZON, SE, 99.62; WAED, SE, 7216.66; WAYNE COUNTY COURT, RE, 300.00; WESCO, SU, 1304.06; WESTERN OFFICE PRODUCTS, SU, 30.00; WIGMAN CO, SU, 904.17; ZEE MEDICAL SERVICE, SU, 139.61; ALL-AMERICAN PUBLISHING, SU, 373.00; ALTEC INDUSTRIES, SU, 2089.00; AMERICAN BROADBAND, SE, 2681.16; APPEARA, SE, 128.02; ASCAP, FE, 336.00; BAKER & TAYLOR, SU, 840.98; BLUE CROSS BLUE SHIELD, SE, 35325.60; CERTIFIED TESTING SERVICE, SE, 2356.00; CITY OF WAYNE, RE, 600.00; CITY OF WAYNE, RE, 1468.76; ED. M FELD EQUIPMENT, SU, 169.20; EVERETT SCHULTZ, SE, 450.00; FIRST CONCORD GROUP, FE, 156.00; GERHOLD CONCRETE, SU, 2402.44; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 551.10; CITY EMPLOYEE, RE, 627.61; CITY EMPLOYEE, RE, 618.43; INGRAM, SU, 13.77; CITY EMPLOYEE, RE, 372.18; CITY EMPLOYEE, RE, 307.55; KELLY SUPPLY CO, SU, 72.93; KRIZ-DAVIS, SU, 211.86; LEAGUE OF NEBRASKA, FE, 324.00; MARCO, SE, 126.36; MAXIMUM SOLUTIONS, SE, 1463.96; MICHAEL TODD & CO, SU, 228.25; MUFFIN MORRIS, RE, 420.00; NE SAFETY COUNCIL, SE, 18.54; NE SALT & GRAIN, SU, 1783.98; NNPPD, SE, 5944.00; ONE CALL CONCEPTS, SE, 17.85; OTTE CONSTRUCTION CO, SE, 19250.00; PAC N SAVE, SU, 903.53; PENGUIN RANDOM HOUSE, SU, 41.25; PLUNKETT'S PEST CONTROL, SE, 70.00; QUALITY FOODS, SU, 16.27; S & S WILLERS, SU, 1737.22; SCOTT HASEMANN, RE, 500.00; SKARSHAUG TESTING LAB, SU, 397.36; STATE NEBRASKA BANK, RE, 70.29; STEFFEN INC, SU, 74.23; STOREY KENWORTHY, SU, 281.49; STRATTON, DELAY, DOELE, SE, 127.40; THE MIDWEST MESSENGER, SU, 35.00; TOM'S BODY & PAINT SHOP, SE, 120.66; TYLER TECHNOLOGIES, SE, 9531.95; VAKOC BUILDER'S RESOURCE, SE, 141.01; VERMEER EQUIPMENT, SU, 35000.00; VIAERO, SE, 246.13; WAED, SU, 800.00; WESCO, SU, 390.55; WAPA, SE, 29959.21

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid 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.

Mayor Chamberlain stated the time was at hand for the public hearing regarding an application for a Retail Class D Liquor License for JB Mart, Inc., d/b/a “JB Mart” located at 603 Main Street.

Matt Janssen was present to answer questions. He is the new owner of the former Sinclair property.

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 Giese introduced Resolution No. 2016-1 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2016-1

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS D LIQUOR LICENSE — JB MART, INC., D/B/A “JB MART.”

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

Paul Davis with DGR Engineering presented the Comprehensive Electric Distribution Study. Mr. Davis stated DGR analyzed the existing system under present and future projected loads and that covers a 10-year plan. Their goals in this electric system study were to identify the deficiencies, recommend improvements to eliminate those deficiencies, and provide cost estimates for fiscal planning. Mr. Davis reviewed the four phases of improvements. The total estimated cost of all four phases, less improvements made by the City, was \$12,219,000.

Tim Sutton, Electric Line Supervisor, was also present and advised the Council that he and his crew have already started making some of the changes recommended by DGR.

Jon Olsen, the Project Engineer with Olsson Associates, updated the Council on the Phase II Trail Project.

He noted that the NEPA (National Environmental Policy Act) document would need to be revisited and then reviewed by some of the other agencies for their approval if any adjustment is made to the alignment of the trail that takes you out of the 100' corridor. This would delay the project about 3 years.

One of the new alignments that was presented was to take the northern part of the trail that goes onto the street system and move it into the property or field that is the north of the city limits. Another alternative that was looked at was to take the trail from the Community Activity Center and go west on 7th Street to where the new Bomgaars building is, then go north one mile to the county road, come back east to Highway 15, and then head south on highway 15 to Wayne State College. This route, however, was something that staff felt the Nebraska Department of Roads would not approve.

After discussion, Joel Hansen, Street Superintendent, reiterated that the four trail option routes were:

- Westwood Road on the terrace (8' sidewalk);
- Westwood Road on the street (5' sidewalk, bike paths on both sides of the street, no parking on both sides of the streets, and one-way traffic);
- Stopping at the Community Activity Center; and
- Going into the farm field just north of city limits.

Mr. Hansen advised the Council that the Department of Roads combined the underpass and the trail into one project. If the trail stops at the CAC, then the underpass goes away. In addition, he told the Council that the City did not ask for the trail to stop at the CAC. They asked that it stop on the north side of the highway at the park.

Mayor Chamberlain advised the public that either at the next Council meeting or the first meeting in February, this matter would be back on the agenda for Council to make a decision on the route. He will allow public comment at that time and limit the time for those to speak for and against the agenda item.

Administrator Johnson stated that Council must approve a legal address for establishments where Keno can be conducted in Wayne. The 4th Jug has requested there establishment be considered for approval.

Councilmember Sievers made a motion, which was seconded by Councilmember Muir, approving the following lottery location: The 4th Jug, 1001 E. 7th Street, Wayne, NE 68787. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

The following Resolution would approve an engineering proposal from Steve Rames to design the 4th Street Project. Administrator Johnson stated a request has been received to obtain a second quote for the engineering services on this project. If that is council's desire, then action on the Resolution should be tabled. Engineers design with different levels of detail, and we may not need the level of detail we are getting for this project. One of the things that Advanced Engineering Services has done for us is that they eliminate a lot of the detail. Staff will review the scope of work again.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to table action on Resolution 2016-2 until a second bid can be obtained.

Councilmember Giese also stated he thought this would tie into a discussion of what is going to happen with the lagoon at the retreat, because it could have an impact on the flow of traffic in that area.

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

JEO Consulting Group, Inc. presented Application for Payment No. 6 for the "2016 Wayne Aquatic Center Project" for \$204,054.74 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 Giese made a motion, which was seconded by Councilmember Brodersen, approving Application for Payment No. 6 for \$204,054.74 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 Eischeid who was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc. presented Application for Payment No. 5 for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project” for \$197,746.21 to Eriksen Construction. They have found the work to date completed in accordance with the plans and specifications, and recommended approval of the same.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, approving Application for Payment No. 5 for \$197,746.21 to Eriksen Construction for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid 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 Eischeid who was absent, the Mayor declared the motion carried and the meeting adjourned at 6:41 p.m.