

AGENDA  
CITY COUNCIL MEETING  
February 16, 2016

1. [Approval of Minutes – February 3, 2016](#)
2. [Approval of Claims](#)

The City Council will be hearing public comments on the following agenda items: 7

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the south wall of the City Council Chambers.

The City 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.

3. [Proclamation — March as “Problem Gambling Awareness Month”](#)
4. [Report from Business and Industries’ Retreat — Wes Blecke, Executive Director WAED](#)

**Background:** The former Wayne Industries’ development organization is now the WAED Business and Industry Committee. The Wayne group has been one of the more active and successful groups in Nebraska. They meet annually in a planning retreat in November. Wes will be here to discuss the items below that are their focus for this year:

**2015 Retreat items**

- Family Focused Housing
- “Ag Valley”
- Internet Speed/Reliability
- Transportation Hub/Storage
- Leadership 2.0
- Business/Work Prep or High School Life Skills Class

5. [Action on the Request of Anthony Cantrell on behalf of the Wayne High School, in conjunction with EVERON \(Electric Vehicle Energy Research of Nebraska\) to close off a part of East 10<sup>th</sup> Street from Angel Avenue to Hillside Drive on Saturday, April 2<sup>nd</sup>, from 8:00 a.m. until 5:00 p.m. for an Electric Vehicle Power Drive Rally](#)

**Background:** Wayne students build their own race cars. This is a great competitive event that shows off the success of the Wayne student engineering project for Electric Vehicles.

**Recommendation:** The recommendation of Lowell Johnson, City Administrator, is to approve the request and co-sponsor the event as we have in the past.

6. [Action on Consultant Work Order in the amount of \\$31,338.40 to Kirkham Michael & Associates for additional construction engineering services for the Windom Street Project](#)

**Background:** The Windom Street repaving project experienced some construction delays in 2015, causing a portion of the project to be held over for completion in 2016. Our cost-share agreement with NDOR designates a fixed amount of hours for KMA to work. The delays in 2015 required extra construction engineering time, leaving an insufficient number of hours to complete the rest of the project in 2016. This Consultant Work Order approved by NDOR is based on their estimate of the work hours remaining that must be observed by KMA engineers if there are no additional delays. However, because NDOR has put a cap on the amount of cost-share they will pay for engineering and construction on this project, this increase and all construction cost increases will be 100% borne by the city.

**Recommendation:** KMA will be here to explain the details of the calculation of the additional engineering hours. We have no choice but to approve this additional required observation time. If we deny it, we become ineligible for the project's Federal funding.

7. **Public Hearing:** [One and Six Year Street Improvement Program \(Advertised Time: 5:30 p.m.\)](#)

**Background:** This Plan is required to be submitted to NDOR each February to be eligible for \$460,000 in NDOR Highway Allocation funds for Wayne. This Plan was developed and recommended to you based on retreat goals, plus input from the Public Works Department regarding work needed to be done. This is the opportunity for the public to share their input regarding the projects listed and/or projects they would like to see incorporated into the plan.

8. [Resolution 2016-6: Approving One and Six Year Street Improvement Program](#)
9. [Resolution 2016-7: Authorizing City Administrator to apply for Nebraska Public Transportation Act Funds for the operation of the Wayne Public Transportation System](#)

**Background:** The Wayne handi-van public transportation program is operated out of the Senior Center. We charge \$1.50 per ride. We will also receive about \$67,000 cost-share this year from NDOR to subsidize the operating costs of the handi-van service. Any remaining shortfall in the handi-van budget is subsidized by city taxes.

**Recommendation:** NDOR requires this City Council action to apply for this annual reimbursement.

10. [Action approving the Submission of the Wayne Senior Center's Fiscal Year 2016 Detailed Plan of Operation and Budget to the Northeast Nebraska Area Agency on Aging](#)

**Background:** The Wayne Senior Center is one of the few in Nebraska that is operated by a city. We get about \$48,000 per year in State subsidies for meals at the Senior Center

We receive about \$40,000 per year in suggested donations for daily meals from people eating at the Center and about \$14,000 from people getting meals on wheels. About 75% contribute for their meal. If we except State subsidies, we are not allowed to charge for a meal. The suggested contribution for a meal at the Center for people over age 60 is \$4.75. The suggested contribution from people getting meals on wheels delivered to their home is \$4.90.

Our meals are not prepared at the Senior Center. Preparation of the meals is bid out each year to vendors. Our meals are currently prepared by Chartwells on the Wayne State College campus. The current bid price from Chartwells is \$5.40 per meal for meals served at the Senior Center. The State subsidies, plus meal donations, do not cover the Senior Center labor, building, and operating costs, so the shortfall in the budget is subsidized by city taxes.

11. [Resolution 2016-8: Approving City of Wayne Goals](#)

Background: The attached Resolution summarizes the One Year and Five Year Goals from the January 2016 Strategic Planning Retreat.

12. [Resolution 2016-9: South Sioux City allocating local funds in the completion of the use of Federal Congressional funding by the NDOR for the development of a Nebraska Highway 35 Expressway Corridor between South Sioux City and Norfolk](#)

13. [Action to waive the unpaid interest of \\$733.18 on the Tim Fertig LB840 Loan](#)

14. [Ordinance 2016-1: Amending Chapter 10, Article II, by adding Sec. 10-32 Lottery; Sales Outlet Locations; Approval Required, Qualification Standards](#)

Background: This ordinance, as well as the following ordinance, were sent to us by John Hassett with Advanced Gaming Technologies for Council approval. These were sent to him by the Department of Revenue.

15. [Ordinance 2016-2: Amending Chapter 10, Article II, by adding Sec. 10-33 Lottery; Participation; Restrictions](#)

16. [Adjourn](#)

APPROVED AS TO FORM AND CONTENT:

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Mayor

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City Administrator

**MINUTES  
CITY COUNCIL MEETING  
February 3, 2016**

The Wayne City Council met in regular session at the Wayne Senior Center on Wednesday, February 3, 2016, at 5:30 o'clock P.M. The meeting was postponed from Tuesday, February 2, 2016, because of the snowstorm. 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 January 21, 2016, 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 Greve, whereas, the Clerk has prepared copies of the Minutes of the meeting of January 19, 2016, 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:** CITY EMPLOYEE, RE, 150.00; AMAZON.COM, CU, 230.07; AMERITAS, SE, 2926.75; APPEARA, SE, 168.39; AS CENTRAL SERVICES, SE, 448.00; AWWA, FE, 300.00; CITY EMPLOYEE, RE, 19.11; BLACK HILLS, SE, 1869.76; BROOKDALE WAYNE, RE, 10988.00; CARROT-TOP INDUSTRIES, SU, 170.33; CENTURYLINK, SE, 414.17; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, PY, 67642.24; CITY OF WAYNE, RE, 1354.53; COMMUNITY HEALTH, RE, 4.00; CROSSROADS-ATOLL PRODUCTIONS, RE, 40000.00; CUMMINS CENTRAL POWER, SE, 3314.81; DANKO EMERGENCY EQUIP, SU, 2755.08; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 2173.20; DUTTON-LAINSON CO, SU, 661.06; CITY EMPLOYEE, RE, 100.00; ELECTRICAL ENGINEERING & EQUIP, SU, 186.04; EMBASSY SUITE, SE, 1073.00; FIRST CONCORD GROUP, SE, 2872.98; FLOOR

MAINTENANCE, SU, 657.22; FREDRICKSON OIL, SU, 1362.90; CITY EMPLOYEE, RE, 132.93; GALE GROUP, SU, 50.03; GILL HAULING, FE, 15.00; GROSSENBURG IMPLEMENT, SU, 322.50; CITY EMPLOYEE, RE, 118.99; HANNA:KEELAN, SE, 10500.00; HD SUPPLY WATERWORKS, SU, 337.22; CITY EMPLOYEE, RE, 129.78; HTM SALES, SU, 12141.90; ICMA, SE, 6360.30; IRS, PY, 24850.58; JEO CONSULTING GROUP, SE, 11860.00; CITY EMPLOYEE, SU, 83.33; CITY EMPLOYEE, RE, 157.05; KRIZ-DAVIS, SU, 2146.87; CITY EMPLOYEE, RE, 435.25; LUTT OIL, SU, 16480.00; MAIN STREET AUTO, SE, 200.00; MIDWEST SERVICE & SALES, SU, 565.50; NNEDD, SE, 720.00; NE CODE OFFICIAL ASSOCIATION, FE, 230.00; NE DEPT OF REVENUE, TX, 3590.59; NE NEB INS AGENCY, SE, 713.00; NE PLANNING & ZONING ASSOC, FE, 40.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 1894.00; NNPPD, SE, 12425.57; NWOD, FE, 15.00; OTTE CONSTRUCTION, SU, 2460.00; CITY EMPLOYEE, RE, 222.06; PICK EQUIPMENT & CHOPPING, SE, 4125.00; QUALITY 1 GRAPHICS, SU, 1420.00; ROURKE EDUCATIONAL MEDIA, SU, 159.60; RR DONNELLEY, SU, 108.17; SANDRA ATKINS, SE, 30.00; STADIUM SPORTING GOODS, SU, 247.00; STAPLES ADVANTAGE, SU, 45.33; STOREY KENWORTHY/MATT PARROTT, SU, 53.73; STRATTON, DELAY, DOELE, SE, 555.00; THE TOOL DEPOT, SU, 137.68; UTILITIES SECTION, FE, 480.00; VAKOC CONSTRUCTION, SU, 21.36; VERIZON, SE, 99.78; VIAERO, SE, 247.01; WAYNE COUNTY COURT, RE, 188.00; WHITE DOG PUB, SE, 644.00; WISNER WEST, SU, 247.32; ZACH HEATING & COOLING, SE, 54.57; AHERN CO., SE, 330.00; AMERITAS, SE, 2549.51; AMY K. MILLER, SE, 5432.01; APPEARA, SE, 68.29; ARNIE'S FORD-MERCURY, SU, 44388.00; BECK AG, RE, 50000.00; CITY EMPLOYEE, RE, 50.27; BIG T ENTERPRISES, SU, 104.29; BOK FINANCIAL, RE, 50405.22; BOMGAARS, SU, 1721.72; BSN SPORTS, SU, 20.98; CERTIFIED TESTING SERVICES, SE, 2670.00; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, PY, 69112.24; CITY OF WAYNE, RE, 427.30; COMMUNITY HEALTH, RE, 4.00; DALE PAULSON, SE, 1582.93; ECHO GROUP, SU, 165.32; ED. M FELD EQUIP, SU, 642.35; FIRST SOURCE TITLE&ESCROW, SE, 100.00; GEMPLER'S, SU, 94.85; GILL HAULING, SE, 170.50; GROSSENBURG IMP, SU, 12.04; HOMETOWN LEASING, SE, 412.86; HR DIRECT, SU, 701.80; HUNTEL, SE, 2502.53; ICMA, SE, 6360.30; IRS, TX, 25256.05; J.P. COOKE COMPANY, SU, 155.75; CITY OF WAYNE, RE, 90.00; KRIZ-DAVIS, SU, 383.60; CITY EMPLOYEE, RE, 381.56; LUTT OIL, SU, 17760.00; MID-CONTINENT SALES, SU, 671.89; MUNICIPAL SUPPLY, SU, 3007.82; NE DEPT, TX, 3663.57; NNPPD, SE, 6188.16; OFFICE SYSTEMS CO, SE, 274.99; ONE CALL CONCEPTS, SE, 9.84; PAC N SAVE, SU, 53.50; POUTRE, GARRY, RE, 120.78; RIEKES EQUIP, SU, 396.98; RR DONNELLEY, SE, 57.13; CITY EMPLOYEE, SU, 41.62; STAPLES ADVANTAGE, SU, 478.74; STOREY KENWORTHY/MATT PARROTT, SU, 71.23; THE COFFEE SHOPPE ON MAIN, SE, 224.27; WAYNE BASEBALL ASSOCIATION, RE, 180.00; WAYNE COUNTY COURT, RE, 150.00; WAYNE GROCERY, SU, 32.99

Councilmember Haase 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 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 west wall of the Senior Center 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 C Liquor License for M. Berns, LLC, d/b/a “Broken Antler” located at 111 E. 3<sup>rd</sup> Street.

Marcus Berns was present to answer questions. He is the new owner of the former Mikey’s Place.

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. 2016-4 and moved for its approval; Councilmember Haase seconded.

#### RESOLUTION NO. 2016-4

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS C LIQUOR LICENSE — M. BERNS, LLC, D/B/A “BROKEN ANTLER.”

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 following Resolution would approve a Consulting Services Agreement with C. H. Guernsey & Company to evaluate the market for power plant capacity and the terms of any contracts the Council may consider to lease out the City’s power plant beginning in 2019.

Councilmember Sievers introduced Resolution No. 2016-5 and moved for its approval; Councilmember Haase seconded.

#### RESOLUTION NO. 2016-5

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING CONSULTING SERVICES AGREEMENT WITH C. H. GUERNSEY & COMPANY FOR CONSULTING SERVICES.

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.

On December 18, 2012, the City of Wayne adopted its CDBG Revolving Loan Fund Guidelines. Northeast Nebraska Economic Development (NNEDD) staff noticed that when they prepared the guidelines, one section was not intended to be in the document. Section 6 states that the interest rate will not be below 4.00%. This is actually a guideline that NNEDD has for one of its funds, but does not pertain to the City of Wayne. In order to have the flexibility to offer an incentive loan in the future with a lower interest rate, NNEDD staff is recommending the guidelines be amended to remove this portion of Section 6.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving an amendment to Wayne's Community Development Block Grant Revolving Loan Fund Guidelines by removing the set minimum interest rate, as recommended by Northeast Nebraska Economic Development District staff. 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. 6 for the "2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project" for \$276,283.26 to Eriksen Construction. They have found the work to date completed in accordance with the plans and specifications, and recommend approval of the same.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Application for Payment No. 6 for \$276,283.26 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 Giese who was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc. presented Application for Payment No. 7 for the "2016

Wayne Aquatic Center Project” for \$189,379.20 to Christiansen Construction Co., LLC. They have found the work to date completed in accordance with the plans and specifications and recommend approval of the same.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Application for Payment No. 7 for \$189,379.20 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.

Discussion took place regarding the Phase II Trail Route selection between Sherman Street and the end of Westwood Road. Mayor Chamberlain advised the public that he would allow 20 minutes for those wishing to speak against the trail and/or the proposed routes, and then 20 minutes for those wishing to speak for the trail and/or the proposed routes.

Those present that spoke against the trail and/or the routes were: Attorney Wes Van Ert, Jennifer Johnson, Dave Ewing, Jeryl Nelsen, Ron Carnes, Paul Lindner and Jon Temme.

Those present that spoke in favor of the trail and/or the routes were: Lois Shelton, Greg Werner, Barbara Hayford, Mark Hammer, Mike Hull, Kessy Hansen, Kevin Pollard, Sandy Brown, Rhonda Sebade and Matthew Samuelson.

After hearing the statements provided by those who spoke, Council discussed the matter. Councilmember Brodersen stated she thought the trail was a safety measure that will help future development, and that the past decision of the Council should be upheld regarding the trail.

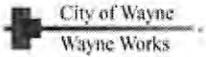
Councilmember Eischeid reiterated the fact that, from a safety standpoint, and in his professional opinion, the route going along the south edge of the Johnson property was the best route.

Mayor Chamberlain read a statement he had received from Councilmember Giese who was unable to be at the meeting.

Councilmember Brodersen made a motion, which was seconded by Councilmember Haase, to go into the land (Carl Johnson property) north of the City limits (Option D), and bypassing Westwood Road and Sherman Streets. 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 Greve, 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 6:37 p.m.

CLAIMS LISTING FEBRUARY 16, 2016



**Vendor Name**

APPEARA	MAT SERVICE	168.61
BAKER & TAYLOR BOOKS	BOOKS	317.14
BINSWANGER GLASS	REPROGRAM LIBRARY DOOR	148.50
CITY EMPLOYEE	HEALTH REIMBURSEMENT	20.43
CARHART LUMBER COMPANY	DUCT TAPE/FAUCET/BATTERIES ETC	264.09
CHARTWELLS	SENIOR CITIZEN MEALS	5,038.80
CHRISTIANSEN CONSTRUCTION	AQUATIC CENTER	189,379.20
CITY EMPLOYEE	VISION REIMBURSEMENT	141.00
CITY OF WAYNE	BUILDING PERMIT DEPOSIT REFUND	600.00
CITY OF WAYNE	UTILITY REFUNDS	304.29
COPY WRITE PUBLISHING	OFFICE SUPPLIES/SHIPPING CHARGES	107.27
DALE PAULSON	FD GARAGE DOOR OPENER/REMOTE	730.00
EAKES OFFICE PLUS	COPY CHARGES	100.28
EASYPERMIT POSTAGE	POSTAGE	1,868.89
ECHO GROUP INC JESCO	LED EXIT COMBO LIGHT	261.06
EGAN SUPPLY CO	VACUUM BAGS	34.16
EMPLOYERS MUTUAL CASUALTY CO	DEDUCTIBLE-STREET GUTTER	136.83
ENVIROTECH SERVICES, INC	ICE MELT	5,891.84
ERICKSEN CONSTRUCTION	WWTP-BIOSOLIDS	276,283.26
FLOOR MAINTENANCE	BOWLS/PLATES/NAPKINS/TOWELS	430.60
FRANK SHEDA JR.	LIB/SR CENTER JANITORIAL SERVICE	277.50
CITY EMPLOYEE	HEALTH REIMBURSEMENT	1,105.52
GALE GROUP	BOOKS	73.42
GEMPLER'S INC	TOOL RACK	29.90
GEOCOMM INC	GEOLYNX 911 SYSTEM SUPPORT	3,184.00
HAMPTON INN-KEARNEY	LODGING-BRADY/ECHTENKAMP	476.00
HAUFF MID-AMERICAN SPORTS	FOOTBALL PADS	384.50
HAWKINS, INC	FLUORIDE/CHLORINE	2,402.61
INGRAM BOOK COMPANY	BOOKS	367.59
INTERSTATE ALL BATTERIES	BATTERIES	201.35
KTCH AM/FM RADIO	RADIO ADS	641.00
LINPEPCO	CAC POP (BANK DEBIT)	202.50
CITY EMPLOYEE	HEALTH REIMBURSEMENT	679.86
CITY EMPLOYEE	HEALTH REIMBURSEMENT	87.30
LUTT OIL	GASOLINE	3,729.11
MAIN STREET AUTO CARE	TOWING CHARGES	400.00
MARCO INC	COPY CHARGES	126.36
MICHAEL TODD & CO INC	SPEED LIMIT SIGNS	348.39
MIDWEST LABORATORIES, INC	WASTE WATER ANALYSIS	102.50
MUNICIPAL SERVICE	SUBMERSIBLE PUMP PARTS	710.52
NE DEPT OF ROADS	WINDOM STREET	107,344.57

NE ECONOMIC DEVELOP ASSN	MEMBERSHIP DUES	100.00
NE LIBRARY COMMISSION	ANCESTRY SUBSCRIPTION	1,066.00
NE RURAL WATER	MEMBERSHIP DUES	275.00
NORTHWEST ELECTRIC LLC	THREE PHASE MOTOR	406.18
O'REILLY AUTOMOTIVE STORES, INC.	WIPER BLADES	37.98
OTTE CONSTRUCTION COMPANY	H.O. GRANDSTAND FRAMING	14,071.00
OVERDRIVE, INC.	E-BOOKS	132.39
PENGUIN RANDOM HOUSE LLC	CD'S	108.75
PETERSON INDUSTRIAL ENGINE SERVICE	REBUILD AIR START VALVES	1,998.00
QUALITY DRY CLEANING	DRY CLEAN TABLE CLOTH-APPR DINNER	730.80
S & S WILLERS, INC.	CONCRETE GRAVEL	870.55
SKARSHAUG TESTING LAB INC	CLEAN & TEST GLOVES	367.31
SPARKLING KLEAN	JANITORIAL SERVICE/SUPPLIES	3,083.47
SHOPKO	COFFEE/STICKY NOTES/SPACKLE	68.74
STATE FARM INSURANCE	SURETY BOND	563.00
STATE NEBRASKA BANK & TRUST	ACH FEE	58.88
STATE NEBRASKA BANK & TRUST	LIBRARY PETTY CASH	111.19
STEFFEN INC.	EYE BOLT	54.35
THE FINAL TOUCH	CAC PAINT	38.99
UNITED STATES PLASTIC	SPRAY BOTTLES	65.68
UPSTART	BOOKMARKS	39.85
US BANK	BULBS/COMPUTER SUPPLIES/FOLDING TABLE	3,730.51
VIAERO	CELL PHONE CHARGES	132.63
WAYNE COUNTY COURT	BOND	300.00
WESTERN AREA POWER ADMIN	ELECTRICITY	27,223.61
WISNER WEST	FD GASOLINE	103.09

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CITY OF WAYNE  
OFFICE OF THE MAYOR

# Proclamation

WHEREAS, our community is home to individuals and families adversely affected by problem gambling; and

WHEREAS, compulsive gambling is often hidden from family members, social services and mental health professionals; and

WHEREAS, compulsive gambling often occurs in combination with other disorders such as chemical dependency and depression; and

WHEREAS, it is important to raise awareness of the warning signs of compulsive gamblers and connect them with professional help.

NOW, THEREFORE, I, Ken Chamberlain, Mayor of Wayne, Nebraska, do hereby proclaim March, 2016, as **“Problem Gambling Awareness Month”** and urge citizens to learn more about the consequences of gambling.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Ken Chamberlain, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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**From:** Tony Cantrell <ancantr1@waynebluedevils.org>  
**To:** Betty McGuire <betty@cityofwayne.org>  
**Date:** 1/25/2016 2:52 PM  
**Subject:** Spring Power Drive Rally

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Hello,

Wayne High School in conjunction with EVERON (Electric Vehicle Energy Research Of Nebraska the new owners of the Power Drive program) would like to host a Power Drive rally at the First National Bank Card Center located at 1100 East 10th street on April 2nd 2016. As we have in the past to have this rally we will need to close a part of 10th street.

Could this item be put on an agenda for a future city council meeting?

**Event details:**

Who: EVERON / Wayne High School Power Drive  
When: Saturday April 2nd, 2016 8:00am - 5:00pm  
Where: First National Bank Card Center located at 1100 East 10th street  
What: Spring Power Drive (electric vehicle) rally

Seeking city council approval to close east 10th street from Praise Assembly of God to Hillside Drive. Needed insurance will be obtained before rally through K&K Insurance.

Thank you,





## Explanation of Request for Additional Fee

for

Construction Engineering Services for Windom Street Project

Kirkham Michael & Associates

### Summary of Original Agreement

The original agreement for Construction Engineering Services signed by KMA, the City of Wayne, and the Nebraska Department of Roads contained sufficient working hours for onsite inspection 9 hours per day for 70 days. Also included were sufficient expenses to cover food and lodging for 70 days, as well as drive time and mileage to Wayne from our office in York. This agreement was based on the construction contract being let with 70 Working Days for the contractor to complete the work. A Working Day is charged for every day, Monday through Friday excluding holidays, during which the contractor is able to work on the critical path item of work. Working Days are not charged on days that circumstances beyond the contractor's control prevent work from progressing on the critical item. Typically, adverse weather conditions make up the majority of uncharged days, but there are other situations that arise on a project that may result in a day going uncharged.

Also included in the agreement are sufficient hours and expenses for the Project Manager to make one site visit per week to review progress and conduct a weekly progress meeting with contractor and City personnel, as well as maintain the project records that are required due to Federal participation in funding of the project. The project manager is also tasked with completing the final closeout documents as required by NDOR.

The original agreement also assumed that the project would be completed in one construction season, and closed out prior to winter 2015/2016.

### Factors Leading to Work Progressing beyond Original Agreement

A number of factors have led to work being projected to exceed the original agreement.

1. Contractor Schedule
  - a. Late start – Tentative start date was 7/20/2015 – Actual Start Date 8/3/2015
    - i. Contributed to work being halted for winter shutdown, which resulted in extra trips for onsite inspector to maintain SWPPP inspections through the winter.
  - b. Slow progress
    - i. Phase 1 work originally projected to take 6 weeks, or 30 Working Days. 10 Working Days could be added to this for extra work added as work progressed, (see item 3 for explanation)
    - ii. Phase 1 work used 49 Working Days
      1. Storm sewer and water main installation projected to take 30 Working Days, actually took 40 Working Days
    - iii. Phase 2 work is projected to take 8 weeks, or 40 Working Days, indicating a total of 89 Working Days to complete the project.
2. Weather Delays

- a. There have been 9 days to date where weather conditions prevented the charge of a Working Day. On 6 of those days, Kirkham Michael billed onsite inspection due to a partial day worked by the contractor or the rain occurring in the middle of the week, in which case our inspector uses that time to catch up on record keeping rather than charge time and expenses to drive back to York and return the following day. We project 4 more of these days in Phase 2.
3. Extra Work added to the Contract
    - a. 10 Working Days were added to the Contract to compensate for the time the contractor spent or will spend lowering City water mains that were in conflict with the new storm sewer installation.
    - b. 8 Working Days were added to the Contract to compensate the contractor for the time lost removing the existing storm sewer facilities.

**Other Pertinent Information**

This additional fee covers time and expenses for the onsite inspector and the project manager to complete the project, assuming that the contractor does not exceed the remaining 39 Working Days in the Contract.

Kirkham Michael has taken measures to reduce operating costs in an attempt to reduce the overall burden on the City of Wayne. A construction office trailer was provided for in the Contract, and Kirkham Michael declined the use of that item, at a savings of \$5,000 off the construction contract. Our onsite inspector has also been housed in a trailer at a monthly rate, rather than in a hotel at a nightly rate, which has reduced this expense by more than 50%.

Of the \$31,338.80 requested, approximately \$7,600 accounts for work that has already occurred, including extra SWPPP inspection trips, weather days, and other days for which the contractor was not charged a Working Day, but onsite inspection was required.

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**RESOLUTION NO. 2016-6**

**A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM.**

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the One and Six Year Street Improvement Program, as prepared by the Street Superintendent and City Administrator of the City of Wayne, Nebraska, and attached hereto be approved and adopted.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# City of Wayne

306 Pearl • P.O. Box 8  
Wayne, Nebraska 68787

(402) 375-1733  
Fax (402) 375-1619

Incorporated - February 2, 1884



PROPOSED ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM FOR THE  
CITY OF WAYNE, NEBRASKA

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>
*****			
M - 617(92)	2016	Windom Street from 645' N of Fairground Ave to E. 7 <sup>th</sup> - 1,750' Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$965,000
M - 617(105)	2016	Tomar Drive & E. 4 <sup>th</sup> St. to the Summer Sports Complex - 1,800' Construct Concrete Paving	\$400,000
M - 617(116)	2016	W. 7 <sup>th</sup> Street from Haas Avenue to Pheasant Run - 1,650' Storm Drainage & Sidewalk	\$110,000
M - 617(118)	2016	E. 4 <sup>th</sup> Street from Thorman St. to Centennial Rd. - 785' Construct Gravel Paving & Storm Drainage	\$40,000
*****			
M - 617(91)	2017	Trail & Pedestrian Underpass on W. 7 <sup>th</sup> Street Located between CAC and Oak Drive	\$566,000
M - 617(107)	2017	Clark Street & S. Pearl Street . - 745' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$180,000
*****			
M - 617(98)	2018	Sherman Street from W. 5 <sup>th</sup> St. to W. 6 <sup>th</sup> St. - 300' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 90,000
M - 617(113)	2018	Sherman Street from W. 3 <sup>rd</sup> St. to W. 4 <sup>th</sup> St. - 300' Construct Concrete Paving, Curb & Gutter	\$ 80,000
*****			
M - 617(104)	2019	S. Lincoln Street from W. 1 <sup>st</sup> St. to 300' S. of W. 1 <sup>st</sup> St. - 300' Construct Concrete Paving, Curb & Gutter	\$ 90,000
M - 617(114)	2019	W. 2 <sup>nd</sup> Street from Blaine St. to 360' E of Blaine St. - 380' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$105,000
*****			
M - 617(115)	2020	W. 3 <sup>rd</sup> Street from Oak Dr. to 250' E. of Oak Dr. - 250' Construct Concrete Paving, Curb & Gutter	\$ 70,000
M - 617(117)	2020	Nebraska Street & E. 2 <sup>nd</sup> Street from E. 7 <sup>th</sup> to Logan - 2,275' Construct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$900,000

Continued on Page 2

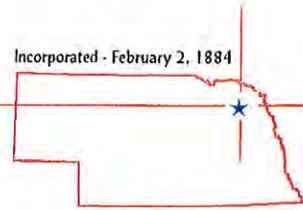
No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.

# City of Wayne

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\*\*\*\*\*

M - 617(112)	2021	Lagoon Streets - 2,500' Construct Concrete Paving	\$700,000
M - 617(89)	2021	Lage Subdivision - South of Fairgrounds Avenue - 900' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 175,000

\*\*\*\*\*

No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.

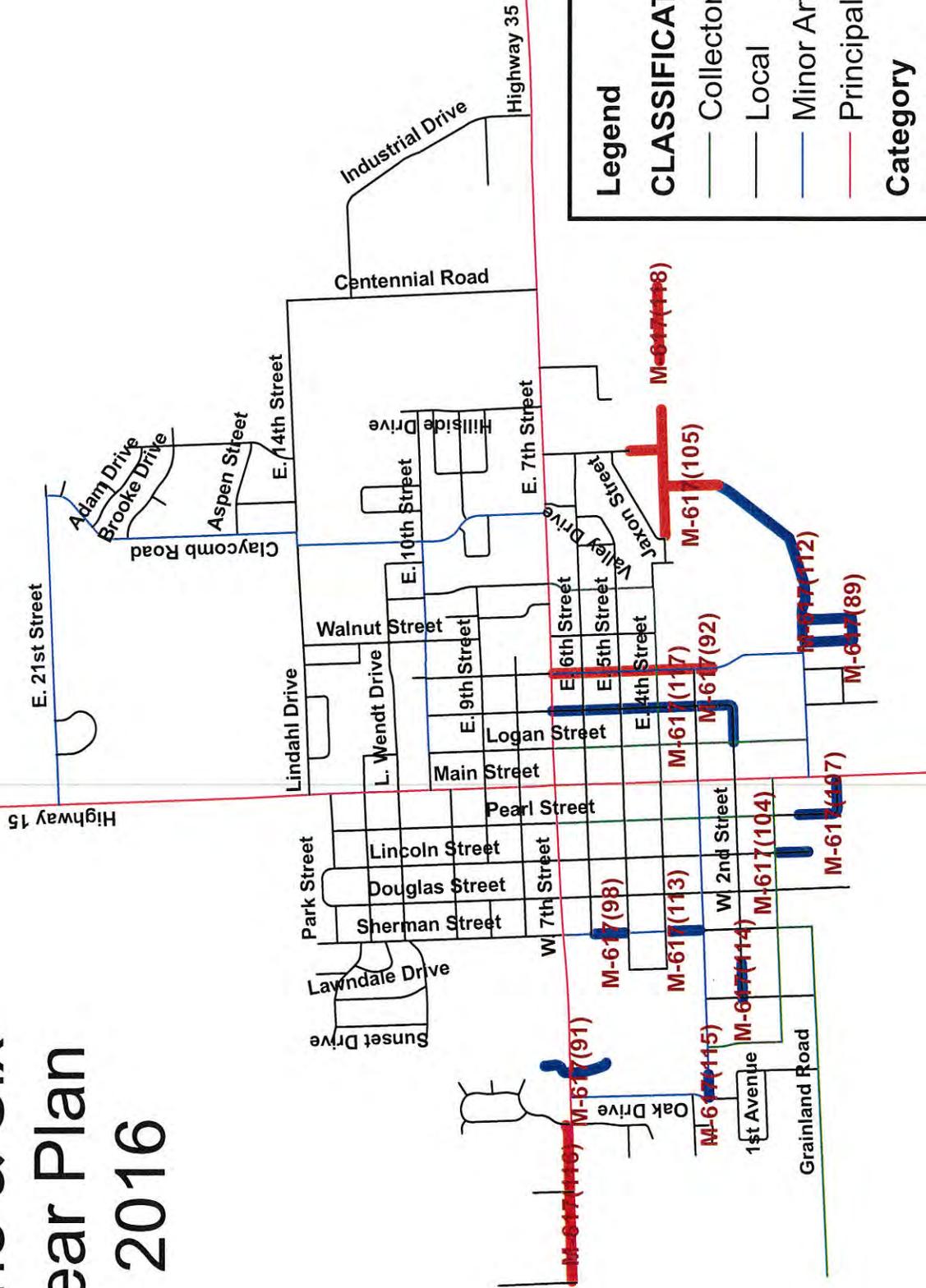


Home of Wayne State College



Equal Housing Opportunity

# City of Wayne One & Six Year Plan 2016



**Legend**

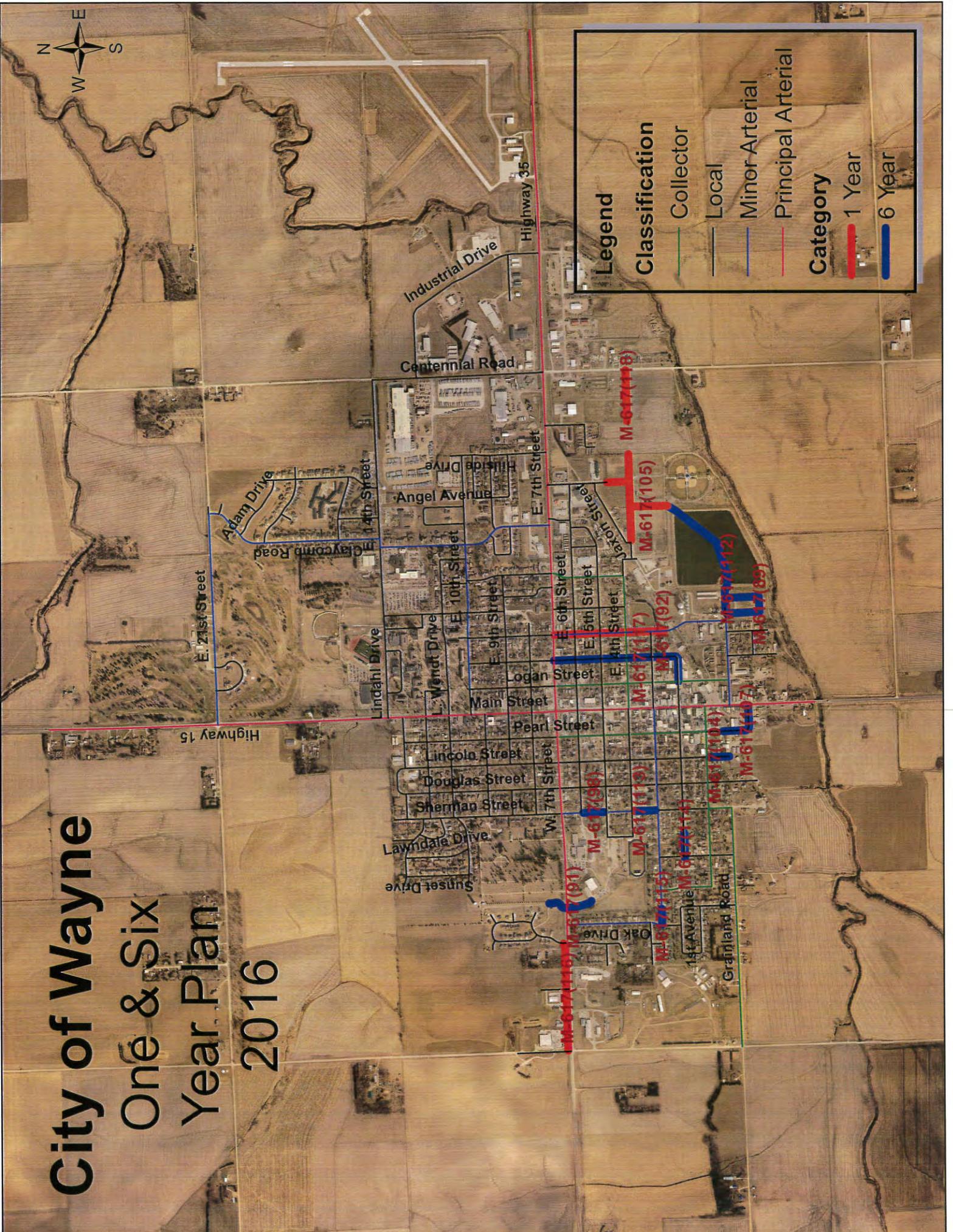
**CLASSIFICATION**

- Collector
- Local
- Minor Arterial
- Principal Arterial

**Category**

- 1 Year
- 6 Year

# City of Wayne One & Six Year Plan 2016



**Legend**

Classification	Category
Collector	1 Year
Local	6 Year
Minor Arterial	
Principal Arterial	

M-617(116) (91)  
 M-617(98)  
 M-617(113)  
 M-617(115)  
 M-617(114)  
 M-617(104)  
 M-617(107)  
 M-617(92)  
 M-617(105)  
 M-617(112)  
 M-617(89)

**RESOLUTION NO. 2016-7**

**A RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO APPLY FOR NEBRASKA PUBLIC TRANSPORTATION ACT FUNDS.**

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program; and

WHEREAS, the City of Wayne desires to apply for said funds to provide public transportation in the City of Wayne.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City Administrator is authorized to apply for the above-mentioned funds and that said funds will be used for the City of Wayne's transportation operations in the FY 2016-2017 Application for Public Transportation Assistance.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2016-8**

**A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.**

WHEREAS, the Mayor and City Council met in open session on January 29<sup>th</sup> and 30<sup>th</sup>, 2016, with the express purpose of identifying and developing goals for the City; and

WHEREAS, there were new and expanded items in addition to goals from the prior year that were considered during the retreat, some for their guidance of future strategies and policies, and many for their consolidated value as specific goals over one to five year periods; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, as follows:

Overnight Parking - 1 Month

- 3:30-5:00
- Replacement stickers
- Cul-de-sac snow

Overnight Parking

- On Street
- Voters to decide on any change

Sewer and Electric Rate – 1 Year

- Set up a net metering rate
- Studies – Options at March Meeting

Electric System

- Hold off on AMI system, but continue with AMR
- Transfer money to Phase I Upgrade for Electric Distribution

Country Club – Clubhouse – 1 year

- Trade front nine for clubhouse and parking
- City involved in setting fees, hiring coordinator and subletting
- Tour community centers
- Coordinator for City/Country Club (1 & 2 Weeks Mark)

Senior Center – 1 year

- Spin off to non-profit
- Work with WACAM
- Eliminate government involvement in meal program (privatize)
- Cook in-house
- Keep/leave state funding
- Senior Center Board to propose plan

Senior Center

- Fix HVAC

#### School Stop Light

- Stop Light

#### 7<sup>th</sup> Street Sidewalk

- North side to Bomgaars

#### Speed Limit on 7<sup>th</sup>

- Study underway
  - St. Mary's
  - School
  - WSC
- NDOR prefers to increase it

#### Ward Voting Representation – 1 year

- 1 ward – at-large
- 8 wards
- 2 wards

#### Finance Director/Admin Replacement (1 year)

#### Wayne County tax to Wakefield School

#### Energy audits on city buildings (1 year)

#### 1912 Building (1 Year)

- Office Space – City
- Main Floor Council Room
- Historic Renovation
- Elevator not needed
- Swap storage space with theater
- Engineer review of upgrade of 1912
- Cost of prisoner costs (police)
  - Transport
  - Holding
  - Housing

#### CAC – 1 year

- Milliken Carpet squares for pool hall \$37,000
- Gym curtains \$35,000
- Open and closing times- change to same hours year round
- Start 3 & 6 month memberships
- Check Summer Club rates
- One-way traffic through parking
- Paved parking lot
- 24 hour –NEXT WEEK (fee on agenda)

#### City Rec – 1 Year

- Association Fees \$1,800
- City Services at Overin and Sports Complex
- Rugby Irrigation
- Pay off little storage sheds
- Build one big storage building
- Indoor batting cage
- Association expectations for city staff
- More Summer CAC competition

#### City Rec

- 1 whole court should always be available for members
- All association team members to be CAC members to play there
- Charge for auditorium use
- Find true overhead cost of rec programs
- Parent and player field before and during season
- “Big Event” WSC group for volunteer hours

#### Swimming Pool – 1 year

- Sell
- Demo
- Develop

#### Old Pool – Future Use

- Splash pad
- Ice rink
- Keep basketball court (hoops)
- Use of pool house
- Sand volleyball
- Housing – rental
- Housing – single-family
- Putt-Putt golf
- Clear title
- Rec Board or create Citizen Advisory Committee
- Planning Commission
- Overlay basketball court

#### Lagoon

- T-ball at NE corner
- Soccer Fields
- Public restroom with showers
- 1 more little league field
- 1 more full-sized field
- Industrial use
- Pump sludge in 2016

#### Lagoon - 1 Year

- Decommission in 2017
- Sell broken concrete
- Keep small 2 acre detention cell – dry
- Plans to gravel 4<sup>th</sup> Street east to Centennial Road
- Concept road thru lagoon
- Camper pads along Logan Creek
- Leave a portion for recreation lake
- 4,500 foot of chain link fence

#### Lagoon- 5 Year

#### Recycling – 1 & 5 year

- New plan for recycling hours and pickup
- Take over Transfer Station
- 24-hour recycling
- Evening hours

#### Summer Peaking Control

- Call non-users with AC's

#### NDOR - State Projects Plan

- Hwy 15 South 3 & 4 lane

#### ADA – 5 year plan

- Accessible Intersection Plan

#### Street Lighting

- Schedule to accelerate to LED's (5 year)
- Transition building lighting to LED's (5 year)

#### Budgets

- Rec
  - All programs break even or end
  - More summer competitive leagues at CAC
  - Association use of CAC
    - Softball players
    - Softball teams
    - Over-Use of Courts
  - Coming early - staying late

#### Budgets – 1 Year

- 6 month reports from:
  - WAED
  - Library
  - Senior Center
  - Recreation
  - Airport

- Transfer Station
  - Occupation Tax
  - Laurel Recycling
    - Where does it go
    - Baled or loose
    - Pay-to-throw

The Council shall regularly evaluate the progress toward achieving the aforesaid goals.

The Mayor and Council shall consider the annual restatement and expansion of goals as a matter of policy.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF WAYNE RESOLUTION NO. 2016-9**

RESOLUTION NO. 2016-1

A RESOLUTION TO ALLOCATE LOCAL FUNDS IN THE COMPLETION OF THE USE OF FEDERAL CONGRESSIONAL FUNDING BY THE NEBRASKA DEPARTMENT OF ROADS FOR THE DEVELOPMENT OF A NEBRASKA HIGHWAY 35 EXPRESSWAY CORRIDOR BETWEEN SOUTH SIOUX CITY AND NORFOLK.

THIS AGREEMENT is made and entered into by and between The Cities of South Sioux City, Wayne, and Wakefield, Nebraska hereinafter referred to as “South Sioux”, “Wayne” and “Wakefield” each being a Political Subdivision of Government in the State of Nebraska which on its effective date are, or become, signatories hereto:

WITNESSETH THAT:

WHEREAS, the mayors and council members of the cities of Norfolk, South Sioux City, Wayne and Wakefield provided the funding and staffing to secure \$28 million in Congressional funding to develop the Highway 35 Expressway corridor after it was eliminated from the Expressway Projects list created by the Nebraska Unicameral; and

WHEREAS, the mayors and council members of the cities of Norfolk, South Sioux City, Wayne and Wakefield provided the funding and staffing to work with the Nebraska Department of Roads and the Nebraska Congressional Delegation over a period of 15 years to apply this funding to 35 Expressway projects benefiting the immediate Norfolk community and the immediate South Sioux City community, and

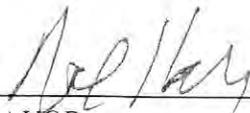
WHEREAS, it is recognized that the provision of said basic services are sometimes best accomplished jointly because of certain cost savings and efficiencies or certain hardships which might be experienced if undertaken singularly, and

WHEREAS, Sections 13-804 through 13-814, Reissue Revised Statutes of Nebraska, 1943, authorized the joint exercise of powers, privileges and authority by agreement of two or more public agencies of any power common to them, and

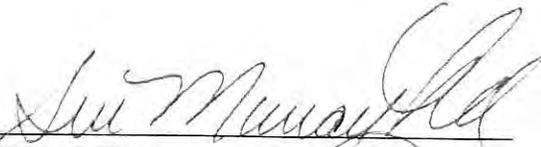
WHEREAS, these governmental entities do agree that the solution to this problem lies in cooperative action,

NOW, THEREFORE, BE IT RESOLVED, that the political subdivisions of Wayne, South Sioux City, and Wakefield, Nebraska do agree to the following: As part of the completion of the allocation of the remaining approximately \$5 million in Congressional 35 Expressway Funds to the City of South Sioux City, the City of South Sioux City will allocate \$600,000 in local funds in the following portions: \$150,000 to the City of Wakefield and \$450,000 to the City of Wayne upon execution of this agreement.

PASSED AND APPROVED this 11<sup>th</sup> day of January, 2016.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK



PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

PASSED AND APPROVED this \_\_\_\_\_ day of February, 2016.

THE CITY OF WAKEFIELD, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**TIM FERTIG - LOAN AMORTIZATION SCHEDULE**

**ENTER VALUES**

Loan amount	\$50,000.00
Annual interest rate	3.00%
Loan period in years	15
Number of payments per year	12
Start date of loan	01/05/2015

Optional extra payments \$ -

**LOAN SUMMARY**

Scheduled payment	\$345.29
Scheduled number of payments	180
Actual number of payments	180
Total early payments	\$0.00
Total interest	\$0.00

LENDER NAME City of Wayne

PMT NO	DATE	PAYMENT	BEGINNING BALANCE	SCHEDULED PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST	INTEREST date paid	Column2	Column3
1	01/05/2015	\$62.95	\$50,000.00	\$62.95	\$0.00	\$62.95	\$40.16	\$22.79	\$49,959.84	\$22.79	01/05/2015		
2	02/05/2015	\$159.64	\$49,959.84	\$159.64	\$0.00	\$159.64	\$101.95	\$57.69	\$49,857.89	\$80.48	02/06/2015		
3	03/05/2015	\$345.29	\$49,857.89	\$345.29	\$0.00	\$345.29	\$220.65	\$124.64	\$49,637.24	\$205.12	03/06/2015		
4	04/05/2015	\$345.00	\$49,637.24	\$345.00	\$0.00	\$345.00	\$220.91	\$124.09	\$49,416.33	\$329.22	04/13/2015		
5	05/05/2015	\$345.00	\$49,416.33	\$345.00	\$0.00	\$345.00	\$221.46	\$123.54	\$49,194.87	\$452.76	05/11/2015		
6	06/05/2015	\$345.29	\$49,194.87	\$345.29	\$0.00	\$345.29	\$222.30	\$122.99	\$48,972.57	\$575.75	06/12/2015		
7	07/05/2015	\$345.29	\$48,972.57	\$345.29	\$0.00	\$345.29	\$222.86	\$122.43	\$48,749.71	\$698.18	07/20/2015		
8	08/05/2015	\$345.29	\$48,749.71	\$345.29	\$0.00	\$345.29	\$223.42	\$121.87	\$48,526.29	\$820.05			
9	09/05/2015	\$345.29	\$48,526.29	\$345.29	\$0.00	\$345.29	\$223.98	\$121.32	\$48,302.32	\$941.37			
10	10/05/2015	\$345.29	\$48,302.32	\$345.29	\$0.00	\$345.29	\$224.54	\$120.76	\$48,077.78	\$1,062.12			
11	11/05/2015	\$345.29	\$48,077.78	\$345.29	\$0.00	\$345.29	\$225.10	\$120.19	\$47,852.69	\$1,182.32			ACCRUED INTEREST
12	12/05/2015	\$345.29	\$47,852.69	\$345.29	\$0.00	\$345.29	\$225.66	\$119.63	\$47,627.03	\$1,301.95			\$3.12 AUG
13	01/05/2016	\$345.29	\$47,627.03	\$345.29	\$0.00	\$345.29	\$226.22	\$119.07	\$47,400.81	\$1,421.02			\$2.56 SEPT
14	02/05/2016	\$345.29	\$47,400.81	\$345.29	\$0.00	\$345.29	\$226.79	\$118.50	\$47,174.02	\$1,539.52			\$2.01 OCT
15	03/05/2016	\$345.29	\$47,174.02	\$345.29	\$0.00	\$345.29	\$227.36	\$117.94	\$46,946.66	\$1,657.45			\$1.44 NOV
16	04/05/2016	\$345.29	\$46,946.66	\$345.29	\$0.00	\$345.29	\$227.92	\$117.37	\$46,718.74	\$1,774.82			\$0.89 DEC
17	05/05/2016	\$345.29	\$46,718.74	\$345.29	\$0.00	\$345.29	\$228.49	\$116.80	\$46,490.24	\$1,891.62			\$0.32 JAN
18	06/05/2016	\$345.29	\$46,490.24	\$345.29	\$0.00	\$345.29	\$229.07	\$116.23	\$46,261.18	\$2,007.84			\$49,482.89 1/22/16 payoff
19	07/05/2016	\$345.29	\$46,261.18	\$345.29	\$0.00	\$345.29	\$229.64	\$115.65	\$46,031.54	\$2,123.50			\$48,749.71 Principal
20	08/05/2016	\$345.29	\$46,031.54	\$345.29	\$0.00	\$345.29	\$230.21	\$115.08	\$45,801.33	\$2,238.57			\$733.18 Interest
21	09/05/2016	\$345.29	\$45,801.33	\$345.29	\$0.00	\$345.29	\$230.79	\$114.50	\$45,570.54	\$2,353.08			
22	10/05/2016	\$345.29	\$45,570.54	\$345.29	\$0.00	\$345.29	\$231.36	\$113.93	\$45,339.18	\$2,467.00			
23	11/05/2016	\$345.29	\$45,339.18	\$345.29	\$0.00	\$345.29	\$231.94	\$113.35	\$45,107.23	\$2,580.35			
24	12/05/2016	\$345.29	\$45,107.23	\$345.29	\$0.00	\$345.29	\$232.52	\$112.77	\$44,874.71	\$2,693.12			
25	01/05/2017	\$345.29	\$44,874.71	\$345.29	\$0.00	\$345.29	\$233.10	\$112.19	\$44,641.61	\$2,805.31			
26	02/05/2017	\$345.29	\$44,641.61	\$345.29	\$0.00	\$345.29	\$233.69	\$111.60	\$44,407.92	\$2,916.91			
27	03/05/2017	\$345.29	\$44,407.92	\$345.29	\$0.00	\$345.29	\$234.27	\$111.02	\$44,173.65	\$3,027.93			
28	04/05/2017	\$345.29	\$44,173.65	\$345.29	\$0.00	\$345.29	\$234.86	\$110.43	\$43,938.79	\$3,138.37			
29	05/05/2017	\$345.29	\$43,938.79	\$345.29	\$0.00	\$345.29	\$235.44	\$109.85	\$43,703.35	\$3,248.21			
30	06/05/2017	\$345.29	\$43,703.35	\$345.29	\$0.00	\$345.29	\$236.03	\$109.26	\$43,467.32	\$3,357.47			
31	07/05/2017	\$345.29	\$43,467.32	\$345.29	\$0.00	\$345.29	\$236.62	\$108.67	\$43,230.69	\$3,466.14			
32	08/05/2017	\$345.29	\$43,230.69	\$345.29	\$0.00	\$345.29	\$237.21	\$108.08	\$42,993.48	\$3,574.22			
33	09/05/2017	\$345.29	\$42,993.48	\$345.29	\$0.00	\$345.29	\$237.81	\$107.48	\$42,755.67	\$3,681.70			
34	10/05/2017	\$345.29	\$42,755.67	\$345.29	\$0.00	\$345.29	\$238.40	\$106.87	\$42,517.27	\$3,790.49			
35	11/05/2017	\$345.29	\$42,517.27	\$345.29	\$0.00	\$345.29	\$239.00	\$106.26	\$42,278.27	\$3,900.18			
36	12/05/2017	\$345.29	\$42,278.27	\$345.29	\$0.00	\$345.29	\$239.60	\$105.65	\$42,038.67	\$4,010.87			
37	01/05/2018	\$345.29	\$41,905.64	\$345.29	\$0.00	\$345.29	\$240.20	\$105.04	\$41,798.47	\$4,122.91			
38	02/05/2018	\$345.29	\$41,798.47	\$345.29	\$0.00	\$345.29	\$240.80	\$104.43	\$41,661.67	\$4,236.34			
39	03/05/2018	\$345.29	\$41,661.67	\$345.29	\$0.00	\$345.29	\$241.40	\$103.82	\$41,525.27	\$4,351.16			
40	04/05/2018	\$345.29	\$41,525.27	\$345.29	\$0.00	\$345.29	\$242.00	\$103.21	\$41,389.27	\$4,466.37			
41	05/05/2018	\$345.29	\$41,389.27	\$345.29	\$0.00	\$345.29	\$242.60	\$102.60	\$41,252.67	\$4,581.97			
42	06/05/2018	\$345.29	\$41,252.67	\$345.29	\$0.00	\$345.29	\$243.20	\$101.99	\$41,116.47	\$4,698.96			
43	07/05/2018	\$345.29	\$41,116.47	\$345.29	\$0.00	\$345.29	\$243.80	\$101.38	\$40,980.67	\$4,816.34			
44	08/05/2018	\$345.29	\$40,980.67	\$345.29	\$0.00	\$345.29	\$244.40	\$100.77	\$40,843.27	\$4,934.11			
45	09/05/2018	\$345.29	\$40,843.27	\$345.29	\$0.00	\$345.29	\$245.00	\$100.16	\$40,705.27	\$5,052.27			
46	10/05/2018	\$345.29	\$40,705.27	\$345.29	\$0.00	\$345.29	\$245.60	\$99.55	\$40,566.67	\$5,170.82			
47	11/05/2018	\$345.29	\$40,566.67	\$345.29	\$0.00	\$345.29	\$246.20	\$98.94	\$40,427.47	\$5,289.76			
48	12/05/2018	\$345.29	\$40,427.47	\$345.29	\$0.00	\$345.29	\$246.80	\$98.33	\$40,287.67	\$5,409.09			
49	01/05/2019	\$345.29	\$40,287.67	\$345.29	\$0.00	\$345.29	\$247.40	\$97.72	\$40,147.27	\$5,528.81			
50	02/05/2019	\$345.29	\$40,147.27	\$345.29	\$0.00	\$345.29	\$248.00	\$97.11	\$40,006.27	\$5,648.92			
51	03/05/2019	\$345.29	\$40,006.27	\$345.29	\$0.00	\$345.29	\$248.60	\$96.50	\$39,864.67	\$5,769.42			
52	04/05/2019	\$345.29	\$39,864.67	\$345.29	\$0.00	\$345.29	\$249.20	\$95.89	\$39,722.47	\$5,890.31			
53	05/05/2019	\$345.29	\$39,722.47	\$345.29	\$0.00	\$345.29	\$249.80	\$95.28	\$39,579.67	\$6,011.59			
54	06/05/2019	\$345.29	\$39,579.67	\$345.29	\$0.00	\$345.29	\$250.40	\$94.67	\$39,436.27	\$6,133.26			
55	07/05/2019	\$345.29	\$39,436.27	\$345.29	\$0.00	\$345.29	\$251.00	\$94.06	\$39,292.27	\$6,255.32			
56	08/05/2019	\$345.29	\$39,292.27	\$345.29	\$0.00	\$345.29	\$251.60	\$93.45	\$39,147.67	\$6,377.77			
57	09/05/2019	\$345.29	\$39,147.67	\$345.29	\$0.00	\$345.29	\$252.20	\$92.84	\$39,002.47	\$6,500.61			
58	10/05/2019	\$345.29	\$39,002.47	\$345.29	\$0.00	\$345.29	\$252.80	\$92.23	\$38,856.67	\$6,623.84			
59	11/05/2019	\$345.29	\$38,856.67	\$345.29	\$0.00	\$345.29	\$253.40	\$91.62	\$38,710.27	\$6,747.46			
60	12/05/2019	\$345.29	\$38,710.27	\$345.29	\$0.00	\$345.29	\$254.00	\$91.01	\$38,563.27	\$6,871.47			
61	01/05/2020	\$345.29	\$38,563.27	\$345.29	\$0.00	\$345.29	\$254.60	\$90.40	\$38,415.67	\$6,995.87			
62	02/05/2020	\$345.29	\$38,415.67	\$345.29	\$0.00	\$345.29	\$255.20	\$89.79	\$38,267.47	\$7,120.66			
63	03/05/2020	\$345.29	\$38,267.47	\$345.29	\$0.00	\$345.29	\$255.80	\$89.18	\$38,118.67	\$7,245.84			
64	04/05/2020	\$345.29	\$38,118.67	\$345.29	\$0.00	\$345.29	\$256.40	\$88.57	\$37,969.27	\$7,371.41			
65	05/05/2020	\$345.29	\$37,969.27	\$345.29	\$0.00	\$345.29	\$257.00	\$87.96	\$37,819.27	\$7,497.37			
66	06/05/2020	\$345.29	\$37,819.27	\$345.29	\$0.00	\$345.29	\$257.60	\$87.35	\$37,668.67	\$7,623.72			
67	07/05/2020	\$345.29	\$37,668.67	\$345.29	\$0.00	\$345.29	\$258.20	\$86.74	\$37,517.47	\$7,750.46			
68	08/05/2020	\$345.29	\$37,517.47	\$345.29	\$0.00	\$345.29	\$258.80	\$86.13	\$37,365.67	\$7,877.59			
69	09/05/2020	\$345.29	\$37,365.67	\$345.29	\$0.00	\$345.29	\$259.40	\$85.52	\$37,213.27	\$8,005.11			
70	10/05/2020	\$345.29	\$37,213.27	\$345.29	\$0.00	\$345.29	\$260.00	\$84.91	\$37,060.27	\$8,132.92			
71	11/05/2020	\$345.29	\$37,060.27	\$345.29	\$0.00	\$345.29	\$260.60	\$84.30	\$36,906.67	\$8,261.22			
72	12/05/2020	\$345.29	\$36,906.67	\$345.29	\$0.00	\$345.29	\$261.20	\$83.69	\$36,752.47	\$8,389.91			
73	01/05/2021	\$345.29	\$36,752.47	\$345.29	\$0.00	\$345.29	\$261.80	\$83.08	\$36,597.67	\$8,519.09			
74	02/05/2021	\$345.29	\$36,597.67	\$345.29	\$0.00	\$345.29	\$262.40	\$82.47	\$36,442.27	\$8,648.56			
75	03/05/2021	\$345.29	\$36,442.27	\$345.29	\$0.00	\$345.29	\$263.00	\$81.86	\$36,286.27	\$8,778.42			
76	04/05/2021	\$345.29	\$36,286.27	\$345.29	\$0.00	\$345.29	\$263.60	\$81.25	\$36,129.67	\$8,908.67			
77	05/05/2021	\$345.29	\$36,129.67	\$345.29	\$0.00	\$345.29	\$264.20	\$80.64	\$35,972.47	\$9,039.31			
78	06/05/2021	\$345.29	\$35,972.47	\$345.29	\$0.00	\$345.29	\$264.80	\$80.03	\$35,815.67	\$9,170.34			
79	07/05/2021	\$345.29	\$35,815.67	\$345.29	\$0.00	\$345.29	\$265.40	\$79.42	\$35,658.27	\$9,301.76			
80	08/05/2021	\$345.29	\$35,658.27	\$345.29	\$0.00	\$345.29	\$266.00	\$78.81	\$35,500.27	\$9,			

**ORDINANCE NO. 2016-1**

**AN ORDINANCE AMENDING CHAPTER 10 AMUSEMENTS AND ENTERTAINMENTS, ARTICLE II CITY LOTTERY, BY ADDING SECTION 10-32 LOTTERY; SALES OUTLET LOCATIONS; APPROVAL REQUIRED; QUALIFICATION STANDARDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 10, Article II of the Wayne Municipal Code is hereby amended to add Sec. 10-32 to read as follows:

**10-32 Lottery; Sales Outlet Locations; Approval Required; Qualification Standards.**

- A. The lottery operator with whom the Governing Body contracts to conduct its lottery shall not operate the lottery at a sales outlet location other than the location of the lottery operator without prior approval of the sales outlet location by the Governing Body. The Governing Body shall approve or disapprove each sales outlet location and individual, sole proprietorship, partnership, limited liability company, or corporation which desires to conduct the lottery at its sales outlet location solely on the basis of the qualification standards prescribed in Division (B) of this section.
- B. Any individual, sole proprietorship, partnership, limited liability company, or corporation which seeks to have its location approved as an authorized sales outlet location shall:
  - (1) Obtain a retail liquor license for consumption on the premises pursuant to Neb. Rev. Stat. Chapter 53, Article 1;
  - (2) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any offense or crime, whether a felony or a misdemeanor, involving any gambling activity or fraud, theft, willful failure to make required payments or reports, or filing false reports with a governmental agency at any level;
  - (3) Not have been convicted of, forfeited bond upon a charge of, or pleaded guilty or nolo contendere to any felony other than those described in Division (B)(2) within the 10 years preceding the filing of this application;
  - (4) Not have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, or the Nebraska Pickle Card Lottery Act; and
  - (5) Be fit, willing, and able to properly provide the service proposed in conformance with all provisions and requirements of the Nebraska County and City Lottery Act and the rules and regulations adopted and promulgated pursuant to the Act.
- C. If the person seeking to have its location approved as an authorized sales outlet location is a partnership, limited liability company, or corporation, the qualification standards shall apply to every partner of such partnership, every member of such limited liability company, every officer of such corporation, and every stockholder owning more than 10% of the stock of such corporation.
- D. The municipality shall notify the Department of Revenue of all approved lottery locations within 30 days of approval.

***Statutory reference:***

*Requirements for sales outlet locations, Neb. Rev. Stat. 9-642.01*

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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**ORDINANCE NO. 2016-2**

**AN ORDINANCE AMENDING CHAPTER 10 AMUSEMENTS AND ENTERTAINMENTS, ARTICLE II CITY LOTTERY, BY ADDING SECTION 10-33 LOTTERY; PARTICIPATION; RESTRICTIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 10, Article II of the Wayne Municipal Code is hereby amended to add Sec. 10-33 to read as follows:

*New 1997 Option C - Restrictions on municipal officials & their families but not on owners and officers of sales outlet locations.*

**10-33 LOTTERY; PARTICIPATION; RESTRICTIONS.**

- A. No person under 19 years of age shall play or participate in any way in the lottery established and conducted by the municipality.
- B. No owner or officer of a lottery operator with whom the municipality contracts to conduct its lottery shall play the lottery conducted by the municipality. No employee or agent of the municipality, lottery operator, or authorized sales outlet location shall play the lottery of the municipality for which he or she performs work during such time as he or she is actually working at such lottery or while on duty. No member of the Governing Body, municipal official, or immediate family of such member or official shall play in the lottery conducted by the municipality.
- C. Nothing shall prohibit an owner or officer of an authorized sales outlet location for the municipality from playing the lottery conducted by the municipality as long as such person is 19 years of age or older.
- D. No person, or employee or agent of any person or the municipality shall knowingly permit an individual under 19 years of age to play or participate in any way in the lottery conducted by the municipality.
- E. For purposes of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***IMMEDIATE FAMILY OF A MEMBER OF THE GOVERNING BODY OR A MUNICIPAL OFFICIAL.***

- a. A person who is related to the member or official by blood, marriage, or adoption and resides in the same household; or
- b. A person who is claimed by the member or official, or the spouse of the member or official, as a dependent for federal income tax purposes.

***Statutory reference:***

*State provisions on participation restrictions, Neb. Rev. Stat. 9-646*

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2016.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk