

**MINUTES  
CITY COUNCIL MEETING  
March 1, 2016**

The Wayne City Council met in regular session at City Hall on Tuesday, March 1, 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, Nick Muir, Jason Karsky, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Jennifer Sievers and Matt Eischeid.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on February 18, 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 Brodersen, whereas, the Clerk has prepared copies of the Minutes of the meeting of February 16, 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 Councilmembers Sievers and Eischeid who were 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, 377.25; AMERICAN RED CROSS, RE, 10.00; AMERITAS, SE, 2551.26; APPEARA, SE, 109.77; ARNIE'S FORD-MERCURY, SE, 220.19; BLACK HILLS, SE, 1516.09; BOMGAARS, SU, 1518.22; BSN SPORTS, SU, 3679.90; CDS INSPECTIONS & BEYOND, SE, 397.00; CENTURYLINK, SE, 414.84; CHEMQUEST, SE, 595.00; CITY OF WAYNE, RE, 300.00; CITY OF WAYNE, PY, 78657.16; COMMUNITY HEALTH, RE, 4.00; DAVE'S DRY CLEANING, SE, 99.99; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 2184.59; DEMCO, SU, 124.94; DGR & ASSOCIATES, SE, 473.50; DUNRITE, SU, 71.82; ECHO GROUP, SU, 1166.97; ED. M FELD EQUIPMENT, SU, 1032.75; EGAN SUPPLY, SU, 33.58; FIRST CONCORD GROUP, SE, 3272.98; FLOOR MAINTENANCE, SU, 321.07; GROSSENBURG IMPLEMENT, SE, 325.96; HACH COMPANY, SU, 134.79; CITY EMPLOYEE, RE, 79.14; HAWKINS, SU, 510.81; HOLIDAY INN EXPRESS, SE, 199.90; HOLIDAY INN OF KEARNEY, SE, 418.28; ICMA, RE, 6356.81; IRS, TX, 27551.03; JEO CONSULTING GROUP, SE, 6816.00; KRIZ-DAVIS, SU, 757.56; LUTT OIL, SU, 19520.00; MAIN STREET AUTO CARE, SE, 100.00; MUNICIPAL SUPPLY, SU, 784.33; N.E. NEB ECONOMIC DEV DIST, SE, 1110.00; CITY

EMPLOYEE, RE, 244.89; NE DEPT OF REVENUE, TX, 3744.40; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 262.00; NNPPD, SE, 12689.60; NOVA HEALTH EQUIPMENT, SE, 350.02; ONE OFFICE SOLUTION, SE, 69.00; PARTS ENGINEERING, SU, 65.28; PICK EQUIPMENT & CHOPPING, SE, 268.62; PITNEY BOWES, SU, 507.68; SAND CREEK POST & BEAM, SE, 937.50; STADIUM SPORTING GOODS, SU, 705.00; STATE FARM INSURANCE, SE, 563.00; TASTE OF HOME BOOKS, SU, 31.98; THE RETROFIT COMPANIES, SE, 84.00; TYLER TECHNOLOGIES, SE, 3781.25; VERIZON, SE, 99.78; WAMCO SALES, SU, 1600.00; WAYNE COUNTY COURT, RE, 800.00; WAYNE EAST-PRIME STOP, SU, 542.00; AMY K. MILLER, SE, 5416.67; APPEARA, SE, 62.99; AS CENTRAL SERVICES, SE, 448.00; CITY EMPLOYEE, RE, 275.20; BLUE CROSS BLUE SHIELD, SE, 35115.48; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 20.00; ECOLAB INC., SU, 364.59; GEORGINA CASTANEDA, SE, 43.75; GROSSENBURG IMPLEMENT, SU, 57.09; HOMETOWN LEASING, SE, 412.86; ICC, SU, 187.00; CITY EMPLOYEE, RE, 86.00; LERNER PUBLISHING GROUP, SU, 160.83; MARCO INC, SE, 126.36; MARRIOTT HOTELS, SE, 357.00; MATHESON TRI-GAS, INC., SU, 57.03; MSC INDUSTRIAL, SU, 229.60; MURPHY TRACTOR & EQUIPMENT, SU, 228.52; NE DEPT OF HHS, FE, 80.00; NE LAW ENFORCEMENT, SU, 60.00; PICK EQUIPMENT & CHOPPING, SE, 1158.00; SKARSHAUG TESTING LAB, SE, 425.54; SOOLAND BOBCAT, SU, 18.85; STATE NEBRASKA BANK-PETTY CASH, RE, 101.26; TITAN MACHINERY, SU, 210.00; TYLER TECHNOLOGIES, SE, 93.75; VIAERO, SE, 247.07; WAYNE RENTALS, RE, 6443.83; WESCO, SU, 691.22; WESTERN RIDGE III, RE, 9142.63; ZEE MEDICAL SERVICE, SU, 34.67

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 Councilmembers Sievers and Eischeid who were 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.

Tim Sutton, Electric Line Supervisor, advised the Council that the following Resolution would approve the agreement with DGR Engineering for professional services for the Phase I - Wayne Municipal Electric Distribution System Improvement Project. Phase I improvements will consist of converting the West Inner and East Inner main lines to underground, while upgrading capacity to allow for additional back feeding capabilities for an estimated cost of \$1,567,000. The

West Inner portion is located from the main substation to the intersection of Sherman Street and 3<sup>rd</sup> Street, and from 7<sup>th</sup> Street to 13<sup>th</sup> Street between Sherman Street and Douglas Street. The East Inner portion is located from the intersection of Logan Street and Fairground Avenue to the intersection of Dearborn Street to 7<sup>th</sup> Street.

Administrator Johnson stated this project, along with the wastewater plant and water main projects, will have some kind of an impact on our utility rates. We are still waiting to hear back from Mike Towne on the electric cost of service study. We have received the sewer rate recommendation from the Nebraska Rural Water Association.

Councilmember Brodersen introduced Resolution 2016-10 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2016-10

A RESOLUTION APPROVING DEWILD GRANT RECKERT & ASSOCIATES COMPANY, D/B/A “DGR ENGINEERING,” FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN AND CONSTRUCTION OF PHASE 1 OR TASK ORDER PROJECT NO. 01 OF THE WAYNE MUNICIPAL ELECTRIC DISTRIBUTION SYSTEM IMPROVEMENT PROJECT.

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

Administrator Johnson stated the following Resolution would amend the schedule of fees at the Community Activity Center.

Bryce Meyer, Recreation Director, presented the fee changes as follows:

**Pool Fees:**

Family Pass - \$150

Individual Pass - \$80

Daily Admission – Ages 13 – Over \$5.00

Ages 6 – 12 \$4.00

Ages 5 – Under \$3.00

***No preseason pass specials***

**CAC Memberships adding Pool:**

Family - \$300 plus \$120  
Adult Married Couple - \$230 plus \$100  
Adult Single - \$170 plus \$75  
Senior Married Couple - \$110 plus 65  
Senior Single - \$85 plus \$50  
Any College Student - \$60 (pool)  
High School - \$100 plus \$50  
Middle School - \$80 plus \$40  
Elementary School - \$65 plus \$30

\$100 per hour to rent the pool for parties (must be outside operational hours)  
24-hour access - \$50 for a year added to any membership (paid up front, not adding to utility bill or 6-month plan)  
\$25 for new key fob if original is lost

**Full gym/facility rental:**

\$600

**CAC hours of operation:**

When the pool opens, the hours will be changed to year round  
Monday – Thursday: 5:30 a.m. – 10:00 p.m.  
Friday – 5:30 a.m. – 9:00 p.m.  
Saturday & Sunday – 8:00 a.m. – 8:00 p.m.

After a lengthy discussion, Councilmember Giese introduced Resolution 2016-11 and moved for its approval, and Councilmember Brodersen seconded, with the following changes:

- Increase CAC Membership rates 10%, rounded down to the lowest \$5 or zero effective 4/1/16.
- 24-hour access is included in the membership fee (must be 18 or over); one key fob will be issued upon request for members 18 or over; first key fob free, replacement key fobs will be \$20.
- Pool rates with a CAC membership will remain the same as last year: \$105 for a family and \$60 for a single person.
- Pool rates for non-members will be \$125 for a family and \$80 for a single person.
- Daily admission into the pool stays as recommended.
- Full Gym/Facility Rental: \$100 per hour with a minimum of 6 hours, starting 3/1/16. For those that had booked the facility by 3/1/16, the old rental prices will be honored.
- CAC hours of operation will be left up to the discretion of the Recreation Director.

RESOLUTION NO. 2016-11

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES.

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

Discussion took place on installing a new parking lot at the Community Activity Center (north of the north parking lot of the CAC). This was an item that came out of the Council Retreat. Staff would begin to put some bid specs together for the project.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, authorizing City staff to begin work on a parking lot design at the Community Activity Center. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Eischeid who were absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc. presented Application for Payment No. 7 for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project” for \$165,778.34 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 Giese, approving Application for Payment No. 7 for \$165,778.34 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 Councilmembers Sievers and Eischeid who were absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc. presented Application for Payment No. 8 for the “2016 Wayne Aquatic Center Project” for \$38,079.74 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

Giese, approving Application for Payment No. 8 for \$38,079.74 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 Councilmembers Sievers and Eischeid who were absent, the Mayor declared the motion carried.

Discussion took place in regard to waiving the four person limit per household for two semesters while Wayne State is renovating Bowen Hall.

Jeff Carstens, Vice-President of Student Affairs at Wayne State College, was present to explain that Wayne State College has taken efforts to accommodate the students during the renovation of Bowen Hall. They expect 35-50 fewer students living on campus this fall, than were living on campus last fall. Some of the upper class students prefer not to have a roommate, so they “buy out” the extra bed. They also intend to communicate with the Seniors that if they live within 60 miles of Wayne, they will not guarantee them housing in the fall. No one on campus will have a two-person room to himself or herself during the fall semester. Bowen Hall will be renovated in its current configuration. The unknown is how many upper class students who have been able to have a two-person room by themselves may opt to move off campus, because they only require first year students to live on campus. The other unknown is exactly what their freshman population will be. The completion date for the renovation is August 2017.

Councilmember Karsky stated he did not think this was the City’s responsibility to make accommodations for housing students off campus.

After discussion, Councilmember Giese stated he thought the Council could draft some language that would not discriminate against some of the larger houses, which do exist around campus. He liked Joel Hansen’s idea that if you are one of those landlords that thinks they are being discriminated against by the city’s current rule, that they can allow city staff to inspect their property, and if it meets code requirements, it can be cleared for more than 4 unrelated occupants.

BJ Woehler spoke against waiving the 4-limit per household requirement.

Lucas Thompson spoke in favor of waiving the 4-limit per household requirement.

Joel Hansen, Zoning Administrator, stated that if the Council would like to change any part of this ordinance, the same should go before the Planning Commission for a recommendation. Council consensus was to take it to the Planning Commission for a recommendation.

Councilmember Giese 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 Councilmembers Sievers and Eischeid who were absent, the Mayor declared the motion carried and the meeting adjourned at 7:00 p.m.



