

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

The Wayne City Council met in regular session at City Hall on Tuesday, May 3, 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, 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 April 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 Sievers made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of April 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERICAN RED CROSS, RE, 20.00; AMERITAS, SE, 2452.32; APPEARA, SE, 228.63; AS CENTRAL SERVICES, SE, 448.00; BLACK HILLS, SE, 576.81; BLUE CROSS BLUE SHIELD, SE, 34676.53; BOMGAARS, SU, 18.76; CITY EMPLOYEE, RE, 286.90; BROOKDALE WAYNE, SU, 300.00; CARROLL DISTRIBUTING, SU, 684.75; CHEMQUEST, SE, 595.00; CITY OF PONCA, RE, 29715.14; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, PY, 66511.79; CITY OF WAYNE, RE, 225.00; CITY OF WEST POINT, RE, 43132.94; CITY OF WISNER, RE, 4491.04; COLONIAL RESEARCH, SU, 108.28; COMMUNITY HEALTH, RE, 4.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 137.60; ECHO GROUP, SU, 2841.43; ED. M FELD EQUIPMENT, SU, 81.00; ELECTRONIC SYSTEMS, SE, 106.00; ELLIS HOME SERVICES, SE, 130.00; FASTENAL, SU, 268.18; FLOOR MAINTENANCE, SU, 575.47; FREDRICKSON OIL, SU, 1309.00; GERHOLD CONCRETE, SU, 1504.31; GROSSENBURG IMPLEMENT, SU, 545.51; HD SUPPLY WATERWORKS, SU, 1156.36; HYDRAULIC EQUIPMENT, SU, 101.66; ICMA, SE, 7013.74; IRS, TX, 24748.88; JEO CONSULTING GROUP, SE, 17936.25; JOHNSON HARDWARE, SU, 5697.60; CITY

EMPLOYEE, RE, 139.56; KNIFE RIVER MIDWEST, SU, 847.80; KRIZ-DAVIS, SU, 23495.06; MCLAURY ENGINEERING, SE, 65159.75; MCLAURY ENGINEERING, SE, 2653.50; MERCHANT JOB TRAINING, SU, 550.00; MIDWEST MUSIC CENTER, SU, 5899.75; NNEDD, SE, 2893.75; NE DEPT OF REVENUE, TX, 3522.59; NEBRASKA COMMUNITY FOUNDATION, SE, 600.00; NWOD, FE, 15.00; OLSSON ASSOCIATES, FE, 1400.00; CITY EMPLOYEE, RE, 359.48; PENRO CONSTRUCTION, SE, 95154.57; POLLARD PUMPING, SE, 360.00; PONCA RURAL FIRE BOARD, RE, 7110.82; RESCO, SU, 833.59; SCHMADER ELECTRIC CONST., SU, 425.00; SIOUXLAND TURF PRODUCTS, SU, 2293.00; STADIUM SPORTING GOODS, SE, 350.00; STAPLES CONTRACT & COMMERCIAL, SU, 40.79; STATE NEBRASKA BANK & TRUST, RE, 53750.00; STATE NEBRASKA BANK, RE, 113.02; SUPERCIRCUITS, SU, 747.45; TOM'S BODY & PAINT SHOP, SE, 187.65; UNITED RENTALS, SU, 206.25; UNITED WAY, RE, 5.00; VIAERO, SE, 246.89; VILLAGE OF WINSIDE, RE, 9505.44; WAYNE HERALD, SU, 48.00; WAYNE STATE COLLEGE, SE, 65.00; WESCO, SU, 12941.44; WEST-E-CON, SU, 23346.00; WIGMAN CO, SU, 423.04; WISNER WEST, SU, 110.45; AMERICAN BROADBAND, SE, 2602.14; AMY K. MILLER, SE, 5416.67; APPEARA, SE, 66.08; CITY EMPLOYEE, RE, 187.82; BOMGAARS, SU, 1104.26; CERTIFIED TESTING, SE, 3756.50; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, SE, 240.00; CITY OF WAYNE, RE, 1115.83; DUTTON-LAINSON, SU, 631.30; ECHO GROUP, SU, 237.54; CITY OF WAYNE, RE, 339.76; FIRST CONCORD GROUP, SE, 4407.15; FLOOR MAINTENANCE, SU, 25.38; GERHOLD CONCRETE, SU, 1351.25; GILL HAULING, SE, 170.50; GRAINGER, INC., SU, 18.88; HAWKINS, INC, SU, 1797.53; HEIKES AUTOMOTIVE, SE, 542.67; HOMETOWN LEASING, SE, 412.86; JEBRO INC, SU, 42.00; CITY EMPLOYEE, RE, 176.29; CITY EMPLOYEE, RE, 113.90; KRIZ-DAVIS, SU, 9671.73; MAIN STREET AUTO, SE, 100.00; CITY EMPLOYEE, RE, 150.71; MIDWEST ENERGY SOLUTIONS, SU, 1071.16; NNEDD, SE, 7078.75; NATIONAL PATENT ANALYTICAL, SU, 29.06; NE EXPRESSWAYS, FE, 883.44; NNPPD, SE, 5485.00; ONE CALL CONCEPTS, SE, 93.60; CITY EMPLOYEE, RE, 292.15; PLUNKETT'S PEST CONTROL, SE, 1166.23; POWER MONITORS, SE, 391.23; QUALITY FOODS, SU, 27.16; RECREATION SUPPLY CO, SU, 2596.38; SKARSHAUG TESTING LAB, SE, 184.78; STADIUM SPORTING GOODS, SU, 261.00; TYLER TECHNOLOGIES, SE, 200.00; US BANK, SU, 10466.12; WAED, SE, 7216.66; WAYNE STATE FOUNDATION, FE, 260.00

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 stated the City Council would hear public comments on the following agenda items: 3, 8, 10, 14, 15, 16, and 18.

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.

A request to discuss the Dog Creek Dam proposal was made by Dennis Ekberg, a landowner in the proposed area. This request came as a result of some city officials sending letters/emails to the Lower Elkhorn Natural Resource District supporting the need for a study on a reservoir project. Those speaking against the proposed reservoir project being located in the Wayne County area or to express their concerns about the correspondence that was sent to the LENRD were County Commissioner Randy Larson, Shari Dunklau, Doug Nelson, Doug Spahr, Doug Temme, Dennis Ekberg, Tyler Poehlman, Scott Sievers.

Phil Lorenzen, representing D.A. Davidson & Co., was present to go over the issuance of Combined Utility Revenue Bond Anticipation Notes, Series 2016, for the City of Wayne. He noted that the first item of business was to approve an updated engagement letter with his firm for project financing in compliance with Security Exchange Commission (SEC) regulations.

Councilmember Eischeid made a motion, which was seconded by Councilmember Greve, approving the updated Engagement Letter with D.A. Davidson & Co., for project financing in compliance with SEC Regulations. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mr. Lorenzen noted that the Combined Utility Revenue Bond Anticipation Notes are estimated to be \$800,000, after an analysis of the projects, and will be dated on or about June 7, 2016. He has included in the ordinance a number of not to exceed \$825,000. The combined revenues available for bond payments for the fiscal year ending September 30, 2015, by the last audit was \$663,368. That number is very important for this reason: In order to secure a loan for financing these projects, you need to demonstrate that you have adequate revenues to go ahead and make payments to those projects. The annual payments of the NDEQ Loans are approximately \$400,000. That provides \$1.66 for every dollar of debt you have to pay on an annual basis. There is debt service for \$1,400,000. A 15-year revenue bond issue would take

about another \$100,000. We have a new NDEQ loan that is underway, and that NDEQ loan is about \$2,000,000, but because of the low interest rates that the City has captured, the same loan requires about \$100,000. Right now, the City has the three NDEQ loans, which require about \$500,000 in annual debt service, and \$663,000 available to make that debt payment. That is a coverage of \$1.33 for every dollar of debt. NDEQ requires that you maintain earnings equal to \$1.25 available each year for the payment of each \$1.00 of debt. However, this does not afford an adequate revenue stream to go ahead and make payments on permanent financing for the City's current projects. The projects included in this financing are Grainland Road Sewer and Water (\$117,042.65), Main Street (\$280,983.53), Logan Valley Water (\$115,097.90), and Nebraska Street Water – 3rd Street to 7th Street (\$250,000.00). The total tally of those projects is \$763,124.08. In addition, there are additional fees associated with the issuing of these bonds, for a grand total of \$798,774.08. The recommendation is to make the amount a not to exceed sum of \$825,000.

Councilmember Sievers introduced Ordinance No. 2016-6, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2016-6

AN ORDINANCE AUTHORIZING THE ISSUANCE OF COMBINED UTILITY REVENUE BOND ANTICIPATION NOTES, SERIES 2016, OF THE CITY OF WAYNE, NEBRASKA, IN THE PRINCIPAL AMOUNT OF EIGHT HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$825,000,000), FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS TO THE COMBINED UTILITY SYSTEM OWNED AND OPERATED BY THE CITY; PENDING THE ISSUANCE OF PERMANENT COMBINED UTILITY REVENUE BONDS; AGREEING TO ISSUE SUCH BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; PRESCRIBING THE FORM OF SAID NOTES; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE COMBINED UTILITY SYSTEM OF SAID CITY FOR THE PAYMENT OF SAID NOTES AND INTEREST THEREON; PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUE OF SAID COMBINED UTILITY SYSTEM; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND

PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

Councilmember Brodersen left the meeting.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, to move for final approval of Ordinance No. 2016-6. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

The following Resolutions would authorize the reimbursements relating to Revenue Financed Utility Capital Projects of \$750,000, and Streets and other local Improvement District Capital Projects of \$750,000.

Councilmember Sievers introduced Resolution 2016-32, and moved for its approval for an amount of not-to-exceed \$750,000; Councilmember Greve seconded.

RESOLUTION NO. 2016-32

A RESOLUTION AUTHORIZING THE REIMBURSEMENT RELATING TO REVENUE FINANCED UTILITY CAPITAL PROJECTS.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Councilmember Sievers introduced Resolution 2016-33, and moved for its approval for an amount of not-to-exceed \$750,000; Councilmember Greve seconded.

RESOLUTION NO. 2016-33

A RESOLUTION AUTHORIZING THE REIMBURSEMENT RELATING TO STREETS AND OTHER LOCAL IMPROVEMENT DISTRICT CAPITAL PROJECTS.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the annexation of certain real estate – Kardell East 14th Street Addition (Centennial Road to the Northstar property).

There was no one present to speak for or against the public hearing.

The Planning Commission held a public hearing on this annexation on May 2, 2016, and forwarded a recommendation of approval subject to the following finding of fact: Consistency with the Comprehensive Plan and the current and future land use maps.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Chamberlain closed the public hearing.

Councilmember Sievers introduced Ordinance No. 2016-7, and moved for approval thereof; Councilmember Haase seconded.

ORDINANCE NO. 2016-7

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing to amend the One and Six Year Street Improvement Plan to add “South Windom Street.”

Joel Hansen, Certified Street Superintendent, was present to answer questions, and stated in order to do a project in the one-year plan or the current year, it must be on the One & Six Year Street Improvement Plan. The developer has expressed an interest in developing some lots on South Windom Street, and if we are going to pave that this year, it has to be on the one-year plan. This is just an amendment adding that project to the list that was approved last February.

City Clerk McGuire had not received any comments for or against this public hearing.

There being no further comments, Mayor Chamberlain closed the public hearing.

Councilmember Sievers introduced Resolution 2016-34, and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2016-34

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM, AS AMENDED, TO ADD SOUTH WINDOM STREET.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution accept the bid and award the contract on the City Hall Roof Replacement Project to Guarantee Roofing for the sum of \$40,095. Three bids were received on this project; however, only one met the specifications. The roof is leaking at this time. \$45,000 has been set aside for the City Hall roof replacement project.

Councilmember Sievers introduced Resolution 2016-35, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2016-35

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE "CITY HALL ROOF REPLACEMENT PROJECT."

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Steve Rames of McLaury Engineering stated two bids were received on the “Community Activity Center Parking Lot Project.” The two bidders were Robert Woehler & Sons Construction and Progressive Property Inspections. At the time of the bid opening, the apparent low bidder was Progressive Property Inspections. Woehler has recognized the addendums on the face of the bid documents. Progressive did not recognize the addendums on the face of the bid documents. This falls under a technicality that the City can waive, if such conditions are met. It was apparent that the bidder had received or recognized those addendums. Addendum 1 was a mandatory pre-bid meeting, which he attended. Addendum 2 changed some items in the bid document. Addendum 3 reissued the bid document and answered some questions that were asked during the pre-bid meeting. Again, it was apparent that the low bidder was aware of the addendums.

Upon reviewing the bid documents, Progressive Property Inspections wrote the total price in the unit price as well. When Mr. Rames did the computation (multiplied the number of units by the quantity amount), it kicked Progressive Property Inspections out of being the apparent low bidder.

The City has two options. You can either reject these bids and rebid the project, or you can award it to the low responsive bidder. Their recommendation was to award the project to Robert Woehler & Sons Construction.

It was noted that there was not a sense of urgency on this project, and that this appeared to be a clerical error.

Attorney Miller stated in the bid specifications, it states that this can be considered an immaterial mistake unless it is listed in a price. If it is a price, then it is considered a material

reason to kick the bid out. Therefore, she concurred with Mr. Rames in that the Council's only options are to award the contract to Woehler's or rebid the project.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, to rebid the project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Discussion took place in regard to amending the sewer and water rates for outside city limit users. These Resolutions were tabled from the last meeting. The proposed Resolutions would establish the outside rates at 2.5 times the inside rates. At this time on sewer, there are 10 commercial customers and 5 residential customers.

Councilmember Giese questioned the need to hire a consultant to review the rates. In addition, he stated that another thing to consider is that the City has not annexed a lot of the industrial park and the businesses. He posed the question if there was a company that used a lot of water, would we be discouraging them from developing in our industrial park.

Mayor Chamberlain stated the real savings to some of the businesses outside city limits is not so much with property taxes vs. outside water/sewer rates, but in the sale tax.

Bob Woehler spoke against raising the rates.

Wes Blecke, WAED Director, responded that he has never had a discussion come up on whether or not a business would or would not locate in the area because of inside/outside water and sewer rates.

Councilmember Eischeid did not like the idea of targeting such a small percentage of customers and making them pay more when the City of Wayne keeps their rates the same. If we are at a break-even point now, the next time we look at increasing rates, we need to increase everyone's a certain amount rather than hitting some with more of an increase than others.

Councilmember Giese said he was willing to let the issue die and have the discussion at the Council retreat.

Mayor Chamberlain suggested seeking “RFP’s” to see what a rate study would cost.

There being no further discussion, Resolution 2016-27 amending the Sewer Rates died for lack of a motion.

Alan Walton, a resident of Muhs’ Acres, read a letter prepared by Monte Boyer, who was against the increase in water rates. Mr. Walton also spoke against the increase, and noted he was not against paying his fair share, but wanted to be treated fairly. In closing, he stated that they appreciated what the City has done. They just want it to be fair, which is what they are trying to determine.

It was noted that there are 25 commercial and 35 residential users on water, with 2 commercial users having irrigation meters.

There being no further discussion, Resolution 2016-28 amending the Water Rates died for lack of a motion.

Administrator Johnson stated the following Resolution would increase the electric rates 6.5%. Our rate consultant, who had done a cost of service study three years ago, recommended a 6.5% increase for 5 years. We skipped a year. Staff is recommending that we increase the rates 6.5% at this time. The 6.5% increase per year is for operating expenses and capital projects. It does not cover the 3.9% penalty that NPPD is now charging us because we did not sign the contract.

Councilmember Eischeid stated he did not have an issue with 6.5% one time.

Councilmember Giese introduced Resolution No. 2016-37 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2016-37

A RESOLUTION ESTABLISHING A SCHEDULE OF ELECTRICAL RATES TO BE CHARGED CUSTOMERS FOR ENERGY AND POWER FROM THE ELECTRIC DISTRIBUTION SYSTEM OF THE CITY; TO REPEAL CONFLICTING RATES AND SCHEDULES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would approve an agreement between the City of Wayne and C. H. Guernsey & Company for professional consulting services for a "Generation Resource Feasibility Analysis" for \$28,500. He was asking that Council hold off on this. He would like representatives from C. H. Guernsey to be available at the next meeting to go over the options that were outlined in the packet. Those options were as follows:

1. Stay with the \$1.50/kWh per month with Big Rivers Electric Coop in Kentucky, which is \$342,000 per year. This contract has the safety of seldom, if ever, being required to run our power plant except for emergencies.
2. Consider a potential, but not definite offer of \$3/kWh per month from AEP which amounts to \$684,000 per year. This potential offer still being negotiated has no limit on the amount of time Wayne may be called upon to operate our power plant, which is in good shape, but getting some age on it. Our people do not feel our power plant would thrive under repeated hard use. We also can't run our generators more than 950 hours per generator per year because of EPA limitations on air pollutants from our plant
3. Prepare a request for bids and send it into the existing market for power plant demand contracts to see what our power plant might command for capacity leasing payments in the open market. We could then know if we are getting a good deal on either of the two options we have. We might find something better or find nothing better.
4. Consider offers currently in the market to pay us full price to replace this power plant with one natural gas burning engine about the same size as our plant that can be remotely started and up to speed on line in ten minutes and follow the wind turbine load as needed.

Resolution 2016-38 died for lack of a motion. The Guernsey representatives will be invited to attend the next meeting to talk about the study.

The following Ordinance would amend Chapter 14 Animals, Article II Dogs, Section 14-52 Barking and Offensive to reduce the time limit from 10 minutes to 3 minutes in which a dog can bark repeatedly, with one-minute or less lapse or time between each animal noise during that time period. The recommendation is to shorten the time the police officer has to document the barking so that the Courts will enforce the citation.

Donovan Conley was present and spoke in favor of Council coming up with some resolution to solve the problem that is reasonable and one that everybody in Wayne can live with.

Councilmember Karsky stated he had contacted or made contact with another neighbor, and they have reached out repeatedly to the dog owners who were not receptive.

Councilmember Giese introduced Ordinance 2016-8, and moved for its approval; Councilmember Greve seconded

ORDINANCE NO. 2016-8

AN ORDINANCE AMENDING CHAPTER 14 ANIMALS, ARTICLE II DOGS, SECTION 14-52 BARKING AND OFFENSIVE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Police Chief Chinn recommended that when Council sets the fine, they set it similar to what the lawn-mowing fine is. City Attorney Miller stated at this time, she has discretion on what to recommend for a fine. If Council wants the same waiverable, it should be included in the ordinance. That can be brought forward at the second reading of the ordinance.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, the Mayor declared the motion carried. The second reading will take place at the next meeting.

JEO Consulting Group, Inc. presented Application for Payment No. 9 for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project” for \$130,662.00 to Eriksen Construction, Co., Inc. They have found the work to date completed in accordance with the plans and specifications, and recommend approval of the same.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving Application for Payment No. 9 for \$130,662.00 to Eriksen Construction, Co., Inc., 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 Brodersen who left the meeting, the Mayor declared the motion carried.

JEO Consulting Group, Inc., presented Application for Payment No. 10 for the “2016 Wayne Aquatic Center Project” for \$200,553.15 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 Giese made a motion, which was seconded by Councilmember Sievers, approving Application for Payment No. 10 for \$200,553.15 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 Brodersen who left the meeting, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving the revisions regarding the Municipal Code Update made to Chapter V – Public Works, and to amend Page 52 and change the word from then to than. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who left the meeting, 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 Brodersen who left the meeting, the Mayor declared the motion carried and the meeting adjourned at 8:24 p.m.