

**MINUTES
CITY COUNCIL MEETING
August 2, 2016**

The Wayne City Council met in regular session at City Hall on Tuesday, August 2, 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, Jason Karsky, Nick Muir, and Matt Eischeid; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 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 Giese, whereas, the Clerk has prepared copies of the Minutes of the meeting of July 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 Brodersen 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: AMERICAN RED CROSS, RE, 10.00; AMERITAS, SE, 2759.03; APPEARA, SE, 171.43; ARNIE'S FORD, SU, 52460.00; BARCO MUN PRODUCTS, SU, 972.08; BELDEN LUMBER, SU, 2750.00; CITY EMPLOYEE, RE, 212.94; BENSCOTER, RE, 8464.10; BLACK HILLS, SE, 424.03; BOMGAARS, SU, 981.57; C. H. GUERNSEY & CO, SE, 16218.17; CARHART LUMBER CO, SU, 648.17; CITY EMPLOYEE, RE, 150.00; CENTURYLINK, SE, 416.01; CITY OF WAYNE, RE, 3323.90; CITY OF WAYNE, RE, 450.00; CITY OF WAYNE, PY, 78012.95; CITY OF WAYNE, RE, 673.20; CLARITUS, INC., SU, 227.99; COMMUNITY HEALTH, RE, 4.00; DANKO EMERGENCY EQUIP, SU, 319.40; DAS STATE ACCOUNTING, SE, 448.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 103.20; DGR & ASSOCIATES, SE, 5670.00; CITY EMPLOYEE, RE, 425.11; DUTTON-LAINSON, SU, 2032.62; ECHO GROUP, SU, 596.18; FIRST CONCORD GROUP, RE, 3022.98; FLOOR MAINTENANCE, SU, 524.10; GEMPLER'S, SU, 247.70; GEOCOMM, SE, 2084.00; GERHOLD CONCRETE, SU, 95.00; GROSSENBURG IMPLEMENT, SU, 589.46; HAWKINS, INC, SU, 583.48; HEWLETT-PACKARD, SU, 2426.19; HOLLIS FRESE, RE, 30.00; HOMETOWN LEASING, SE, 412.88;

ICMA, SE, 7650.08; INLINE BARRICADES, SU, 721.00; IRS, TX, 28531.03; IRS-DEPT OF TREASURY, TX, 84.63; JEO CONSULTING GROUP, SE, 9349.00; JOSH HOPKINS, RE, 35000.00; CITY EMPLOYEE, RE, 35.00; KRIZ-DAVIS, SU, 543.86; LUTT OIL, SU, 12900.00; MARRIOTT HOTELS, SE, 238.00; MATHESON TRI-GAS, SU, 54.74; MUNICIPAL PIPE SERVICES, SU, 3012.00; N.E. NEB ECONOMIC DEV DIST, SE, 45.00; NHHS, FE, 40.00; NE DEPT OF REVENUE, TX, 3957.97; NE NEB INS AGENCY, SE, 4459.00; NE POWER REVIEW BOARD, SE, 722.40; NE PUBLIC HEALTH LAB, SE, 523.00; NE SAFETY COUNCIL, SE, 9.70; NNPPD, RE, 12692.44; OLSSON ASSOCIATES, SE, 562.55; PAC N SAVE, SU, 49.03; PCF, LLC, SU, 125.00; PITNEY BOWES, SE, 253.85; POLLARD PUMPING, SE, 1450.00; RESCO, SU, 704.94; RUSTIC TREASURES, RE, 55000.00; SEBADE HOUSING, RE, 1490.40; SHOPKO, SU, 122.38; STADIUM SPORTING GOODS, SU, 90.00; STAPLES, SU, 175.53; TITAN MACHINERY, SU, 1600.00; TRANS-IOWA EQUIPMENT, SU, 369.86; UNITED WAY, RE, 5.00; VAN DIEST SUPPLY, SU, 403.50; VIAERO, SE, 246.89; WAED, FE, 50.00; WAYNE AUTO PARTS, SU, 818.13; WAYNE COUNTY COURT, RE, 300.00; WAYNE COUNTY TREASURER, FE, 3727.45; WAYNE SUMMER SPORTS COMPLEX, SU, 205.51; WESCO, SU, 580.21; WISNER WEST, SU, 105.21; ADVANCED CONSULTING ENGINEERING, SE, 1050.00; AMY K. MILLER, SE, 5416.67; ANNE LISKA, RE, 30.00; BLUE CROSS BLUE SHIELD, SE, 33422.41; CARHART LUMBER CO, SU, 1606.34; CDS INSPECTIONS & BEYOND, SE, 260.00; CERTIFIED TESTING SERVICES, SE, 4502.50; CITY OF WAYNE, RE, 200.00; CONSOLIDATED MANAGEMENT, SE, 3.94; COPY WRITE PUBLISHING, SE, 84.65; DANKO EMERGENCY EQUIP, SU, 345.10; EASYPERMIT POSTAGE, SU, 789.94; FIRST CONCORD GROUP, RE, 911.92; GALE GROUP, SU, 74.72; GAMBLE LANDSCAPING, SE, 340.00; GILL HAULING, SE, 170.50; HAWKINS, INC, SU, 35.04; HEIKES AUTOMOTIVE, SE, 329.03; AMERICAN BROADBAND, SE, 2541.97; ISLAND SPRINKLER SUPPLY, SU, 135.38; JANWAY COMPANY, SU, 194.00; CITY EMPLOYEE, RE, 8.00; KRIZ-DAVIS, SU, 1518.51; LAYNE CHRISTENSEN, SE, 10397.25; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 7269.00; NE LAW ENFORCEMENT, SE, 170.00; NE SAFETY COUNCIL, SE, 10.38; NNPPD, SE, 6839.00; ONE CALL CONCEPTS, SE, 83.94; ONE OFFICE SOLUTION, SU, 110.30; OVERDRIVE, INC., SU, 541.84; RESCO, SU, 13.36; ROBERT WOEHLE & SONS, SE, 2477.91; SKARSHAUG TESTING LAB, SU, 708.18; STAPLES, SU, 478.08; TOM'S BODY & PAINT SHOP, SU, 59.98; TYLER TECHNOLOGIES, SE, 20698.53; US BANK, SU, 4745.11; UTILITIES SECTION, FE, 2899.00; WASTE CONNECTIONS, SE, 536.00; WAED, RE, 7216.66; WESCO, SU, 470.24

Councilmember Haase made a motion and Councilmember Greve seconded to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Mayor Chamberlain stated the City Council would be hearing public comments on agenda items 3, 4, and 5.

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.

Pastor Mike Feldman, on behalf of Grace Lutheran Church, was present requesting Council consideration to allowing them to close off a one-block section of 10th Street from Main Street to Logan Street on Sunday, September 11, 2016, from 8:00 a.m. to 1:00 p.m. for a “Sunday School Rally Day Festival.” They have provided the necessary Certificate of Insurance with \$1,000,000 liability coverage and naming the City as an additional insured.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the request of Grace Lutheran Church to close off a one-block section of 10th Street from Main Street to Logan Street on Sunday, September 11, 2016, from 8:00 a.m. to 1:00 p.m. for a “Sunday School Rally Day Festival.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Don Buryanek, Chair of the Board of Trustees of the First United Methodist Church, was present requesting Council consideration to cost-sharing 50% on concrete removal and replacement of 50’ of deteriorated alley behind the Verizon building on Main Street. The area will be approximately 17’x50’. The Church has spent in the last year between \$60 and \$70,000 renovating that building. The parking lot on the north side has to be replaced. The concrete contractor told them that having a deteriorated alley set up against new pavement would make that break off. The concrete contractor stated it would cost around \$5,525 to replace that section of concrete, of which one-half would be \$2,762.50.

Administrator Johnson stated this is an incentive offered by the City.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving the request of First United Methodist Church to cost-share 50% on the concrete removal and replacement of 50’ of deteriorated alley behind the Verizon building on Main Street

in the amount of \$2,762.50. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Judy Joy, representing Northeast Nebraska Economic Development District, stated they are the program administrators for the Housing Grant. The guidelines before the Council are for the owner-occupied housing rehabilitation program. These have been sent to the State of Nebraska Department of Economic Development for pre-approval prior to sending them to the City to insure that they have all of the Federal rules and regulations required for this program.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese approving the Housing Rehabilitation Program Guidelines, Housing Reuse Plan for Recaptured and Program Income Funds, and Subordination Policy. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

Joel Hansen, Street Superintendent, stated the following Resolution would approve the Preliminary Engineering Services Agreement Supplement No. 6 between the City of Wayne and Olsson Associates, Inc. for the Wayne Trail – Phase 2 Project. Because of the new alignment for the trail, Olsson Associates, Inc. has estimated a list of hours that it will take to redesign the trail. The actual cost will increase from \$114,934.07 to \$135,009.33. The total agreement amount will increase from \$128,371.50 to \$151,021.50, which is an increase of \$22,650.00, and which the consultant must not exceed without the prior written approval of the State.

This was previously tabled so staff could verify that the City had adequate funding for the project.

Councilmember Giese introduced Resolution No. 2016-50 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2016-50

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF PRELIMINARY ENGINEERING SERVICES AGREEMENT SUPPLEMENTAL AGREEMENT NO. 6 BETWEEN THE CITY OF WAYNE AND OLSSON ASSOCIATES, INC. RELATING TO THE WAYNE TRAIL – PHASE 2 PROJECT STPB-90(4).

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

Administrator Johnson stated the City received one bid on the “Nebraska Street Water Main Replacement Project.” Steve Rames of McLaury Engineering, Inc., the project engineer, reviewed the bid and is recommending that the project be awarded to the only bidder, Penro Construction, in the amount of \$266,012.75. The engineer’s estimate on the project was \$284,113.20. This is part of the match for the CIS grant.

Councilmember Eischeid introduced Resolution No. 2016-54 and moved for its approval, Councilmember Muir seconded.

RESOLUTION NO. 2016-54

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “NEBRASKA STREET WATER MAIN REPLACEMENT PROJECT 2016” TO PENRO CONSTRUCTION - \$266,012.75.

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

Joel Hansen, Street Superintendent, stated the City received one bid on the “Alley Crossings on W. 11th Street and 12th Street Project.” He reviewed the bid and is recommending that the project be awarded to the only bidder, Sebade Construction, in the amount of \$14,900.00.

Councilmember Eischeid introduced Resolution No. 2016-55 and moved for its approval, Councilmember Greve seconded.

RESOLUTION NO. 2016-55

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “ALLEY CROSSINGS ON W. 11TH STREET AND W. 12TH STREET PROJECT” TO SEBADE CONSTRUCTION - \$14,900.00.

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

The following Resolution is a requirement by the Nebraska Department of Roads when a State highway will be closed for a celebration/parade. This Resolution pertains to the Wayne State College Homecoming Parade and Band Day on Saturday, October 8, 2016.

Councilmember Eischeid introduced Resolution No. 2016-56 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2016-56

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF ROADS’ REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Muir, approving the Contract for Services between the City of Wayne and the Board of Trustees of the Nebraska State Colleges for the Homecoming/Band Day Parade Permit on Saturday, October 8, 2016. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc., presented Change Order No. 5 for the “2016 Wayne Aquatic Center Project” for a decrease of \$16,964.94 to Christiansen Construction Co., LLC, for deleting some walks, seeding, and pipe painting.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving Change Order No. 5 for the “2016 Wayne Aquatic Center Project” for a decrease of \$16,964.94 to Christiansen Construction Co., LLC, for deleting some walks, seeding, and pipe

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

JEO Consulting Group, Inc., presented Application for Payment No. 13 for the “2016 Wayne Aquatic Center Project” for \$145,425.48 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 Greve, approving Application for Payment No. 13 for \$145,425.48 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 was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc., presented Change Order No. 2 for the “2015 Wastewater Treatment Facility Improvement Project” for an increase of \$22,285.62 to Eriksen Construction, Co., Inc. for adding pavement work that had deteriorated and adding or extending the contract date by 8 days.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving Change Order No. 2 for the “2015 Wastewater Treatment Facility Improvement Project” for an increase of \$22,285.62 to Eriksen Construction Co., Inc., for adding pavement work that had deteriorated and adding or extending the contract date by 8 days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who was absent, the Mayor declared the motion carried.

JEO Consulting Group, Inc. presented Application for Payment No. 12 for the “2015 Wastewater Treatment Facility Improvement – Phases 3, 4, & 5 Project” for \$33,150.00 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 Eischeid, approving Application for Payment No. 12 for \$33,150.00 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 was absent, the Mayor declared the motion carried.

Council began their budget work session.

Council reviewed the General Fund Revenue Sources and Expenditures along with the Utility Revenue Sources and Expenditures for the upcoming FY2016-2017 Budget.

Some of the items Council discussed were as follows:

- Property taxes - \$719,501 – this retains the same mill levy as last year. The increase from last year is due to the property valuation increases. The general fund, plus the airport, can have a maximum levy of \$.45. If the Community Redevelopment Authority would ever come forward and ask for a portion of the mill levy, that would have to come out of the \$.45 also. Debt service is outside the \$.45.
- Of the 10.5% franchise fees collected from the Electric Fund, 1% of that goes towards paying for a dispatcher.
- Amy Miller, City Attorney, stated on 1/1/17, she would be going onto the City’s Health Insurance and becoming a city employee, in lieu of taking an increase in her contract pay. This would be for two years. Her scope of work would not change.
- Police Budget includes the hiring of an additional officer and dispatcher.
- Delete the “dark site” out of Police Contractual Services, Radio Console Upgrade and 911 line items. Council gave the go ahead to order the radio upgrades, knowing that it will not be paid for until the next fiscal year.
- In the Parks Department, \$10,000 has been added for handicapped parking and sidewalk at Bressler Park. In addition, they budgeted a power rake for \$30,000.
- Discussion took place on replacing the scoreboard at Hank Overin Field, and possibly splitting the cost between the City, School and Baseball Association.
- Consensus was to not add the cost of a “drag” to the Recreation Budget.
- Council requested to see the interlocal agreements with the entities that use the softball and baseball fields.
- Discussion took place in regard to hiring a second full-time person at the Community Activity Center.
- An additional line item (100-561-75001) will be added in the Senior Center budget for “cooking in-house.” Council requested an approximate number of what the meal costs were going to be this year and next year (net cost).
- Library – delete \$10,000 for replacing the carpet.
- Staff was directed to replace the doors at the auditorium.
- Change the title on 100-582-883 “Rubber Roof Libr/Sr Center” to “Repairs to Libr/Sr Center.”
- Delete \$16,500 for 2200’ of concrete for Phase II Trail.

- Ambulance Services - increased from \$10,000 to \$15,000. Discussion took place on the Hospital's request for \$75,000 for ambulance services. It was noted that no dispatch fees are being charged to the hospital at this time.
- Increase Fire Dept. Bldg & Maint from \$3,050 to \$10,500.
- Council requested that the 24-hr access to the Community Activity Center be heavily promoted when college sessions resume.
- Split the Mini Excavator purchase of \$45,000 between Street, Water, Sewer and Electric Fund Departments.
- Delete Sidewalk to Bomgaars - \$850,000
- Provide Council with examples of community betterment projects for Keno fund uses.

Councilmember Eischeid made a motion, which was seconded by Councilmember Haase, 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 was absent, the Mayor declared the motion carried and the meeting adjourned at 9:52 p.m.