

(Amended: 12/5/16)

**AGENDA
CITY COUNCIL MEETING
December 6, 2016**

1. Approval of Minutes – November 15, 2016

2. Approval of Claims

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

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. Adjourn Sine die

4. Swearing in of Newly Elected Councilmembers

5. Select President-of-Council

6. Reconvene

7. Action on the appointment of Scott Meisenbach to the Recreation-Leisure Services Commission

8. Reappointment of Nick Muir to the Community Redevelopment Authority

9. Reappointment of Corby Schweers to the Community Redevelopment Authority

10. Action on Change Order No. 7 (Revised) for a decrease of \$37,997.34 for the “2016 Wayne Aquatic Center Project” — Christiansen Construction Co., LLC

Background: This Change Order represents additional gallons of chlorine and acid (\$217.26), providing a 220 gal acid tank in lieu of a 100 gal tank (\$785.40), shade shelter discount with touch-up paint (-\$3,000), and liquidated damages of 60 days at \$600 per day (-\$36,0000), totaling a decrease of \$37,997.34 for the Aquatic Center Project.

11. Action on Contractor’s Application for Payment No. 15 in the amount of \$27,550.92 for the “2016 Wayne Aquatic Center Project” to Christiansen Construction Co., LLC

Background: If approved, this will finalize the project. This is for work completed and approved by the project engineer.

12. [Action on an Amended Agreement with JEO Consulting Group for additional construction phase services on the “2016 Wayne Aquatic Center Project” in the amount of \\$14,071.50](#)
13. Public Hearing: Redevelopment Plan for Sebade Housing, LLC (Chad Sebade)
(Advertised Time: 5:30 p.m.)

Background: The Planning Commission is set to meet Monday, December 5th to review this matter and make their recommendation to Council. A memo with their recommendation will be distributed to you at the meeting.

This Tax Increment Financing (TIF) Plan is for \$230,000 in incentive funds for a project to develop a multifamily residential subdivision and construct five two and three family townhomes in phases over a period of 5 years. Said \$230,000 will be used to overcome the site acquisition and development costs. A public hearing is required by the City Council before action on TIF Plans/Agreements.

14. [Resolution 2016-74: Approving a Redevelopment Plan as Contained in a Redevelopment Contract \(Sebade Housing, LLC – Chad Sebade\)](#)
15. Public Hearing: To consider the Planning Commission’s recommendation on the “Community Schools Addition to the City of Wayne Final Plat”
(Advertised Time: 5:30 p.m.)

Background: The Planning Commission is set to meet Monday, December 5th to review this matter and make their recommendation to Council. A memo with their recommendation will be distributed to you at the meeting.

The City of Wayne is the applicant in this matter and is proposing this plat to help clean up some of the property lines that had been misaligned and also to swap some land with the school for where the aquatic center is located. A copy of the plat is enclosed with the packet.

16. [Resolution 2016-75: Approving the “Community Schools Addition to the City of Wayne Final Plat”](#)
17. [Ordinance 2016-15: Amending Wayne Municipal Code Chapter 54, Article I. In General by adding Sec. 54-8 Unlawful Library Conduct and Sec. 54-9 Penalties Imposed; Recovery in Civil Action \(Third and Final Reading\)](#)
18. [Ordinance 2016-16: Authorizing the Termination of both the City’s Wholesale Power Contract and Capacity Purchase Agreement with Nebraska Public Power District \(Second Reading\)](#)
19. [Action to approve advertising for bids on the materials for “2017 Electric Distribution Project”](#)
20. [Resolution 2016-80: Approving bid and authorizing the purchase of 2017 Ford Super Cab Four-Wheel Drive-Pick up from Arnie’s Ford - \\$48,090](#)

21. Action on Updated Engagement Letter with D.A. Davidson & Co. for Project Financing in compliance with SEC Regulations
22. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

**MINUTES
CITY COUNCIL MEETING
November 15, 2016**

The Wayne City Council met in regular session at City Hall on Tuesday, November 15, 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 November 3, 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 Giese made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of November 1, 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: ADVANCED CONSULTING ENGINEERING SERVICES, SE, 750.00; AMERICAN RED CROSS, RE, 10.00; AMERITAS, SE, 50.53; AMERITAS, SE, 72.00; AMERITAS, SE, 105.34; AMERITAS, SE, 2287.48; APPEARA, SE, 105.35; ARNIE'S FORD, SE, 876.55; BAIRD HOLM, SE, 4948.50; BAKER & TAYLOR BOOKS, SU, 994.23; BAKER & TAYLOR BOOKS, SU, 22.29; BARONE SECURITY SYSTEMS, SE, 87.70; CERTIFIED TESTING SERVICES, SE, 1341.50; CHAD SMITH, RE, 250.00; CHARTWELLS, SE, 4401.35; CITY EMPLOYEE, RE, 160.99; CITY EMPLOYEE, RE, 306.58; CITY EMPLOYEE, RE, 375.09; CITY EMPLOYEE, RE, 315.98; CITY EMPLOYEE, RE, 721.55; CITY OF WAYNE, PY, 67969.66; CITY OF WAYNE, RE, 624.99; COMMUNITY HEALTH, RE, 3.00; COPY WRITE, SE, 188.43; DEARBORN NATIONAL LIFE, SE, 2119.07; DISPLAY SALES, SU, 415.97; DOESCHER APPLIANCE, SE, 115.00; DUSTIN SWISHER, RE, 100.00; EASYPERMIT POSTAGE, SU, 1805.15; ECHO GROUP, SU, 3352.35; ED. M FELD EQUIPMENT, SU, 84.80; CITY EMPLOYEE, RE, 624.99; FLOOR MAINTENANCE, SU, 237.98; FOURTH GENERATION FAMILY LTD, RE, 12278.49; FREDRICKSON OIL, SE, 14.00; GALE GROUP, SU, 74.72; GEMPLER'S, SU, 212.75; GERHOLD CONCRETE, SU,

926.22; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 39.37; HAWKINS, INC, SU, 881.10; HOLIDAY INN OF KEARNEY, SE, 379.80; IAEI, FE, 240.00; ICMA, SE, 7753.98; INGRAM BOOK CO, SU, 19.85; IRS, TX, 2770.06; IRS, TX, 10926.70; IRS, TX, 11844.60; JAMES SEAL, RE, 150.00; KANSAS MUNICIPAL UTILITIES, FE, 870.00; KAREN MECSEJI, RE, 500.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KNIFE RIVER MIDWEST, SU, 810.00; KRIZ-DAVIS, SU, 505.04; KTCH, SE, 1028.00; LAQUINTA INNS & SUITES, SE, 91.00; LOUIS BENSCOTER, RE, 250.00; LUTT OIL, SU, 4714.71; MARCO, SE, 126.36; MARK ALBENESIUS, SE, 80504.00; MATHESON-LINWEL, SU, 18.60; MCLAURY ENGINEER, SE, 11890.00; MIDWEST LABORATORIES, SE, 362.00; MILLER LAW, SE, 5416.67; NAPA OF WAYNE, SU, 134.69; NE DEPT OF ENVIRONMENTAL QUALITY, FE, 150.00; NE DEPT OF LABOR, SE, 96.00; NE DEPT OF REVENUE, TX, 3609.31; NE RURAL WATER, FE, 150.00; NORFOLK DAILY NEWS, SE, 199.35; NNPPD, SE, 4090.00; NORTHERN SAFETY CO, SE, 223.05; NOVELTY MACHINE, SU, 352.43; ONE CALL CONCEPTS, SE, 91.95; OVERHEAD DOOR, SU, 192.00; PAC N SAVE, SU, 60.96; PARRAMORE, CHERI, RE, 44.56; PENGUIN RANDOM HOUSE, SU, 273.75; PROGRESSIVE PROPERTY INSPECTORS, SE, 26624.09; PRONUNCIATOR, FE, 450.00; QUALITY FOOD, SU, 236.99; RAY MCCALLA, RE, 100.00; REG GNIRK, RE, 150.00; RESCO, SE, 507.64; SCHWARTE, KRISTIN, RE, 39.52; SHEDA, FRANK, SE, 131.25; SHOPKO, SU, 82.68; SIOUX CITY JOURNAL, SE, 758.12; TITAN MACHINERY, SU, 557.69; UNITED WAY, RE, 5.00; UTILITIES SECTION, FE, 675.00; WARGA, SARAH, RE, 117.33; WAED, SE, 7216.66; WAED, RE, 6000.00; WAYNE AUTO PARTS, SU, 318.82; WAYNE COUNTY CLERK, SE, 48.00; WAYNE HERALD, SE, 860.43; WAYNE HERALD, SE, 426.00; WAYNE KIWANIS, FE, 141.00; WAYNE VETERINARY CLINIC, SE, 448.00; WESCO, SU, 19751.13; WAPA, SE, 21228.39; WILTMAN, JOHN, RE, 154.15; WISNER WEST, SU, 177.10; BARCO MUN PRODUCTS, SU, 623.24; BENSCOTER INC, RE, 250.00; BYRON BEARNES, RE, 150.00; CITIZENS STATE BANK, RE, 1745.56; CITIZENS STATE BANK, RE, 1448.25; CITY EMPLOYEE, RE, 345.42; CITY EMPLOYEE, RE, 869.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 71.16; ECHO GROUP, SU, 2555.12; FLOOR MAINTENANCE, SU, 11.61; HD SUPPLY WATERWORKS, SU, 4063.28; KIRK HOCHSTEIN, RE, 100.00; KRIZ-DAVIS, SU, 175.48; LAQUINTA INNS & SUITES, SE, 299.85; LOUIS BENSCOTER, RE, 250.06; MAIN STREET AUTO CARE, SE, 400.00; MALLOY ELECTRIC, SE, 7500.00; MUELLER, AMY, RE, 300.00; NE SAFETY COUNCIL, SE, 9.70; NPPD, SE, 259192.60; NORFOLK DAILY NEWS, SE, 40.00; NNPPD, SE, 12579.22; PITNEY BOWES, SE, 253.85; PLUMBING & ELECTRIC SERVICE, SE, 1583.37; PROVIDENCE MEDICAL CENTER, SE, 54.19; SPARKLING KLEAN, SE, 3599.32; STAPLES CONTRACT & COMMERCIAL, SU, 110.36; VIAERO, SE, 132.41; WAYNE COMMUNITY HOUSING, RE, 100.00; WINDOM RIDGE, RE, 104.97

Councilmember Haase made a motion, which was seconded by Councilmember Giese, 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 advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain

agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Mayor Chamberlain requested Council consideration to his appointment of Jessi Hansen to the Recreation-Leisure Services Commission.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving the appointment of Jessi Hansen to the Recreation-Leisure Services Commission. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain stated that since the Planning Commission did not have a quorum at their meeting, there was no recommendation to Council on the public hearings regarding the Redevelopment Plan for Sebade Housing, LLC, and the Final Plat for the Community Schools Addition to the City of Wayne. These public hearings will be held over to the December 6th Council meeting.

Councilmember Sievers introduced Ordinance 2016-15, and moved for approval of the second reading thereof; Councilmember Giese seconded.

ORDINANCE NO. 2016-15

AN ORDINANCE AMENDING CHAPTER 54 LIBRARY, ARTICLE I IN GENERAL, BY ADDING SECTION 54-8 UNLAWFUL LIBRARY CONDUCT AND SECTION 54-9 PENALTIES IMPOSED; RECOVERY IN CIVIL ACTION; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Johnson stated four bids were received on the "City Hall Painting Project." He has reviewed the same and is recommending that the project be awarded to B & B Painting, LLC, Wayne, NE, for \$2,460.00. This is for labor only and does not include the paint.

Councilmember Giese introduced Resolution No. 2016-76 and moved for its approval;
Councilmember Greve seconded.

RESOLUTION NO. 2016-76

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE
“CITY HALL PAINTING PROJECT” TO B & B PAINTING, LLC, FOR \$2,460.

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

Administrator Johnson stated two bids were received on the “City Hall Sheet Rock
Project.” He has reviewed the same and is recommending that the project be awarded to Hattig
Construction for \$7,489.00.

Councilmember Giese introduced Resolution No. 2016-77 and moved for its approval;
Councilmember Greve seconded.

RESOLUTION NO. 2016-77

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE
“CITY HALL SHEET ROCK PROJECT” TO HATTIG CONSTRUCTION FOR
\$7,489.

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

Administrator Johnson stated one bid was received on the “2017 Ford Fusion” electric
car (gasoline backup). He has reviewed the same and is recommending that the bid be awarded
to Arnie’s Ford for \$29,164.00. The City will receive a \$15,000 grant from the Nebraska
Environmental Trust Fund. This will replace the Building Inspector’s pickup.

Councilmember Sievers introduced Resolution No. 2016-78 and moved for its approval;
Councilmember Greve seconded.

RESOLUTION NO. 2016-78

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE 2017
FORD FUSION FROM ARNIE’S FORD FOR \$29,164.

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

Nancy Braden, Finance Director, reviewed the amended guidelines for the “Down Payment Assistance Program.” This would change the AMI (Area Median Income) from 100% to 120% as previously discussed. The Department of Economic Development also recommended several other required changes that would bring the City’s guidelines current with today’s program requirements. Two potential clients would qualify for this program once the AMI is increased.

Councilmember Sievers introduced Resolution No. 2016-79 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2016-79

A RESOLUTION APPROVING THE AMENDED GUIDELINES FOR THE DOWN PAYMENT ASSISTANCE PROGRAM.

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

Steve Rames of McLaury Engineering, Inc., presented Contractor’s Application for Payment No. 1 on the “Nebraska Street Water Main Replacement Project” for \$86,889.56 to Penro Construction Co.

Councilmember Eischeid made a motion, which was seconded by Councilmember Giese, approving Contractor’s Application for Payment No. 1 for \$86,889.56 to Penro Construction Co. for the “Nebraska Street Water Main Replacement Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mr. Rames then presented the following items for Council approval pertaining to the “Community Activity Center Parking Lot Project:”

- Certificate of Substantial Completion;

- Change Order No. 2 (Final) – a decrease of \$372.00 for final quantity adjustments; and
- Application for Payment No. 4 (Final) for \$12,153.71 to Progressive Property Inspectors, LLC.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, approving the Certificate of Substantial Competition for the “Community Activity Center Parking Lot Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving Change Order No. 2 (Final) on the “Community Activity Center Parking Lot Project” for a decrease of \$372.00 for final quantity adjustments to Progressive Property Inspectors, LLC. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving Contractor’s Application for Payment No. 4 (Final) for \$12,153.71 to Progressive Property Inspectors, LLC, for the “Community Activity Center Parking Lot Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Attorney Miller stated that a couple of years ago, the City gave notice to Nebraska Public Power District of its intent to reduce the purchase of power. The following Ordinance would authorize the final notice regarding the termination of both the City’s Wholesale Power Contract and the Capacity Purchase Agreement with Nebraska Public Power District.

Councilmember Eischeid introduced Ordinance 2016-16, and moved for its approval; Councilmember Muir seconded.

ORDINANCE NO. 2016-16

AN ORDINANCE AUTHORIZING THE TERMINATION OF BOTH THE CITY’S WHOLESALE POWER CONTRACT AND CAPACITY PURCHASE AGREEMENT WITH NEBRASKA PUBLIC POWER DISTRICT.

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

Administrator Johnson stated he sent requests for proposals to conduct an annexation study to JEO Consulting Group, ACES, and McLaury Engineering. ACES submitted a proposal for \$4,000. McLaury Engineering is already working with the event center owners and has a lot of this work done already. No proposal was received from JEO. Johnson's recommendation was to finish this out with McLaury Engineering on an hourly basis.

Councilmember Eischeid stated he thought the Council needed to make a decision on whether or not they are going to move forward with this annexation before asking for all of this work to be done.

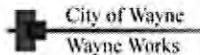
Councilmember Giese opined that he thought the Council has to figure out how much the sewer will cost to run through the Giese property or to run it up the highway, and then we need to know how much revenue will be coming in if we decide to annex. When the Council voted for the event center to be located outside of city limits and to use the LB840 funds, the Council has to do its due diligence to see if we should annex them or not.

Mayor Chamberlain stated unless he heard otherwise, he would confer with Administrator Johnson and come up with a not-to-exceed number and then keep the Council posted.

Steve Rames of McLaury Engineering was present to answer questions. He stated in Yankton, a 3200 million gallon per day, one-mile force main was a little less than \$700,000 to build. We want to be sure that what we are putting in is going to be something that is used in the future as or when growth occurs. Mr. Rames also stated that the scope of the annexation study was reasonably undefined.

Josie Broders, who was present, stated if it would make a difference, and if it would help when the costs are adding up for the annexation and extension of utilities, she would be willing to use some of the LB840 funds to help pay down some of the costs of the infrastructure.

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, the Mayor declared the motion carried and the meeting adjourned at 6:21 p.m.

**Council Approval Listing**

Payment Date Range: 11/16/2016 - 12/01/2016

Vendor	Payable Description	Payment Total
AERO-MOD, INC.	ELECTRIC MOTOR	104.12
AMAZON.COM, LLC	DVD'S /SUPPLIES	394.83
AMERICAN BROADBAND NE COMM	TELEPHONE CHARGES/FIBER LINE LEASE	2,468.93
AMERICAN RED CROSS	RED CROSS DEDUCTION	10.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT-ROTH	64.55
AMERITAS LIFE INSURANCE	POLICE RETIREMENT-EMPLOYEE	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,712.52
AMERITAS LIFE INSURANCE	POLICE RETIREMENT PERCENT	108.03
APPEARA	LINEN & MAT SERVICE	298.35
BLACK HILLS ENERGY	GAS BILLS	476.77
BLUE CROSS BLUE SHIELD	HEALTH PREMUIMS	34,279.40
BOMGAARS	SOFTENER SALT/TOOLS/BATTERY/CONNECTORS	486.76
BROWN SUPPLY CO	WARNING PLATES/COUPLINGS	5,125.63
C. H. GUERNSEY & COMPANY	POWER & TRANSMISSION SERVICES	4,730.00
CARHART LUMBER COMPANY	WATER HEATER/BOYSCOUT PARK SUPPLIES	3,563.78
CHRIS HANSEN	RAZING BOND REFUND	2,025.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	61.04
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	805.68
CITY EMPLOYEE	VISION REIMBURSEMENT	88.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	215.62
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	482.63
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	59.73
CITY EMPLOYEE	VISION REIMBURSEMENT	241.50
CITY EMPLOYEE	HEALTH REIMBURSEMENT	370.12
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	3.09
CITY EMPLOYEE	CDL RENEWAL	57.50
CITY OF WAYNE	PAYROLL	78,698.39
CIVICPLUS	ANNUAL FEE	4,392.49
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATIONS CHARGES	448.00
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	75.00
DE LAGE LANDEN FINANCIAL	COPIER SR	77.00
DEARBORN NATIONAL LIFE	VFD INS	123.84
DEMCO INC	BOOKMARKS/BOOK ENDS	80.23
DGR & ASSOCIATES CO	WEST/EAST INNER CONVERSION/MAPPING	7,044.50
DISPLAY SALES INC	CHIRSTMAS LIGHTS	530.00
DITCH WITCH OF OMAHA	NOZZLE	132.79
DUTTON-LAINSON COMPANY	LINE HOSE	217.51
EAKES OFFICE PLUS	COPY CHARGES	1,322.50

ECHO GROUP INC JESCO	BALLAST/DUAL ELEMENT FUSE	301.50
ELLIS HOME SERVICES	CAC WATER HEATER	2,579.50
EVANCED SOLUTIONS, LLC	SUBSCRIPTION	1,000.00
FIRST CONCORD GROUP LLC	FLEX FEES	3,072.98
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	722.52
GEMPLER'S INC	DRUM TRUCK/DISPENSER	411.10
GERHOLD CONCRETE CO INC.	TRAIL SIDEWALK/CAC PARKING LOT STEPS	2,282.48
GOMEZ, IGNACIO	UTILITY REFUND	104.28
GOVERNMENTAL ACCOUNTING	SUBSCRIPTION RENEWAL	252.00
GROSSENBURG IMPLEMENT INC	DIESEL EXHAUST FLUID	121.08
HANSEN, RONALD	UTILITY REFUND	110.72
HOMETOWN LEASING	COPIER LEASES	412.86
ICMA RETIREMENT	PAYROLL RETIREMENT	7,736.87
INTERSTATE BATTERY SYSTEM	BATTERIES	435.82
IRS	FICA WITHHOLDING	13,598.44
IRS	FEDERAL WITHHOLDING	11,946.80
IRS	MEDICARE WITHHOLDING	3,180.32
JEFF OLSUFKA	CAT TRAP REFUND	20.00
JEO CONSULTING GROUP	SLUDGE REMOVAL	1,139.50
JORGENSEN, KEN	TIF REDEVELOPMENT EXPENSES	50,000.00
KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE	CS 16-81101-TLS	243.00
KEVIN HOFFART	AUDITORIUM DEPOSIT REFUND	150.00
KIRK HOCHSTEIN	ENERGY INCENTIVE	500.00
KRIZ-DAVIS COMPANY	PARALLEL CONNECTORS	43.66
LAYNE CHRISTENSEN CO	REBUILD WELL 9	1,604.78
MAIN STREET AUTO CARE	TOWING	700.00
MUNICIPAL SUPPLY INC	VALVE	93.83
NE DEPT OF ENVIRONMENTAL QUALITY	CLEAN WATER SRF	189,408.99
NE DEPT OF ENVIRONMENTAL QUALITY	DRINKING WATER SRF	26,215.07
NE DEPT OF REVENUE	STATE WITHHOLDING	3,883.95
NE HARVESTORE	BOBCAT EXCAVATOR	40,826.96
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	566.00
NE RURAL WATER	WATER LEAK DETECTION DONATION	1,500.00
NE SAFETY COUNCIL	SAFETY VIDEO SHIPPING CHARGES	19.40
NEBRASKA COMMUNITY FOUNDATION	JULY-DEC 2016 FEES	300.00
NORTHEAST COMM COLLEGE	HCP RENEWAL	80.00
NORTHEAST NE PUBLIC POWER	RATE DISPUTE	2,466.06
NORTHWEST ELECTRIC LLC	MOTOR REPAIR	698.93
OLSON TREE SERVICE	TREE REMOVAL-3RD/NEBRASKA	2,500.00
OLSSON ASSOCIATES	AIRPORT PUMP STATION	285.88
O'REILLY AUTOMOTIVE STORES, INC.	WRENCH	21.98
OVERDRIVE, INC.	AUDIO/E BOOKS	639.90
PCF, LLC	FINAL ON CAC CARPET	1,000.00
PEDRO GARCIA	BUILDING PERMIT DEPOSIT REFUND	100.00
PEERLESS WIPING CLOTH CO	WASH TOWELS	240.00
PENRO CONSTRUCTION CO, INC.	NE ST WATER MAIN REPLACEMENT	86,889.56

POKHREL, BIPUL	UTILITY REFUND	163.82
PROGRESSIVE PROPERTY INSPECTORS LLC	CAC PARKING LOT	12,153.71
ROBERT WOEHLE & SONS	CRUSHED ROCK-CATCH BASIN	63.00
SENECA COMPANIES	TREAT DIESEL FUEL TANK WITH BIOCID	5,450.73
SIOUX CITY WINNELSON	TOILET SEAT	19.25
SKARSHAUG TESTING LAB INC	CLEAN & TEST GLOVES	185.17
STADIUM SPORTING GOODS	CO ED VOLLEYBALL T SHIRTS	48.00
STAPLES ADVANTAGE	OFFICE SUPPLIES	262.02
STATE NEBRASKA BANK & TRUST	WATER BANS	4,267.22
STATE NEBRASKA BANK-PETTY CASH	LIBRARY PETTY CASH	100.44
SUPERCIRCUITS	KEYFOB	775.29
TOM'S BODY & PAINT SHOP	CLEAN OUT VAN	38.00
TRIMMELL, JOSEPH	UTILITY REFUND	35.90
UNITED WAY	PAYROLL DEDUCTION	5.00
VERIZON WIRELESS SERVICES LLC	CELL PHONES	92.89
VIAERO WIRELESS	CELL PHONE	221.41
WAKEFIELD, CITY OF	UTILITY HHS HEATING TRANSFER	360.00
WAYNE AREA ECONOMIC DEVELOPMENT	LB 840 OVERSIGHT	5,000.00
WAYNE HERALD	LIBRARY SUBSCRIPTION RENEWAL	96.00
WAYNE SWIM TEAM	AUDITORIUM DEPOSIT REFUND	150.00
WESCO DISTRIBUTION INC	PADMOUNT TRANSFORMER	8,281.80
WIDNER, JORDAN	LANDSCAPE TIMBER TO BLOCK TIRES	68.67
	Grand Total:	571,997.48



ENGINEERING ■ ARCHITECTURE ■ SURVEYING ■ PLANNING

December 2, 2016

Lowell Johnson, City Administrator
306 Pearl Street
Wayne NE 68787

RE: Wayne, NE
2016 Wayne Aquatic Center
JEO Project No. 141213.00

Dear Lowell,

Enclosed are the final pay application and change order for the above referenced project.

The Change Order No. 7 reflects the additional chlorine and acid required at start up and the larger tank for acid use in the future. The Contractor is providing a deduct for touch-up on the shade shelter of \$3,000. Lastly, a meeting was held to review the liquidated damages and discuss the number of days. Of the 74 days measured to start up, the City was willing to share approximately 7 days in the initial kickoff of construction to allow for the ground breaking ceremony and 7 days due to utility issues. The Contractor is being charged 60 days for the delay. Change Order No. 7 is a net decrease of \$37,997.34 and JEO recommends approval.

JEO recommends approval of the Application for Payment No. 15 (final). This releases retainage and incorporates Change Order No. 7. The amount due is \$27,550.92 after the deduct change order.

In spring the contractor will return to address warranty work and assist the City in preparing and opening the facility. JEO will also be onsite to assist in those services as well. We look forward to continuing our working relationship.

Sincerely,

A handwritten signature in black ink that reads "Roger S. Protzman".

Roger S. Protzman, PE
Senior Project Engineer

Enclosures

Ec: Dave Henke
Dale Bohac

Date of Issuance: **November 28, 2016** Effective Date: **December 6, 2016**
 Owner: **City of Wayne** Owner's Contract No.:
 Contractor: **Christiansen Construction Co., LLC** Contractor's Project No.:
 Engineer: **JEO Consulting Group, Inc.** Engineer's Project No.: **141213**
 Project: **2016 Wayne Aquatic Center** Contract Name: **2016 Wayne Aquatic Center**

The Contract is modified as follows upon execution of this Change Order:

Description: Additional chlorine and acid, and provide a 220 gallon acid tank, shade shelter discount of \$3,000.00, liquidated damages of 74 days with credit of 14 days by City staff = 60 days @ \$600.00/day

Attachments: COP from # 11 from Christiansen Construction Co.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>2,659,000.00</u>	Original Contract Times: _____ Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 6 : \$ <u>(8,963.68)</u>	[Increase] [Decrease] from previously approved Change Orders No. to No. : Substantial _____ Ready for Final Payment: _____
Contract Price prior to this Change Order: \$ <u>2,650,036.32</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ <u>(\$37,997.34)</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>\$2,612,038.98</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>Dale E Bohrer</u> By: _____ By: <u>[Signature]</u>	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Engineer</u> Title: _____ Title: <u>Project Manager</u>		
Date: <u>11-30-2016</u> Date: _____ Date: <u>11-30-16</u>		

Change Order Estimate - Lump Sum Work

JEO Project Name:	2016 Wayne Aquatic Center	JEO Project Number:	141213
Owner:	City of Wayne	Change Order Number:	7-Revised
Contractor:	Christiansen Construction Co., LLC	Effective Date:	December 6, 2016
Specification Section No.	Item	Description	Change Order Information
			Scheduled Value
		Additional 60 Gal. of Chlorine and 41 Gal. of Acid per COP Proposal No. 11	\$217.26
		Provide 220 Gal. Acid Tank in Lieu of 100 Gal. Tank Specified per COP Proposal No. 11	\$785.40
		Shade Shelter Discount with touch-up paint	(\$3,000.00)
		Liquidated Damages of 74 - 14 days credit by City = 60 days @\$600.00/day	(\$36,000.00)
		Total:	(\$37,997.34)

Contractor's Application for Payment No. 15

Application Period: 8/26/16 - 11/30/16	Application Date: 11/30/2016
To: City of Wayne 306 Peard St., PO Box 8 Wayne, NE 68787-0008	Via (Engineer): JEO Consulting Group, Inc. 11717 Burt St., Ste. 210 Omaha, NE 68154
Project: 2016 Wayne Aquatic Center Wayne, Nebraska	Contractor: Christiansen Construction Co. L.L.C. Box 339, Pender, NE 68047
Owner's Contract No.: 15037	Engineer's Project No.: 141213

**Application For Payment
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
2	\$559.00	
3	\$1,169.00	
4		\$1,075.00
5		\$16,964.94
6	\$7,548.26	
7		\$37,997.34
TOTALS	\$9,076.26	\$56,037.28
NET CHANGE BY CHANGE ORDERS		-\$46,961.02

1. ORIGINAL CONTRACT PRICE..... \$ 2,659,000.00
2. Net change by Change Orders..... \$ -\$46,961.02
3. Current Contract Price (Line 1 ± 2)..... \$ 2,612,038.98
4. TOTAL COMPLETED AND STORED TO DATE
(Column F total on Progress Estimates)..... \$ 2,612,038.98
5. RETAINAGE:
 - a. Work Completed..... \$
 - b. Stored Material..... \$
 - c. Total Retainage (Line 5.a + Line 5.b)..... \$
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ 2,612,038.98
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 2,584,488.06
8. AMOUNT DUE THIS APPLICATION..... \$ 27,550.92
9. BALANCE TO FINISH, PLUS RETAINAGE
(Column H total on Progress Estimates + Line 5.c above)..... \$

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment.
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature:  Date: 11/30/2016

Payment of: \$ 27,550.92
(Line 8 or other - attach explanation of the other amount)

is recommended by: Dale E Bohan (Engineer) 11-30-2016 (Date)
JEO Consulting Group, Inc.

Payment of: \$ 27,550.92
(Line 8 or other - attach explanation of the other amount)

is approved by: City of Wayne, NE (Owner) (Date)

Approved by: Funding or Financing Entity (if applicable) (Date)

CONTINUATION PAGE

PROJECT: 15037 2016 Wayne Aquatic Center APPLICATION #: 15 Final DATE OF APPLICATION: 11/30/2016 PERIOD THRU: 11/30/2016 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD					
1	Bond & Insurance	\$40,298.00	\$40,298.00	\$0.00	\$0.00	\$0.00	\$40,298.00	\$0.00	
2	General Conditions	\$120,884.00	\$120,884.00	\$0.00	\$0.00	\$0.00	\$120,884.00	\$0.00	
3	Demobilization	\$8,560.00	\$8,560.00	\$0.00	\$0.00	\$0.00	\$8,560.00	\$0.00	
4	Submittal Exchange	\$3,395.00	\$3,395.00	\$0.00	\$0.00	\$0.00	\$3,395.00	\$0.00	
5	Site Demo, Stripping, Hauling	\$48,705.00	\$48,705.00	\$0.00	\$0.00	\$0.00	\$48,705.00	\$0.00	
6	Excavation	\$86,780.00	\$86,780.00	\$0.00	\$0.00	\$0.00	\$86,780.00	\$0.00	
7	Grading	\$31,282.00	\$31,282.00	\$0.00	\$0.00	\$0.00	\$31,282.00	\$0.00	
8	SWPPP (Erosion Control)	\$17,175.00	\$17,175.00	\$0.00	\$0.00	\$0.00	\$17,175.00	\$0.00	
9	Geotextile Filter Fabric	\$4,522.00	\$4,522.00	\$0.00	\$0.00	\$0.00	\$4,522.00	\$0.00	
10	Sub Base	\$20,627.00	\$20,627.00	\$0.00	\$0.00	\$0.00	\$20,627.00	\$0.00	
11	Aggregate Backfill	\$70,216.00	\$70,216.00	\$0.00	\$0.00	\$0.00	\$70,216.00	\$0.00	
12	Gran. Fill under Decks/Sidewalks	\$7,266.00	\$7,266.00	\$0.00	\$0.00	\$0.00	\$7,266.00	\$0.00	
13	Underdrains	\$5,070.00	\$5,070.00	\$0.00	\$0.00	\$0.00	\$5,070.00	\$0.00	
14	Site Utilities	\$175,589.00	\$175,589.00	\$0.00	\$0.00	\$0.00	\$175,589.00	\$0.00	
15	Fences, Gates, Rope Barrier	\$32,461.00	\$32,461.00	\$0.00	\$0.00	\$0.00	\$32,461.00	\$0.00	
16	Seeding	\$5,748.00	\$5,748.00	\$0.00	\$0.00	\$0.00	\$5,748.00	\$0.00	
17	Concrete Forming Pool	\$115,725.00	\$115,725.00	\$0.00	\$0.00	\$0.00	\$115,725.00	\$0.00	
18	Concrete Placing Pool	\$182,300.00	\$182,300.00	\$0.00	\$0.00	\$0.00	\$182,300.00	\$0.00	
19	Concrete Forming Surge & Pump	\$36,110.00	\$36,110.00	\$0.00	\$0.00	\$0.00	\$36,110.00	\$0.00	
20	Concrete Placing Surge & Pump	\$28,236.00	\$28,236.00	\$0.00	\$0.00	\$0.00	\$28,236.00	\$0.00	
21	Misc. Concrete Form & Pour	\$38,571.00	\$38,571.00	\$0.00	\$0.00	\$0.00	\$38,571.00	\$0.00	
22	Pool Deck Form & Pour	\$65,413.00	\$65,413.00	\$0.00	\$0.00	\$0.00	\$65,413.00	\$0.00	
23	Pool Sidewalk Form & Pour	\$31,196.00	\$31,196.00	\$0.00	\$0.00	\$0.00	\$31,196.00	\$0.00	
24	FB Foundations	\$14,045.00	\$14,045.00	\$0.00	\$0.00	\$0.00	\$14,045.00	\$0.00	
25	Reinforcing Steel	\$71,545.00	\$71,545.00	\$0.00	\$0.00	\$0.00	\$71,545.00	\$0.00	
26	Exp. Joints, Waterstop	\$2,185.00	\$2,185.00	\$0.00	\$0.00	\$0.00	\$2,185.00	\$0.00	
27	Grouting Pool Walls	\$6,269.00	\$6,269.00	\$0.00	\$0.00	\$0.00	\$6,269.00	\$0.00	
28	Masonry	\$48,494.00	\$48,494.00	\$0.00	\$0.00	\$0.00	\$48,494.00	\$0.00	
29	Struct. Steel, Misc. Metals	\$22,030.00	\$22,030.00	\$0.00	\$0.00	\$0.00	\$22,030.00	\$0.00	
	SUB-TOTALS	\$1,340,697.00	\$1,340,697.00	\$0.00	\$0.00	\$0.00	\$1,340,697.00	\$0.00	*

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PROJECT: 15037 2016 Wayne Aquatic Center APPLICATION #: 15 Final
 DATE OF APPLICATION: 11/30/2016
 PERIOD THRU: 11/30/2016
 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (if Variable)
			AMOUNT PREVIOUS PERIODS	% COMP. (G / C)					
30	Rough Carpentry	\$19,701.00	\$19,701.00	\$0.00	\$0.00	\$0.00	\$19,701.00	\$0.00	
31	Cabinets	\$2,406.00	\$2,406.00	\$0.00	\$0.00	\$0.00	\$2,406.00	\$0.00	
32	Countertop	\$1,728.00	\$1,728.00	\$0.00	\$0.00	\$0.00	\$1,728.00	\$0.00	
33	Metal Roofing	\$40,434.00	\$38,434.00	\$2,000.00	\$0.00	\$0.00	\$40,434.00	\$0.00	
34	Joint Sealants	\$10,588.00	\$4,588.00	\$6,000.00	\$0.00	\$0.00	\$10,588.00	\$0.00	
35	Doors, Frames, Hardware	\$2,631.00	\$2,631.00	\$0.00	\$0.00	\$0.00	\$2,631.00	\$0.00	
36	Colling Overhead Door	\$3,780.00	\$3,780.00	\$0.00	\$0.00	\$0.00	\$3,780.00	\$0.00	
37	Paints & Coatings	\$38,434.00	\$38,434.00	\$0.00	\$0.00	\$0.00	\$38,434.00	\$0.00	
38	Specialties	\$734.00	\$734.00	\$0.00	\$0.00	\$0.00	\$734.00	\$0.00	
39	Signage, Plaque	\$1,948.00	\$1,948.00	\$0.00	\$0.00	\$0.00	\$1,948.00	\$0.00	
40	Aluminum Canopy	\$20,465.00	\$20,465.00	\$0.00	\$0.00	\$0.00	\$20,465.00	\$0.00	
41	Stainless Steel Gutters	\$94,111.00	\$94,111.00	\$0.00	\$0.00	\$0.00	\$94,111.00	\$0.00	
42	Main Drains, Hydro, Relief Valves	\$6,656.00	\$6,656.00	\$0.00	\$0.00	\$0.00	\$6,656.00	\$0.00	
43	Pumps, Strainers, VFDs, Gauges	\$83,776.00	\$83,776.00	\$0.00	\$0.00	\$0.00	\$83,776.00	\$0.00	
44	Ladders, Stanchions, Rails etc.	\$20,357.00	\$20,357.00	\$0.00	\$0.00	\$0.00	\$20,357.00	\$0.00	
45	ADA Lift	\$4,813.00	\$4,813.00	\$0.00	\$0.00	\$0.00	\$4,813.00	\$0.00	
46	Diving Towers & Boards	\$59,100.00	\$59,100.00	\$0.00	\$0.00	\$0.00	\$59,100.00	\$0.00	
47	Pool Vacuum	\$1,781.00	\$1,781.00	\$0.00	\$0.00	\$0.00	\$1,781.00	\$0.00	
48	Filtration Equipment	\$42,550.00	\$42,550.00	\$0.00	\$0.00	\$0.00	\$42,550.00	\$0.00	
49	Chem. Feed/Disinfect. Equip.	\$7,008.00	\$7,008.00	\$0.00	\$0.00	\$0.00	\$7,008.00	\$0.00	
50	FRP Chem Storage Bldgs.	\$29,482.00	\$29,482.00	\$0.00	\$0.00	\$0.00	\$29,482.00	\$0.00	
51	Deck Trench Drains	\$10,300.00	\$10,300.00	\$0.00	\$0.00	\$0.00	\$10,300.00	\$0.00	
52	Shade Structures	\$28,192.00	\$28,192.00	\$0.00	\$0.00	\$0.00	\$28,192.00	\$0.00	
53	Pool Heaters	\$18,919.00	\$18,919.00	\$0.00	\$0.00	\$0.00	\$18,919.00	\$0.00	
54	Water Slide	\$84,361.00	\$84,361.00	\$0.00	\$0.00	\$0.00	\$84,361.00	\$0.00	
55	Zero Depth Play Features	\$93,903.00	\$93,903.00	\$0.00	\$0.00	\$0.00	\$93,903.00	\$0.00	
56	Process Piping, Valves, Supports	\$389,595.00	\$389,595.00	\$0.00	\$0.00	\$0.00	\$389,595.00	\$0.00	
57	Plumbing (Drinking Fount.)	\$4,200.00	\$4,200.00	\$0.00	\$0.00	\$0.00	\$4,200.00	\$0.00	
58	Electrical	\$196,350.00	\$196,350.00	\$0.00	\$0.00	\$0.00	\$196,350.00	\$0.00	
	SUB-TOTALS	\$2,659,000.00	\$2,651,000.00	\$8,000.00	\$0.00	\$0.00	\$2,659,000.00	\$0.00	

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Quantum Software Solutions, Inc. Document

CONTINUATION PAGE

PROJECT: 15037
 2016 Wayne Aquatic Center
 APPLICATION #: 15 Final
 DATE OF APPLICATION: 11/30/2016
 PERIOD THRU: 11/30/2016
 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD				
59	Change Order No. 2	\$359.00	\$359.00	\$0.00	\$0.00	\$359.00	\$0.00	
60	Change Order No. 3	\$1,169.00	\$1,169.00	\$0.00	\$0.00	\$1,169.00	\$0.00	
61	Change Order No. 4	(\$1,075.00)	(\$1,075.00)	\$0.00	\$0.00	(\$1,075.00)	\$0.00	
62	Change Order No. 5	(\$16,964.94)	(\$16,964.94)	\$0.00	\$0.00	(\$16,964.94)	\$0.00	
63	Change Order No. 6	\$7,548.26	\$0.00	\$7,548.26	\$0.00	\$7,548.26	\$0.00	
64	Change Order No. 7	(\$37,997.34)	\$0.00	(\$37,997.34)	\$0.00	(\$37,997.34)	\$0.00	
TOTALS		\$2,612,038.98	\$2,634,488.05	(\$22,449.08)	\$0.00	\$2,612,038.98	\$0.00	

CONTINUATION PAGE



ENGINEERING ■ ARCHITECTURE ■ SURVEYING ■ PLANNING

November 28, 2016

Lowell Johnson, City Administrator
306 Pearl Street
Wayne NE 68787

RE: 2016 Wayne Aquatic Center
JEO Project No. 141213.00

Dear Lowell,

Based on the fact the completion date for the Wayne Aquatic Center was not met by Christiansen Construction, we are hereby asking for consideration to provide an amended agreement for additional construction phase services. Our staff maintains our belief this project could have been constructed within the contract period by contractor. However, we accumulated additional time and expense of our construction phase services and resident project representative phase services past the original completion date of May 20, 2016.

The additional labor and expense for the construction phase services equals \$9,527.50 and RPR labor and expenses equals \$4,544.00. We have an attachment totalizing the hours accrued past the original completion date by employee type. The additional time was mostly logged from July through November. If approved, we will provide an amended agreement to be signed by the mayor and ourselves. Please advise if you need anything further to clarify our position on this matter.

Sincerely,

A handwritten signature in black ink that reads "David C. Henke".

Dave Henke
Senior Project Manager

Enclosures
Att.

Ec: Roger Protzman
Dale Bohac

Project Detail

JEO Consulting Group, Inc.

Wednesday, November 30, 2016
3:22:28 PM

Transactions for 7/1/2016 through 7/31/2016

**Total
Hours Billing**

Task Number: 001 Construction Observation

Labor

00039 B	HDC Henke, David	7/26/2016	9.00	1,485.00
00039 B	HDC Henke, David	7/29/2016	8.00	1,320.00
00039 B	PGP Parizek, George	7/22/2016	1.00	120.00
00039 B	PGP Parizek, George	7/26/2016	12.00	1,440.00
00039 B	PGP Parizek, George	7/27/2016	2.00	240.00
00039 B	PGP Parizek, George	7/28/2016	2.00	240.00
Total for Labor			34.00	4,845.00

Total for 001

Task Number: 002 Shop Drawings, Pay Applications, Change

Task Number: 003 CADD - Staking Data, Record Drawings

Task Number: 004 Clerical - Pay Applications, Change Order

Final Totals

34.00 4,845.00

Project Detail

JEO Consulting Group, Inc.

Wednesday, November 30, 2016
3:23:13 PM

Transactions for 8/1/2016 through 8/31/2016

Task Number: 001 Construction Observation		Total Hours	Billing
Labor			
00039 B	BDE1 Bohac, Dale 8/16/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 8/18/2016	1.00	142.00
00039 B	BDE1 Bohac, Dale 8/24/2016	1.00	142.00
00039 B	BDE1 Bohac, Dale 8/25/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 8/26/2016	1.00	142.00
00039 B	BDE1 Bohac, Dale 8/29/2016	1.00	142.00
00039 B	BDE1 Bohac, Dale 8/30/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 8/31/2016	3.00	426.00
00039 B	HDC Henke, David 8/31/2016	1.00	165.00
Pay App. 14			
00039 B	PGP Parizek, George 8/1/2016	6.75	810.00
00039 B	PGP Parizek, George 8/17/2016	1.00	120.00
Total for Labor		21.75	2,941.00
Total for 001		21.75	2,941.00
Task Number: 002 Shop Drawings, Pay Applications, Change			
Task Number: 003 CADD - Staking Data, Record Drawings			
Task Number: 004 Clerical - Pay Applications, Change Orde			
Final Totals		21.75	2,941.00

Project Detail

JEO Consulting Group, Inc.

Wednesday, November 30, 2016
3:23:51 PM

Transactions for 9/1/2016 through 9/30/2016

Task Number: 001 Construction Observation		Total Hours	Billing
Labor			
00039 B	BDE1 Bohac, Dale 9/1/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 9/2/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 9/2/2016	1.00	135.00
00039 B	BDE1 Bohac, Dale 9/9/2016	1.00	135.00
00039 B	BDE1 Bohac, Dale 9/9/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 9/12/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 9/14/2016	5.00	710.00
00039 B	BDE1 Bohac, Dale 9/14/2016	1.00	135.00
00039 B	BDE1 Bohac, Dale 9/15/2016	2.00	270.00
00039 B	BDE1 Bohac, Dale 9/22/2016	2.00	284.00
00039 B	BDE1 Bohac, Dale 9/23/2016	1.00	135.00
00039 B	BDE1 Bohac, Dale 9/26/2016	2.00	284.00
00039 B	HDC Henke, David 9/6/2016	1.50	247.50
00039 B	HDC Henke, David 9/12/2016	1.00	165.00
Steps and CO #6			
00039 B	HDC Henke, David 9/13/2016	.50	82.50
Steps			
00039 B	HDC Henke, David 9/15/2016	.50	82.50
00039 B	HDC Henke, David 9/16/2016	.50	82.50
00039 B	HDC Henke, David 9/19/2016	2.00	330.00
00039 B	HDC Henke, David 9/20/2016	1.00	165.00
Ld discussion			
00039 B	HDC Henke, David 9/23/2016	1.00	165.00
CO #7			
Total for Labor		31.00	4,544.00
Total for 001		31.00	4,544.00
Task Number: 002 Shop Drawings, Pay Applications, Change			
Task Number: 003 CADD - Staking Data, Record Drawings			
Task Number: 004 Clerical - Pay Applications, Change Orde			
Labor			
00039 B	JEM Jansa, Evelyn 9/9/2016 change order	.50	40.00
00039 B	MCA Mainquist, Cynthia 9/22/2016	.50	40.00
00039 B	WSK Walker, Sandy 9/15/2016	1.00	80.00
Total for Labor		2.00	160.00
Total for 004		2.00	160.00
Final Totals		33.00	4,704.00

Project Detail

JEO Consulting Group, Inc.

Wednesday, November 30, 2016
3:24:10 PM

Transactions for 10/1/2016 through 10/31/2016

			Total Hours	Billing
Task Number: 001 Construction Observation				
Labor				
00039 B	BDE1 Bohac, Dale	10/27/2016	2.00	284.00
00039 B	HDC Henke, David	10/28/2016	4.50	742.50
Total for Labor			6.50	1,026.50
Total for 001			6.50	1,026.50
Task Number: 002 Shop Drawings, Pay Applications, Change				
Labor				
00039 B	PGP Parizek, George	10/11/2016	1.25	150.00
Total for 002			1.25	150.00
Task Number: 003 CADD - Staking Data, Record Drawings				
Task Number: 004 Clerical - Pay Applications, Change Orde				
Final Totals			7.75	1,176.50

Project Detail

JEO Consulting Group, Inc.

Wednesday, November 30, 2016
3:24:36 PM

Transactions for 11/1/2016 through 11/25/2016

	Total Hours	Billing
Task Number: 001 Construction Observation		
Labor		
00039 B BDE1 Bohac, Dale 11/21/2016	3.00	405.00
Total for 001	3.00	405.00
Task Number: 002 Shop Drawings, Pay Applications, Change		
Task Number: 003 CADD - Staking Data, Record Drawings		
Task Number: 004 Clerical - Pay Applications, Change Orde		
Final Totals	3.00	405.00

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RESOLUTION NO. 2016-74

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, APPROVING A REDEVELOPMENT PLAN AS CONTAINED IN A REDEVELOPMENT CONTRACT; MAKING FINDINGS WITH REGARD TO SUCH PLAN AND APPROVING OTHER ACTION THEREON.

WHEREAS, the City of Wayne, Nebraska a municipal corporation has determined it to be desirable to undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2012, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, The City has previously declared an areas of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, The Community Redevelopment Authority of the City of Wayne, Nebraska (the Authority) has prepared a Redevelopment Plan as contained in a Redevelopment Contract pursuant to Section 18-2111 of the Act:

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Wayne, Nebraska:

1. The Redevelopment Plan as contained in the Redevelopment Contract in the form attached to this Resolution as Exhibit A is hereby determined to be feasible and in conformity with the general plan for the development of the City of Wayne as a whole and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act;

2. The Mayor and City Council specifically find, as follows:

(a) The project described in the redevelopment contract and plan attached thereto, would not be economically feasible without the use of tax-increment financing;

(b) The project would not occur in the Redevelopment Area without the use of tax-increment financing; and

(c) The costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long term best interests of the community impacted by the project.

3. Approval of the Redevelopment Plan is hereby approved, ratified and affirmed and the Authority is hereby authorized to execute the Redevelopment Contract and implement the Redevelopment Plan in accordance with the Act, with such amendments and revisions as are appropriate.

4. Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property described herein, shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be determined in the Redevelopment Contract or resolution providing for the issuance of tax increment revenue bonds related to the project as to the following described real estate, to wit:

Lots 1, 2 and 5, Block 3, Cecil Wriedt's 2nd Addition to the City of
Wayne, Wayne County, Nebraska.

Said tax shall be divided, as follows:

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

5. The Mayor and Clerk are authorized and directed to execute and deliver to the County Treasurer and Assessor the Notice to Divide Tax with the appropriate description of real estate, as established pursuant to the Redevelopment Contract and Redevelopment Plan.

PASSED AND APPROVED this _____ day of December, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

Exhibit A

FORM OF REDEVELOPMENT CONTRACT

**Redevelopment Plan
Sebade Housing, LLC, Redevelopment Area
2016**

Sebade Housing, LLC, (the “Redeveloper”) intends to redevelop and improve the area, described in this Plan, pursuant to the Nebraska Community Development Law (Sections 18-2101 to 18-2144 and 18-2147 to 18-2153, R.S.S. Neb. 2012, as amended, the “Act”) by the development in phases of a multifamily residential subdivision.

A. General Project Description:

THE REDEVELOPMENT IN PHASES OF UNDEVELOPED GROUND;

This plan provides for the subdivision of undeveloped real estate and the construction of up to three 3 unit townhomes and two 2 unit townhomes over time. This plan retains the flexibility to build apartments as opposed to townhomes, should the market demand. Real estate for the project will be acquired, the property subdivided, and development will occur in phases over a 5 year period.

Described on Exhibit “1” attached to this Plan is the legal description of real estate (the “Project Area”) which the Redeveloper intends to redevelop. Exhibit “2” shows the proposed layout of the Project Area.

The redevelopment of the Project Area is not financially feasible without assistance from tax increment financing because of high site acquisition and development costs and lack of adequate return on required investment. This project is intended to provide high quality, multifamily housing. The Redeveloper believes that the redevelopment of the Project Area will provide the City and its surrounding area with significant new housing.

B. Boundaries of Project Area and Existing Conditions and Uses

Exhibit “2” shows the outer boundaries of the Project Area.

The Project Area is currently undeveloped and will be acquired in two separate parcels.

No water or sanitary or storm sewer facilities are currently located within the Project Area. It will be necessary to provide for water and sewer service to City connections.

C. Land Use Plan Showing Proposed Uses

Exhibit “2” shows the ultimate use for the Project Area as well as the proposed configuration for the development.

D. Information Concerning Population Densities, Land Coverage and Building Intensities

The Project Area currently has no residents. Under this Plan, all of the Project Area is intended at full development to provide a minimum of 5 structures providing townhomes for up to 13 families, with the resultant increase in residential population for the Project Area. No families will be displaced in connection with redevelopment of the Project Area. Building densities will not exceed such densities as are permitted under local regulations. The site comprises 49,742 square feet.

E. Statement as to Proposed Changes in Zoning, Street Layout, Street Levels or Grades

The Project Area is currently zoned as: R-4 for multifamily residential development. No change in zoning is required. All construction will be subject to applicable building codes and ordinances. No change is contemplated in street layout and street levels.

F. Site Plan for the Project Area

Exhibit "2" shows the proposed site plan for the area. The site plan is subject to future change based on platting of the site.

G. Statement as to Kind and Number of Additional Public Facilities

Water and sewer line extensions throughout the Project Area will be provided in accordance with specifications and requirements of the City to provide connections to each structure. The Redeveloper will be responsible for all on-site utility infrastructure installation. The Redeveloper will be responsible for obtaining appropriate gas and electric service. Sidewalks and driveways on public right-of-way will be installed by the developer.

Implementation of Plan

No project redevelopment contract or agreement between the Authority and the Redeveloper will be entered into until the Redeveloper has provided evidence of a financing commitment from a recognized financial institution acceptable to the Authority for financing of the Redeveloper's costs.

Description of Redevelopment Project

The Redeveloper intends to develop a multifamily residential subdivision and construct five two and three family townhomes in phases over a period of 5 years. Phase one will result in the whole or partial site acquisition, site subdivision, site development, initial utility extension and building construction. Phase two and subsequent phases will result in the development of multi-family homes or apartments on the site during the 5-year build out period

Site preparation for the initial phase(s) would begin upon redevelopment contract approval. Construction of infrastructure is expected to begin in the spring of 2017.

The Redeveloper seeks assistance from the Community Redevelopment Authority of the City of Wayne (the "Authority") to overcome the site acquisition and development costs. The level of assistance requested is a grant in the total amount not to exceed \$230,000.00 from the sale of a Tax Increment Revenue Bond or Note. The grant shall be for the redevelopment project costs shown on Exhibit #3.

Plan of Finance

The Redeveloper is expected to request grant assistance from the Authority in the estimated amount of \$230,000.00 to be provided for from the issuance of community development revenue bonds to be issued by the Authority in an amount not to exceed \$230,000.00 (the "Tax Increment Revenue Bond"). The incremental ad valorem tax revenues (the increase in real property taxes based upon the resulting increase in taxable valuation) for a period of up to fifteen years after a designated effective date of each phase would be pledged to pay debt service on the Tax Increment Revenue Bond. Such grant funding and application of incremental ad valorem tax revenues is expected to occur in phases as provided in the redevelopment contract. The Redeveloper is to have full responsibility for (i) the purchasing of the Tax Increment Revenue Bond from the Authority or (ii) arranging for the purchase of the Tax Increment Revenue Bond from the Authority. Any issuance of the Tax Increment Revenue Bond is to be upon the basis of a private placement with the purchaser signing and delivering an investment letter satisfactory in form to the Authority.

Description of Project Area

TAX INCREMENT REVENUES TO PAY THE TIF INDEBTEDNESS IS TO COME FROM THE FOLLOWING REAL PROPERTY:

Lots 1, 2 and 5, Block 3, Cecil Wriedt's 2nd Addition to the city of Wayne, Wayne County, Nebraska.

The property shall be re subdivided into separate lots, and each development phase will occur on one or more lots, the incremental tax revenues from which will be dedicated to payment of the Tax Increment Revenue Bond. The tax increment revenues are to be allocated under the terms of Section 18-2147(1)(b) of the Act for those tax years for which the payments become delinquent within fifteen (15) years from the effective date as set forth in the redevelopment contract and annual amendments thereto. The effective date shall be, as to each phase the January 1, of the year following the issuance of a building permit as to an individual lot and, if taxes are received by the Wayne County Treasurer on or before December 31, of the 14th year after such effective date those such taxes as falling due on said December 31, may also be allocated to the Authority and applied to payment of principal and interest on the Tax Increment Revenue Bond. The effective date for such allocations for each phase shall be set forth in or determined pursuant to the project redevelopment contract and annual amendments thereto and/or the bond resolution authorizing the

issuance of the Tax Increment Revenue Bond and noticed to the County Assessor of Wayne County in accordance with the terms of Section 18-2147 of the Act as amended.

The real property ad valorem taxes on the current taxable valuation of the lot or lots associated with each phase of the Project for the year prior to redevelopment of such phase in accordance with this Plan and the Act will continue to be paid to the applicable taxing bodies in accordance with the terms of Section 18-2147 of the Act.

Statutory Pledge of Taxes.

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the lots within the Project Area for each phase shall be divided, for the period not to exceed 15 years after the effective date of the provision for each such phase as determined pursuant to the redevelopment contract. *Such effective date under this Plan shall be the January 1 of the year following the issuance of a building permit as to each subsequent phase for the platted lots designated for such phase. Such effective date may be confirmed and restated in the resolution authorizing the Tax Increment Revenue Bond and/or in the project redevelopment contract amendment to be entered into between the Authority and the Redeveloper. Provided, however in all events, no division of such taxes shall occur after January 1, 2023.*

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is to be pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed or otherwise, by the Authority to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances or indebtedness.

The Tax Increment Revenue Bond shall be payable solely from the tax increment revenues available under Section 18-2147 and shall not otherwise constitute indebtedness of the Authority or the City.

Redevelopment Plan Complies with the Act:

The Community Development Law requires that a redevelopment plan and project consider and comply with a number of requirements. This Plan meets the statutory qualifications as set forth below.

1. The project must be in an area declared blighted and substandard. [Section 18-2109]

The Project Area has been declared blighted and substandard by action of the Mayor and Council of the City prior to the adoption and approval of this Plan. [Section 18-2109] Such declaration is required to be made after a public hearing with full compliance with the public notice requirements of Section 18-2115 of the Act. Approval occurred at a meeting of the Mayor and City Council of the City held on March 29, 2005

2. Conformance to the general plan for the municipality as a whole. [Section 18-2103(13)(a) and Section 18-2110]

The City of Wayne has adopted a Comprehensive Plan, (the "Comprehensive Plan"). This Plan and the project are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended or required and the project meets current zoning requirements.

3. The Redevelopment Plan must be sufficiently complete to address the following items: [Section 18-2103(13)(b) and Section 18-2111]

a. Land Acquisition: The Project Area will be acquired by the Redeveloper, by private purchase.

b. Demolition and Removal of Structures: The project to be implemented under this Plan does not require removal of any structures. Water and sewer plans will be provided to the City Planning Department for approval prior to commencement of construction.

c. Future Land Use Plan: See the attached map (Exhibit #2) for the proposed development land use. [Section 18-2103(b) and Section 18-2111 of the Act] The attached maps also show an accurate site plan of the area after redevelopment, showing the proposed uses projected for the Redevelopment Project. [Section 18-2111(3) and (5) of the Act].

d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes. The area is zoned R-4. There are no proposed changes to street layouts. No changes are anticipated in building codes or ordinances. Re-platting is contemplated. [Section 18-2103(b) and Section 18-2111 of the Act].

e. Site Coverage and Intensity of Use. The project as fully developed will provide a 5 multifamily residential lot subdivision, as shown on Exhibit #2 which indicates site coverage. [Section 18-2103(b) and §18-2111 of the Act].

f. Additional Public Facilities or Utilities. Water, storm and sanitary sewer connections to the city mains will be required. [Section 18-2103(b) and Section 18-2111 of the Act].

4. The Act requires that a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. There are no residents or operating businesses currently located in the Project Area, and no relocation requirements apply or are contemplated. [Section 18-2103.02 of the Act].

5. Conflicts of interest by an Authority member must be disclosed. No member of the governing body of the Authority, nor any employee of the City or the Authority holds any interest in any property located in the Project Area. [Section 18-2106 of the Act].

6. The Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers. The Redeveloper will acquire the property located in the Project Area using its grant funds from the Tax Increment Revenue Bond. There will be no property acquisition by the Authority, and, therefore, Section 18-2119 of the Act requiring publication of notice for contract proposals is not required. The Authority may enter into a project redevelopment contract with the Redeveloper having such undertakings as the Authority determines appropriate [Section 18-2119(2) of the Act]. Because all of the real property within the Project Area will be privately owned, the requirements of Section 18-2118 of the Act relating to transfers of property by the Authority do not apply. The Redeveloper intends to redevelop the Project Area with an investment of up to \$1,600,000 of funds from grant proceeds and private resources as described in this Plan (including bank or other financing).

b. Statement of proposed method of financing the redevelopment project.

This Plan contemplates that the Authority may issue its Tax Increment Revenue Bond in an amount sufficient to provide a grant from the Authority (after payment of the Authority's incurred costs) to the Redeveloper to bear interest at a rate to be determined by the Authority. The Tax Increment Revenue Bond shall be privately placed to obtain the proceeds needed to make the grant. The Redeveloper will purchase or cause the Tax Increment Revenue Bond to be purchased. Application of the proceeds of the Tax Increment Revenue Bond will be supervised by or on behalf of the Authority. The Tax Increment Revenue Bond shall be repaid from the tax increment revenues generated from the Project Area from and after January 1, 2018, through that December 31st, which represents the day immediately preceding the fifteenth anniversary of the effective date as to each phase of development as set forth in the project redevelopment contract and amendments thereto.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan [Section 18-2114 of the Act].

7. Statutory considerations prior to recommending a Redevelopment Plan. Section 18-2113 of the Act requires that the governing body of an Authority observe certain considerations prior to recommending a Plan. In connection with the adoption of this Plan and prior to recommending it to the Mayor and City Council, the governing body of the Authority shall consider whether the

proposed land uses and building requirements in the redevelopment project area (as to this Plan, the Project Area) are designed with the general purpose of accomplishing, in conformance with the general plan (the City's Comprehensive Plan), a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight. The Authority shall undertake to make such considerations and findings prior to its recommending of this Plan by a Resolution separate from this Plan.

8. Cost Benefit Analysis. This Plan, when presented for recommendation and approval, shall be accompanied by a cost benefit analysis. Such analysis is as follows:

a. Tax shifts resulting from the approval of the use of funds pursuant to section 18-2147: Possible increase student load for the school system could result from the project development. However, implementation of the full project will take a number of years. Phase 1 of the project will not result in an influx of students. Any increase will be spread over the entire class range provided by the Wayne School District.

b. Public infrastructure and public service needs: The plan requires the redeveloper to pay for and install all infrastructure from grant proceeds.

c. Impacts on employers and employees within the project area: None exist. Therefore no impact is expected.

d. Impacts on employers and employees in the city, but not in the project area: The construction of the facility will increase temporarily employment through the construction process. The additional housing resulting from the project may have the effect of providing an additional employee pool for employers.

e. Other impacts: No significant negative additional impacts are anticipated. However, the project will invite population growth with its attendant spending and investment in the community.

9. Time Frame for Development. Development of the Project Area is anticipated to begin during the spring of 2017, with initial occupancy of the earliest properties developed in the 4th quarter of 2017. The base tax year for Phase one is expected to be calculated on the value of the property as of January 1, 2017.

Exhibit #1

Legal Description of Redevelopment Project

Lots 1, 2 and 5, Block 3, Cecil Wriedt's 2nd Addition to the City of Wayne, Wayne County, Nebraska.

Exhibit #2

Site Plan

Exhibit #3
Redevelopment Project Costs ,

Water lines	\$20,000
Sewer lines	\$25,000
Sidewalks and drives	\$36,600
Street lights	\$ 3,000
Site acquisition	\$84,000
Site preparation	\$ 7,500
Onsite utility extension	\$13,000
Authority costs	<u>\$ 8,000</u>
Total requested grant	\$233,100

RESOLUTION NO. 2016-75

A RESOLUTION APPROVING THE FINAL PLAT FOR THE "COMMUNITY SCHOOLS ADDITION TO THE CITY OF WAYNE."

WHEREAS, the Planning Commission, upon review of the Final Plat of the "Community Schools Addition to the City of Wayne," legally described as:

Legal Description:

THAT PART OF THE NORTH HALF OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6TH P.M., CITY OF WAYNE, COUNTY OF WAYNE, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S01°D38'27"E, ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION, A DISTANCE OF 58.90 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 35; THENCE N88°D13'10"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 85.05 FEET TO THE POINT OF BEGINNING; THENCE N87°D52'36"E, ALONG THE SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 206.60 FEET; THENCE N02°D06'13"W, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 21.73 FEET; THENCE N87°D31'04"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 560.05 FEET TO A LINE 150.00 FEET WEST, PERPENDICULAR MEASUREMENT, OF THE WEST RIGHT-OF-WAY LINE OF SHERMAN STREET; THENCE S02°D04'57"E, ALONG SAID 150.00 FOOT OFFSET, A DISTANCE OF 231.71 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED IN DOCUMENT NUMBER 150075, FILED ON JANUARY 20, 2015, OF THE WAYNE COUNTY RECORDER'S OFFICE; THENCE N87°D31'04"E, ALONG THE SOUTH LINE OF SAID INSTRUMENT NUMBER 150075, A DISTANCE OF 150.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SHERMAN STREET; THENCE S02°D04'57"E, ALONG THE SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 68.80 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN DOCUMENT NUMBER 061635, FILED ON DECEMBER 20, 2006, OF THE WAYNE COUNTY RECORDER'S OFFICE; THENCE S87°D31'04"W, ALONG THE NORTH LINE OF SAID DOCUMENT NUMBER 061635, A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER THEREOF, SAID CORNER ALSO BEING 150.00 WEST, PERPENDICULAR MEASUREMENT, OF THE WEST RIGHT-OF-WAY LINE OF SHERMAN STREET; THENCE S02°D04'57"E, ALONG SAID 150.00 FOOT OFFSET, A DISTANCE OF 151.86 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE ALLEY PLATTED ON THE NORTH SIDE OF BLOCK 2, SKEEN & SEWELL'S ADDITION TO THE CITY OF WAYNE; THENCE S88°D04'04"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 182.00 FEET TO THE INTERSECTION OF THE SAID NORTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF THE ALLEY PLATTED ON THE WEST SIDE OF SAID BLOCK 2; THENCE S01°D59'58"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 158.14 FEET TO THE APPARENT INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF 5th STREET; THENCE S88°D04'04"W, ALONG THE EXTENSION OF SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 64.00 FEET; THENCE S01°D59'58"E, 64.00 FEET WEST, PERPENDICULAR MEASUREMENT, TO THE WEST RIGHT-OF-WAY LINE OF THE ALLEY PLATTED ON THE WEST SIDE OF BLOCKS 1 AND 2, SKEEN & SEWELL'S ADDITION TO THE CITY OF WAYNE, A DISTANCE OF 476.27 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF

4th STREET; THENCE N88°D04'04"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 64.00 FEET TO THE NORTHEAST CORNER OF BLOCK 3, SKEEN'S ADDITION TO THE CITY OF WAYNE; THENCE S01°D59'58"E, ALONG THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 166.00 FEET TO THE SOUTH LINE OF SAID SKEEN'S ADDITION; THENCE S88°D04'04"W, ALONG THE SAID SOUTH LINE OF SKEEN'S ADDITION, A DISTANCE OF 677.96 FEET TO THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 13; THENCE N01°D38'27"W, ALONG SAID NORTH-SOUTH QUARTER LINE, A DISTANCE OF 14.80 FEET TO THE NORTHEAST CORNER OF LOT 8, TAYLOR'S ADDITION TO THE CITY OF WAYNE; THENCE S88°D05'10"W, ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 529.37 FEET TO THE EAST LINE OF OAK RIDGE ADDITION TO THE CITY OF WAYNE; THENCE N01°D32'04"W, ALONG SAID EAST LINE, A DISTANCE OF 1210.38 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY #35; THENCE N88°D04'43"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 351.97 FEET TO THE NORTHWEST CORNER OF A PARCEL DESCRIBED IN DOCUMENT 011458, FILED ON NOVEMBER 2ND, 2001, IN THE WAYNE COUNTY RECORDER'S OFFICE; THENCE S01°D39'36"E, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 196.55 FEET; THENCE N86°D48'11"E, ALONG THE SOUTH LINE OF SAID PARCEL AND ALONG THE SOUTH LINE OF A PARCEL DESCRIBED IN DOCUMENT 080748, FILED JUNE 6, 2008, IN THE WAYNE COUNTY RECORDER'S OFFICE, A DISTANCE OF 175.13 FEET TO THE NORTH-SOUTH QUARTER LINE OF SAID SECTION; THENCE N01°D38'27"W, ALONG SAID QUARTER LINE, A DISTANCE OF 1.30 FEET TO THE SOUTHWEST CORNER OF A PARCEL DESCRIBED IN DOCUMENT 131394, FILED ON OCTOBER 9, 2013, IN THE WAYNE COUNTY RECORDER'S OFFICE; THENCE N87°D13'16"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 85.03 FEET; THENCE N01°D37'43"E, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 189.87 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 1,485,989 SQUARE FEET OR 34.11 ACRES MORE OR LESS.

on _____, 2016, recommended approval thereof, based upon the following "Findings of Fact:"

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Final Plat of the "Community Schools Addition to the City of Wayne" be approved subject to the recommendations of the Planning Commission and the foregoing "Findings of Fact."

PASSED AND APPROVED this _____ day of December, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2016-15

AN ORDINANCE AMENDING CHAPTER 54 LIBRARY, ARTICLE I IN GENERAL, BY ADDING SECTION 54-8 UNLAWFUL LIBRARY CONDUCT AND SECTION 54-9 PENALTIES IMPOSED; RECOVERY IN CIVIL ACTION; 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 54, Article I, of the Wayne Municipal Code is hereby amended to add the following sections:

54-8 UNLAWFUL LIBRARY CONDUCT.

It shall be unlawful for any person to take or retain possession beyond the due date of, or to remove from the public library building, in violation of any bylaw, rule or regulation adopted by the Library Board or City Council for the protection and government of the public library or in violation of any agreement entered into by any person concerning utilization of the public library, or to willfully and maliciously write upon, deface, injure or destroy any book, periodical, record, film or other property owned by, or in custody of, the public library. Any person who shall violate the terms of any agreement concerning utilization of the public library, or who unlawfully takes or retains possession beyond the due date of, or removes from the public library building, writes upon, defaces, injures or destroys any book, periodical, record, film or other property owned by or in the custody of the public library, shall be guilty of an offense.

54-9 PENALTIES IMPOSED; RECOVERY IN CIVIL ACTION.

Penalties imposed or accruing under any bylaw, rule or regulation adopted by the Library Board or City Council may be recovered in a civil action before any court having jurisdiction thereof. Such action shall be instituted and maintained in the name of the city. This remedy shall be in addition to that provided in section 54-8.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 6th day of December, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

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ORDINANCE NO. 2016-16

AN ORDINANCE AUTHORIZING THE TERMINATION OF BOTH THE CITY'S WHOLESALE POWER CONTRACT AND CAPACITY PURCHASE AGREEMENT WITH NEBRASKA PUBLIC POWER DISTRICT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The City of Wayne, Nebraska, on December 13, 2013, gave notice to Nebraska Public Power District (NPPD) of the City's intent to limit or reduce its purchase of Demand and Energy from NPPD, commencing January 1, 2019, by the maximum amount permitted by the Contract, and continuing through the duration of the contract, or December 31, 2021, all pursuant to the City's contract with NPPD entered into on January 1, 2002. Pursuant to the contract, the City must give notice of termination at least three years prior to the expiration of the contract.

Section 2. The City hereby authorizes a letter to be sent to NPPD terminating the Wholesale Power Contract and the Capacity Purchase Agreement as of December 31, 2019.

Section 3. This Ordinance shall be in full force and effect, from and after its passage, approval and publication, as provided by law.

PASSED AND APPROVED THIS 6th day of December, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



LEGEND

- Proposed primary underground distribution line
Hashes indicate number of phases
Red = 3 Phase 4/0 AL. Primary Cable
Blue = 3 Phase 1/0 AL. Primary Cable
Green = 1 Phase 1/0 AL. Primary Cable
- Existing primary underground distribution line
Hashes indicate number of phases
- Existing underground secondary or service line
- Proposed primary riser
- Proposed secondary or service
- Proposed bore with conduit
- Proposed bore without conduit
- Proposed easement location
- Existing pole
- Existing street light
- Proposed 30 pad mount transformer w/size
- Proposed 10 pad mount transformer w/size
- Proposed 30 sectionalizing enclosure
- Proposed 10 sectionalizing enclosure
- Existing 30 pad mount transformer w/size
- Existing 10 pad mount transformer w/size
- Existing 30 sectionalizing enclosure
- Existing 10 sectionalizing enclosure
- Proposed secondary pedestal
- Existing secondary pedestal
- Existing meter
- Proposed primary splice
- Proposed pad mount switch
+ = Solid blade disconnects
\$ = Fused disconnects
- Stake number
- Proposed 30 grounding enclosure
- Proposed elbow fault indicator

- ### NOTES
- Locations where cable calls for cut shall be incidental to the splice.
 - Locations where there are wood decks, contractor shall coil wire under deck or do as directed by the City of Flandreau. Wood decks shall be incidental to the splice.
 - Contractor shall blade away gravel to mitigate against mixing rock with backfill when trenching.
 - Contractor shall be responsible for locating and making repairs of private water and sewer taps which are not located by the City.

REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

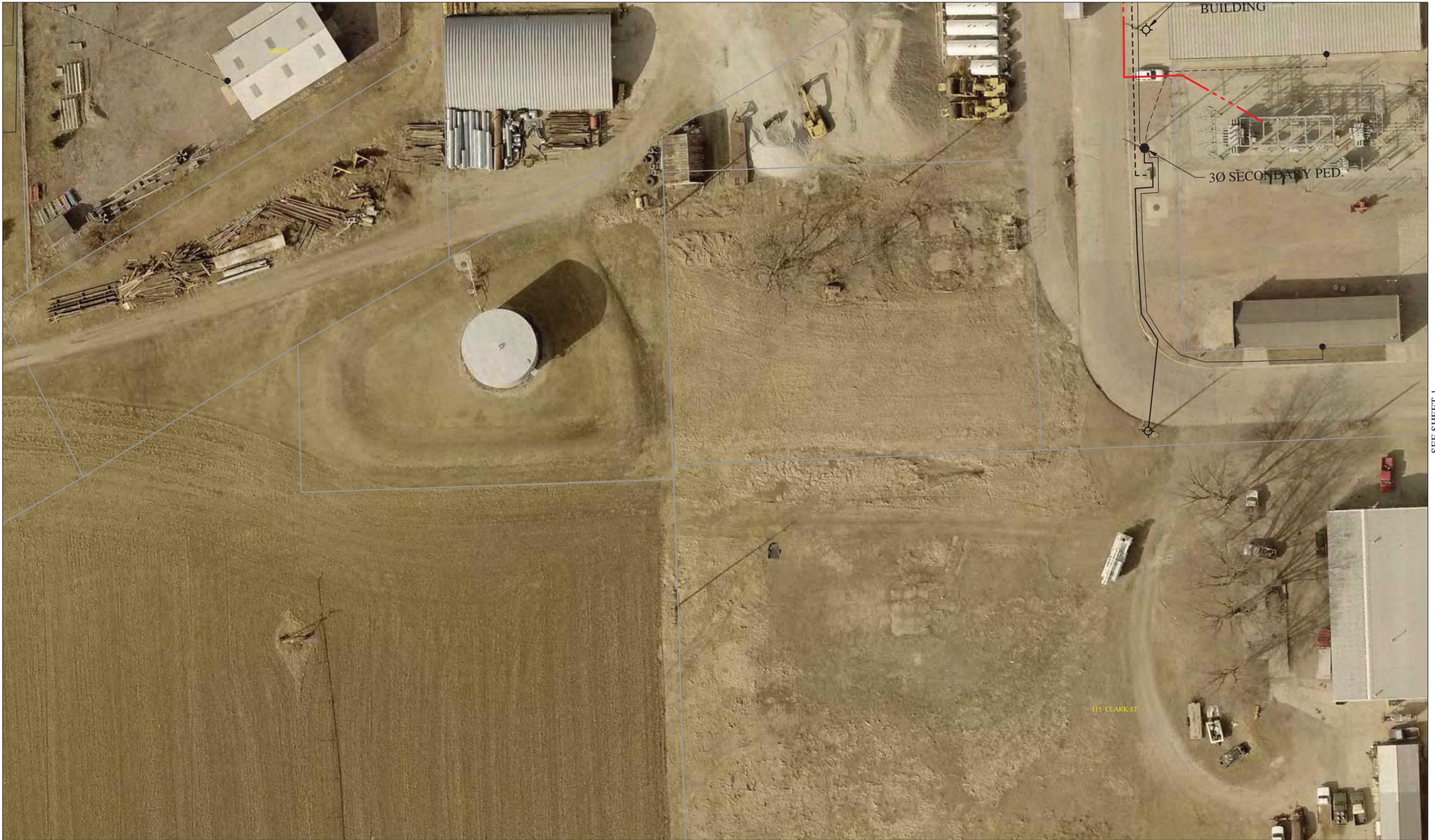
CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



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KEY MAP

SEE SHEET 5



SEE SHEET *



SEE SHEET 3

SEE SHEET 1

REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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2 OF 32



SEE SHEET 4

SEE SHEET 2



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

SEE SHEET 7



SEE SHEET *

SEE SHEET 3

SEE SHEET *



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



SEE SHEET 9

SEE SHEET 3



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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 6 OF 32

SEE SHEET 8

SEE SHEET 11
1ST ST.

SEE SHEET 4



SEE SHEET 6



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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SEE SHEET 7

REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION





SEE SHEET 11

SEE SHEET *



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



SEE SHEET 12

SEE SHEET *



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

Plot Date: 11/23/2016 9:56:44 AM

SEE SHEET 12



SEE SHEET 7

SEE SHEET 13

SEE SHEET *



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

SHEET
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Plot Date: 11/23/2016 9:56:49 AM

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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SEE SHEET 11



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



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SEE SHEET 12



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



SEE SHEET *

SEE SHEET 16



REV	DATE	DESCRIPTION



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 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



Plot Date: 11/23/2016 9:57:14 AM

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SEE SHEET 16

SEE SHEET 18

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

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SEE SHEET 17

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REV	DATE	DESCRIPTION



Project Manager: PAD
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 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



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Plot Date: 11/23/2016 9:57:34 AM

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

Plot Date: 11/23/2016 9:57:54 AM

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

SHEET
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Plot Date: 11/23/2016 9:57:59 AM

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SEE SHEET 25



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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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SEE SHEET *

SEE SHEET *

101 WINDOM ST

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Project Manager: PAD
 Designer: DSM
 Project Number: 412305
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 WAYNE, NEBRASKA

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

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 WAYNE, NEBRASKA

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REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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SEE SHEET *



SEE SHEET 31

SEE SHEET 29



REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION

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SEE SHEET *

SEE SHEET *

REV	DATE	DESCRIPTION



Project Manager: PAD
 Designer: DSM
 Project Number: 412305
 Phone: (712) 472-2531

CITY OF WAYNE
 WAYNE, NEBRASKA

WEST INNER AND EAST INNER CONVERSION



[Back to Top](#)

ARNIE'S FORD

119 East 3rd St. P.O. Box 390 Wayne, NE 68787
402-375-3780 • Fax 402-375-1212 • 800-467-3780

Bid Proposal

TO BETTY MCGUIRE, CITY CLERK

CITY OF WAYNE, NEBRASKA

The Arnie's Ford Company of Wayne, NE, states that we are a franchise dealer and distributor for the FORD MOTOR Company, manufacturer of four wheel drive trucks. We further affirm that we have read the State of Nebraska specifications and conditions pertaining to a four-wheel drive truck for the City of Wayne, Nebraska

We propose to offer to the City of Wayne Nebraska one (1) 2017 Ford Super Cab, Model F350SD, four wheel drive truck for the sum of Forty Eight Thousand, Ninety Dollars (\$48,090.00), which is considered the State of Nebraska contract base bid and includes all the items called for in the specifications, unless otherwise noted.

Delivery Date

Proposed delivery date: ASAP

Exception, if any:

Alternate: Fiberglass Service Body \$9760.00 (cost difference of additional \$3,485.00)

A handwritten signature in black ink, appearing to be "Arnie's Ford", written in a cursive style.

STATE OF NEBRASKA CONTRACT AWARD

State Purchasing Bureau
1526 K Street, Suite 130
Lincoln, Nebraska 68508

Telephone: (402) 471-8500
Fax: (402) 471-2089

CONTRACT NUMBER
14589 OC

PAGE 3 of 4	ORDER DATE 09/15/16
BUSINESS UNIT 9000	BUYER DIANNA GILLILAND (AS)
VENDOR NUMBER: 503856	

Line	Description	Estimated Quantity	Unit of Measure	Unit Price
	Make and model: Knapheide			
11	DUAL WHEEL CHASSIS WITH EIGHT FOOT (8') Utility Body (see ATTACHMENT) (Color of Utility Body to match manufacturer color charts)	20.0000	EA	8,495.0000
	Make and model: Knapheide			
12	SINGLE WHEEL CHASSIS CAB with no Utility Box	20.0000	EA	1,295.0000
13	DUAL WHEEL CHASSIS CAB with no Utility Box	20.0000	EA	1,895.0000
14	HD RUBBERIZED SPRAY IN BED LINER (Linex, Rhino or equivalent)	20.0000	EA	475.0000
	Manufacturer: Ford			
15	CARGO LIGHT	20.0000	EA	99.0000
16	STANDARD PAINT ATTACH LIST and Identify as no Additional Cost Paints	20.0000	EA	0.0000
	Refer to paint list			
17	FOR DEPARTMENT OF ROADS USE: YELLOW color of: Ford #84S53, with no minimum order required.	20.0000	EA	795.0000
18	EXTRA COST PAINT ATTACH LIST and Identify as Extra Cost Paints Ruby Red	20.0000	EA	395.0000
19	ADDITIONAL REMOTE FOB FROM MANUFACTURER	20.0000	EA	150.0000
20	TAILGATE STEP DEALER OR FACTORY INSTALLED	20.0000	EA	375.0000
21	DUAL ALTERNATORS	20.0000	EA	380.0000


BUYER INITIALS

STATE OF NEBRASKA CONTRACT AWARD

State Purchasing Bureau
1526 K Street, Suite 130
Lincoln, Nebraska 68508

Telephone: (402) 471-6500
Fax: (402) 471-2089

**CONTRACT NUMBER
14589 OC**

PAGE 4 of 4		ORDER DATE 09/15/16	
BUSINESS UNIT 9000		BUYER DIANNA GILLILAND (AS)	
VENDOR NUMBER: 503856			

Line	Description	Estimated Quantity	Unit of Measure	Unit Price
	DEALER OR FACTORY INSTALLED			
22	PROTECTIVE VINYL SIDE MOLDINGS Dealer installed if not standard equipment.	20.0000	EA	350.0000
23	SERVICE REPAIR MANUAL EQUIPMENT AND ENGINE Type of service repair manual available: CD Rom	20.0000	EA	295.0000
24	ADDITIONAL COSTS FOR WARRANTIES from manufacturer Years andMiles: 5 yr / 100k Premium Care	20.0000	EA	2,995.0000
25	DROP SHIPMENT CHARGES OUTSIDE THE LINCOLN AREA Additional costs of charges for vehicle drop shipment outside the Lincoln area. Drop shipment charges would be for vehicles bought by political entities and other Divisions of Government.	20.0000	EA	295.0000

RUNNING BOARDS

370.00

ELECTRIC SHIFT ON THE FLY 4X4

185.00


BUYER INITIALS



Please be advised that new regulations now require added procedures to process of issuing municipal securities.

Required Disclosure Pursuant to MSRB Rule G-23:

As underwriter, D.A. Davidson & Co.'s primary role will be to purchase as principal, or arrange for the placement of the Securities in a commercial arm's length transaction with the issuer, and may have financial and other interests that differ from those of the issuer. In its capacity as underwriter and not as financial advisor, D.A. Davidson & Co. may provide incidental financial advisory services at the issuer's request, including advice regarding the structure, timing, terms and other similar matters concerning the issuance. However, D.A. Davidson & Co. does not assume any financial advisory or fiduciary responsibilities with respect to the issuer.

D.A. Davidson & Co.'s role as underwriter will be formalized by a Bond Purchase Agreement with each transaction to assure disclosure of and compliance with MSRB Rule G-23.

Required Disclosure Pursuant to MSRB Rule G-17:

As part of our services as underwriter, Davidson may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Securities. D.A. Davidson & Co. is required to provide written disclosures and to obtain the Issuer's signed acknowledgement of their receipt. The Disclosures may include, but are not limited to, the following:

- Disclosures Concerning the Underwriter's Role
- Disclosures Concerning the Underwriter's Compensation
- Additional Conflicts Disclosure
- Disclosures Concerning Complex Municipal Securities Financing
- Risk Disclosures
- Financial Characteristics
- Security
- Financial Risk Considerations

Required Continuing Disclosure as an Issuer:

The Securities and Exchange Commission adopted an amendment to Rule 15c2-12 which requires that issuers undertake such annual financial disclosure for all bond issues in excess of \$1,000,000 which are issued on or after July 1, 2009. In order to promote ongoing compliance with Rule 15c2-12, Compliance Policies and Procedures must also be approved and adopted, which further obligate the Issuer to provide to the MSRB (the Municipal Securities Rulemaking Board) certain financial information and operating data which is customarily prepared by you and is publicly available, which shall include your audited financial statements and certain other material events.

All continuing disclosure documents are required to be filed with the MSRB electronically using the MSRB's Electronic Municipal Market Access website ("EMMA"). Documents must be in PDF (portable document format) format, which permits the document to be saved, viewed, printed and retransmitted by electronic means. Additionally, any PDF document submitted to the EMMA website on or after January 1, 2010 must be word-searchable. EMMA will not accept paper documents or documents in any format other than PDF.



D|A|DAVIDSON
FIXED INCOME CAPITAL MARKETS

1111 N. 102nd Court, Suite 300
Omaha, NE 68114
(402) 397-5777
(800) 776-5777
Fax (402) 392-7908
www.davidsoncompanies.com/ficm
D.A. Davidson & Co. member SIPC

December 6, 2016

Mayor and City Council
City of Wayne
306 Pearl Street
Wayne, NE 68787

Re: Underwriting Engagement Letter—Update of Letter of May 3, 2016

D.A. Davidson & Co. (“we” or “Davidson”), acknowledges and appreciates the opportunity to serve as Underwriter for the City of Wayne, Nebraska (“City”, “you” or the “Issuer”) on the proposed offering and issuance of General Obligation Bonds and Notes, and/or Revenue Bonds and Notes, Series 2017 or 2018, to provide funding for Streets, Water and Sewer and other Infrastructure capital improvements, including newly identified Electric Revenue projects and financings (the “Securities”). This letter will confirm the terms of our engagement; however, it is anticipated that this letter will be replaced and superseded by a bond purchase agreement(s) to be entered into by Davidson and the City (the “Purchase Agreement(s)”) if and when the Securities are priced following successful completion of the offering process.

1. Services to be Provided by Davidson. The Issuer hereby engages Davidson to serve as Underwriter of the proposed offering and issuance of the Securities, and in such capacity Davidson agrees to provide certain services in compliance with and under the rules, guidelines and allowable exceptions, effective July 1, 2014, as set out by the Securities and Exchange Commission (“SEC”) and you hereby request Davidson to provide certain information and repayment information relative to debt issuance and to assist in providing the following services:

- Review and evaluate the proposed terms of the offering and the Securities
- Develop a marketing plan for the offering, including identification of potential investors
- Assist in the preparation of the official statement and/or other offering documents
- Contact potential investors; provide them with offering-related information
- Consult with Bond Counsel and other service providers about the offering and the terms of the Securities
- Negotiate the pricing, including the interest rate, and other terms of the Securities
- Obtain CUSIP number(s) for the Securities and arrange for their DTC book-entry eligibility
- Plan and arrange for the closing and settlement of the issuance and the delivery of the Securities
- Such other usual and customary underwriting services as may be requested by the Issuer

As underwriter, Davidson will purchase the Securities pursuant and subject to the terms of the Purchase Agreement, which will not be signed until successful completion of the pre-sale offering period.

2. No Advisory or Fiduciary Role. The Issuer acknowledges and agrees that: (i) the primary role of Davidson, as an underwriter, is to purchase securities, for resale to investors, in an arm's-length commercial transaction between the Issuer and Davidson and that Davidson has financial and other interests that may differ from those of the issuer.; (ii) Davidson is not acting as a municipal advisor, financial advisor, or fiduciary to the Issuer and has not assumed any advisory or fiduciary responsibility to the Issuer with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether Davidson has provided other services or is currently providing other services to the Issuer on other matters); (iii) the only obligations Davidson has to the Issuer with respect to the transaction contemplated hereby expressly are set forth in this agreement; and (iv) the Issuer, to the extent it deems appropriate will, or has consulted its own financial and/or municipal, legal, accounting, tax and other advisors, as applicable. If the Issuer would like a municipal advisor in this transaction(s) that has legal fiduciary duties to the Issuer, the Issuer is free to engage a municipal advisor to serve in that capacity.

3. Fees and Expenses. Davidson's proposed underwriting fee/spread shall be at a mutually agreeable rate which shall not exceed 1.50% of the principal amount of the Securities issued. The underwriting fee/spread will represent the difference between the price that Davidson pays for the Securities and the public offering price stated on the cover of the final official statement or offering circular. Davidson shall pay costs incident to the underwriting and sale of the Bonds including printing of preliminary and final official statements (or offering circulars, as applicable), CUSIP and DTC fees. The Issuer shall be responsible for paying or reimbursing Davidson for all other costs of issuance, including without limitation, bond counsel, paying agent fees (if Issuer determines to engage such agent), and all other expenses incident to the performance of the Issuer's obligations under the proposed offering.

4. Term and Termination. The term of this engagement shall extend from the date of this letter to the closing of the offering of the Securities. Notwithstanding the forgoing, either party may terminate Davidson's engagement at any time without liability of penalty upon at least 30 days' prior written notice to the other party.

5. Indemnification; Limitation of Liability. The Issuer agrees that neither Davidson nor its employees, officers, agents or affiliates shall have any liability to the Issuer for the services provided hereunder except to the extent it is judicially determined that Davidson engaged in gross negligence or willful misconduct. In addition, to the extent permitted by applicable law, the Issuer shall indemnify, defend and hold Davidson and its employees, officers, agents and affiliates harmless from and against any losses claims, damages and liabilities that arise from or otherwise relate to this Agreement, actions taken or omitted in connection herewith, or the transactions and other matters contemplated hereby, except to the extent such losses, claims, damages or liabilities are judicially determined to be the result of Davidson's gross negligence or willful misconduct.

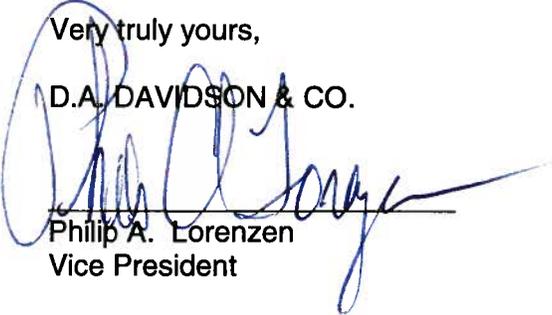
6. Miscellaneous. This letter shall be governed and construed in accordance with the laws of the State of Nebraska. This Agreement may not be amended or modified except by means of a written instrument executed by both parties hereto. This Agreement may not be assigned by either party without the prior written consent of the other party.

"Exhibit A" is attached in compliance with Davidson's Disclosure Pursuant to MSRB Rules G-17 and G-23 and requires acknowledgement of its receipt by an officer of the City.

Again, we thank you for the opportunity to assist you with your proposed financing and the confidence you have placed in us.

Very truly yours,

D.A. DAVIDSON & CO.



Philip A. Lorenzen
Vice President

Accepted this 6th day of December, 2016

Attest:

City Clerk

Mayor

[SEAL]



D|A|DAVIDSON
FIXED INCOME CAPITAL MARKETS

EXHIBIT A

1111 N. 102nd Court, Suite 300
Omaha, NE 68114
(402) 397-5777
(800) 776-5777
Fax (402) 392-7908
www.davidsoncompanies.com/ficm
D.A. Davidson & Co. member SIPC

December 6, 2016

Nancy Braden, Finance Director/City Treasurer
City of Wayne
306 Pearl Street
Wayne, NE 68787

Re: Disclosures by D.A. Davidson & Co. as Underwriter Pursuant to MSRB Rules G-17 and G-23 Related to Issuance by the City of Wayne of General Obligation Bonds and Notes, and/or Revenue Bonds and Notes, Series 2017 or 2018, to provide funding for Streets, Electric, Water, and Sewer and other Infrastructure capital improvements

Dear Nancy:

This letter provides you, as City Finance Director of the City of Wayne, Nebraska ("Issuer"), with certain disclosures relating to the captioned bond issue ("Bonds"), as required by the Municipal Securities Rulemaking Board (MSRB) Rule G-17 as set forth in MSRB Notice 2012-25 (May 7, 2012).

The Issuer has previously engaged D.A. Davidson & Co. (hereinafter referred to as "Davidson" or "underwriter") to serve as an underwriter, and not as a financial advisor or municipal advisor, in connection with the issuance of the Bonds.

As underwriter, Davidson's primary role will be to purchase as principal, or arrange for the placement of the securities in a commercial arm's length transaction with the Issuer, and may have financial and other interests that differ from those of the Issuer. In its capacity as underwriter and not as financial advisor, Davidson may provide incidental financial advisory services at the Issuer's request, including advice regarding the structure, timing, terms and other similar matters concerning the issuance. However, Davidson does not assume any financial advisory or fiduciary responsibilities with respect to the Issuer.

As part of our services as underwriter, Davidson may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Bonds.

Disclosures Concerning the Underwriters Role:

- (i) MSRB Rule G-17 requires an underwriter to deal fairly at all times with both municipal issuers and investors.
- (ii) The underwriters' primary role is to purchase the Bonds with a view to distribution in an arm's-length transaction with the Issuer. The underwriters financial and other interests that may differ from those of the Issuer.

- (iii) Unlike a municipal advisor, the underwriters do not have a fiduciary duty to the Issuer under the federal securities laws and are, therefore, not required by federal law to act in the best interests of the Issuer without regard to their own financial or other interests.
- (iv) The underwriters have a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with their duty to sell the Bonds to investors at prices that are fair and reasonable.
- (v) The underwriter will review the official statement for the Bonds in accordance with, and as part of, their respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.

Disclosures Concerning the Underwriters Compensation:

As underwriter, Davidson will be compensated by a fee and/or an underwriting discount that will be set forth in the bond purchase agreement to be negotiated and entered into in connection with the issuance of the Bonds. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it may present a conflict of interest since an underwriter or underwriters may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

Additional Conflicts Disclosure:

Davidson has not identified any additional potential or actual material conflicts that require disclosure.

Disclosures Concerning Complex Municipal Securities Financing:

Since Davidson has not recommended a “complex municipal securities financing” to the Issuer, additional disclosures regarding the financing structure for the Bonds are not required under MSRB Rule G-17. However, in accordance with the requirements of MSRB Rule G-17, the following is a description of the material financial characteristics of that financing structure as well as the material financial risks of the financing that are known to us and reasonably foreseeable at this time.

Risk Disclosures Pursuant to MSRB Rule G-17 - Fixed Rate Bonds

The following is a general description of the financial characteristics and security structures of fixed rate municipal bonds (“Fixed Rate Bonds”), as well as a general description of certain financial risks that you should consider before deciding whether to issue Fixed Rate Bonds.

Financial Characteristics

Maturity and Interest. Fixed Rate Bonds are interest-bearing debt securities issued by state and local governments, political subdivisions and agencies and authorities. Maturity dates for Fixed Rate Bonds are fixed at the time of issuance and may include serial maturities (specified principal amounts are payable on the same date in each year until final maturity) or one or more term maturities (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. The final maturity date typically will range between 10 to 20 years from the date of issuance.

Interest on Fixed Rate Bonds typically is paid semiannually at a stated fixed rate or rates for each maturity date.

Redemption. Fixed Rate Bonds may be subject to optional redemption, which allows you, at your option, to redeem some or all of the bonds on a date prior to scheduled maturity, such as in connection with the issuance of refunding bonds to take advantage of lower interest rates.

Fixed Rate Bonds will be subject to optional redemption only after the passage of a specified period of time, often from 5 years to ten years from the date of issuance, and upon payment of the redemption price set forth in the bonds, which may from time-to-time include a redemption premium. You will be required to send a notice of optional redemption to the holders of the bonds, usually not less than 30 days prior to the redemption date. Fixed Rate Bonds with term maturity dates also may be subject to mandatory sinking fund redemption, which requires you to redeem specified principal amounts of the bonds annually in advance of the term maturity date. The mandatory sinking fund redemption price is 100% of the principal amount of the bonds to be redeemed.

Security

Payment of principal of and interest on a municipal security, including Fixed Rate Bonds, may be backed by various types of pledges and forms of security, some of which are described below.

General Obligation Bonds. “General obligation bonds” are debt securities to which your full faith and credit is pledged to pay principal and interest. If you have taxing power, generally you will pledge to use your ad valorem (property) taxing power to pay principal and interest. Ad valorem taxes necessary to pay debt service on general obligation bonds may not be subject to state constitutional property tax millage limits (an unlimited tax general obligation bond). The term “limited” tax is used when such limits exist.

General obligation bonds constitute a debt and, depending on applicable state law, may require that you obtain approval by voters prior to issuance. In the event of default in required payments of interest or principal, the holders of general obligation bonds have certain rights under state law to compel you to impose a tax levy.

Revenue Bonds. “Revenue bonds” are debt securities that are payable only from a specific source or sources of revenues. Revenue bonds are not a pledge of your full faith and credit and you are obligated to pay principal and interest on your revenue bonds only from the revenue source(s) specifically pledged to the bonds. Revenue bonds do not permit the bondholders to compel you to impose a tax levy for payment of debt service. Pledged revenues may be derived from operation of the financed project or system, grants or excise or other specified taxes. Generally, subject to state law or local charter requirements, you are not required to obtain voter approval prior to issuance of revenue bonds. If the specified source(s) of revenue become inadequate, a default in payment of principal or interest may occur. Various types of pledges of revenue may be used to secure interest and principal payments on revenue bonds. The nature of these pledges may differ widely based on state law, the type of issuer, the type of revenue stream and other factors.

The description above regarding “Security” is only a brief summary of certain possible security provisions for the bonds and is not intended as legal advice. You should consult with your bond counsel for further information regarding the security for the bonds.

Financial Risk Considerations

Certain risks may arise in connection with your issuance of Fixed Rate Bonds, including some or all of the following:

Issuer Default Risk. You may be in default if the funds pledged to secure your bonds are not sufficient to pay debt service on the bonds when due. The consequences of a default may be serious for you and, depending on applicable state law and the terms of the authorizing documents, the holders of the bonds, the trustee and any credit support provider may be able to exercise a range of available remedies against you. For example, if the bonds are secured by a general obligation pledge, you may be ordered by a court to raise taxes. Other budgetary adjustments also may be necessary to enable you to provide sufficient funds to pay debt service on the bonds. If the bonds are revenue bonds, you may be required to take steps to increase the available revenues that are pledged as security for the bonds. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market interest rate levels. Further, if you are unable to provide sufficient funds to remedy the default, subject to applicable state law and the terms of the authorizing documents, you may find it necessary to consider available alternatives under state law, including (for some issuers) state-mandated receivership or bankruptcy. A default also may occur if you are unable to comply with covenants or other provisions agreed to in connection with the issuance of the bonds.

This description is only a brief summary of issues relating to defaults and is not intended as legal advice. You should consult with your bond counsel for further information regarding defaults and remedies.

Redemption Risk. Your ability to redeem the bonds prior to maturity may be limited, depending on the terms of any optional redemption provisions. In the event that interest rates decline, you may be unable to take advantage of the lower interest rates to reduce debt service.

Refinancing Risk. If your financing plan contemplates refinancing some or all of the bonds at maturity (for example, if you have term maturities or if you choose a shorter final maturity than might otherwise be permitted under the applicable federal tax rules), market conditions or changes in law may limit or prevent you from refinancing those bonds when required. Further, limitations in the federal tax rules on advance refunding of bonds (an advance refunding of bonds occurs when tax-exempt bonds are refunded more than 90 days prior to the date on which those bonds may be retired) may restrict your ability to refund the bonds to take advantage of lower interest rates.

Reinvestment Risk. You may have proceeds of the bonds to invest prior to the time that you are able to spend those proceeds for the authorized purpose. Depending on market conditions, you may not be able to invest those proceeds at or near the rate of interest that you are paying on the bonds, which is referred to as “negative arbitrage”.

Tax Compliance Risk. The issuance of tax-exempt bonds is subject to a number of requirements under the United States Internal Revenue Code, as enforced by the Internal Revenue Service (IRS). You must take certain steps and make certain representations prior to the issuance of tax-exempt bonds. You also must covenant to take certain additional actions after issuance of the tax-exempt bonds. A breach of your representations or your failure to comply with certain tax-related covenants may cause the interest on the bonds to become taxable retroactively to the date of issuance of the bonds, which

may result in an increase in the interest rate that you pay on the bonds or the mandatory redemption of the bonds. The IRS also may audit you or your bonds, in some cases on a random basis and in other cases targeted to specific types of bond issues or tax concerns. If the bonds are declared taxable, or if you are subject to audit, the market price of your bonds may be adversely affected. Further, your ability to issue other tax-exempt bonds also may be limited.

This description of tax compliance risks is not intended as legal advice and you should consult with your bond counsel regarding tax implications of issuing the bonds.

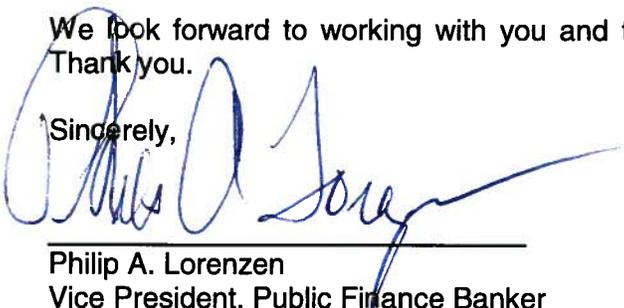
If you or any other Issuer officials have any questions or concerns about these disclosures, please make those questions or concerns known immediately to the undersigned. In addition, you should consult with the Issuer's own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent you deem appropriate.

It is our understanding that you have the authority on behalf of the Issuer to acknowledge this disclosure letter and that you are not a party to any conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify the undersigned immediately.

We are required to seek your acknowledgement that you have received this letter. Accordingly, please sign and return the enclosed copy of this letter to me either via email or to the address set forth below. Depending on the structure of the transaction that the Issuer decides to pursue, or if additional potential or actual material conflicts are identified, we may be required to send you additional disclosures regarding the material financial characteristics and risks of such transaction and/or describing those conflicts. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.

We look forward to working with you and the Issuer in connection with the issuance of the Bonds.
Thank you.

Sincerely,



Philip A. Lorenzen
Vice President, Public Finance Banker

Acknowledgement: Date: December 6, 2016

Nancy Braden, Finance Director
City of Wayne, Nebraska

CC: Bond Counsel