

**AGENDA  
CITY COUNCIL MEETING  
December 20, 2016**

1. [Approval of Minutes – December 6, 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. [Action on the appointment of Eric Knutson to the Civil Service Commission](#)

4. [Ordinance 2016-17: Authorizing the Release and Abandonment of the utility easements on property located in the Kardell Industrial Park No. 2 Subdivision and in the 2<sup>nd</sup> Replat of Tompkins Industrial Tract #1 Subdivision — Williams Form Engineering](#)

**Background:** As part of their business expansion in Wayne, Williams Form is going to extend their manufacturing building across the lot line of two lots they already own. We will no longer need this easement, and this release will allow them to build across the lot line.

**Recommendation:** The recommendation of Joel Hansen, City Planner, is to approve the Ordinance.

5. [Presentation by Northeast Nebraska Insurance Agency on 2017 Property & Casualty Insurance Package – Cap Peterson](#)

**Background:** A breakout and history of our property insurance/liability coverage and costs is included in the packet. Cap will be at the meeting to discuss details and answer questions.

6. [Ordinance 2016-16: Authorizing the Termination of both the City's Wholesale Power Contract and Capacity Purchase Agreement with Nebraska Public Power District \(Third and Final Reading\)](#)

7. [Ordinance 2016-18: Amending Wayne Municipal Code Chapter 14 Animals, Article I. In General, Sec. 14-7 Banned from City and Sec. 14-42 License](#)

8. [Action on Change Order No. 1 on the "2016 Lagoon Sludge Removal & Application Project" for an increase of \\$76,000.00 for removing an additional 610 tons of sludge \(savings of \\$35,650.48\) — Midwest Injection, Inc.](#)

**Background:** This action is an adjustment for quantity at the same unit pricing at the end of the project. I have emailed a photo of the remaining frozen sludge showing ridges of sludge remaining after the water separated off to the low area of the lagoon being pumped. We have a clearer picture of the amount of remaining sludge now. About 1/4th of the lagoon has been cleared and has about 6 inches of sludge remaining.

The remaining three fourths has 1-3 feet of sludge and, at current pricing, would probably cost another \$600,000+ to pump out to meet the EPA requirement to leave less than 6 inches of sludge.

Doug and Jeff are working with JEO on an alternative plan to bulldoze the remaining sludge into rows or piles to drain off more of the water so the sludge can dry and then offer it to farmers for free.

**Recommendation:** The recommendation of Roger Protzman, Project Engineer, and Lowell Johnson, City Administrator, is to approve the change order for the work completed.

9. [Action on Contractor's Application for Payment No. 1 \(Final\) for the "2016 Lagoon Sludge Removal & Application Project" in the amount of \\$325,000.00 to Midwest Injection, Inc.](#)

**Background:** This amount includes the change order.

**Recommendation:** This is for work done in accordance with the contract and approved for payment by the project engineer.

10. [Action on Change Order No. 1 on the "Nebraska Street Water Main Replacement Project" for a decrease of \\$1,061.00 for quantity adjustments — Penro Construction Co., Inc.](#)

**Background:** This is a simple adjustment for quantities at the completion of the project.

11. [Action on Contractor's Application for Payment No. 2 in the amount of \\$86,889.56 to Penro Construction Co., Inc., for the "Nebraska Street Water Main Replacement Project"](#)

**Recommendation:** This is for work done in accordance with the contract and approved for payment by the project engineer.

12. [Discussion on loaning out the re-use monies paid back from previous LB840 loans](#)

**Background:** Wes has two serious potential business proposals on Main Street. They have both been advised by local banks to submit requests for LB840 gap financing.

We have loaned out most of the \$3.2 million approved by the voters, with some margin of error remaining. About \$1 million of that was either granted to projects or approved on a performance basis and will potentially be forgiven as the commitments are actually performed. In addition, there is always the risk that some loans won't be fully repaid.

**If we establish a reserve of \$500,000 for loan defaults, that leaves about \$1.5 million of repaid loan funds to be loaned out again. If we establish an additional \$500,000 reserve for future loan protection, that leaves us conservatively about \$1 million available to re-loan. Nancy has prepared for the packet an internal audit of all LB840 actions and balances for your reference for this discussion about beginning to re-loan funds while we have two projects in hand.**

13. [Action on appointment of the LB840 Loan Committee](#)

**Recommendation:** This action will be needed at some time to have the committee in place to review applications for LB840 re-use funds.

14. [Discussion regarding annexation and sewer extension for the Event Center Project](#)

**Background:** Nancy has sent, at the council request, a financial impact of annexation of the event center project location at the north end of the golf course. That financial summary is attached again to this packet.

**Our general policy is to not allow septic systems in the city limits, so if we annex this property, we need a plan to provide some sewer service. We have asked Steve Rames to assist us with cost estimates for different sewer options, and he will discuss these with you as part of the annexation planning.**

15. [Action to set date for Council Retreat — Friday, January 27<sup>th</sup> at 5:30 p.m. and Saturday, January 28<sup>th</sup> at 8:30 a.m.](#)

16. [Adjourn](#)

APPROVED AS TO FORM AND CONTENT:

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Mayor

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City Administrator

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

The Wayne City Council met in regular session at City Hall on Tuesday, December 6, 2016, at 5:30 o'clock P.M. Council President Jill Brodersen called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Jason Karsky, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Mayor Ken Chamberlain and Councilmember Matt Eischeid.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on November 25, 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 Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of November 15, 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. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** AERO-MOD, INC., SU, 104.12; AMAZON.COM, SU, 394.83; AMERICAN BROADBAND, SE, 2468.93; AMERICAN RED CROSS, RE, 10.00; AMERITAS, SE, 64.55; AMERITAS, SE, 72.00; AMERITAS, SE, 2712.52; AMERITAS, SE, 108.03; APPEARA, SE, 298.35; BLACK HILLS ENERGY, SE, 476.77; BLUE CROSS BLUE SHIELD, SE, 34279.40; BOMGAARS, SU, 486.76; BROWN SUPPLY, SU, 5125.63; C. H. GUERNSEY & COMPANY, SE, 4730.00; CARHART LUMBER CO, SU, 3563.78; CHRIS HANSEN, RE, 2025.00; CITY EMPLOYEE, RE, 61.04; CITY EMPLOYEE, RE, 805.68; CITY EMPLOYEE, RE, 88.00; CITY EMPLOYEE, RE, 215.62; CITY EMPLOYEE, RE, 482.63; CITY EMPLOYEE, RE, 59.73; CITY EMPLOYEE, RE, 241.50; CITY EMPLOYEE, RE, 370.12; CITY EMPLOYEE, RE, 3.09; CITY EMPLOYEE, RE, 57.50; CITY OF WAYNE, PY, 78698.39; CIVICPLUS, SE, 4392.49; COMMUNITY HEALTH, RE, 3.00; DAS STATE ACCTG-

CENTRAL FINANCE, SE, 448.00; DAVE'S DRY CLEANING, SE, 75.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 123.84; DEMCO, SU, 80.23; DGR & ASSOCIATES, SE, 7044.50; DISPLAY SALES, SU, 530.00; DITCH WITCH OF OMAHA, SU, 132.79; DUTTON-LAINSON, SU, 217.51; EAKES OFFICE PLUS, SE, 1322.50; ECHO GROUP, SU, 301.50; ELLIS HOME SERVICES, SE, 2579.50; EVANCED SOLUTIONS, SU, 1000.00; FIRST CONCORD GROUP, SE, 3072.98; FLOOR MAINTENANCE, SU, 722.52; GEMPLER'S, SU, 411.10; GERHOLD CONCRETE, SE, 2282.48; GOMEZ, IGNACIO, RE, 104.28; GOVERNMENTAL ACCOUNTING, SU, 252.00; GROSSENBURG IMPLEMENT, SU, 121.08; HANSEN, RONALD, RE, 110.72; HOMETOWN LEASING, SE, 412.86; ICMA, SE, 7736.87; INTERSTATE BATTERY SYSTEM, SU, 435.82; IRS, TX, 13598.44; IRS, TX, 11946.80; IRS, TX, 3180.32; JEFF OLSUFKA, RE, 20.00; JEO CONSULTING GROUP, SE, 1139.50; JORGENSEN, KEN, RE, 50000.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KEVIN HOFFART, RE, 150.00; KIRK HOCHSTEIN, RE, 500.00; KRIZ-DAVIS, SU, 43.66; LAYNE CHRISTENSEN, SE, 1604.78; MAIN STREET AUTO CARE, SE, 700.00; MUNICIPAL SUPPLY, SU, 93.83; NE DEPT OF ENVIRONMENTAL QUALITY, RE, 189408.99; NE DEPT OF ENVIRONMENTAL QUALITY, RE, 26215.07; NE DEPT OF REVENUE, TX, 3883.95; NE HARVESTORE, SU, 40826.96; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 566.00; NE RURAL WATER, SE, 1500.00; NE SAFETY COUNCIL, SE, 19.40; NEBRASKA COMMUNITY FOUNDATION, SE, 300.00; NORTHEAST COMM COLLEGE, FE, 80.00; NNPPD, SE, 2466.06; NORTHWEST ELECTRIC, SE, 698.93; OLSON TREE SERVICE, SE, 2500.00; OLSSON ASSOCIATES, SE, 285.88; O'REILLY AUTOMOTIVE STORES, SU, 21.98; OVERDRIVE, INC., SU, 639.90; PCF, LLC, SE, 1000.00; PEDRO GARCIA, RE, 100.00; PEERLESS WIPING CLOTH, SU, 240.00; PENRO CONSTRUCTION, SE, 86889.56; POKHREL, BIPUL, RE, 163.82; PROGRESSIVE PROPERTY INSPECTORS, SE, 12153.71; ROBERT WOehler & SONS, SE, 63.00; SENECA COMPANIES, SU, 5450.73; SIOUX CITY WINNELSON, SU, 19.25; SKARSHAUG TESTING LAB, SE, 185.17; STADIUM SPORTING GOODS, SU, 48.00; STAPLES ADVANTAGE, SU, 262.02; STATE NEBRASKA BANK & TRUST, RE, 4267.22; STATE NEBRASKA BANK, RE, 100.44; SUPERCIRCUITS, SU, 775.29; TOM'S BODY & PAINT SHOP, SE, 38.00; TRIMMELL, JOSEPH, RE, 35.90; UNITED WAY, RE, 5.00; VERIZON, SE, 92.89; VIAERO, SE, 221.41; WAKEFIELD, CITY OF, RE, 360.00; WAED, SE, 5000.00; WAYNE HERALD, SU, 96.00; WAYNE SWIM TEAM, RE, 150.00; WESCO, SU, 8,281.80; WIDNER, JORDAN, SU, 68.67; BARONE SECURITY SYSTEMS, SE, 138.00; BROWN SUPPLY, SU, 880.20; BURNS, RYAN, RE, 70.18; CERTIFIED TESTING SERVICES, SE, 309.00; CHARTWELLS, SE, 4141.45; CITY EMPLOYEE, RE, 1314.91; COPY WRITE PUBLISHING, SE, 120.12; DANKO EMERGENCY EQUIPMENT, SU, 2631.08; DUTTON-LAINSON CO, SU, 315.66; EASYPERMIT POSTAGE, SU, 1812.67; ECHO GROUP, SU, 116.95; FASTENAL, SU, 11.64; FREDRICKSON OIL, SE, 131.00; GERHOLD CONCRETE, SU, 425.50; GILL HAULING, SE, 170.50; GODFATHERS PIZZA, SU, 60.00; GREAT PLAINS GFOA, FE, 50.00; HEATON, JEFF, RE, 17.05; HEIKES AUTOMOTIVE, SU, 968.38; JOHN'S WELDING AND TOOL, SE, 1342.98; KRAUSE, DALE, RE, 104.97; KTCH, SE, 88.00; LUTT OIL, SU, 3202.89; MATHESON-LINWELD, SU, 18.00; MICHAEL TODD & CO, SU, 455.24; MILES, JAMES, RE, 97.92; MILLER LAW, SE, 5437.49; NE ECONOMIC DEVELOP ASSN, FE, 100.00; NE EMERGENCY SERVICE, FE, 60.00; NE SAFETY COUNCIL, SE, 9.70; NNPPD, SE, 4003.00; O'KEEFE ELEVATOR COMPANY, SE, 1201.92; ONE CALL CONCEPTS, SE, 47.10; PAC N SAVE, SU, 74.22; PERRY, ALEXSUS, RE, 153.43; PLUNKETT'S PEST CONTROL, SE, 74.90; RASMUSSEN AIR & GAS ENERGY, SU, 118.53; ROOT, MICHAEL, RE, 102.75; SHOPKO, SU, 232.87; SIOUX CITY WINNELSON, SU, 31.98; STADIUM SPORTING GOODS, SU, 968.50; STAPLES ADVANTAGE, SU, 44.94; TOM'S BODY & PAINT SHOP, SE, 289.00; US BANK, SU, 1341.60; WAED, SE, 7216.66; WAYNE AUTO PARTS, SU, 2104.06; WAYNE COMMUNITY SCHOOLS, FE, 200.00; WAYNE

COUNTY CLERK, SE, 70.00; WAYNE COUNTY COURT, RE, 150.00; WAYNE HERALD, SE, 418.00; WAPA, SE, 26707.66

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Council President declared the motion carried.

Council President Brodersen 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, she 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.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, to adjourn the meeting sine die. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Council President declared the motion carried.

This being the time for the new Council to organize and Nick Muir, Jennifer Sievers, Cale Giese and Jon Haase having qualified for Councilmembers of the 1st, 2nd, 3<sup>rd</sup> and 4<sup>th</sup> Wards respectively, City Attorney Amy Miller presented the oaths of office to them.

Councilmember Eischeid arrived at 5:34 p.m.

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, nominating Jill Brodersen as President of Council. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to reconvene the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to the appointment of Scott Meisenbach to the Recreation-Leisure Services Commission.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving the appointment of Scott Meisenbach to the Recreation-Leisure Services Commission. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to the reappointment of Nick Muir to the Community Redevelopment Authority.

Councilmember Sievers made a motion, which was seconded by Councilmember Giese, approving the reappointment of Nick Muir to the Community Redevelopment Authority. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to the reappointment of Corby Schweers to the Community Redevelopment Authority.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving the reappointment of Corby Schweers to the Community Redevelopment Authority.

There was a question as to whether or not Mr. Schweers could be on the CRA since he has now moved outside city limits. Attorney Miller would review State Statutes and the Ordinance passed and confer with Mayor Chamberlain about the same.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Roger Protzman of JEO Consulting Group presented Change Order No. 7 (Revised) regarding the "2016 Wayne Aquatic Center Project." The Change Order, which represents a decrease of \$37,997.34, is for the 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 (-\$36,000).

Councilmember Eischeid made a motion, which was seconded by Councilmember Muir, approving Change Order No. 7 (Revised) for a decrease of \$37,997.34 to Christianson Construction Co., LLC, for the “2016 Wayne Aquatic Center Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Mr. Protzman then presented Contractor’s Application for Payment No. 15 for \$27,550.92 for the “2016 Wayne Aquatic Center Project” to Christianson Construction Co., LLC. This is the final payment for this project. The original contract price was \$2,659,000. The final contract price was \$2,612,038.98.

Councilmember Eischeid made a motion, which was seconded by Councilmember Muir, approving Contractor’s Application for Payment No. 15 for \$27,550.92 to Christianson Construction Co., LLC, for the “2016 Wayne Aquatic Center Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Mr. Protzman then presented an Amended Agreement with JEO Consulting Group for additional construction phase services on the “2016 Wayne Aquatic Center Project” for \$14,071.50. Administrator Johnson recommended approving the same.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, approving the Amended Agreement with JEO Consulting Group for additional construction phase services on the “2016 Wayne Aquatic Center Project” for \$14,071.50. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a

Resolution approving a redevelopment plan for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”) for the following real estate:

Lots 1, 2, and 5, Block 3, Cecil Wriedt’s 2<sup>nd</sup> Addition to the City of Wayne, Wayne County, Nebraska.

The notice of the public hearing was published in the Wayne Herald on November 17 and 24, 2016, and was mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The Council President opened the public hearing and invited all interested persons to be heard.

Chad Sebade was unable to be at the meeting.

The Planning Commission reviewed this matter on December 5, 2016, and their recommendation was to approve the Redevelopment Plan for the area referenced to as Sebade Housing, LLC, Redevelopment Area, with the findings of fact being as stated in Resolution No. 2016-01.

This Tax Increment Financing (TIF) Plan is for 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. The 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.

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

There being no other persons present to speak, Council President Brodersen closed the public hearing.

Councilmember Eischeid introduced Resolution No. 2016-74 and moved for its approval; Councilmember Muir seconded the motion.

RESOLUTION NO. 2016-74

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

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen stated the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to the "Community Schools Addition to the City of Wayne Final Plat." The applicant, the City of Wayne, is seeking the request.

This plat will clean up some of the property line issues and swap some land with the school where the aquatic center is located.

The Planning Commission reviewed the matter at their public hearing on December 5, 2016, and forwarded a recommendation to approve the same subject to the following "Finding of Fact:"

- Staff's recommendation.

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

There being no further comments, Council President Brodersen closed the public hearing.

Councilmember Sievers introduced Resolution 2016-75, and moved for its approval; Councilmember Haase seconded.

#### RESOLUTION NO. 2016-75

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

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Sievers introduced Ordinance 2016-15, and moved for approval of the third and final reading thereof; Councilmember Haase 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.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Sievers introduced Ordinance 2016-16, and moved for approval of the second reading thereof; Councilmember Haase 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.

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

Tim Sutton, Electric Line Supervisor, was requesting Council action to approve advertising for bids the materials for the "2017 Electric Distribution Improvement Project."

Councilmember Giese made a motion, which was seconded by Councilmember Greve, to approve advertising for bids on the materials for the "2017 Electric Distribution Improvement Project." Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Johnson stated one bid was received on the "2017 Ford Super Cab Four-Wheel Drive Pick-Up" from Arnie's Ford for \$48,090.

Tim Sutton, Electric Line Supervisor, stated this will replace their 2000 Chevrolet truck. It currently has 95,800 miles on it. He would also like Council to consider the alternate bid,

which is a fiberglass service body for \$9,760 (cost difference of an additional \$3,485). The life expectancy of a fiberglass service body is double of what a steel body is. The current state bid had the steel body. The truck that is being replaced has the service body that was purchased in 1984, and it was fiberglass.

Councilmember Muir introduced Resolution No. 2016-80 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2016-80

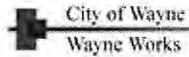
A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “2017 FORD SUPER CAB FOUR-WHEEL DRIVE PICKUP, WITH THE ALTERNATE BID (FIBERGLASS SERVICE BODY) FOR \$51,575.”

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Because the City will be undertaking project financing for the Electric Distribution Project, Phil Lorenzen of D.A. Davidson & Co. advised that the City must approve an updated engagement letter with his firm to comply with Security Exchange Commission (SEC) regulations.

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

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the meeting adjourned at 6:15 p.m.



Vendor	Payable Description	Payment Total
AMERICAN RED CROSS	RED CROSS CORRECTION	-1,055.00
AMERICAN RED CROSS	CPR/PAYROLL DONATION	1,055.00
AMERICAN RED CROSS	RED CROSS DEDUCTION	10.00
AMERITAS LIFE INSURANCE	AMERITAS ROTH POLICE RETIREMENT	59.50
AMERITAS LIFE INSURANCE	POLICE RETIREMENT EMPLOYEE DONATION	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,490.02
AMERITAS LIFE INSURANCE	POLICE RETIREMENT PERCENT	106.39
APPEARA	LINEN & MAT SERVICE	169.67
ARC-HEALTH & SAFETY	CPR	1,045.00
BMI	RADIO LICENSE FEE	302.40
BREMER, KELSIE	UTILITY REFUND	80.67
BROWN SUPPLY CO	SHOVELS	98.99
CARROLL DISTRIBUTING	SCREEDS/EDGER/TROWEL/FOAM BLANKETS	692.42
CHRISTIANSSEN CONSTRUCTION	AQUATIC CENTER	27,550.92
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	25.92
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,243.53
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	459.29
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	574.36
CITY OF WAYNE	PAYROLL	67,893.67
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
DAKOTA COUNTY COURT	BOND	73.72
DARRELL MOORE	BUILDING PERMIT DEPOSIT REFUND	100.00
DAS STATE ACCTG-CENTRAL FINANCE	WSC INTERNET CHARGES	71.16
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	90.00
DAVID DREDGE	ENERGY INCENTIVE	500.00
DEARBORN NATIONAL LIFE	LIFE/DISABILITY	2,119.07
ECHO GROUP INC JESCO	WIRE/CONNECTORS	445.25
ELECTRONIC ENGINEERING CO	REMOTE ADAPTER	499.95
FEGLER, KEN	UTILITY REFUND	15.63
FLOOR MAINTENANCE	HUCK TOWELS/LINERS	42.70
GROSSENBURG IMPLEMENT INC	HOSE FITTINGLS/SEALANT/HOOK	123.55
HANNA:KEELAN ASSOCIATES P.C.	COMPREHENSIVE PLANNING	10,500.00
HASEMANN, SCOTT	FIREHALL RENTAL OVERPAYMENT	50.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	7,757.18
IRS	MEDICARE WITHHOLDING	2,814.48
IRS	FEDERAL WITHHOLDING	11,331.24
IRS	FICA WITHHOLDING	12,034.30
JACK'S UNIFORMS	FLASHLIGHT/BELT/HOLDER	258.70
KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE	PAYROLL DEDUCTION	243.00
KRIZ-DAVIS COMPANY	TRANSFORMER PAD/ELECTRIC METERS	1,968.80
KTCH AM/FM RADIO	RADIO ADS	556.00

Vendor	Payable Description	Payment Total
MATTHEW ARMSTRONG	ENERGY INCENTIVE	500.00
MATTHEW BENDER & CO	NE CRIME & TRAFFIC LAW	372.61
MAXIMUM SOLUTIONS, INC.	ANNUAL SOFTWARE	7,200.00
MIDWEST LABORATORIES, INC	WASTE WATER ANALYSIS	161.50
MIKEY C PRODUCTIONS	WAYNE AMERICA AD	180.00
MURPHY TRACTOR & EQUIPMENT	WINDOW PANE	214.07
NE DEPT OF REVENUE	STATE WITHHOLDING	3,760.74
NE FSMA	MEMBERSHIP DUES	100.00
NE HARVESTORE	FILTERS/OIL	285.84
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	230.00
NEBRASKA PUBLIC POWER DIST	ELECTRICITY	268,742.49
NICK MUIR	BUILDING PERMIT DEPOSIT REFUND	100.00
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	12,579.22
OVERHEAD DOOR	REMOTES	114.00
PITNEY BOWES INC	FOLDER LEASE	1,497.56
PROGRESSIVE BUSINESS PUBLICATIONS	SUBSCRIPTION RENEWAL	299.50
PROGRESSIVE PROPERTIES	BUILDING PERMIT DEPOSIT REFUND	250.00
PROPERTY EXCHANGE	UTILITY REFUND	78.22
PROVIDENCE MEDICAL CENTER	CPR CLASS	47.00
QUALITY FOOD	MONDAY MEALS	238.83
SHERWIN WILLIAMS CO	PAINT	224.55
SPARKLING KLEAN	JANITORIAL SERVICES	2,555.36
STADIUM SPORTING GOODS	FIRE T SHIRTS	100.00
STAPLES ADVANTAGE	SHREDDER/OFFICE SUPPLIES	1,509.17
STATE NEBRASKA BANK & TRUST	SERIES 2013 GO INT	13,225.00
STATE NEBRASKA BANK & TRUST	ELECTRIC REV SERIES 2012	16,390.00
STATE NEBRASKA BANK & TRUST	HWY ALLOCATION 2013B INT	5,687.50
STATE NEBRASKA BANK & TRUST	HWY ALLOCATION 2013 INT	5,850.00
THRASHER	BUILDING PERMIT DEPOSIT REFUND	100.00
TOM'S BODY & PAINT SHOP	GLASS IN BACKHOE	56.00
TYLER TECHNOLOGIES	UTILITY BILLING ONLINE	200.00
UNITED WAY	UNITED WAY DEDUCTION	5.00
VAKOC CONSTRUCT	PRESSURE TREATED WOOD	16.47
VIAERO WIRELESS	POLICE CELL PHONE	132.41
WAYNE COUNTY CLERK	ELECTION EXPENSES	589.79
WAYNE HERALD	ADS AND NOTICES	794.19
WAYNE VETERINARY CLINIC	DOG IMPOUNDS	140.00
WESCO DISTRIBUTION INC	WARNING LABELS	898.80
ZEE MEDICAL SERVICE CO	FIRST AID SUPPLIES	115.51
<b>Grand Total:</b>		<b>500,013.81</b>

**ORDINANCE NO. 2016-17**

**AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE UTILITY EASEMENTS ON PROPERTY LOCATED IN THE KARDELL INDUSTRIAL PARK NO. 2 SUBDIVISION, AND IN THE 2<sup>ND</sup> REPLAT OF TOMPKINS INDUSTRIAL TRACT #1 SUBDIVISION.**

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

Section 1. The City of Wayne, Nebraska, has received a request to release the utility easements on property legally described as follows:

Fifteen (15) feet on each side of the lot line between Lot 1, Kardell Industrial Park No. 2 Subdivision to Wayne County, Nebraska, and Lot 1, 2nd Replat of Tompkins Industrial Tract #1 Subdivision to Wayne County, Nebraska; excluding the last fifteen (15) feet on both ends of said lot line.

Section 2. The City hereby releases and abandons the utility easements on the property legally described above, and the Mayor is hereby authorized to execute the quitclaim deed to the current property owner to carry out said release and abandonment.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2016.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

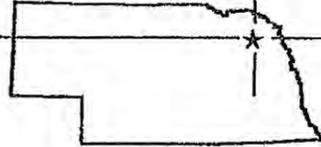
\_\_\_\_\_  
City Clerk

# City of Wayne

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

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

Incorporated - February 2, 1884



## REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

*Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).*

Name: TOM REED FOR WILLIAMS FORM ENGINEERING, CORP.

Address: 311 E 7<sup>TH</sup> ST #205 1611 SUMMERFIELD DR  
WAYNE NE 68787 WAYNE NE 68787

Telephone No.: (360) 635-1914 (402) 833-0978

Date of Request: 11/22/16

Description of Requested Topic: \_\_\_\_\_  
REQUESTING CITY OF WAYNE TO VACATE  
EASEMENT BETWEEN TWO PROPERTY'S  
OWNED BY SAME ENTITY - WILLIAMS FORM ENGINEERING, CORP.

\_\_\_\_\_

\_\_\_\_\_

2 - ATTACHMENTS



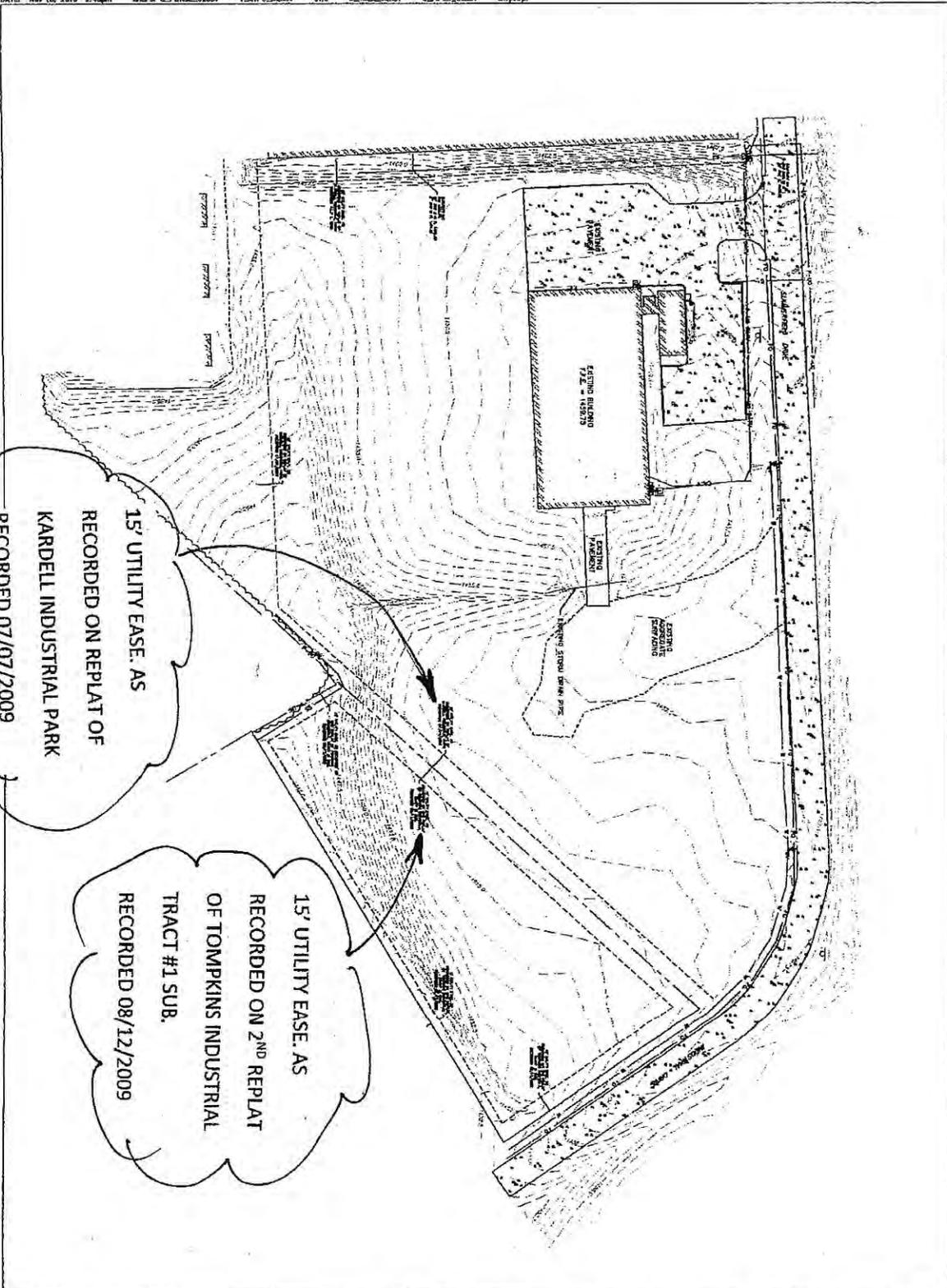
Home of Wayne State College



Equal Housing Opportunity

1#

DATE: F:\2018\2501-3000\04-2857\0-Design\AutoCAD\Final Plans\Sheets\PEM\VC\_CON\_02857.dwg USER: mshuhar  
 DATE: Nov 03, 2016 2:43pm APPLOT: C:\PBASE\_02857 V\_XREF\_02857 51.0 C:\TRA\_02857 C:\PPE\_02857 c:\jpsj



15' UTILITY EASE. AS  
 RECORDED ON REPLAT OF  
 KARDELL INDUSTRIAL PARK  
 RECORDED 07/07/2009

15' UTILITY EASE. AS  
 RECORDED ON 2<sup>ND</sup> REPLAT  
 OF TOMPKINS INDUSTRIAL  
 TRACT #1 SUB.  
 RECORDED 08/12/2009

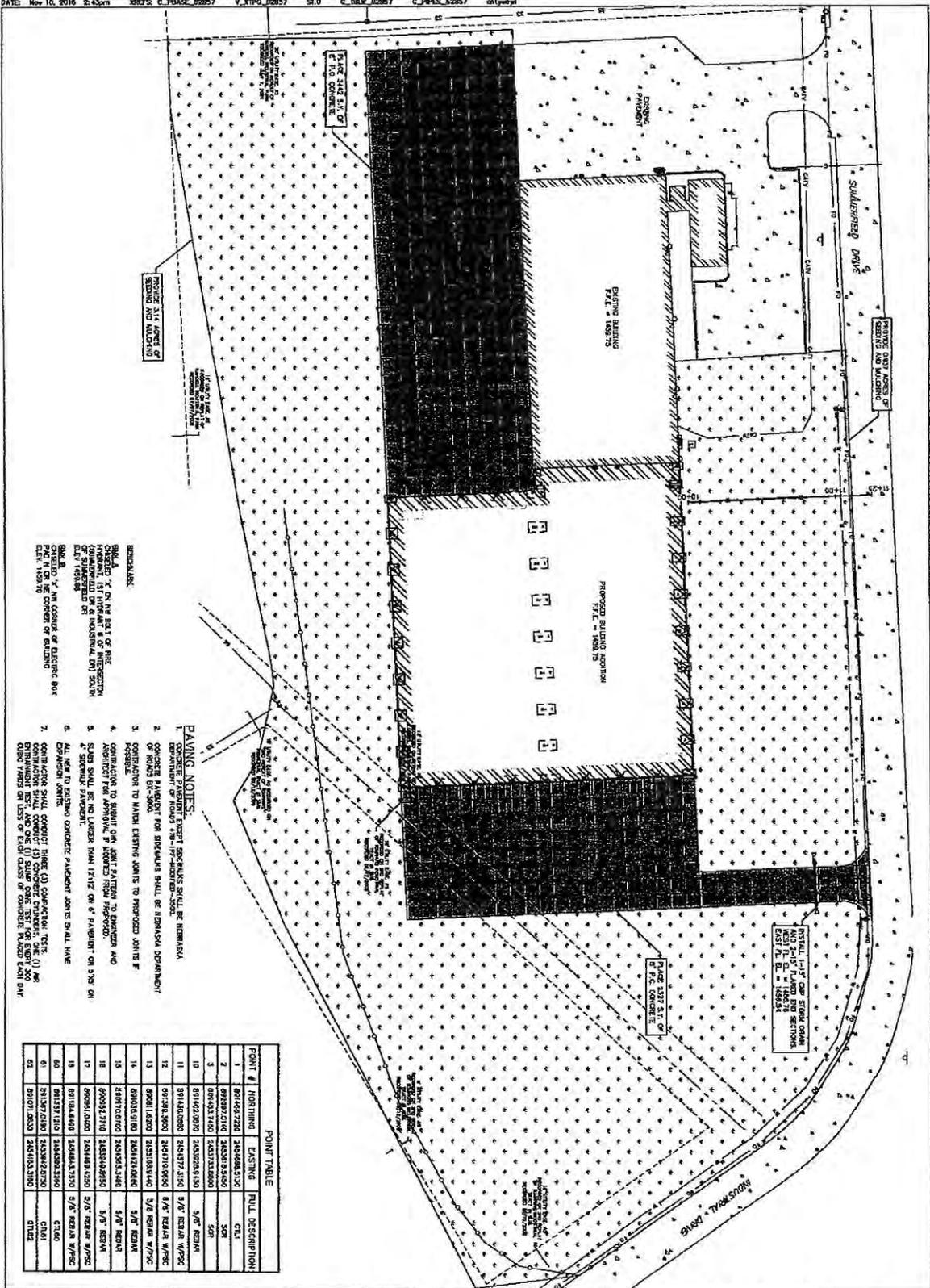
SHEET 2 of 4	SITE EXISTING TOPOGRAPHY		REV. NO. DATE REVISION DESCRIPTION
	MEDALLION-WILLIAMS CONSTRUCTION WAYNE SHOP ADDITION		REVISIONS
WAYNE, NEBRASKA		2016	REVISIONS

**MOLSSON ASSOCIATES**

271 East 2nd Street  
 P.O. Box 1273  
 Grand Island, NE 68802-1273

TEL 254.344.8150  
 FAX 254.344.0752  
 www.molsson.com

#2



**REMARKS:**  
 1. ALL NEW CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT.  
 2. ALL NEW CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT.  
 3. ALL NEW CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT.  
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 9. ALL NEW CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT.  
 10. ALL NEW CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT.

- PAVING NOTES:**
1. CONCRETE PAVEMENT EXPERT SPECIFICATIONS SHALL BE HERMANSON DEPARTMENT OF ROAD DISTRICT.
  2. CONCRETE PAVEMENT FROM SIDEWALKS SHALL BE HERMANSON DEPARTMENT OF ROAD DISTRICT.
  3. CONCRETE TO MATCH EXISTING JOINTS TO PROPOSED JOINTS IF APPROPRIATE.
  4. CONCRETE TO MATCH EXISTING JOINTS TO PROPOSED JOINTS IF APPROPRIATE FOR APPROVAL. NUMBERED FROM PROPOSED.
  5. SAND SHALL BE NO LARGER THAN 1/4" ON 6" PAVEMENT OR 3/8" ON 4" PAVEMENT.
  6. ALL NEW TO EXISTING CONCRETE PAVEMENT JOINTS SHALL HAVE COPPER JOINTS.
  7. CONCRETE SHALL BE 3000 PSI WITH 4% FIBER REINFORCEMENT. TESTS SHALL BE PERFORMED AT 28 DAYS. (1) COMPRESSIVE STRENGTH TEST. (2) SLUMP TEST. (3) AIR CONTENT TEST. (4) CURING TEST. (5) SPLITTING TENSILE TEST. (6) FIBER DISTRIBUTION TEST. (7) FIBER CONTENT OF SOLUTION.

POINT #	NORTHING	EASTING	FULL DESCRIPTION
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**SITE CONSTRUCTION PLAN**

MEDELLION-WILLIAMS CONSTRUCTION WAYNE SHOP ADDITION

WAYNE, NEBRASKA

2016

REVISIONS

**MOLSSON ASSOCIATES**

201 East 2nd Street  
 P.O. Box 1072  
 Grand Island, NE 68803-1072

TEL: 308.384.8700  
 FAX: 308.384.8702  
 www.molssonassociates.com

3 of 7 SHEET

<b>CITY OF WAYNE</b>			
	2015-2016	2016-2017	2017-2018
<b>PROPERTY PREMIUMN</b>	\$86,116.00	\$82,366.00	\$94,726.00
Co-Ins 100% Values	\$35,180,100.00	\$35,947,920.00	\$39,340,650.00
Extra Expense	\$120,000.00	\$120,000.00	\$120,000.00
Increased Ball Park \$160,000			
Add 6 Sirens \$22,131			
Swimming Pool			
<b>COMMERCIAL OUTPUT</b>	\$55,542.0.0	\$55,542.00	\$55,679.00
Power Plant			
Building - Stated Value	\$35,000,000.00	\$35,000,000.00	\$35,000,000.00
Contents - Rep. Cost	\$163,900.00	\$163,900.00	\$163,900.00
<b>AUTO</b>	\$31,727.00	\$14,618.00	\$16,982.00
Added 2016 Ford F550	65 units		
Added 2016 Ford F550 w/ dura lift			
Added Rural Fire Dist 6 units			
<b>INLAND MARINE</b>	\$7,005.00	\$8,757.00	\$8,782.00
Added wood chopper			
Added Rural Fire Dist Equipment			
<b>UMBRELLA</b>	\$18,749.00	18,380.00	\$23,431.00
Increased limit to 9,000,000			
<b>LINEBACKER</b>	\$4,349.00	\$4,349.00	\$4,349.00
<b>Law Enforcement Liability</b>	\$2,851.00	\$2,851.00	\$2,851.00
<b>CRIME</b>	\$773.00	\$773.00	\$691.00
<b>LIABILITY</b>	\$22,174.00	\$13,039.00	\$15,021.00
Added Rural Fire Dist as add'l insured			
<b>WORKERS COMPENSATION</b>	\$79,022.00	\$63,145.00	\$70,985.00
Exp Mod	1.04	0.91	0.93
Audit 15/16 add \$6936.00			
<b>TERRORISM</b>	INCLUDED	INCLUDED	INCLUDED
	\$2,498.00	\$2,147.00	\$3,013.00
<b>TOTAL</b>	<b>\$308,308.00</b>	<b>\$263,820.00</b>	<b>\$293,497.00</b>

**Rural Fire District**

**Umbrella**

5,000,000 to 9,000,000      \$5000

**Auto**

85 Chevy	\$181
91 IHC	\$41.70
99 Ford	\$51
02 Freightliner	\$353
04 Freightliner	\$194
2012 GMC	<u>\$239</u>
	\$1,794

**Inland Marine**                      \$500

**Liability**                              \$2,000

**Total**                                  \$9,394

# Protection For Public Entities



CARTER (CAP) PETERSON  
NORTHEAST NEBRASKA INS. AGENCY  
Box 100  
WAYNE, NE 68787  
(402) 375-2696

 **EMC** Insurance Companies

# Your public entity can *Count* to provide comprehensive protection and superior s

Operating a public entity is unique — so are your insurance needs. That's why it is essential you rely on insurance professionals who understand your individual needs and can tailor insurance programs to fit those needs.

At EMC Insurance Companies, we've designed our coverages to meet the extensive needs of public entities and their operations. We can provide protection for buildings, personal property, automobiles and employees, as well as liability and umbrella coverages. *Count on EMC* and your independent insurance agent to customize your insurance in a way that fits your entity perfectly.

## ***Local, Responsive Agents***

EMC has licensed agents in most cities and towns across the state, so you can enjoy working with a local independent agent in your community. That agent will always be there for you — to help design the best package of coverages to meet your organization's needs, to answer your questions and to address your concerns. Working together, your local agent and EMC can provide the comprehensive coverage, local market knowledge and the superior service you deserve.



## ***Exceptional Loss Control Services***

At EMC, we provide policyholders with the information and tools you need to prevent many losses from occurring in the first place.

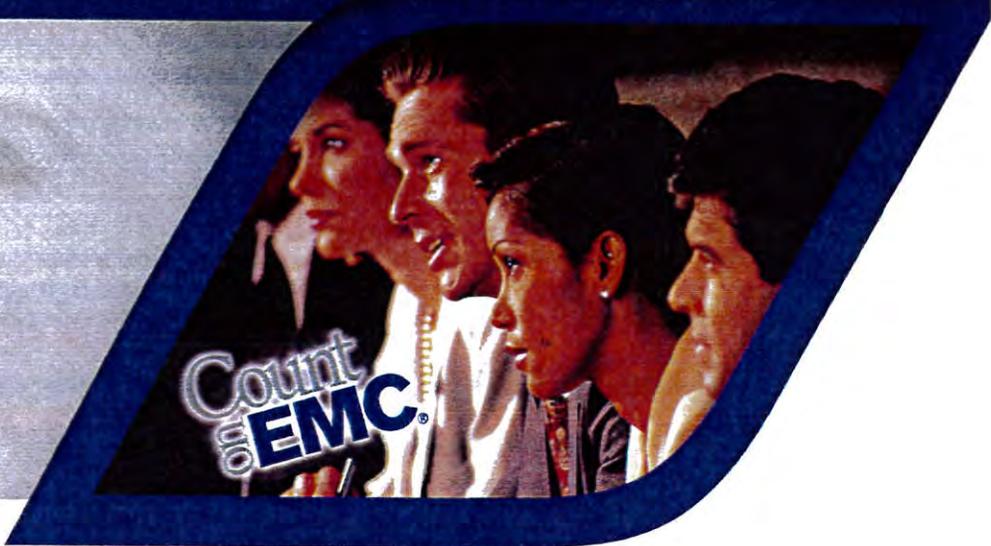
Whether it's making changes to reduce injuries, taking steps to reduce the likelihood of fires or coordinating safety training programs, our loss control experts will work with you to provide services that can result in meaningful loss reduction. EMC provides these loss control services free of charge to policyholders.

Our website includes an extensive collection of loss control information that details ways your entity can keep claims to a minimum. Materials include industry-specific news, technical/hazard information and many other valuable tools. We even have a safety video lending library where you can check out the latest safety information.

## ***Superior Claim Services***

If a loss should occur, not only will EMC respond to your claim in a prompt and professional manner, but we'll offer you value-added services to help you manage the cost of claims. As part of your coverage, EMC provides access to proven claims cost management programs, which can result in significant insurance savings.

# on EMC ive rvice.



Count  
on EMC®

## **Property**

- Fences and signs within 1,000 ft of premises: included in building limit
- Ordinance or law: included in building limit
- Personal property within 1,000 ft of premises: covered
- Debris removal: 25% + additional \$50,000
- Fire department service charge: \$25,000
- Pollutant cleanup and removal: \$50,000 annual aggregate
- Newly acquired buildings: \$1,000,000
- Newly acquired personal property: \$500,000
- Personal property of others: \$50,000
- Valuable papers and records – cost of research: \$200,000 each premises
- Personal property off premises/Transit: \$100,000
- Outdoor property: \$50,000 applies to radio and TV antennas, satellite dishes, trees, plants and shrubs, not more than \$1,000 for any one tree, plant or shrub
- Business income and extra expense: \$500,000
- Arson reward: \$25,000
- Sewer backup: \$100,000
- Accounts receivable: \$200,000 each premises
- Money and securities: \$10,000 each occurrence
- Fine arts: \$50,000 each occurrence
- Fire extinguisher – recharge: unlimited
- Utility services – direct damage: \$10,000
- Foundations of buildings and pilings: 10% of covered property limit up to \$250,000
- Cost of taking inventory: \$50,000

- Legal liability including personal property of others: \$100,000
- Electronic data cost to replace or restore: \$25,000 annual aggregate
- Nonowned detached trailers on premises: \$5,000
- Underground fiber optic: included in amount of insurance, subject to a \$2,500 deductible
- Changes or extremes in temperature or humidity: \$15,000
- Emergency services commandeered property: \$250,000
- Machinery breakdown included
- Lock replacement and rekeying: \$10,000

## **General Liability**

- All premises and operations with automatic coverage for new premises, operations or activities
- Coverage for operations by independent contractors
- Products and completed operations
- Broad liability coverage available for all electric, gas and water utility operations
- Premises medical payments
- Personal injury
- All employees as additional insureds
- Volunteers as additional insureds
- Nonowned watercraft coverage under 51 ft
- Fire legal liability coverage, real property: \$100,000 limit
- Host liquor liability coverage
- Advertising offense liability coverage
- Incidental medical malpractice
- EMT/EMS coverage available

## EMC Insurance Companies

### Home Office

717 Mulberry

Des Moines, Iowa 50309

515-280-2511

800-447-2295

[www.emcins.com](http://www.emcins.com)

### **Automobile**

- Broad business auto insurance form
- Auto liability insurance applies to any autos used
- Medical payments coverage available for cars you own
- Comprehensive and collision coverage available
- Employers nonownership and hired car liability available
- Hired auto physical damage available
- Reimburse deductible for employees and volunteers responding to emergency scene with personal auto
- Individual liability of employees using their own cars for your business is included
- Freezing coverage for fire and emergency vehicles
- Covers all owned scheduled vehicles, including fire trucks, ambulances and boom trucks

### **Public Officials Errors And Omissions And Employment Practices Liability**

- Claims-made policy
- Defense costs are first dollar coverage (after deductible), and defense is provided by insurance carrier
- Includes coverage for lawfully elected and appointed officials, employees and volunteers
- Limits available up to \$1,000,000
- Deductibles available from \$1,000 and up
- Prior acts and extended reporting period coverage may be available

### **Law Enforcement Liability**

- Occurrence policy
- Includes bodily injury, property damage and personal/advertising injury arising out of Law Enforcement activities
- Limits available up to \$1,000,000 per occurrence
- Deductibles available from \$1,000 and up
- Defense paid in addition to policy limits
- Medical payments available up to \$10,000

### **Umbrella Liability**

- May apply as excess over most primary liability insurance coverages, including general liability, auto liability and employers liability
- Limits available from \$1,000,000 and up
- Upon request, coverage may also apply as excess over public officials errors and omissions/employment practices liability and law enforcement liability

### **Other Coverages**

- Crime coverages
- Builders' risk
- Inland marine

This coverage applies to public entities other than school districts.

The contents of this brochure are provided for informational purposes only and are not intended to be all inclusive. Please refer to the issued policy for specific details regarding coverages, conditions and exclusions. In the event of a conflict between the terms contained herein and the policy, the policy terms and conditions will prevail.



**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 20<sup>th</sup> day of December, 2016.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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

**ORDINANCE NO. 2016-18**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 14 ANIMALS, ARTICLE I IN GENERAL, SECTION 14-7 BANNED FROM CITY; TO REPEAL 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 14, Article I, Section 14-7 of the Wayne Municipal Code is hereby amended as follows:

Sec. 14-7 Banned from City

No person shall keep or maintain any animal within the corporate limits of the city except upon obtaining a special permit from the council. Such permit shall specify the place when any such animal may be kept. **Any person or resident who shall own, keep, or harbor an animal permitted to reside within the corporate city limits, shall, within 30 days after receiving council approval, acquire a license for said animal annually on or before May 1 of each year. Licenses shall be issued by the chief of police upon payment of the current license fee for each animal. No license or tag shall be issued until all conditions required by council have been fulfilled.**

This section shall not apply to the keeping or maintaining of dogs, cats, house birds, gerbils, hamsters, guinea pigs, and pet fish. Further, this section shall not apply to commercial sale barn operators, commercial meat slaughtering or packing plant operators, commercial hatcheries, and animal hospitals or clinics operated by licensed veterinarians.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

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

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

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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



ENGINEERING ■ ARCHITECTURE ■ SURVEYING ■ PLANNING

December 14, 2016

Lowell Johnson, City Administrator  
City of Wayne  
PO Box 8  
Wayne, NE 68787

RE: Wayne, Nebraska  
2016 Lagoon Sludge Removal and Application  
JEO Project No. 160541

Dear Lowell:

Enclosed for your consideration are four (4) copies of Change Order No. 1 and Application for Payment No. 1 (Final) for the above referenced project. The contractor recently successfully land applied the sludge. Our agronomist is finish the report for the agronomic value for the owner.

The contractor applied more the contract amount of sludge. We collected samples on Friday, Saturday and Sunday when he was working but the results did not come back until Tuesday, after he was finished. We have discussed this matter with the contractor and negotiated a reduced tonnage from 2,896.8 to 2610.4. The net increase in cost is \$76,000 for the additional 610 tons but there is a savings of \$35,650.48. JEO did not authorize the work and much of the work was completed over the weekend. The contractor is charging the same unit price for the additional work. Based on discussions with staff, we are recommending approval in the amount of \$76,000.

Application for Payment No. 1 (Final) covers both the contracted amount of 2,000 dry tons and the additional 610 tons. Again, based on discussion with staff, we are recommending approval and payment of \$325,000.

Upon the City's approval, please forward one copy of the documents to the Contractor with payment, one to JEO, and keep the other for your file. If you have any questions, please feel free to contact me.

Sincerely,

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

Roger S. Protzman  
Senior Project Engineer

RSP:skw  
Enclosures

160541LTR121416-Pay App #1.docx

Date of Issuance: **Decmeber 2016**      Efective Date: **December 13, 2016**  
 Owner: **City of Wayne, Nebraska**      Owner's Contract No.:  
 Contractor: **Midwest Injection**      Contractor's Project No.:  
 Engineer: **JEO Consulting Group, Inc.**      Engineer's Project No.: **160541**  
 Project: **2016 Lagoon Sludge Removal & Application**      Contract Name:

The Contract is modified as follows upon execution of this Change Order:  
 Description: **Additional tons of sludge were applied**

Attachments: *[List documents supporting change]*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>249,000.00</u>	Original Contract Times: _____ Substantial Completion: _____ Ready for Final Payment: <u>February 1, 2017</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>NA</u> Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>249,000.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: <u>February 1, 2017</u> days or dates
[Increase] [ <del>Decrease</del> ] of this Change Order: \$ <u>76,000.00</u>	[Increase] [ <del>Decrease</del> ] of this Change Order: Substantial Completion: _____ Ready for Final Payment: <u>0 days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>325,000.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>February 1, 2017</u> Ready for Final Payment: <u>February 1, 2017</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u><i>Roger K. Hotzeman</i></u> By: _____ By: <u><i>Jake Weather</i></u>	Engineer (if required)	Owner (Authorized Signature)
Title: <u><i>Senior Proj. Engineer</i></u> Title: _____ Title: <u><i>Owner</i></u>		Contractor (Authorized Signature)
Date: <u><i>12/14/16</i></u> Date: _____ Date: <u><i>12/14/16</i></u>		

Approved by Funding Agency (if applicable)  
 By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_



**Contractor's Application for Payment No. 1 (Final)**

Application Period: December-16		Application Date: 12/13/2016	
To (Owner): City of Wayne, Nebraska	From (Contractor): Midwest Injection, Inc.	Via (Engineer): JEO Consulting Group, Inc.	
Project: 2016 Lagoon Sludge Removal & Application	Contract: 2016 Lagoon Sludge Removal & Application	Engineer's Project No.: 160541	
Owner's Contract No.:	Contractor's Project No.:		

**Application For Payment  
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
1	\$76,000.00	
TOTALS	\$76,000.00	
NET CHANGE BY CHANGE ORDERS	\$76,000.00	

1. ORIGINAL CONTRACT PRICE..... \$ 249,000.00
2. Net change by Change Orders..... \$ 76,000.00
3. Current Contract Price (Line 1 + 2)..... \$ 325,000.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)..... \$ 325,000.00
5. RETAINAGE:
  - a. 10% X Work Completed..... \$
  - b. X Stored Material..... \$
  - c. Total Retainage (Line 5.a + Line 5.b)..... \$
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ 325,000.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$
8. AMOUNT DUE THIS APPLICATION..... \$ 325,000.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G 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: Jane Westfall Date: 12/14/16

Payment of: \$ X 325,000.00 (Line 8 or other - attach explanation of the other amount)

is recommended by: Reyes & Holzmann (Engineer) 12/14/16 (Date)

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

is approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

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



[Back to Top](#)



December 13, 2016

Lowell Johnson  
City Administrator  
City of Wayne  
306 Pearl Street  
Wayne, NE 68787

RE: Wayne, Nebraska  
Nebraska Street Water Main Replacement  
MEI Project No. 42160401

Dear Lowell,

Enclosed for your consideration are three copies of Application for Payment No. 2 and Change Order #1 for the Nebraska Street Water Main Replacement project. The contractor has completed the water main and water services installations for the project. Remaining work consists of minor fine grading and reseeding of the disturbed areas which will be completed in early spring. This project has a substantial completion date of April 1, 2017.

Change Order #1 adjusts the contract quantities to "As Constructed" quantities and adds one item to the contract which replaces one of the original bid items. The Back Up sheet to Change Order #1 provides a line item break down of the changes. The net change in contract price is a decrease of \$1,061.00. I recommend approval of Change Order #1 and Pay Application No. 2 in the amount of \$159,720.23 to Penro Construction Co.

Upon the City's approval, please forward one copy of the documents to the contractor with payment, one to MEI and the third is for your files.

Sincerely,

Steven D. Rames, PE  
Sr. Project Manager

Enclosures

Date of Issuance: 12/09/16 Effective Date:  
 Owner: **City of Wayne** Owner's Contract No.:  
 Contractor: **Penro Construction Co, Inc** Contractor's Project No.:  
 Engineer: **McLaury Engineering, Inc.** Engineer's Project No.: **42160401**  
 Project: **Nebraska Street Water Main Replacement 2016** Contract Name:

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

Description: Modifies quantities to "As Constructed" quantities. Adds four 45 degree elbows for connection to the 12" water main at 4<sup>th</sup> Street. See the Back Up sheet for more detail.

Attachments: *CCO1 Backup*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 266,012.75	Original Contract Times: Substantial Completion: <u>April 1, 2017</u> Ready for Final Payment: <u>April 14, 2017</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ <u>NA</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>NA</u> Ready for Final Payment: <u>NA</u> days
Contract Price prior to this Change Order: \$ 266,012.75	Contract Times prior to this Change Order: Substantial Completion: <u>April 1, 2017</u> Ready for Final Payment: <u>April 14, 2017</u> days or dates
Decrease of this Change Order: \$ <u>(\$1,061.00)</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>NC</u> Ready for Final Payment: <u>NC</u> days or dates
Contract Price incorporating this Change Order: \$ <u>264,951.75</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>April 1, 2017</u> Ready for Final Payment: <u>April 14, 2017</u> days or dates

RECOMMENDED: By: <u>[Signature]</u> Engineer (if required) Title: <u>12/13/16</u> Date: <u>Project Manager</u>	ACCEPTED: By: _____ Owner (Authorized Signature) Title: _____ Date: _____	ACCEPTED: By: <u>[Signature]</u> Contractor (Authorized Signature) Title: <u>Vice - President</u> Date: <u>12-13-16</u>
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Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

## Change Order Back Up

Change Order No. 01

Date of Issuance: 10/3/16	Effective Date:
Owner: <b>City of Wayne</b>	Owner's Contract No.:
Contractor: <b>Penro Construction Co., Inc</b>	Contractor's Project No.:
Engineer: <b>McLaury Engineering, Inc.</b>	Engineer's Project No.: <b>42160303</b>
Project: <b>Nebraska Street Water Main Replacement, 2016</b>	Contract Name:

### Quantity Increases/Decreases:

003A – Remove Walk – Increase 26.3 SqYd @ \$7.50/SY Additional sidewalk removal at 3 <sup>rd</sup> street to accommodate removing the boulevard tree.	\$ 197.25
004A – Remove Concrete – Decrease 35.0 SqYd @ \$10.00/SY Several areas of concrete removal were avoided with the directional bore.	(\$ 350.00)
005A – Remove & Salvage Brick Pavers – Decrease 19.0 SqYd @ \$30.00/SY Cohesive soils allowed for steep trench sides eliminating the need for excavation of sloped trench walls.	(\$ 570.00)
002B – Concrete Class 47B- Sidewalk – Increase 26.3 SqYd @ \$66.65/SY Additional sidewalk at 3 <sup>rd</sup> street to accommodate ADA upgrade requirements and removal of a fire hydrant and boulevard tree.	\$ 1,752.90
003B – Concrete Class 47B- Driveway – Decrease 51.7 SqYd @ \$69.50/SY Several areas of concrete removal were avoided with the directional bore.	(\$ 3,593.15)
004B – Detectable Warning Panel – Increase 8 SqFt @ \$46.00/SF Additional ADA curb ramp upgrades at 3 <sup>rd</sup> street as a result of removing sidewalk in association with removal of the fire hydrant and boulevard tree .	\$ 368.00
005B – 8" Concrete Pavement, Class 47B-3500 – Increase 16.5 SqYd @ \$72.00/SY Additional concrete pavement was required at the 4 <sup>th</sup> Street intersection for access to the deep 12" water main connection.	\$ 1,188.00
006B – Install Brick Pavers – Decrease 19.0 SqYd @ \$100.00/SY Cohesive soils allowed for steep trench sides eliminating the need for excavation of sloped trench walls and reducing the amount of brick pavers to reset.	(\$ 1,900.00)
007B – Subgrade Preparation – Increase 16.5 SqYd @ \$40.00/SY Additional subgrade preparation was required at the 4 <sup>th</sup> Street intersection for access to the deep 12" water main connection.	\$ 660.00
002C – Curb Stop and Box – Decrease 2.0 Each @ \$425.00/EA Adjusts final quantity to as measured and installed quantity.	(\$ 850.00)
003C – 1" Water Service – Increase 10.0 LF @ \$23.50/LF Adjusts final quantity to as measured and installed quantity.	\$ 235.00
004C – 1.5" Water Service – Increase 15.0 LF @ \$30.00/LF A second 1.5" water service was discovered after digging up the service at Sta. 6+85.	\$ 450.00

### Change Order Back Up

012C – 12" Water Main – Decrease 6.0 LF @ \$41.50/LF (\$ 249.00)  
Adjusts final quantity to as measured and installed quantity

024C – 8" x 22.5 Degree Bend (Owner Furnished) – Decrease 2.0 Each @ \$200.00/EA (\$ 400.00)  
These were not needed due to the addition of the four 45 degree MJ Elbows.

#### New Items:

029C – 8" MJ 45 Elbows– Add 4.0 Each @ \$500.00/EA \$ 2,000.00  
The existing 12" water main at 4<sup>th</sup> Street was located approximately 4.0 feet deeper than expected. The prior cross connection was a non-standard configuration that was exposed when the 12 inch main was excavated. The negotiated price of \$500 per elbow includes all extra costs for downtime and the additional costs of excavation to expose the deeper 12" main for the cross connection.

#### Summary:

Total Increases in Cost	\$ 6,851.15
Total Decreases in Cost	<u>(\$ 7,912.15)</u>
Net Change In Cost	(\$ 1,061.00)

**Contractor's Application for Payment No. 2**

Application Period: 10/27/16 - 12/6/2016	Application Date: 12/6/2016
To (Owner): City of Wayne	Via (Engineer): McLaury Engineering Inc.
From (Contractor): Penro Construction Co., Inc.	Engineer's Project No.: 42160401
Contract: Nebraska Street Water Main Replacement 2016	
Contractor's Project No.:	

**Application For Payment  
Change Order Summary**

Approved Change Orders Number	Additions	Deductions
1		-\$1,061.00
TOTALS		-\$1,061.00
NET CHANGE BY CHANGE ORDERS		-\$1,061.00

- ORIGINAL CONTRACT PRICE..... \$ 266,012.75
- Net change by Change Orders..... \$ -\$1,061.00
- Current Contract Price (Line 1 ± 2)..... \$ 264,951.75
- TOTAL COMPLETED AND STORED TO DATE  
(Column F on Progress Estimate)..... \$ 259,589.25
- RETAINAGE:  
 a. 5% X \$259,589.25 Work Completed..... \$ 12,979.46  
 b. 5% X Stored Material..... \$ 12,979.46  
 c. Total Retainage (Line 5a + Line 5b)..... \$ 246,609.79
- AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 86,889.56
- LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 159,720.23
- AMOUNT DUE THIS APPLICATION..... \$ 18,341.96
- BALANCE TO FINISH, PLUS RETAINAGE  
(Column G on Progress Estimate + Line 5 above)..... \$ 18,341.96

**Contractor's Certification**

The undersigned Contractor certifies that to the best of its knowledge: (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 Work covered by prior Applications for Payment; (2) title of 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 Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: *Ryan Kimmey/DS* Date: 12/6/2016

Payment of: \$ 159,720.23 (Line 8 or other - attach explanation of the other amount)

is recommended by: *[Signature]* 12/13/16 (Date)  
(Engineer)

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

is approved by: \_\_\_\_\_ (Date)  
(Owner)

Approved by: \_\_\_\_\_ Funding Agency (if applicable) (Date)



# CONTINUATION PAGE

TO: City of Wayne PROJECT: Nebraska Street Water Main Rep APPLICATION #: 12/13/2016  
 FROM: Penro Construction Co., Inc. Nebraska Street Water Main Replacement 2016 DATE OF APPLICATION: 12/13/2016  
 PERIOD THRU: 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)
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD				
17	Mobilization \$14,330.00 PER LS	1.00	\$14,330.00						
18	Curb Stop & Box \$425.00 PER Each	36.00	\$15,300.00						
19	1" Water Service \$23.50 PER Ft.	1,026.00	\$24,111.00						
20	1.5" Water Service \$30.00 PER Ft.	12.00	\$360.00						
21	Boring 1" Water Service \$25.00 PER Ft.	776.00	\$19,400.00						
22	Cut and Connect to Existing 6" \$2,005.00 PER Each	1.00	\$2,005.00						
23	Cut and Connect to Existing 8" \$2,425.00 PER Each	2.00	\$4,850.00						
24	Cut and Connect to Existing 12" \$3,500.00 PER Each	1.00	\$3,500.00						
25	6" PVC Water Main \$28.50 PER Ft.	18.00	\$513.00						
26	8" PVC Water Main (Bored) \$30.50 PER Ft.	1,456.00	\$44,408.00						
27	8" PVC Water Main (Open Trench) \$30.50 PER Ft.	8.00	\$244.00						
28	12" PVC Water Main \$41.50 PER Ft.	12.00	\$498.00						
30	Boring 8" PVC Water Main \$40.25 PER Ft.	1,445.00	\$58,161.25						
40	Water Service Saddle and \$400.00 PER Each	37.00	\$14,800.00						
41	6" Gate Valve and Box \$980.00 PER Each	4.00	\$3,920.00						
42	8" Gate Valve and Box \$1,355.00 PER Each	6.00	\$8,130.00						
	SUB-TOTAL		\$238,499.75						

**CONTINUATION PAGE**

TO: City of Wayne PROJECT: Nebraska Street Water Main Rep APPLICATION #: DATE OF APPLICATION: 12/13/2016  
 FROM: Penro Construction Co., Inc. Nebraska Street Water Main Replacement 2016 PERIOD THRU: 12/13/2016  
 Payment Application containing Contractor's signature is attached. PROJECT #s:

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED AMOUNT PREVIOUS PERIODS	E COMPLETED WORK 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)
		QTY	\$ AMT						
43	12" Gate Valve and Box	1.00	\$2,475.00						
	\$2,475.00 PER Each								
44	6" Fire Hydrant	2.00	\$6,800.00						
	\$3,400.00 PER Each								
45	8" x 6" Tee	1.00	\$460.00						
	\$460.00 PER Each								
46	8" x 6" Tee (Owner Furnished)	1.00	\$380.00						
	\$380.00 PER Each								
47	8" x 8" Tee	1.00	\$510.00						
	\$510.00 PER								
48	8" x 8" Cross (Owner Furnished)	1.00	\$390.00						
	\$390.00 PER Each								
49	8" x 12" Cross	1.00	\$650.00						
	\$650.00 PER Each								
50	8" - 22.5 Degree Bend (Owner	2.00	\$400.00						
	\$200.00 PER Each								
51	8" x 6" Reducer	2.00	\$460.00						
	\$230.00 PER Each								
52	Remove Fire Hydrant	2.00	\$800.00						
	\$400.00 PER Each								
53	Remove Water Valve	8.00	\$3,200.00						
	\$400.00 PER Each								
54	Abandon Water Main	1,493.00	\$5,225.50						
	\$3.50 PER Ft.								
55	Group D - Erosion Control	0.00	\$0.00						
	\$0.00 PER								
56	Mobilization	1.00	\$650.00						
	\$650.00 PER LS								
57	Seeding, Type C	0.50	\$2,250.00						
	\$4,500.00 PER Acre								
58	Curb Inlet Protection	40.00	\$800.00						
	\$20.00 PER Ft.								
	SUB-TOTAL		\$263,950.25						

**CONTINUATION PAGE**

TO: City of Wayne PROJECT: Nebraska Street Water Main Rep APPLICATION #: DATE OF APPLICATION: 12/13/2016  
 FROM: Penro Construction Co., Inc. Nebraska Street Water Main Replacement 2016 PERIOD THRU: 12/13/2016  
 Payment Application containing Contractor's signature is attached. PROJECT #s:

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED AMOUNT PREVIOUS PERIODS	E COMPLETED WORK 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)
		QTY	\$ AMT						
59	Hydromulch		\$2,062.50						
60	\$2,750.00 PER Ton Change Order #1	0.75	\$0.00						
61	\$0.00 PER 8" MJ 45 Elbows	0.00	\$2,000.00						
62	\$500.00 PER Each As Constructed Quantities	4.00	(\$3,061.00)						
	(\$3,061.00) PER Lump Sum	1.00							
	<b>TOTAL</b>		\$264,951.75						

**City of Wayne**  
**LB840**

Cash Balance 12/9/16	\$ 133,716.72
December loan receipts	\$ 30,817.77
January loan receipts	\$ 12,094.42
February loan receipts	\$ 24,825.45
March loan receipts	\$ 3,798.27
April loan receipts	\$ 3,798.27
May Loan Receipts	\$ 6,464.94
June Loan Receipts	\$ 3,798.27
July Loan Receipts	\$ 3,798.27
August loan Receipts	\$ 3,798.27
September loan receipts	\$ 17,602.49
<b>Balance from loan receipts &amp; unspent sales tax</b>	<b><u>\$ 244,513.14</u></b>
Sales tax revenues to 9/30/17	\$ 208,330.00
Loan Payments January 2017	\$ (2,805.00)
Loan Payments March 2017	\$ (81,750.00)
Loan Payments July 2017	\$ (52,805.00)
Loan Payment September 2017	\$ (5,625.00)
9/30/16 Ending balance	<b><u>\$ 309,858.14</u></b>
Commitments	<u>\$ (600,000.00)</u>
Funds needed to meet commitments	<b><u>\$ (290,141.86)</u></b>

**City of Wayne**

Loan Repayments to date	
2012	\$ 8,563.14
2013	\$ 12,841.41
2014	\$ 120,479.44
2015	\$ 257,703.81
2016	\$ 142,740.63
2017	\$ 86,992.14
	<b><u>\$ 629,320.57</u></b>

**City of Wayne LB840 City Sales Tax**

Maximum amount \$3,200,000

December 14, 2016

**Revenues**

Sales tax from July 2009 to date	\$ 1,604,773.23
#1 Loan from Electric fund	\$ 500,000.00 REPAID
#2 Loan from Electric fund - up to \$120,000	\$ 70,000.00 REPAID
#3 Loan from Electric Fund	\$ 30,000.00 REPAID
#4 Loan from Electric Fund	\$ 500,000.00
#5 Loan from Electric Fund	\$ 237,000.00
#6 Loan from Electric Fund	\$ 125,000.00 Repaid
LB840 loan Repayments to date	\$ 556,716.61
Interest to date	\$ 1,510.33
<b>Total Revenues to date</b>	<b>\$ 3,625,000.17</b>

Uses of Funds	TYPE	GRANTS	FORGIVABLE LOANS	LOANS	STATUS	Repaid Loans
Digital Blue - approved	forgivable loan		\$ 30,600.00		completed	
Interactive Impact - approved	forgivable loan		\$ 30,000.00		completed	
City of Wayne Housing DPA - loan - approved - repaid	loan-repaid		\$ 7,132.00	\$ 7,132.00	completed	\$ 7,132.00
Benscoter Subdivision - engineering costs- approved	forgivable loan		\$ 36,000.00		completed	
Godfather's Pizza - approved	Grant & loan	\$ 2,500.00	\$ 36,000.00	\$ 35,500.00	completed	\$ 35,500.00
Wayne Movie Theater (Project Majestic) - approved	grant		\$ 200,000.00		completed	
Community Wide Promotion - approved	grant	\$ 45,000.00			continual	
Wayne Veterans Memorial	grant	\$ 72,685.87			completed	
Farmers Market & Community garden	grant	\$ 2,750.00			completed	
Northeast Nebraska Investors - motel - approved	loan/grant		\$ 250,000.00	\$ 250,000.00	REPAYMENT STARTED 12/15	
DRJ LLC/Inet Library (filed bankruptcy)	1/2 loan-now all loan		\$ 86,038.00	\$ 86,038.00	delinquent 3 years	
RBDK LLC	loan		\$ 70,000.00	\$ 70,000.00		
Wayne Community Theatre	grant	\$ 5,000.00			completed	
Bomgaars - sewer line under highway	grant	\$ 13,285.00			completed	
Windom Ridge - housing study	grant	\$ 5,000.00			completed	
Miss Molly's	forgivable loan		\$ 30,000.00			
Chicken Show (\$12,050)	grant	\$ 8,515.46	\$ 30,000.00			
Rainbow World	grant & loan	\$ 25,000.00				
Mandy Benscoter	loan	\$ 25,000.00		\$ 75,000.00		\$ 25,000.00
John & Molly Temme	loan	\$ 65,000.00		\$ 65,000.00	REPAID 100%	\$ 65,000.00
Julie Cull	loan	\$ 37,000.00		\$ 37,000.00		
Paulson Const	loan	\$ 39,750.00		\$ 39,750.00		
Innovative Protectives	loan	\$ 10,000.00		\$ 10,000.00		
OCC Builders	loan	\$ 37,000.00		\$ 37,000.00		
Sand Creek Post & Beam	loan	\$ 193,900.00		\$ 193,900.00		
Western ridge III sewer line	grant	\$ 17,500.00			completed	
Lutt Oil	loan	\$ 50,000.00		\$ 50,000.00		
Welcome to Wayne Signs	grant	\$ 22,002.03			completed under budget	

Mandy Benscoter	\$ 25,000.00	loan	\$ 25,000.00			
Brent Pick	\$ 50,000.00	loan	\$ 50,000.00			\$ 50,000.00
NAPA	\$ 75,000.00	Forgivable & loan Now all loan	\$ 75,000.00			\$ 75,000.00
Pat Garvin	\$ 40,000.00	loan	\$ 40,000.00			\$ 40,000.00
Leseberg	\$ 75,000.00	loan	\$ 75,000.00			\$ 75,000.00
Dollar Plus Gurken O.	\$ 125,000.00	loan	\$ 125,000.00		REPAID 100%	\$ 125,000.00
Ken Jorgensen	\$ 250,000.00	loan/forgivable	\$ 250,000.00		REPAID 100%	\$ 250,000.00
Rod Hefti	\$ 50,000.00	loan	\$ 50,000.00			\$ 50,000.00
Fertig	\$ 50,000.00	loan	\$ 50,000.00		REPAID 100%	\$ 50,000.00
Claussen	\$ 47,530.00	loan/forgivable	\$ 47,530.00			\$ 47,530.00
Rezrected Rod	\$ 50,000.00	loan/forgivable	\$ 50,000.00			\$ 50,000.00
Beck AG Inc	\$ 50,000.00	loan	\$ 50,000.00			\$ 50,000.00
Atoll Productions	\$ 40,000.00	loan	\$ 40,000.00			\$ 40,000.00
Josh Hopkins	\$ 35,000.00	loan	\$ 35,000.00			\$ 35,000.00
Rustic Treasurers LLC	\$ 55,000.00	loan	\$ 55,000.00			\$ 55,000.00
	<b>\$ 2,544,688.36</b>		<b>\$ 2,544,688.36</b>			
Principal & interest repayments to electric fund	\$ 942,485.00		\$ 942,485.00			
	<b>\$ 3,487,173.36</b>		<b>\$ 3,487,173.36</b>			
				<b>\$ 219,238.36</b>	<b>\$ 500,365.00</b>	<b>\$ 1,645,085.00</b>

**\$ 432,632.00**

**Current Cash Balance**

**\$ 65,815.46**

**Commitments approved for Sales Tax Funds**

Country Club	\$ 250,000.00	loan				
Wayne Event Center	\$ 350,000.00	loan				
<b>Total Commitments</b>	<b>\$ 600,000.00</b>					

<b>Loans to be repaid</b>						
of \$500,000	\$ 450,000.00					
+ interest to 3/30/21	\$ 36,000.00					
of \$237,000	\$ 187,000.00					
+ interest to 7/31/20	\$ 13,440.00					
<b>Total Debt to be repaid</b>	<b>\$ 686,440.00</b>					

Balance of \$3.2 million  
\$ 5,871.64

principal  
Interest

\$ 637,000.00	principal
\$ 49,440.00	Interest
<b>\$ 686,440.00</b>	<b>\$ 686,440.00</b>

Funds expended to date	\$ 2,544,688.36
Commitments	\$ 600,000.00
Interest commitments	\$ 49,440.00
<b>Total current &amp; future dollars allocated</b>	<b>\$ 3,194,128.36</b>
Revenues to date	\$ 1,604,773.23
<b>Future Sales tax dollars committed.</b>	<b>\$ 1,589,355.13</b>

	<b>FORGIVABLE</b>	<b>LOANS</b>
	<b>GRANTS</b>	<b>LOANS</b>
\$ -	\$ -	\$ 250,000.00
\$ -	\$ -	\$ 350,000.00
		<b>\$ 250,000.00</b>

PARCEL ID	OWNERSHIP	LOCATION	CURRENT ASSESSED VALUE	Additional city tax if annexed
206300	Marion Arneson	N1/2N1/2SW1/4 & PT SW1/4NW1/4	\$ 167,705.00	\$ 686.42
138100	Harvey & Bonnie Mohlfeld	TL 7 PT NE1/4SE1/4	\$ 162,715.00	\$ 666.00
140200	Surber's Discount Furniture	TL 8 PT NE1/4SE1/4	\$ 173,210.00	\$ 708.95
140900	Surber's Discount Furniture	TL 9 PT NE1/4SE1/4	\$ 117,545.00	\$ 481.12
140600	Randy Milligan	TL 30 PT NE1/4SE1/4	\$ 151,845.00	\$ 621.51
140700	Michael & Teresa Wurdeman	TL 10 PT NE1/4SE1/4	\$ 158,050.00	\$ 646.90
138200	Carl & Darlene Liinkamp	TL 11 PT NE1/4SE1/4	\$ 204,945.00	\$ 838.85
139400	Willard Rowan Wiltse	TL 12 PT NE1/4SE1/4	\$ 236,920.00	\$ 969.72
140100	Dale & Jayne Bittner	TL 13 PT NE1/4SE1/4	\$ 126,625.00	\$ 518.28
138800	Darrell & Deborah Moore	TL 14 PT NE1/4SE1/4	\$ 203,835.00	\$ 834.30
138900	Alvin & Linda Gehner	TL 19 PT NE1/4SE1/4	\$ 148,095.00	\$ 606.16
139500	Kevin Potter	TL 20 PT NE1/4SE1/4	\$ 106,740.00	\$ 436.89
138700	Jason & Phylis Trehnaile	TL 17 PT NE1/4SE1/4	\$ 151,850.00	\$ 621.53
140800	Steffan Moore	TL 16 PT NE1/4SE1/4	\$ 108,500.00	\$ 444.09
			\$ 2,218,580.00	\$ 9,080.71

Projected Project costs

\$ 2,800,000.00 \$ 11,460.48

Proposed cost

\$1,260,137 for 26,250 square feet  
48.01/ sq foot \* 13,000 = \$624,130 assessed value

Divots



	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30		
<b>Jen Claussen/Swans</b>	\$ 23,765.00	\$ 1,335.76	\$ 1,376.39	\$ 1,418.25	\$ 1,461.39	\$ 1,505.84	\$ 1,551.64	\$ 1,598.84	\$ 1,647.47	\$ 1,697.58	\$ 1,749.21	\$ 1,802.41	\$ 1,857.24	\$ 1,913.73	\$ 814.06	
<b>Forgivable</b>	\$ 23,765.00	\$ 633.64	\$ 593.01	\$ 551.15	\$ 508.01	\$ 463.56	\$ 417.76	\$ 370.56	\$ 321.93	\$ 271.82	\$ 220.19	\$ 166.99	\$ 112.16	\$ 55.67	\$ 6.12	
	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 1,969.40	\$ 820.18	
	10/12/2016	10/12/2017	10/12/2018	10/12/2019	10/12/2020	10/12/2021	10/12/2022	10/12/2023	10/12/2024	10/12/2025						
<b>Winning Finish</b>	\$ 25,000.00	\$ 2,180.76	\$ 2,246.19	\$ 2,313.57	\$ 2,382.98	\$ 2,454.47	\$ 2,528.10	\$ 2,603.94	\$ 2,682.06	\$ 2,762.52	\$ 2,845.40					
<b>annually</b>	\$ 750.00	\$ 684.58	\$ 617.19	\$ 547.78	\$ 476.30	\$ 402.66	\$ 326.82	\$ 248.70	\$ 168.24	\$ 85.36						
<b>Forgivable</b>	\$ 25,000.00	\$ 2,930.76	\$ 2,930.77	\$ 2,930.76	\$ 2,930.76	\$ 2,930.77	\$ 2,930.76	\$ 2,930.76	\$ 2,930.76	\$ 2,930.76	\$ 2,930.76	\$ -	\$ -	\$ -	\$ -	
	03/01/2017	03/01/2018	03/01/2019													
<b>Beck Ag/Liska</b>	\$ 50,000.00	\$ 16,176.52	\$ 16,661.81	\$ 17,161.67												
<b>annually</b>	\$ 1,500.00	\$ 1,014.70	\$ 514.84													
	\$ 17,676.52	\$ 17,676.51	\$ 17,676.51	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	
<b>Crossroads Atoll</b>	\$ 40,000.00	\$ 2,150.66	\$ 2,215.18	\$ 2,281.64	\$ 2,350.09	\$ 2,420.59	\$ 2,493.21	\$ 2,568.00	\$ 2,645.04	\$ 2,724.40	\$ 2,806.13	\$ 2,890.31	\$ 2,977.02	\$ 3,066.33	\$ 3,158.32	\$ 3,253.07
<b>annually</b>	\$ 1,200.00	\$ 1,135.48	\$ 1,069.02	\$ 1,000.58	\$ 930.07	\$ 857.46	\$ 782.66	\$ 705.62	\$ 626.27	\$ 544.54	\$ 460.35	\$ 373.64	\$ 284.33	\$ 192.34	\$ 97.59	
	\$ 3,350.66	\$ 3,350.66	\$ 3,350.66	\$ 3,350.67	\$ 3,350.66	\$ 3,350.67	\$ 3,350.66	\$ 3,350.66	\$ 3,350.67	\$ 3,350.67	\$ 3,350.67	\$ 3,350.66	\$ 3,350.66	\$ 3,350.66	\$ 3,350.66	
	2016-17	2017-18	2018-19													
<b>Hopkins</b>	\$ 35,000.00	\$ 11,666.67	\$ 11,666.67	\$ 11,666.68												
<b>annually</b>			\$ 350.00													
	\$ 11,666.67	\$ 11,666.67	\$ 12,016.68													
	2016-17	2017-18	2018-19	2019-20	2020-21											
<b>Lukas Rix</b>	\$ 55,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00										
<b>annually</b>	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00											
<b>Payments due</b>	\$ 139,212.44	\$ 140,045.76	\$ 140,395.78	\$ 110,702.57	\$ 110,702.56	\$ 129,269.82	\$ 117,987.17	\$ 72,270.27	\$ 65,691.57	\$ 65,691.58	\$ 60,469.17	\$ 59,956.93	\$ 45,290.87	\$ 20,837.51	\$ 3,350.66	