

**AGENDA
CITY COUNCIL MEETING
January 5, 2010**

*** Amended (1/4/09)**

5:30 Call to Order

1. Approval of Minutes – December 15, 2009

2. Approval of Claims

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.

Anyone desiring to speak on an agenda item is invited to do so, and should limit themselves to three minutes. After being recognized by the Chair, proceed to the rostrum and state your name and address for the record.

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. Public Hearing: Engineering Report for the construction of a new Wastewater Treatment Facility as required for State Revolving Loan Funding from the Nebraska Department of Environmental Quality and other funding Agencies (Advertised Time: 5:30 p.m.)

Background: The estimated total cost of this project is \$8.5 million, including the engineering costs. Nancy and I will recommend using \$1 million in cash reserves to reduce the loan. The EPA has awarded Wayne a \$530,000 demonstration grant because of the innovative project design. Roger Protzman with JEO is assisting us with an application to the Nebraska Department of Environmental Control to approve a 20 year, 3% interest loan for the remaining \$7 million needed. This public hearing is a part of that application process. The purpose of this hearing is to inform the public of the project design and location options, the estimated cost of the project, and the nature of the Nebraska Revolving Loan Fund loan.

Recommendation: No Council action is needed at this time, as the application process is underway and this public hearing is a requirement of the application process to inform the public of our intent.

4. Action on 2010 Property and Casualty Insurance Package – Cap Peterson, Northeast Nebraska Insurance Agency

Background: Our total property, casualty, liability, and worker's compensation insurance package costs about \$240,000 per year. This does not include our employee group health plan which costs the city about \$250,000 per year for our share of the premiums and self insurance payouts. Our property casualty insurance coverage is with Employers Mutual Company. This policy covers all of our utility departments, plus our government operations including the police and fire departments. We have bid this coverage out in the past, but with the

inclusion of the Wayne power plant, there are only three companies writing this coverage in Nebraska, and EMC has always been the lowest. The other two options are Cornhusker Casualty and the League of Nebraska Municipalities LARM (League Association of Risk Management) coverage. Northeast Nebraska Insurance Agency has been the local agent for EMC for a number of years.

Our policy renews annually with the calendar year. Enclosed is a summary sheet showing basic details of the coverage and a breakout of some the premium costs. Note under Commercial Output that the agreed value of the power plant and equipment is over \$28 million, and the annual insurance premium for the plant is \$45,021. Cap Peterson will be at the meeting to review our policy coverage in more detail and answer questions.

This policy provides legal defense for the City when liability claims are made, on-site reviews of potential hazards, and a limited number of hours per month of legal advice on issues related to the city operations.

Recommendation: The recommendation of the City Administrator, City Clerk and Finance Director is to approve the EMC policy as proposed for 2010.

5. Report to Council on LB840 Activity — Wes Blecke, Director of Wayne Area Economic Development

Background: In 2008, voters approved an extension of the local option 1% sales tax for 15 more years. The ballot language requires the City Council to approve an Economic Development Plan and 40% (about \$190,000/year) of the sales tax revenues to be used for economic development. It also requires a report to the public every six months showing how the sales tax revenues are being spent. Attached are copies of information that Wes will be presenting at the Council meeting.

Recommendation: No Council action is required.

6. Resolution 2010-1: Approving \$500,000 from the Electric Fund to the LB840 Fund at 3% Interest

Background: Attached is a 15-year Cash Flow Budget for the use of the 40% of Sales Tax Revenues allocated for Economic Development. Nancy has prepared this budget to record commitments of funds approved by the Council and to project future revenues that would be available.

Because economic development opportunities come sporadically and some are large, Nebraska Law authorizes cities to borrow money to fund projects by issuing municipal bonds and use future sales tax revenues to pay off the bonds. The \$500,000 authorized by this Resolution will fund the short term LB840 economic development commitments that have been recommended by the citizens review committee and approved by the Council.

Recommendation: Recommendation of the City Administrator and Finance Director is to approve the Resolution. This Resolution authorizes Nancy to borrow from the Electric Fund cash reserves for the projects that have been approved rather than issuing bonds. Nancy and I propose this as a better alternative for the following reasons: 1) About \$15,000 in costs to issue the

bonds will be eliminated; 2) Regardless of where we borrow the funds, we are obligated to repay the loan; 3) We can borrow from our own cash reserves at 3% rather than 4.5% using bonds; and 4) This provides an opportunity to pay ourselves a 3% return on a small portion of our cash reserves instead of less than 1% that is available in the market.

7. Resolution 2009-113: Amending Wage and Salary Schedule

Background: Council action at the last meeting was to table this request for discussion and consideration at this meeting. The Nebraska Statutes call for comparability of pay for similar jobs in similar communities. State law has provided this advantage for public employees, and only minimum wage for employees of private companies. The proposed Resolution is my recommendation for the Council to meet the State comparability requirements. Some of the pay ranges have fallen below comparability as the result of my recommendations to the Council in the past 4 years. The wage ranges provided in this Resolution have been determined through the most recent League of Nebraska Comparability Survey customized for the City Wayne.

We don't currently have the budgeted revenues to fulfill all of these comparability pay ranges in this current budget year. It is likely we won't have sufficient revenues to fulfill the comparability ranges in future years at current staffing levels. However, it is generally the Council's role to: 1) Set policy by Resolution that follows State requirements for public employee wage comparability; 2) Budget only that set amount for salaries at budget time that is affordable and supported by the taxpayers and rate payers; and 3) Hold City Administration accountable for the best allocation of the limited city funding to get the most work done and generally meet State requirements. It is then my role as Administrator, in consultation with the Mayor, to allocate the limited revenues budgeted by the Council to the best uses possible within the constraints established by the Council. This is why the annual Mayor/Council strategic planning retreat is such a critical part of the budgeting process.

The budget priorities of the Mayor and Council for the past 10 years have been: First, to reduce the City's total mill levy a little more each budget year. Second, to pay reasonable and fair wages. Third, to reduce energy costs and fixed costs. Fourth, to reduce full-time city staff size and the services provided and to replace equipment less frequently in order to be able to cover the costs of the first three priorities. During this time, utility rates have been stable except for: 1) the pass-through wholesale power costs from NPPD; and 2) the impending major cost of a replacement wastewater treatment plant. During this time we have reduced the total full-time city staff size from 53 to 44 employees. During this time, the Council completed major capital projects, using mostly grants, federal and state cost-sharing and other out-of-town funding.

Attached are two pie charts showing the cost and percentage of the city's budget that is wages and personnel costs.

Recommendation: The recommendation of the City Administrator is to approve the Wage and Salary Resolution, as proposed, and continue using the annual budget process to control expenditures.

8. Ordinance 2009-24: Amending Wayne Municipal Code, Sec. 78-96 - Locations Reserved for Handicapped Parking (Second Reading)

9. Ordinance 2010-1: Amending Wayne Municipal Code, Sec. 78-127 Restricted Parking 12:00 Midnight to 5:00 a.m.; Northeast Quadrant of the City (Grace Lutheran Church)

Background: The Church paved the terrace on the south side of their property at their own cost to provide parking during their services. Because the parking is on the city terrace, it is open to the public. Neighboring residents have begun parking in these paved terrace parking areas during the day and overnight, blocking the Church's ability to clear the snow. The Church has asked to have these sections of the street restricted from overnight parking to give them an opportunity to clear the snow. This designation will match the parking restrictions on overnight parking on the surrounding streets.

Recommendation: The recommendation of the Chief of Police and Street Superintendent is to approve this Ordinance and to consider waiving the three readings to give the Church relief soon.

10. Action on Amendment No. 1 to the Agreement with Kirkham Michael for Professional Construction Engineering Services for the Kardell Landfill Improvements

Background: In November, we awarded a contract to dig back, re-slope and rip-rap 300 feet of the Logan Creek bank to protect the old landfill site. This engineering services agreement will provide the construction engineering oversight to document that the work complies with the contract and to submit documentation back to the Nebraska Department of Environmental Control and the U.S. Army Corps of Engineers showing that the work is in compliance with their regulatory requirements.

Recommendation: Recommendation of the City Administrator is to approve the agreement.

11. Action on Certificate of Payment No. 1 to Robert Woehler & Sons Construction for Muhs Acres Water Main Extension Project in the Amount of \$38,526.37

Recommendation: Recommendation of the Project Engineer and City Administrator is to pay this amount for materials ordered and stored. Work was not started on the project before freeze up of the ground.

***12. Action on Application for Payment No. 3 to Layne Christensen Co. for the Well House and Municipal Well 2009-1 Project in the Amount of \$17,137.99**

13. Appointment: Reappointment of Galen Wiser to the Civil Service Commission (4-year term)

Background: Nebraska Statutes require all cities of the First Class to appoint a Civil Service Commission to serve as an oversight board for the Police Department hiring, employment actions and appeals to administrative decisions regarding employment status of certified police officers. Current members are Darrel Heier, Marci Thomas and Galen Wisler. In Wayne, the Mayor appoints the Commission members with approval by a majority of the City Council.

14. [Adjourn](#)

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

December 15, 2009

The Wayne City Council met in regular session at City Hall on Tuesday, December 15, 2009, at 5:30 o'clock P.M. Mayor Lois Shelton called the meeting to order with the following in attendance: Councilmembers Brian Frevert, Jim Van Delden, Jon Haase, Dale Alexander, Doug Sturm, Kaki Ley, and Ken Chamberlain; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Kathy Berry.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 3, 2009, 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 Chamberlain made a motion and seconded by Councilmember Sturm, whereas the Clerk has prepared copies of the Minutes of the meeting of December 1, 2009, 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 Shelton 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: AMERITAS, RE, 2184.34; APPEARA, SE, 107.45; BAKER & TAYLOR BOOKS, SU, 543.69; BANK FIRST, FE, 210.00; BARONE SECURITY SYSTEMS, SU, 302.50; BROWN SUPPLY, SU, 1090.87; CABLEONE ADVERTISING, FE, 300.00; CHARTWELLS, SE, 4961.05; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, RE, 170.00; CITY OF WAYNE, RE, 634.97; CITY OF WAYNE, RE, 1940.68; CITY OF WAYNE, RE, 118.80; CITY OF WAYNE, PY, 54288.94; CITY OF WAYNE, RE, 150.00; COMMUNITY HEALTH, RE, 4.00; COMPRESSION SYSTEMS, SU, 1783.91; COPY WRITE PUBLISHING, SU, 166.78; DAKOTA BUSINESS SYSTEMS, SE, 100.00; DAVE'S DRY CLEANING, SE, 105.00; DITCH WITCH OF OMAHA, SU, 78.66;

EAKES OFFICE PLUS, SU, 396.00; ECHO GROUP, SU, 171.39; EGAN SUPPLY, SU, 156.51; ELECTRIC FIXTURE, SU, 45.60; FLOOR MAINTENANCE, SU, 108.83; GILL HAULING, SE, 2327.20; GREAT PLAINS ONE-CALL, SE, 78.78; HAUFF MID-AMERICAN SPORTS, SU, 225.00; HAWKINS, SU, 671.48; ICMA, RE, 5357.86; IRS, TX, 17641.95; KELLY SUPPLY, SU, 71.29; KIRKHAM MICHAEL, SE, 7900.00; KTCH AM/FM RADIO, SE, 1004.00; LAYNE CHRISTENSEN, SE, 69293.70; LP GILL, SE, 5714.92; MARYBETH O'MALLEY, RE, 419.74; MATT PARROTT AND SONS, SU, 163.64; MID-CONTINENT SALES, SU, 7393.51; MIDWEST LABORATORIES, SE, 426.75; MOONLIGHT TOWING, SE, 756.15; NE AIR FILTER, SU, 447.55; NE DEPT OF LABOR, FE, 144.00; NE DEPT OF REVENUE, TX, 2678.27; NPPD, SE, 165735.08; NORTHEAST EQUIPMENT, SU, 79.31; NNPPD, SE, 10698.54; OLSSON ASSOCIATES, SE, 447.74; PAC N SAVE, SU, 93.35; PAMIDA, SU, 115.59; PEPSI-COLA, SU, 421.67; PETERSON INDUSTRIAL, SE, 11614.05; PETRA ROC INC, SU, 160.94; PRESTO X, SE, 74.95; PUSH-PEDAL-PULL, SU, 6454.35; QUALITY BOOKS, SU, 449.53; QUALITY FOOD, SU, 2.61; QWEST, SE, 1311.65; RANDOM HOUSE, SU, 240.00; S & S WILLERS, SU, 205.88; SKILLPATH SEMINARS, FE, 298.00; STADIUM SPORTING GOODS, SU, 138.00; STANLEY SECURITY SOLUTION, SU, 793.88; STATE NATIONAL BANK, SE, 47.32; STATE NATIONAL BANK, RE, 18283.75; US BANK, SU, 3049.63; UTILITY EQUIPMENT, SU, 243.00; WAYNE COUNTY CLERK, SE, 56.50; WAYNE GRAIN & FEED, SE, 70.00; WAYNE HERALD, SE, 649.88; WAYNE VETERINARY CLINIC, SE, 238.00; WEB SOLUTIONS OMAHA, SE, 275.00; WAPA, SE, 27608.73; ZACH OIL, SU, 4577.23; ZEE MEDICAL SERVICE, SU, 92.11; ALIGNMENT TECHNOLOGIES, SU, 323.38; BOMGAARS, SU, 971.11; BROWN SUPPLY, SU, 23.56; CARHART LUMBER CO, SU, 634.49; CITY OF WAYNE, RE, 99.72; CITY OF WAYNE, RE, 670.37; CITY OF WAYNE, RE, 125.00; COVENTRY HEALTH, SE, 16345.59; CULLIGAN, SE, 42.25; DE LAGE LANDEN FINANCIAL, SE, 471.00; FREDRICKSON OIL, SE, 5300.45; GILMORE & ASSOCIATES, SE, 22.68; GOVERNMENTAL ACCOUNTING, SU, 195.00; MAIN STREET AUTO CARE, SE, 160.00; MATTHEW BENDER, SU, 287.94; MID-STATE ENGINEERING, SE, 2079.50; N.E. NE AMERICAN RED CROSS, RE, 29.62; OMB POLICE SUPPLY, SU, 1579.00; PAMIDA, SU, 235.52; PURCHASE POWER, SU, 500.00; STAN HOUSTON EQUIPMENT CO, SU, 20.40; STATE NATIONAL BANK, RE, 350.69; STEFFEN, SU, 38.64; UNITED WAY, RE, 16.16; VOSS LIGHTING, SU, 191.40; WAYNE AUTO PARTS, SU, 1184.56; WAYNE STATE COLLEGE, RE, 600.00; WESCO, SU, 3895.54

Councilmember Chamberlain made a motion and seconded by Councilmember Sturm to approve the claims. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Shelton 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 Sturm made a motion and seconded by Councilmember Ley to recess as Council and convene as the Community Development Agency. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Chair Chamberlain called the meeting of the Community Development Agency to order. Those in attendance were: Members Brian Frevert, Jim Van Delden, Jon Haase, Dale Alexander, Lois Shelton, Doug Sturm, and Kaki Ley; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Member Kathy Berry.

Chair 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.

The next item on the CDA agenda was to approve the minutes of the October 20, 2009, meeting.

Member Sturm made a motion and seconded by Member Ley approving the minutes of the October 20, 2009, meeting. Chair Chamberlain stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the CDA agenda was to approve the following claims:

- Ransom G. Roman – appraisal of the Kardell Industrial Tract - \$1,500
- City of Wayne – reimbursement of legal fees - \$1,295

Member Sturm made a motion and seconded by Member Ley approving the minutes of the October 20, 2009, meeting. Chair Chamberlain stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the agenda was the consideration and adoption of CDA Res. 2009-8 recommending approval of the Amended Redevelopment Plan/Contract for Louis Benscoter and Javanah Benscoter.

Administrator Johnson stated the reason for the amendment is that there was a change in the lot numbers and lot sizes from the preliminary plat stage to the final plat stage which requires a change in the Redevelopment Plan.

Louis and Javanah Benscoter were present to answer questions.

Member Sturm introduced CDA Resolution No. 2009-8 titled as follows and moved its passage and approval by the Agency:

CDA RESOLUTION NO. 2009-8

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT OF THE CITY OF WAYNE, NEBRASKA, INCLUDING A REDEVELOPMENT CONTRACT, APPROVING A REDEVELOPMENT PROJECT OF THE CITY OF WAYNE, NEBRASKA; APPROVING A COST BENEFIT ANALYSIS FOR SUCH PROJECT; AND APPROVAL OF RELATED ACTIONS.

Member Ley seconded the motion.

On roll call vote, the following Agency Members voted in favor of the motion: Frevert, Van Delden, Haase, Alexander, Shelton, Sturm, Ley and Chamberlain. The following Members were absent: Berry.

The passage of CDA Resolution No. 2009-8 having been agreed upon by a majority of the Agency, the Chair declared CDA Resolution No. 2009-8 passed and, in

the presence of the Agency, signed and approved CDA Resolution No. 2009-8, and the Clerk attested to its passage by affixing her signature thereto.

The next item on the CDA agenda was the consideration and passage of CDA Res. 2009-9 Bond Resolution for Northeast Nebraska Investors, LLC.

Nancy Braden, Finance Director, stated this Resolution is the next step that is required to be able to issue the Tax Increment Financing Bond for the motel project.

Member Sturm introduced CDA Resolution No. 2009-9 titled as follows and moved its passage and approval by the Agency:

CDA RESOLUTION NO. 2009-9

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE; AUTHORIZING THE ISSUANCE OF A TAX INCREMENT REVENUE BOND; PROVIDING FOR THE TERMS AND PROVISIONS OF SAID BOND; PLEDGING REVENUES OF THE AGENCY PURSUANT TO THE COMMUNITY REDEVELOPMENT LAW; AUTHORIZING THE SALE OF SAID BOND; PROVIDING FOR A GRANT; PROVIDING FOR A REDEVELOPMENT CONTRACT AND PROVIDING FOR THIS RESOLUTION TO TAKE EFFECT.

Member Frevert seconded the motion.

On roll call vote, the following Agency Members voted in favor of the motion: Frevert, Van Delden, Alexander, Sturm, and Chamberlain. The following Members were absent: Berry. The following Members abstained: Haase, Shelton and Ley.

The passage of CDA Resolution No. 2009-9 having been agreed upon by a majority of the Agency, the Chair declared CDA Resolution No. 2009-9 passed and, in the presence of the Agency, signed and approved CDA Resolution No. 2009-9, and the Clerk attested to its passage by affixing her signature thereto.

Member Ley made a motion and seconded by Member Alexander to adjourn as the Community Development Agency and reconvene as Council. Chair Chamberlain

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

Mayor Shelton declared the time was at hand for the public hearing to obtain public comment prior to the consideration of a Resolution approving an amended redevelopment plan, including a redevelopment contract, 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"). The Mayor opened the public hearing and invited all interested persons to be heard.

Louis and Javana Bencoter were present to answer questions.

Administrator Johnson stated this is the same Redevelopment Plan/Contract that was approved by the CDA.

Nancy Braden stated the lots that were in the original agreement included lots that belonged to the City. The lot numbers and sizes between the preliminary plat and the final plat stages changed, which is the reason for the amendment to the agreement.

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

Councilmember Sturm introduced Resolution No. 2009-111 and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2009-111

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.

Administrator Johnson noted that there are two TIF agreements in this development area – one is with Northeast Nebraska Investors, LLC, and the other is with Louis and Javanah Bencoter.

Mr. Bencoter stated the lot sizes were increased which decreased the number of lots in the redevelopment area.

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

Administrator Johnson stated we have received Pay Application No. 3 to Steve Harris Construction for \$70,332.34 on the Kardell Subdivision Paving, Drainage and Water Improvement Project. The same has been approved by the engineer on the project.

Councilmember Chamberlain made a motion and seconded by Councilmember Sturm approving Pay Application No. 3 in the amount of \$70,332.34 to Steve Harris Construction for the Kardell Subdivision Paving, Drainage and Water Improvement Project. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Garry Poutre, Superintendent of Public Works and Utilities, was present to discuss soliciting bids for a replacement pickup and snow-plow blade. He and his staff put together a set of specs, which is typical of how they have done this process in the past. He explained how the state bidding process works. The Department of Administrative Services and Purchasing Department of the State of Nebraska takes state contracts on every item used in State Government, from a paper clip to a big truck with a snow plow on it. Every political subdivision can buy or purchase from that State Contract legally without taking bids. What we have done in the past is we develop a set

of specs which is as generic as it can possibly be so that every manufacturer can meet those specs. We give those specs to the local dealers and advertise in the newspaper for 2-3 weeks. We also get an actual written bid from the State Contract supplier. They are estimating that the vehicle they would like to purchase should cost around \$22,000 (new). \$20,000 was put in the budget for a used pickup. The two pickups that need to be replaced were brought up to City Hall for the Council to look at.

Todd Hoeman and Lowell Heggemeyer of the Public Works Department were also present to answer questions about the two pickups that were brought up to City Hall for the Council to look at.

It was noted that at this time, the Public Works Department has three pickups with plows and a 1992 Chevy one-ton pickup that has a straight blade plow on it. The Water Department has a three-quarter ton pickup with a V-plow on it. Once the big plows are done with snow removal, then these pickups are on the road working. We get a lot of years out of this equipment.

Councilmember Sturm made a motion and seconded by Councilmember Chamberlain directing staff to solicit bids for a replacement pickup and snow-plow blade for the Public Works Department. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Jeff Morlok, representing Otte Construction, Inc., presented a proposal to repair the walking track and exterior wall panel at the Wayne Community Activity Center. The total cost of the work would be \$12,795. Mr. Morlok explained that the water infiltrates through the door which has caused the track to deteriorate. The proposal is based upon

replacing 300 sq. ft. of track, which is a guesstimate. He is anticipating it is going to be about a two-month period from the time the project starts.

Councilmember Chamberlain made a motion and seconded by Councilmember Alexander approving the proposal from Otte Construction, Inc., in the amount of \$12,795 to repair the walking track and exterior wall panel at the Community Activity Center. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson presented the amended Wage and Salary Schedule. The City of Wayne participates in the League of Nebraska Municipalities' Pay Survey each year to provide us with information about the average wage ranges for other Nebraska cities in the population range of Wayne. Cities half and double the size of Wayne are used in the comparability study because that is what the Corps of Industrial Relations will use if there would ever be a dispute. The pay ranges are for the job descriptions and not the people holding that job at this current time, so when you are talking about these wages, we are talking about job descriptions and not the people that hold them. The pay ranges that are on the Resolution have a recommended beginning wage and a recommended maximum wage for each job description. The cost of living adjustment is effective January 1st for all employees with the exception of the City Administrator (pursuant to contract). In the past, the cost of living adjustment has been 2%. As the City Administrator, it is his responsibility to determine the actual salaries paid within the pay ranges. He takes the money that is allocated in the budget for wages and distributes it within those pay ranges as he sees fit for the performance level, experience level, and the requirements of the position. In the past, Johnson noted he has been conservative on

the actual salaries paid and the pay ranges recommended. They have generally been less than the League's comparable average wages. Staff has not objected to this. At this time, we are working on a 3-year contract with the Police FOP. We are doing a comparability study with the FOP, and there are some disparities starting to develop between the FOP comparabilities and everybody else. There is a point where the spread can't continue. There is a legal obligation by the Council to pay comparable wages. Since 2003, city staffing levels have been decreased by 10 full-time employees in order to pay reasonable, comparable wages and still control costs.

The Police Department has been treated as a separate entity. However, since the Police Chief and Lieutenant are not part of the FOP, they have been added to this wage Resolution.

The Resolution shows non-salaried or hourly positions that have been moved to different pay grades to coincide with the League's comparability study. The pay grid for the hourly positions provides a 2.7% increase for each year of service unless you are at the top of your pay grade. If we also adjust the cost of living, that is an additional 2%. So, unless somebody is at the top of their pay grade, they will receive a 4.7% increase, which is the way it has been done in the past.

Adjustments have also been made to the exempt salary positions pursuant to the League's comparability study.

Councilmember Alexander stated he could justify the non-exempt wage increases, but did not know how he could justify the exempt salary wage increases – based upon the minimum wage increases (\$900-\$1,200 per month). He had no problem with approving

the wage schedule for the hourly employees, but wanted to discuss salaried employee wages further.

Administrator Johnson stated with the FOP comparabilities, the hourly employees are starting to get into the pay ranges of the administrative staff. At some point, you have to fix that. Statewide, with the city's our size, these wages are the average of what people are getting paid. We have very good staff that work really hard. We have fewer of us doing the work, and we have people that have jumped up and gotten a hold of a lot of grant money and a lot of stimulus funding. There is a point where you don't want the disparity to get totally out of hand between the nonunion people and the union people.

It was noted that the reason the minimum monthly salary ranges increased substantially was that they probably had not been changed for a quite some time. Information regarding the minimum wages for salaried employees would be researched and distributed to the Council.

Councilmember Sturm made a motion and seconded by Councilmember Frevert to table action on Resolution 2009-113 Amending the Wage and Salary Schedule until the next meeting. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would extend the construction start date for the Wayne Trail — Phase 2 Project to August 15, 2010, and acknowledge the RC on the project.

Councilmember Sturm introduced Resolution No. 2009-114 and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2009-114

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 11 WITH THE NEBRASKA DEPARTMENT OF ROADS RELATING TO THE WAYNE TRAIL PROJECT (PHASE 2) STPB-90(4).

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

Councilmember Berry arrived at 6:40 p.m.

Administrator Johnson stated the following Ordinance would establish two handicapped parking spaces on the north side of the auditorium.

Councilmember Chamberlain introduced Ordinance 2009-24, and moved for its approval; Councilmember Frevert seconded.

ORDINANCE NO. 2009-24

AN ORDINANCE AMENDING CHAPTER 78, ARTICLE III, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING OF THE WAYNE MUNICIPAL CODE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Administrator Johnson stated Council must approve the grant agreement with the U.S. Environmental Protection Agency for the new wastewater treatment plant to receive the \$520,400 grant.

Councilmember Sturm made a motion and seconded by Councilmember Haase approving the grant agreement with the U.S. Environmental Protection Agency for the

Water/Wastewater Treatment Facility Project. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley left the meeting at 6:45 p.m.

Councilmember Chamberlain made a motion and seconded by Councilmember Alexander to enter into executive session to discussion pending litigation – Lassila v. City of Wayne, Nebraska Fair Employment Practice Act. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and executive session began at 6:45 p.m.

Mayor Shelton again stated that the matter to be discussed in execution session relates to the pending litigation matter – Lassila v. City of Wayne, Nebraska Fair Employment Practice Act.

Councilmember Chamberlain made a motion and seconded by Councilmember Alexander to resume open session. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 6:52 p.m.

Councilmember Alexander made a motion and seconded by Councilmember Chamberlain to adjourn the meeting. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 6:53 p.m.

[Back to Top](#)

CLAIMS LISTING JANUARY 5, 2010

AMAZON	BOOKS	250.45
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	4,313.52
ANDREW PARKER	ENERGY INCENTIVE	52.92
APPEARA	TOWEL AND LINEN SERVICE	110.68
ARNIE'S FORD-MERCURY INC	HANDIVAN LIFT REPAIR	119.58
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	420.00
BARB FREVERT	WEBSITE DEVELOPMENT	30.00
BLACK HILLS ENERGY	GAS BILLS	207.15
BMI	RADIO LICENSE FEE	305.00
BNA BOOKS	LAW OFFICERS POCKET MANUAL	236.50
BOMGAARS	FD SUPPLIES	26.16
CITY OF WAYNE	CLOTHING REIMBURSEMENT	112.03
CITY OF WAYNE	DOWNTOWN REVITALIZATION	10,000.00
CITY OF WAYNE	HEALTH REIMBURSEMENTS	1,370.91
CITY OF WAYNE	MILEAGE REIMBURSEMENT	137.00
CITY OF WAYNE	PAYROLL	114,909.93
CITY OF WAYNE	SAFETY BOOTS	113.68
CITY OF WAYNE	SMALL BUSINESS	38,000.00
CITY OF WAYNE	UTILITY REFUND	60.58
CITY OF WAYNE	VISION REIMBURSEMENT	94.00
CIVICPLUS	WEBSITE PAGES	14,811.00
COMMUNITY HEALTH	HEALTH CHARITIES	8.00
DLT SOLUTIONS	AUTOCAD RENEWAL	565.27
DUTTON-LAINSON COMPANY	LOCKNUT/WIRE/BULBS/BRACE/DRIVE	598.21
ED M FELD EQUIPMENT INC	PRESSURE KIT	2,500.00
ELECTRIC FIXTURE & SUPPLY	SIGN LIGHT BULBS	125.68
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	541.41
FORT DEARBORN LIFE	LIFE & DISABILITY INSURANCE	1,666.02
FOX INTERNATIONAL LTD INC	EMS CASE	145.86
GALE GROUP	BOOKS	285.00
HEARTLAND FIRE PROTECTION	FIRE EXTINGUISHER RECERT.	343.47
HIGHSMITH INC	POST IT NOTES/STAMP	51.41
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	10,734.72
IRS	FEDERAL WITHHOLDING	37,743.97
JACK'S UNIFORMS	POLICE UNIFORMS	1,145.30
JEO CONSULTING GROUP	LOOP WATER MAINS/TP/WELL 11	30,839.24
LERNER PUBLISHING GROUP	MAGAZINE	34.95
M. K. ERVIN, INC	CONDUITS-GD TO TRANSFORMER	3,030.00
MAEDC	MEMBERSHIPS	425.00
MARK CHRISTIANSEN	ENERGY INCENTIVE	25.59
MARSHALL CAVENDISH	ATLAS	270.01
MIDWEST TAPE LLC	AUDIO BOOKS	358.90
NE DEPT OF REVENUE	STATE WITHHOLDING	5,779.49
NE HARVESTORE	SNOW BRUSH	528.70
NE LAW ENFORCEMENT	EMERGENCY MEDICAL DISPATCHER	50.00

NE NEB INS AGENCY INC	INSURANCE	61,937.00
NE PUBLIC HEALTH	POLICE SERVICES/FLUORIDE	267.00
NEDA	MEMBERSHIP DUES	150.00
NIBM	SUBSCRIPTION RENEWAL	77.00
NORTHEAST EQUIPMENT	LIGHTING EFFICIENCY	450.00
N.E NE AMERICAN RED CROSS	CPR TRAINING	15.00
OLSSON ASSOCIATES	KARDELL PAVING & DRAINAGE	3,740.88
PETERSON THERAPY SERVICES	DOWNTOWN REVITALIZATION	2,857.20
PITNEY BOWES INC	POSTAGE METER & FOLDER LEASE	637.00
POSTMASTER	POSTAGE ON UTILITY BILLS	653.66
QUALITY BOOKS INC	BOOKS	69.39
QUILL CORPORATION	OFFICE SUPPLIES	232.50
QWEST	TELEPHONE CHARGES	427.10
SPAN PUBLISHING	LAW ENFORCEMENT DIRECTORY	144.00
STADIUM SPORTING GOODS	EMBROIDERY	48.00
STANLEY SECURITY SOLUTION	KEYS	63.01
STEVE HARRIS CONSTRUCTION	KARDELL PAVING	70,332.34
UNITED STATES PLASTIC	CHEMICAL SPRAY	89.59
VERIZON WIRELESS	CELL PHONES	140.85
WAYNE COUNTRY CLUB	FERTILIZER	1,620.30
WAYNE STATE COLLEGE	LIGHTING EFFICIENCY	1,500.00
WAYNE STATE	SOFTBALL-PROMOTION	100.00

EMP #	NAME	AMOUNT
01-0008	CHANELLE J BELT	875.61
01-0012	NANCY BRADEN	1,417.51
01-0020	LORI DICKES	184.32
01-0038	JOEL HANSEN	1,087.60
01-0048	LOWELL JOHNSON	1,783.59
01-0052	BRIAN KESTING	1,112.73
01-0058	GERALD KRUGER	987.33
01-0065	MELODIE LONGE	909.74
01-0067	BETTY MCGUIRE	1,475.51
01-0073	DAWN R NAVRKAL	946.47
01-0204	ART F BARKER	99.18
01-0009	JESSICA BOLLES	909.90
01-0018	MARLEN CHINN	1,189.92
01-0025	EDWIN FOOTE	430.28
01-0035	RICHARD HAASE	1,381.33
01-0055	GERALD KLINETOBE	1,144.04
01-0085	KATHLEEN PRINCE	908.78
01-0093	PHILIP SHEAR	1,412.91
01-0101	BRIAN SWANSON	1,243.23
01-0112	LANCE WEBSTER	1,646.99
01-0115	LEE WREDE	1,303.04
01-0170	STEVEN A SCHWARZ	1,103.85
01-0226	DOMENIC T CONSOLI	1,039.91
01-0258	HEATHER J THOR	922.38
01-0270	RENA S ALONSO	1,183.09
01-0298	CHAD M JENSEN	942.72
01-0117	JEFFERY ZEISS	1,184.49
01-0183	MICAELA A WEBER	60.25
01-0199	BRANDON R FOOTE	91.71
01-0237	KARLA S JENSEN	45.23
01-0247	BRETT J GEBHARDT	161.78
01-0260	MADDY E MOSER	147.17
01-0261	COURTNEY M PRESTON	150.34
01-0264	TAYLOR J RACELY	240.89
01-0276	ZACHARY D BRAUN	152.06
01-0279	CORY L HARM	117.80
01-0284	AMANDA PEARSON	70.31
01-0087	JOHN REBENS DORF	479.56
01-0122	FRANCES A POEHLMAN	285.37
01-0205	NORMA L BACKSTROM	21.64
01-0259	PENNY L VOLLBRACHT	1,009.23
01-0296	RICHARD E BARELMAN	524.55
01-0003	BONNIE ANDERSEN	67.78
01-0057	LINDA KRUCKENBERG	133.08
01-0064	LAURAN LOFGREN	1,043.66
01-0077	JULIE OSNES	728.86
01-0202	RITA C MCLEAN	483.08
01-0211	ALISSA M JOHNSON	150.44
01-0233	PAULA M ERICKSON	122.19
01-0263	EMILY A HENDERSON	133.34

EMP #	NAME	AMOUNT
01-0042	LOWELL HEGGEMEYER	1,349.82
01-0044	TODD HOEMAN	2,233.71
01-0138	JERRY M SPERRY	44.80
01-0179	JASON JORGENSEN	1,143.59
01-0243	LANDON STENDER	58.88
01-0266	TYLER J GEBERS	160.13
01-0015	WILLIAM BREITKREUTZ	869.03
01-0021	KEITH DOESCHER	875.26
01-0037	GENE HANSEN	1,396.71
01-0050	DANIEL KARDELL	1,096.90
01-0106	JEFFREY TRIGGS	2,014.42
01-0004	ROBERT BACKMAN	1,156.90
01-0029	TERRY FRY	1,200.62
01-0063	BRIAN LOBERG	1,299.71
01-0084	GARRY POUTRE	1,534.38
01-0100	TIMOTHY SUTTON	1,451.71
01-0013	JEFFREY BRADY	1,780.40
01-0022	DOUGLAS ECHTENKAMP	2,018.67
01-0231	ADAM C JUNCK	1,190.90
TOTAL PRINTED:	69	58,123.31

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
0277	JARVI, MICHELLE B	R	12/30/2009	28.45	068212
0235	HEADLEY, DAVID A	R	12/30/2009	279.02	068213
0273	HANSEN, KATHERINE E	R	12/30/2009	148.34	068214
0282	BOSHART, SAMUEL L	R	12/30/2009	158.55	068215
0297	LISTON, SETH G	R	12/30/2009	1,004.52	068216

EMP #	NAME	AMOUNT
01-0008	CHANELLE J BELT	875.61
01-0012	NANCY BRADEN	1,417.51
01-0020	LORI DICKES	217.46
01-0038	JOEL HANSEN	1,087.60
01-0048	LOWELL JOHNSON	2,026.63
01-0052	BRIAN KESTING	932.33
01-0058	GERALD KRUGER	768.33
01-0065	MELODIE LONGE	1,119.86
01-0067	BETTY MCGUIRE	1,475.51
01-0073	DAWN R NAVRKAL	902.26
01-0204	ART F BARKER	111.59
01-0009	JESSICA BOLLES	909.90
01-0018	MARLEN CHINN	1,183.75
01-0035	RICHARD HAASE	1,190.37
01-0055	GERALD KLINETOBE	1,006.43
01-0085	KATHLEEN PRINCE	908.78
01-0093	PHILIP SHEAR	1,412.92
01-0101	BRIAN SWANSON	1,064.37
01-0112	LANCE WEBSTER	1,647.00
01-0115	LEE WREDE	1,211.43
01-0170	STEVEN A SCHWARZ	1,016.59
01-0226	DOMENIC T CONSOLI	964.06
01-0258	HEATHER J THOR	786.07
01-0270	RENA S ALONSO	993.84
01-0298	CHAD M JENSEN	736.16
01-0117	JEFFERY ZEISS	1,134.93
01-0183	MICAELA A WEBER	30.14
01-0199	BRANDON R FOOTE	237.66
01-0237	KARLA S JENSEN	46.92
01-0247	BRETT J GEBHARDT	229.59
01-0260	MADDY E MOSER	236.05
01-0261	COURTNEY M PRESTON	135.58
01-0264	TAYLOR J RACELY	166.62
01-0276	ZACHARY D BRAUN	202.15
01-0279	CORY L HARM	206.99
01-0284	AMANDA PEARSON	135.75
01-0087	JOHN REBENS DORF	411.14
01-0122	FRANCES A POEHLMAN	298.32
01-0205	NORMA L BACKSTROM	14.42
01-0259	PENNY L VOLLBRACHT	1,009.23
01-0296	RICHARD E BARELMAN	526.23
01-0003	BONNIE ANDERSEN	144.15
01-0057	LINDA KRUCKENBERG	230.60
01-0064	LAURAN LOFGREN	1,009.56
01-0077	JULIE OSNES	728.87
01-0202	RITA C MCLEAN	465.69
01-0211	ALISSA M JOHNSON	175.24
01-0233	PAULA M ERICKSON	160.29
01-0263	EMILY A HENDERSON	286.78
01-0042	LOWELL HEGGEMEYER	886.18

EMP #	NAME	AMOUNT
01-0044	TODD HOEMAN	1,344.38
01-0138	JERRY M SPERRY	44.80
01-0177	GEORGE BEHLERS	43.60
01-0179	JASON JORGENSEN	922.58
01-0243	LANDON STENDER	157.20
01-0266	TYLER J GEBERS	421.43
01-0015	WILLIAM BREITKREUTZ	962.33
01-0021	KEITH DOESCHER	1,035.41
01-0037	GENE HANSEN	1,396.71
01-0050	DANIEL KARDELL	991.12
01-0106	JEFFREY TRIGGS	1,051.47
01-0004	ROBERT BACKMAN	1,223.89
01-0029	TERRY FRY	1,129.53
01-0063	BRIAN LOBERG	1,315.74
01-0084	GARRY POUTRE	1,534.36
01-0100	TIMOTHY SUTTON	1,718.81
01-0013	JEFFREY BRADY	1,103.17
01-0022	DOUGLAS ECHTENKAMP	1,148.20
01-0231	ADAM C JUNCK	835.03
TOTAL PRINTED:	69	53,455.20

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
0235	HEADLEY, DAVID A	R	12/16/2009	288.06	068171
0273	HANSEN, KATHERINE E	R	12/16/2009	133.88	068172
0297	LISTON, SETH G	R	12/16/2009	1,030.11	068173

	CITY OF WAYNE	
	2009 - 2010	2010 - 2011
PROPERTY PREMIUMN	\$42,949.00	\$48,323.00
Values	\$22,997,600.00	\$25,198,800.00
Extra Expense	\$120,000.00	\$120,000.00
2-19-09 / deleted Loc. 060 - Fire Hall	(\$17.00)	
8-18- 9/ increased values Loc 51 &56 - Lift Station 2 & 5	\$194.00	
11-12-09/ increased valies Loc 17, treatment plant	\$51.00	
COMMERCIAL OUTPUT	\$44,615.00	\$45,021.00
Power Plant		
Building	\$28,066,500.00	Agreed Amount \$28,324,200.00
Contents	\$163,900.00	\$163,900.00
AUTO	\$15,800.00	\$16,589.00
	60 units	62 units
4-7-09 / deleted #4, 1966 Chev.	(\$173.00)	
4-8-09/ added #61 1976 GMC 3T cab	\$264.00	
5-19-09/ deleted #17 1987 Chev Suburban	(\$186.00)	
10-26-09/ added #62 2005 super duty F550	\$68.00	
11-10-09/ added #63 1980 IHC 2575 Tractor	\$106.00	
11-23-09/ added #64 Karsman Trailer	N/C	
INLAND MARINE	\$4,161.00	\$4,161.00
UMBRELLA	\$11,568.00	\$11,616.00
LINEBACKER	\$3,190.00	\$3,189.00
Law Enforcement Liability	\$2,138.00	\$2,887.00
CRIME	\$884.00	\$880.00
LIABILITY	\$14,144.00	\$14,919.00
WORKERS COMPENSATION	\$107,840.00	\$98,439.00
Exp Mod	1.33	1.12
Payroll	\$1,926,518.00	Audited \$2,096,680.00
TERRORISM	INCLUDED	INCLUDED
	\$2,203.00	\$2,023.00
TOTAL	\$247,289.00	\$246,024.00

LB 840 Funds Committed (as of 12/31/09)

<u>Applicant</u>	<u>Amount</u>	<u>Type of funding</u>	<u>Purpose</u>
Digital Blue	\$ 30,600.00	performance based loan	relocation/extension
Louis and Jevonah Bencoter	\$ 36,000.00	performance based loan	land development
Interactive Impact	\$ 30,000.00	performance based loan	intellectual property development
City of Wayne	\$ 64,200.00	zero percent loan	housing downpayment match
Northeast Nebraska Investors	\$ 250,000.00	zero percent loan	hotel project
Jim Milliken (Godfathers)	\$ 38,000.00	zero percent loan	parking lot
Wayne Area Economic Development	\$ 10,000.00	grant	marketing (general)
Wayne Area Economic Development (Project Majestic)	\$ 200,000.00	grant	theater renovation/remodel
Total Funds Committed	\$ 658,800.00		

LB 840 Application Review

Project: _____

	Doesn't Meet		Somewhat Meets		Meets
CATEGORY					
1. Businesses/entities which create one quality job for each \$25,000 or less in public financing assistance					
2. Businesses/entities which create quality jobs (in number, wages, value) for area residents					
3. Businesses/entities that demonstrate a need for gap financing					
4. Businesses/entities that provide community betterment/impact					
5. Businesses/entities that have the potential to generate sales taxes					
6. New business start-ups					
7a. Applications which provide for the expansion or enhancement of existing businesses/entities in Wayne					
7b. Applications which provide for the expansion or enhancement of existing microenterprise (5 FTEs or fewer) businesses/entities in Wayne					
8. Applications which will utilize funding to further downtown redevelopment					
9. Applications utilizing funds to enhance the Wayne tourism industry					
10. Businesses/entities that in the opinion of the Citizens Advisory Review Committee have unusual potential for growth					

City of Wayne
LB 840 - 40% of 1% City Sales Tax

City of Wayne	Potential Projects Costs	Actual 2008-09	Approve 2009-10	Actual collections & expenses to 12/30/09	Estimated Budget 2010-11	Estimated Budget 2011-12	Estimated Budget 2012-13	Estimated Budget 2013-14	Estimated Budget 2014-15	Estimated Budget 2015-16	Estimated Budget 2016-17	Estimated Budget 2017-18	Estimated Budget 2018-19	Estimated Budget 2019-20	Estimated Budget 2020-21	Estimated Budget 2021-22	Estimated Budget 2022-23	Estimated Budget 2023-24	Maximum of \$3,200,000 for LB 840 projects
City Sales Tax (est. 2% growth)		\$ 13,923	\$ 180,000	\$ 47,159	\$ 183,600	\$ 187,272	\$ 191,017	\$ 194,838	\$ 198,735	\$ 202,709	\$ 206,763	\$ 210,899	\$ 215,117	\$ 219,419	\$ 223,807	\$ 228,284	\$ 232,849	\$ 237,506	\$ 3,173,898
Loan Repayment																			
Interest																			
Total Revenues		\$ 13,923	\$ 180,000	\$ 47,159	\$ 183,600	\$ 187,272	\$ 191,017	\$ 194,838	\$ 198,735	\$ 202,709	\$ 206,763	\$ 210,899	\$ 215,117	\$ 219,419	\$ 223,807	\$ 228,284	\$ 232,849	\$ 237,506	\$ 3,173,898
Potential Projects by Approved LB840 Category																			
Real estate purchases																			
Options on industrial sites	\$ -	\$ -	\$ -	\$ -															\$ -
Downtown lots	\$ -	\$ -	\$ -	\$ -															\$ -
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wages																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Relocate qualifying business																			
Digital Blue - approved	\$ 30,600	\$ 30,600	\$ -																\$ 30,600
Interactive Impact - approved	\$ 30,000	\$ 30,000	\$ -																\$ -
Light Industry business relocation	\$ 150,000	\$ -	\$ -																\$ -
Business Relocation	\$ 50,000	\$ -	\$ -																\$ -
Subtotal	\$ 260,600	\$ 60,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,600
Bonds																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grants for Job Training																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Small Business microenterprise																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest buy down																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Marketing																			
Community Wide Promotion - approved	\$ 150,000	\$ -	\$ 10,000																\$ 10,000
Subtotal	\$ 150,000	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Housing Development																			
Benscoter Subdivision - engineering costs- approved	\$ 36,000	\$ 36,000	\$ -																\$ 36,000
City of Wayne Housing DPA - loan - approved	\$ 64,200	\$ -	\$ 21,399	\$ 7,132	\$ 35,665	\$ 7,136													\$ 71,332
Subtotal	\$ 100,200	\$ 36,000	\$ 21,399	\$ 7,132	\$ 35,665	\$ 7,136	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 107,332
Revitalize Downtown																			
Wayne Community Theater																			\$ -
Wayne Movie Theater (Project Majestic) - approved	\$ 200,000	\$ -	\$ 200,000																\$ 200,000
Subtotal	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Revolving loan																			
Godfather's Pizza - approved	\$ 38,000	\$ -	\$ 38,000	\$ 38,000															\$ -
Northeast Nebraska Investors - motel - approved	\$ 250,000	\$ -	\$ 250,000																\$ 250,000
Subtotal	\$ 288,000	\$ -	\$ 288,000	\$ 38,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000
Other																			
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 998,800	\$ 96,600	\$ 519,399	\$ 45,132	\$ 35,665	\$ 7,136	\$ -	\$ 703,932											
Remaining Funds	\$ (82,677)	\$ (422,076)	\$ (274,141)	\$ (94,005)	\$ 97,013	\$ 291,851	\$ 490,585	\$ 693,294	\$ 900,058	\$ 1,110,956	\$ 1,326,073	\$ 1,545,492	\$ 1,769,300	\$ 1,997,583	\$ 2,230,432	\$ 2,467,938			

RESOLUTION NO. 2009-113

WHEREAS, the City of Wayne desires to amend Resolution No. 2009-13, a standard wage and salary schedule which was effective January 1, 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the City of Wayne Wage & Salary Schedule shall be as follows:

CITY OF WAYNE
NON-EXEMPT WAGE AND EXEMPT SALARY SCHEDULES
Effective January 1, 2010

NON-EXEMPT WAGE SCHEDULE

<u>LABOR GRADE</u>	<u>HOURLY RATE RANGE</u>	<u>JOB CLASSIFICATION(S)</u>
5	7.10 - 9.32 7.25 - 9.51	Community Activity Center/Recreation Program Aide Part-Time General Help Life Guard Laborer -- PW / PU Library Aide Senior Center Activities Assistant
6	7.38 - 9.69 7.53 - 9.88	Clerk/Secretary
7	7.81 - 10.25 7.97 - 10.45	Assistant Librarian I Custodian Recreation-Leisure Services Asst-I Senior Center Operations Assistant
8	8.21 - 10.78 8.37 - 10.99	Transfer Station Operator
9	8.62 - 11.31 8.79 - 11.54	Account Clerk-I Assistant Librarian II Recreation-Leisure Services Asst-II
10	9.05 - 11.87 9.23 - 12.11	
11	9.51 - 12.48 9.70 - 12.73	Accountant Apprentice Light Plant Oper. Handi-Van Driver Line Groundsman
12	9.98 - 13.09 10.18 - 13.36	Building Inspector/Planner-I Librarian I

13	10.48 - 13.75 10.69 - 14.03	Chief Custodian Executive Secretary
14	10.99 - 14.42 11.21 - 14.71	Heavy Equipment Operator-I Light Plant Operator-I Public Works Operations Tech.-I Water/Sewer Operator-I
15	11.56 - 15.17 11.79 - 15.47	Apprentice Lineman Mechanic I Staff Assistant
16	12.13 - 15.92 12.37 - 16.24	Account Clerk-II Accountant/Asst. Treasurer Administrative Assistant Building Manager/Custodian Heavy Equipment Operator-II Water/Wastewater Operator-II
17	12.76 - 16.75 13.02 - 17.08	Light Plant Operator-II Lineman-I Public Works Operations Tech.-II
18	13.35 - 17.52 13.62 - 17.87	
19	14.03 - 18.40 14.31 - 18.78	Assistant Street Foreman Class A Licensed Electrician Mechanic II
20	14.69 - 19.27 14.98 - 19.66	Certified Street Superintendent
21	15.46 - 20.29 15.77 - 20.69	Chief of Electric Production Street Foreman Water/Wastewater Operator III
22	16.20 - 21.26 16.52 - 21.68	Building Inspector/Planner II Lineman-II Technology Support Specialist
23	17.01 - 22.33 17.35 - 22.77	Water/Wastewater Foreman Power Plant Foreman
24	18.35 - 24.08 18.72 - 24.56	
25	19.80 - 25.98 20.20 - 26.50	Line Foreman/Asst. Supt.

~~20.59 - 27.02~~
 21.00 - 27.56

EXEMPT SALARY SCHEDULE

<u>JOB CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>					
Recreation-Leisure Services Director	(\$12.36)		\$2,142	-	\$3,179 \$3,254	(\$18.77)
Sr. Citizens Center Coordinator	(\$12.36)		\$2,142	-	\$3,254	(\$18.77)
Library Director	(\$17.00)	\$2,946	\$2,142	-	\$3,438 \$3,800	(\$21.92)
Police Lieutenant	(\$20.11)	\$3,486	\$2,550	-	\$4,236 \$4,439	(\$25.61)
City Clerk	(\$20.04)	\$3,474	\$2,550	-	\$4,351 \$4,612	(\$26.61)
Finance Director	(\$21.53)	\$3,731	\$2,550	-	\$4,432 \$4,638	(\$26.76)
Electric Superintendent- Production	(\$21.48)	\$3,723	\$3,060	-	\$4,551 \$4,584	(\$26.45)
Police Chief	(\$24.54)	\$4,254	\$3,060	-	\$5,083 \$5,498	(\$31.72)
Supt. of Public Works & Utilities	(\$25.27)	\$4,380	\$3,213	-	\$5,227 \$5,862	(\$33.82)
City Administrator	(\$38.78)	\$6,721		-	\$5,937 \$7,470	(\$43.10)

BE IT FURTHER RESOLVED that upon satisfactory evaluation, the normal progression between the labor grade steps shall be at least twelve (12) months, unless otherwise deemed warranted and appropriate by the City Administrator.

BE IT FURTHER RESOLVED that employees who are serving in a probationary period and/or receiving wage rates less than rates scheduled herein above shall have their wage rates adjusted only upon satisfactory evaluation at their next normal evaluation time.

PASSED AND APPROVED this 5th day of January, 2010.

THE CITY OF WAYNE, NEBRASKA

By _____
 Mayor

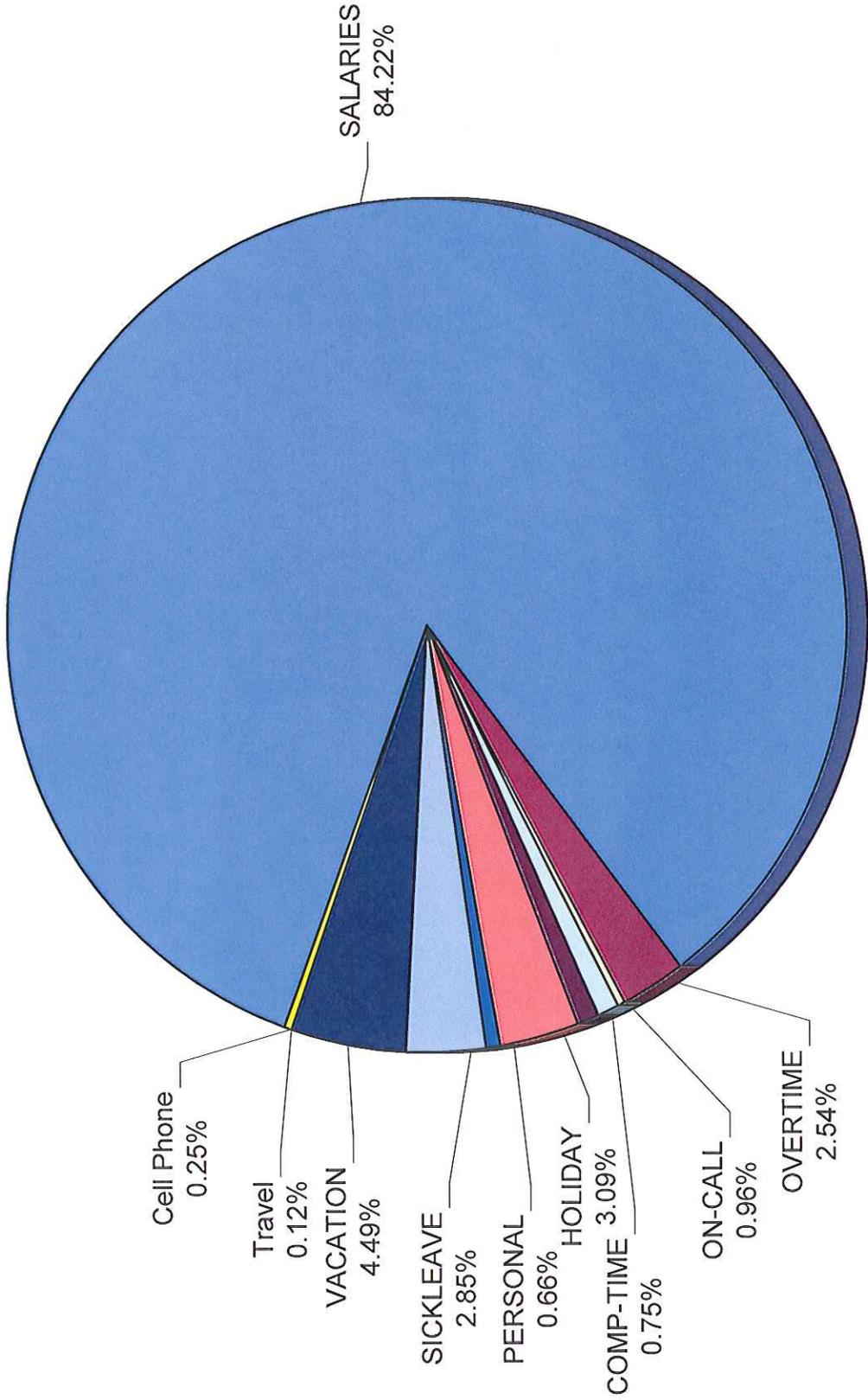
ATTEST:

 City Clerk

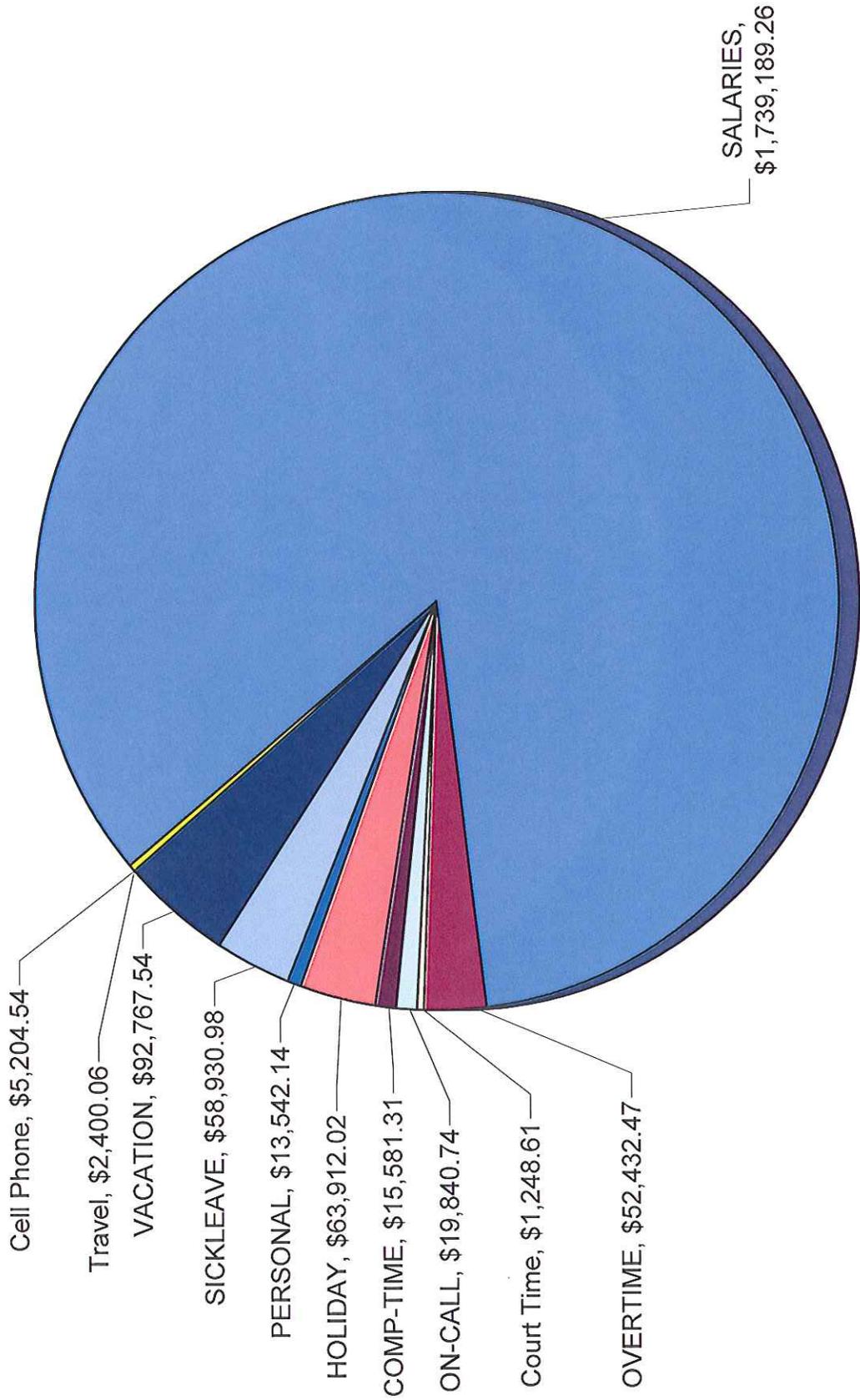
APPROVED AS TO FORM AND CONTENT:

 City Attorney

City of Wayne
2009 Annual Payroll



City of Wayne
2009 Annual Payroll



ORDINANCE NO. 2009-24

AN ORDINANCE AMENDING CHAPTER 78, ARTICLE III, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING OF THE WAYNE MUNICIPAL CODE; 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 78, Article III, Section 78-96 of the Wayne Municipal Code is amended to read as follows:

Sec. 78-96 Location Reserved for Handicapped Parking

- (a) The following parking spaces shall be designated handicapped parking areas:
- 1) One parking space at the intersection of Third and Main Streets on the northeast corner of Third Street.
 - 2) One parking space at the intersection of Third and Main Streets on the southeast corner of Third Street.
 - 3) One parking space at the intersection of Third and Pearl Streets on the northeast side of Pearl Street.
 - 4) One parking space at the intersection of 2nd and Main Streets on the northwest corner of 2nd Street.
 - 5) One parking space at the intersection of 2nd and Main Streets on the southeast corner of 2nd Street.
 - 6) One parking space at the intersection of 4th and Main Streets on the northeast corner of 4th Street.
 - 7) One parking space between Main and Pearl Streets on the north side of Third Street.
 - 8) One parking space at the intersection of Third and Pearl Streets on the southwest side of Pearl Street.
 - 9) One parking space between Third and Fourth Streets on the east side of Lincoln Street.
 - 10) One parking space on the north side of First Street between Main and Pearl Streets (on the east side of alley).
 - 11) Two parking spaces between Pearl and Lincoln Streets on the south side of Third Street.*
- (b) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

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 January, 2010.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney

ORDINANCE NO. 2010-1

AN ORDINANCE TO AMEND SECTION 78-127 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHEAST QUADRANT OF THE CITY; 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 78, Article III, Section 78-127 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-127 PARKING; RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; NORTHEAST QUADRANT OF THE CITY.

- (a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:
- (1) The north side of the centerline of Hillcrest Road from the east line of Walnut Street east to where Hillcrest Road turns south and then on the west side of the centerline to the north line of East Tenth Street.
 - (2) The north side of the centerline of East Tenth Street from the east line of Nebraska Street to the west line of Windom Street.
 - (3) The north side of the centerline of East Tenth Street from the east line of Walnut Street east to the city limits.
 - (4) The south side of the centerline of East Tenth Street from the east line of Logan Street east to the west line of Nebraska Street.
 - (5) The north side of the centerline of East Ninth Street from the east line of ~~Logan~~ **Main** Street east to the west line of Pine Heights Road.
 - (6) The north side of the centerline of East Eighth Street from the east line of Main Street east to the north-south alley east of Windom Street.
 - (7) The west side of the centerline of Logan Street from a point 25 feet north of the north line of East Seventh Street north to the south line of East Tenth Street.
 - (8) The west side of the centerline of Nebraska Street from the north line of East Seventh Street north to the south line of East Tenth Street.
 - (9) The west side of the centerline of Windom Street from the north line of East Seventh Street north to the south line of East Tenth Street.
 - (10) The west side of the centerline of Walnut Street from a point 190 feet north of the north line of East Seventh Street north to the south line of East Ninth Street.

- (11) The west side of the centerline of Walnut Street from the north line of East Ninth Street north to the south line of Hillcrest Road.
- (12) The west side of the centerline of Pine Heights Road from the north line of East Seventh Street north to the south line of East Tenth Street.
- (13) The west side of the centerline of Lilac Lane from the north line of East Tenth Street north to the south line of Hillcrest Road.
- (14) The west side of the centerline of Walnut Street from the north line of Hillcrest Road north to the south line of East 14th Street.
- (15) The east side of the centerline of Circle Drive from the north line of East Ninth Street north to the circle.
- (16) The west side of the centerline of Claycomb Road from the north line of East 14th Street north to the city limits.
- (17) The west side of the centerline of Linden Street from the north line of East 14th Street north to the south line of Aspen Street.
- (18) The north side of the centerline of Aspen Street from the east line of Claycomb Road east to the city limits.
- (19) The west side of the centerline of Hillside Drive from the north line of Seventh Street north to the city limits.
- (20) The west side of the centerline of Eastview Drive from the north line of Poplar Street north to the south line of Sunnyview Drive.
- (21) The north side of the centerline of Poplar Street from the east line of Eastview Drive to the west line of Hillside Drive.
- (22) The north side of the centerline of Sunnyview Drive from the east line of Providence Road east to the west line of Hillside Drive.

- (b) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 ____ day of January, 2010.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND CONTENT

City Attorney

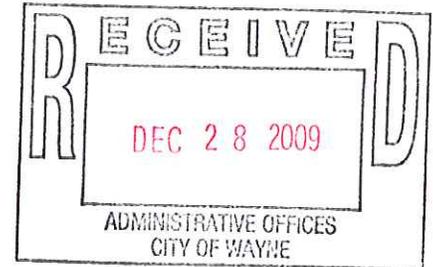


ORIGINAL

Arizona ♦ Colorado
Iowa ♦ Kansas ♦ Nebraska
www.kirkham.com

December 17, 2009

RE: Amendment No. 1
Agreement for Professional Construction Engineering Services
Former Kardell Landfill Improvements
City of Wayne
Wayne, Nebraska
KM-0805249



Mr. Lowell Johnson
City Administrator
City of Wayne
306 Pearl Street
Wayne, Nebraska 68787

Dear Lowell:

Kirkham Michael is pleased to submit this Amendment No. 1 to the letter agreement dated May 20, 2008, for professional construction engineering services relative to the reconstruction and stabilization of the bank of South Logan Creek adjacent to the former Kardell Landfill. We have consolidated the best talent possible for this project, and each member of the Kirkham Michael team is committed to ensuring the success of this project.

Scope of Services

This scope of work describes the necessary professional construction engineering services required for the South Logan Creek improvements. The scope of construction services for this Amendment No. 1 was not included within the original letter agreement. This project has been designed and publicly bid.

Construction Phase Services

Public bids have been taken and have been approved by the City. After the City has executed the construction contracts, Kirkham Michael is prepared to provide construction phase services. The Construction Phase Services include the following:

1. Schedule and attend a preconstruction conference with the Contractors and the City and provide meeting minutes;
2. Construction staking in accordance with the project specifications;
3. Administration of the construction contract;
4. Shop drawing review and approval;
5. Coordination of the activities between the City and the Contractors so as to effect any needed field changes;



Mr. Lowell Johnson
December 17, 2009
Page 2

6. Administration of billing and payment procedures for the contract;
7. Observation and monitoring of the construction progress (maximum of 32 hours included);
8. Materials testing costs shall be paid by the City directly to the material testing laboratory. Kirkham Michael will coordinate the implementation of the materials testing laboratory;
9. Provide any necessary change orders.
10. Complete record drawings based upon red-lined prints as submitted by the construction Contractors.

City's Responsibility

The City will be responsible for the following tasks during the construction phase:

1. Designate City Project Manager for direct liaison with Kirkham Michael.
2. Make necessary policy and budgetary decisions to enable timely completion of the work.
3. Costs of materials testing.

Schedule

Kirkham Michael will complete the construction services, as necessary, during the progress of the construction. Construction is anticipated to be substantially complete by Spring 2010.

Fee

Kirkham Michael proposes to complete the above-described Construction Phase professional services for a lump sum fee of Thirteen Thousand Nine Hundred Dollars (\$13, 900.00). This lump sum fee includes our professional services and all project related direct expenses. The City will be invoiced on a monthly basis for services rendered during the preceding month. Invoices are due and payable upon receipt.



Mr. Lowell Johnson
December 17, 2009
Page 3

If the above described items are satisfactory to the City of Wayne, please sign and date both the "original" and the "duplicate" copies of this letter agreement amendment. Keep the original copy for your files and return the duplicate copy to us for our files. Receipt of this agreement will be considered our notice to proceed with the work. We appreciate the opportunity to provide professional engineering services for the City of Wayne.

Sincerely,

KIRKHAM, MICHAEL & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Rich Robinson'.

Rich Robinson, P.E.
Senior Vice President

RLR/sjt

Copy to: J. Frederiksen – Kirkham Michael Omaha

S:\0805249\correspondence\letters & memos\Johnson-ltr-Amend-1.rlr.doc

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED:

_____ Date: _____
Lois Shelton, Mayor
City of Wayne

[Back to Top](#)



CERTIFICATE OF PAYMENT NO. 1
Date of Issuance: January 5, 2010
Project No. 007-1652

Project: Muhs Acres Water Main Extension Wayne, Nebraska - 2009

Contractor: Robert Woehler & Sons Construction, Inc., 123 Fairgrounds Ave., Wayne, NE 68787

DETAILED ESTIMATE		
Description	Unit Prices	Extensions
See Attached		
PLEASE REMIT PAYMENT TO: Robert Woehler & Sons Construction, Inc.		

Value of Work Stored & Completed: \$42,807.08

Original Contract Cost: \$128,442.00
 Approved Change Orders:
 No. \$0.00
 No. \$0.00
 No. \$0.00
 No. \$0.00
 No. \$0.00
 Total Contract Cost: \$128,442.00

Value of completed work and materials stored \$42,807.08
 Less retained percentage (10%) \$4,280.71
 Net amount due including this estimate \$38,526.37

Less: Estimates previously approved:

No. 1	\$0.00	No. 6	\$0.00
No. 2	\$0.00	No. 7	\$0.00
No. 3	\$0.00	No. 8	\$0.00
No. 4	\$0.00	No. 9	\$0.00
No. 5	\$0.00	No. 10	\$0.00

Total Previous Estimates: \$0.00

NET AMOUNT DUE THIS ESTIMATE: \$38,526.37

The undersigned hereby certifies that the work done and materials delivered have been checked as to quantity and conformance with the plans and specifications and the Contractor, in accordance with the contract, is entitled to payment as indicated above.

cc: Project File

By  OLSSON ASSOCIATES

1
 PAY ESTIMATE NO.
 1-5-10

Muhs Acres Water Main Extension
 Wayne, Nebraska
 007-1652
 Robert Woehler & Sons Construction, Inc.

No.	Description	Unit	Quantity	Plan	Unit Price \$	Contract Price \$	Total Amount Stored	Completed Quantities	Total Amount Stored & Completed	90% Due Contractor	10% Retainage	Am't. Paid Prev. Est.	Total Due This Est.
Bid Section "A"													
1	Mobilization	LS	1		\$4,000.00	\$4,000.00		0.25	\$1,000.00	\$900.00	\$100.00	\$0.00	\$900.00
2	Traffic Control & Temporary Access	LS	1		\$1,000.00	\$1,000.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3	12" PVC Water Main-C909	LF	1075		\$18.00	\$19,350.00	\$9,030.00	0	\$9,030.00	\$8,127.00	\$903.00	\$0.00	\$8,127.00
4	8" PVC Water Main-C909	LF	1275		\$12.50	\$15,937.50	\$5,248.00	0	\$5,248.00	\$4,723.20	\$524.80	\$0.00	\$4,723.20
5	12" M.J. Gate Valve w/ Box	EA	1		\$2,000.00	\$2,000.00	\$1,464.64	0	\$1,464.64	\$1,318.18	\$146.46	\$0.00	\$1,318.18
6	8" M.J. Gate Valve w/ Box	EA	2		\$1,200.00	\$2,400.00	\$1,579.28	0	\$1,579.28	\$1,421.35	\$157.93	\$0.00	\$1,421.35
7	Duxelle Iron Fittings	LB	1723		\$2.50	\$4,307.50	\$740.88	0	\$740.88	\$666.79	\$74.09	\$0.00	\$666.79
8	Fire Hydrant Assembly	EA	5		\$2,750.00	\$13,750.00	\$5,688.09	0	\$5,688.09	\$5,119.28	\$568.81	\$0.00	\$5,119.28
9	Blow Off Hydrant Assembly	EA	1		\$1,800.00	\$1,800.00	\$211.59	0	\$211.59	\$190.43	\$21.16	\$0.00	\$190.43
10	1" Water Service Connection	EA	21		\$400.00	\$8,400.00	\$4,341.96	0	\$4,341.96	\$3,907.76	\$434.20	\$0.00	\$3,907.76
11	1" Water Service Tubing, P.E. Pipe	LF	904		\$8.00	\$7,232.00	\$334.48	0	\$334.48	\$301.03	\$33.45	\$0.00	\$301.03
12	Remove & Replace 6" Concrete Driveway	SY	149		\$40.00	\$5,960.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
13	Crushed Rock Surfacing	TON	239		\$15.00	\$3,585.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
14	Gravel Surfacing	TON	28		\$20.00	\$560.00	\$85.12	0	\$85.12	\$76.61	\$8.51	\$0.00	\$76.61
15	Remove & Replace 8" Corrugated HDPE Culvert	LF	28		\$20.00	\$560.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
16	Erosion Control	LS	1		\$1,000.00	\$1,000.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
17	Type 'B' Seeding (Residential)	AC	0.4		\$2,000.00	\$800.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
18	Type 'B' Seeding (Rural)	AC	0.1		\$500.00	\$50.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Base Bid Section "A" (Items 1-18)										\$26,751.64	\$2,972.40	\$0.00	\$28,724.04
Bid Section "B"													
1	Mobilization	LS	1		\$2,000.00	\$2,000.00		0.25	\$500.00	\$450.00	\$50.00	\$0.00	\$450.00
2	Traffic Control & Temporary Access	LS	1		\$1,000.00	\$1,000.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3	12" PVC Water Main-C909	LF	1300		\$18.00	\$23,400.00	\$10,920.00	0	\$10,920.00	\$9,828.00	\$1,092.00	\$0.00	\$9,828.00
4	12" Gate Valve	EA	1		\$2,000.00	\$2,000.00	\$1,464.64	0	\$1,464.64	\$1,318.18	\$146.46	\$0.00	\$1,318.18
5	Duxelle Iron Fittings	LB	598		\$2.50	\$1,495.00	\$138.40	0	\$138.40	\$126.55	\$11.84	\$0.00	\$126.55
6	Water Curb	EA	2		\$500.00	\$1,000.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
7	Crushed Rock Surfacing	TON	30		\$30.00	\$900.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8	Gravel Surfacing	TON	152		\$15.00	\$2,280.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
9	Erosion Control	LS	1		\$1,000.00	\$1,000.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10	Type 'B' Seeding (Rural)	AC	0.2		\$2,000.00	\$400.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
11	Abandon Meter Pit	EA	1		\$500.00	\$500.00		0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Base Bid Section "B" (Items 1-11)										\$11,774.74	\$1,308.30	\$0.00	\$11,774.74
Total Base Bid Section "A" & "B"										\$38,526.37	\$4,280.71	\$0.00	\$42,807.08

APPLICATION FOR PAYMENT NO. 3

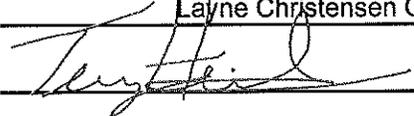
To: City of Wayne, Nebraska
From: Layne Christensen Co.
Contract For: Well House and Municipal Well 2009-1
ENGINEER's Project No. 617W6
For Work accomplished through the date of: December 30, 2009

1. Original Contract Price:	\$ 363,651.00
2. Net change by Change Orders and Written Amendments (+ or -):	\$ (5,088.00)
3. Current Contract Price (1 plus 2):	\$ 358,563.00
4. Total completed and stored to date:	\$ 111,630.21
5. Percent of Project Completed <u>31%</u>	
6. Retainage (per agreement):	
<u>10%</u> of completed Work and Stored Materials:	\$ 11,163.02
(10% of the first 50% of work completed & stored)	
Total Retainage:	\$ 11,163.02
7. Total completed and stored to date less retainage (4 minus 6):	\$ 100,467.19
8. Less previous Application for Payments:	\$ 83,329.20
9. DUE THIS APPLICATION (7 MINUS 8):	\$ 17,137.99

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 inclusive; (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 Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated: December 30, 2009
By: Layne Christensen Co.


Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 12-31-2009
By: JEO CONSULTING GROUP, INC.
Dale E. Bokun, P.E.

APPLICATION APPROVED BY: City of Wayne, Nebraska

By: _____
Title: _____ Date: _____

ATTEST:

By: _____ Title: _____