

**AGENDA  
CITY COUNCIL MEETING  
March 16, 2010**

**5:30 Call to Order**

**1. Approval of Minutes – March 2, 2010**

**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: Department of Economic Development Community Development Block Grant Projects (Downtown Revitalization Phase I, Downtown Revitalization Phase II, Speculative Building, Sand Creek Post & Beam Expansion, and Western Ridge) – Advertised Time: 5:30 p.m.

**Background:** This second round of public hearings for these grant funded projects are new requirements by the Nebraska Department of Economic Development. The purpose of these hearings is to solicit public input regarding the success of the projects, how well the results match the original expectations of the public, and any unexpected problems or any unresolved problems, etc. These results must be documented and reported back to NDED.

**4. Resolution 2010-16: Amending Guidelines for New Construction and Down Payment Assistance Program**

**Background:** You will recall from the last City Council meeting discussion that we have met the performance requirements for the \$387,000 New Housing Construction Grant from the Nebraska Affordable Housing Trust Fund. NDED has informed us that we must use the remaining \$132,691 of grant funds on additional affordable housing or the funds must be remitted back to the State in August, 2010. Wayne Community Housing and Wayne Habitat for Humanity can use the remaining grant funds by August for affordable homes in Western

Ridge II. We have worked with NDED to get approval of the grant guidelines to use the remaining funds. The changes to the guidelines are printed in red.

#### 5. Resolution 2010-17: Amending Energy Incentive Program

**Background:** Resolution 2008-33 amended the City of Wayne Electric Incentive Program to add “attic insulation, non-power attic ventilation, exterior wall insulation, electric heat pumps, electric entrance boxes and thermal windows” as eligible practices for incentives up to \$500 per customer. We have been cost-sharing at the rate of \$500 per heat pump even when there are multiple heat pumps installed because of the high value to the system of the summer peak load control combined with the leveling from the winter load. We have been interpreting the incentive limits of Resolution 2008-33 to mean per year per property. Since the language doesn’t specify this, we need to clarify the intent of the Council to determine that the incentive limit is a one-time incentive per property or per property per year.

**Recommendation:** To date, we are not using all of the \$50,000 per year budgeted for energy incentives. Recommendation of the Superintendent of Electric Production, Finance Director and City Administrator is to continue the incentive limitations on a per property, per year basis until demand exceeds supply, because every heat pump installed or additional insulation or attic vent provides a payback for the system through summer peak load reduction and energy efficiency.

6. [Action to amend the Contract for Engineering Services with JEO Consulting Group to Add 1<sup>st</sup> Street Sidewalks, Water Main and Storm Sewer Design to the Scope of Services.](#)

**Background:** At the public hearing for the 1 & 6 Year Street Improvement Plan in February, we decertified the 1<sup>st</sup> Street Repaving Project as a federally funded STP project because the sanitary sewer was video inspected and found to be sound. This contract amendment transfers the 1<sup>st</sup> Street sidewalk, water main replacement and storm drain portion of the decertified STP project to the Downtown Revitalization Project and under the JEO contract.

**Recommendation:** The recommendation of the Street Superintendent, Finance Director and City Administrator is to approve the transfer of the 1<sup>st</sup> Street Project to the JEO Engineering Services Agreement.

#### 7. Recess

- a. [Convene as Community Development Agency](#)
- b. [Approve Minutes – March 2, 2010](#)

- c. [Action on Purchase Agreement for Sale of Lot to Habitat for Humanity in Western Ridge](#)
- d. [Action to Authorize Lot Purchase Incentive for Wayne Community Housing \(Lot 17\)](#)

- 8. Adjourn as Community Development Agency and Reconvene As Council
- 9. Adjourn

**APPROVED AS TO FORM AND CONTENT:**

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Mayor

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City Administrator

[Library Board of Trustees Meeting Minutes \(11/3/09, 12/1/09, 1/12/10, and 2/2/10\)](#)

March 2, 2010

The Wayne City Council met in regular session at City Hall on Tuesday, March 2, 2010, 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, Kathy Berry, and Ken Chamberlain; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on February 18, 2010, 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 Ley, whereas the Clerk has prepared copies of the Minutes of the meeting of February 5 and 6, 2010, and February 16, 2010, 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:

**ADDITIONS & CORRECTIONS TO CLAIMS LIST OF FEBRUARY 16, 2010:**

DELETE LYNN CARD, SU, 55.86

**VARIOUS FUNDS:** ALARM PROS, SE, 79.13; AMAZON, SU, 31.98; AMERITAS, RE, 2322.45; APPEARA, SE, 97.17; AS CENTRAL SERVICES, SE, 448.00; BACKFLOW APPARATUS, SU, 356.30; BANK FIRST, FE, 210.00; BINSWANGER GLASS, SE, 146.80; BLACK HILLS ENERGY, SE, 1712.31; BOMGAARS, SU, 2.97; JASON CAROLLO, SE, 20.00; CITY EMPLOYEE, RE, 9073.61; CITY OF WAYNE, PY, 65468.95; CITY OF WAYNE, PY, 5300.19; CITY OF WAYNE, RE, 109.64;

CLAUSSEN & SONS IRRIG., SE, 430.00; COMMUNITY HEALTH, RE, 4.00; COVENTRY HEALTH, SE, 17427.43; CREDIT BUREAU SERVICES, RE, 169.33; CULLIGAN, SE, 42.25; DE LAGE LANDEN FINANCIAL, SE, 394.00; DEMCO, SU, 119.80; ECHO GROUP, SU, 605.96; ED M FELD EQUIPMENT, SU, 95.00; JEFF ELLIS, SE, 191.87; ENVIROTECH SERVICES, SU, 4501.00; FARMERS AND MERCHANTS, RE, 1300000.00; FLOOR MAINTENANCE, SU, 254.75; FORT DEARBORN, SE, 1692.55; FRED PRYOR SEMINARS, FE, 299.00; GLEN'S AUTO BODY, SE, 116.58; GUMDROP BOOKS, SU, 337.59; HATTIG CONSTRUCTION, SE, 3743.00; HEIKES AUTOMOTIVE, SE, 58.58; HTM SALES, SE, 9264.11; HYDRAULIC SALES & SERVICE, SE, 250.00; ICMA, RE, 5624.08; INDUSTRIAL TOOL, SU, 108.78; INVENSYS SYSTEMS, SU, 178.59; IRS, TX, 23552.70; JACK'S UNIFORMS, SU, 296.45; JEO CONSULTING GROUP, SE, 66425.45; CITY EMPLOYEE, RE, 25.54; CITY EMPLOYEE, RE, 5274.90; CITY EMPLOYEE, RE, 392.04; CITY EMPLOYEE, RE, 536.16; KNOEPFLER CHEVROLET, SU, 36.47; LANGEMEIER, WAYNE, SE, 200.00; LEAGUE OF NEBRASKA, FE, 367.00; LIGHT & SIREN, SU, 193.90; MATSMATSMATS.COM, SU, 1998.57; MATT FRIEND TRUCKING, SU, 42.00; MSC INDUSTRIAL, SU, 357.36; MURPHY TRACTOR & EQUIPMENT, SU, 1132.50; CITY EMPLOYEE, RE, 66.40; NE DEPT OF REVENUE, TX, 3519.99; NE LAW ENFORCEMENT, SE, 110.00; CITY OF WAYNE, RE, 10.00; NMC, INC., SU, 15.24; N.E. NE AMERICAN RED CROSS, RE, 29.62; ORIENTAL TRADING CO, SU, 10.98; PITNEY BOWES, SU, 648.00; PUSH-PEDAL-PULL, SE, 833.00; QUILL, SU, 44.80; QWEST, SE, 436.00; CITY EMPLOYEE, RE, 9.60; SINCLAIR/DAYLIGHT DONUT, SU, 70.40; STATE NATIONAL BANK, RE, 126575.00; TASTE OF HOME BOOKS, SU, 29.98; UNITED WAY, RE, 14.13; UPSTART, SU, 108.58; VERIZON, SE, 417.27; VIAERO, SE, 288.51; VOSS LIGHTING, SU, 245.00; WAYNE AREA CHAMBER, FE, 70.00; WAED, RE, 100000.00; WAYNE STATE COLLEGE, RE, 900.00; APPEARA, SE, 110.93; BLACK HILLS ENERGY, SE, 130.63; CITY EMPLOYEE, RE, 4924.03; CABLEONE ADVERTISING, SE, 150.00; CHARTWELLS, SE, 4924.60; CITY OF NORFOLK, SE, 154.45; COMPRESSION SYSTEMS, SU, 17151.22; COPY WRITE, SE, 16.81; DE LAGE LANDEN FINANCIAL, SE, 152.00; DUTTON-LAINSON, SU, 180.20; EXHAUST PROS, SU, 20.88; EXLINE, SU, 2598.61; GALE GROUP, SU, 12.39; GILL HAULING, SE, 1766.70; HAUFF MID-AMERICAN SPORTS, SU, 379.00; HAWKINS, INC, SU, 777.47; INGRAM BOOK COMPANY, SU, 470.45; JOHN'S WELDING AND TOOL, SU, 224.78; KELLY MEYER, SE, 60.00; KELLY SUPPLY, SU, 52.29; KNIFE RIVER MIDWEST, SU, 152.10; KRIZ-DAVIS, SU, 251.34; LAYNE CHRISTENSEN CO, SE, 47188.50; LEAGUE OF NEBRASKA, FE, 1706.00; LP GILL, SE, 4247.62; LYNN PEAVEY, SU, 55.86; MARRIOTT HOTELS, SE, 952.00; MARSHALL CAVENDISH, SU, 117.52; MICROFILM IMAGING SYSTEMS, SE, 988.95; CITY EMPLOYEE, RE, 905.82; NE FOREST SERVICE, FE, 60.00; NE LAW ENFORCEMENT, FE, 624.00; NEBRASKA ENVIRONMENTAL, FE, 100.00; NHHS, FE, 2620.13; NORTHEAST EQUIPMENT, SU, 350.93; NORTHEAST LIBRARY SYSTEM, FE, 15.00; NNPPD, SE, 2055.35; PAC N SAVE, SU, 85.63; CITY EMPLOYEE, RE, 641.82; POSTMASTER, SU, 634.53; QUILL, SU, 1231.77; QWEST, SE, 194.78; RICK STRAIGHT, RE, 500.00; SPANN AUTO, SE, 206.24; THOMPSON PUBLISHING GROUP, SU, 438.50; TRI AIR TESTING, SU, 426.00; VERIZON, SE,

418.87; VOSS LIGHTING, SU, 18.90; WAYNE COUNTY CLERK, SE, 140.00; WHITE DOG LAWN SERVICE, SE, 251.00; YART, FE, 5.00

Councilmember Frevert made a motion and seconded by Councilmember Van Delden 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.

Mayor Shelton proclaimed the week of March 15<sup>th</sup> through March 21<sup>st</sup> as “National Poison Prevention Week.”

Mayor Shelton proclaimed “Census 2010” as being a top priority.

Wes Blecke, representing the LB 840 Sales Tax Advisory Committee, advised the Council that they received and reviewed a request from the Wayne County Veterans’ Memorial Committee for a \$97,000 grant to complete the Veterans’ Memorial at the Wayne County Courthouse. The Committee recommended approving the request; however, they modified the same by reducing it to a \$75,000 grant to complete Phase I only. The remaining \$22,000 would have to be obtained through fundraising efforts which will then complete Phase II of the project. Mr. Blecke stated seven or eight individuals from the Wayne County Veterans’ Memorial Committee came to the LB 840 Sales Tax Advisory Committee meeting. The vote from the Sales Tax Advisory Committee was 3 – 1 in favor of the request. There are 7 members on this committee.

Dennis Otte, representing the Wayne County Veterans' Committee, was present to answer questions and provide some background on the project. Mr. Otte stated a committee that was established in 2003 came up with the idea to build a monument to honor the veterans; however, it never came about until the past two years. A firm from Yankton was chosen to build the memorial. He noted that the committee applied for several grants (12-15); however, they only received one grant, which was from the Gardner Foundation. Three people have financed the majority of this project so they could move forward with it. The project should be erected and completed during the month of June.

The \$75,000 grant represents about one-third of the total project costs.

Councilmember Van Delden questioned the cost of the project. Mr. Otte responded that they checked with several different surrounding communities that erected monuments, and those ranged anywhere from \$35,000 to \$100,000. The three options that Wayne had to choose from ranged from \$175,000 to \$225,000, and it was unanimously voted on by the committee to go with the \$225,000 monument. None of them expected that they would have difficulty raising the money. By the time they realized they did not get the grants they applied for, etc., they had already signed the contracts and the monuments were being quarried.

Councilmember Van Delden stated one of his concerns, as well as other folks in town, was that they had to go outside of Wayne for the work. Mr. Otte responded they considered getting the work done by those in town, but no one wanted to do it within the immediate area.

Going out of town for the work was also a concern Councilmember Ley had. She was surprised that the veterans wouldn't be honored to buy a brick or donate something for it. She realizes they have served their country, but she couldn't see that they would not want to donate to the project. Mr. Otte stated most veterans have donated with money, but this is an expensive project.

Councilmember Ley stated that if they were having that much trouble getting grants and donations, why did they go ahead with the project. Mr. Otte responded that the finance committee told them there would be no problem with the fundraising, so they moved forward with the project.

Councilmember Van Delden stated he would like to see the project completed. He would like to see a lockbox at the Memorial in the future for ongoing donations.

Mr. Otte advised the Council that the veterans would do the maintenance of the memorial for a certain period of time, and then turn it over to the Courthouse as a county memorial.

The County Commissioners have been approached for assistance, but they thought by donating the property to build the monument on was their contribution. It was noted that if the Council only approved half of the \$75,000, it would not be enough. They are and will continue to do fundraising. They have to purchase two more tablets and a bronze sculpture to make this complete.

A letter was originally sent out to the veterans asking for a donation of \$1,500 over a period of three years. Mr. Otte could count on one hand those who donated that much. They think the taxpayers of Wayne or the general public all have a loved one or

some connection with someone who has served or is going to serve, and thought it would be great for the general public to step up and help with this.

Adam Endicott stated this memorial is not only to honor and recognize the veterans, but it is also for the community of Wayne. This is something that people will to go see when they come to Wayne. This Memorial is unlike any other in Nebraska, because it will have names etched into the granite, similar to the Vietnam Wall in Washington, D.C.

Michael Fluent was also present in support of the monument.

Mayor Shelton stated she would doubt that there is any member of this Council who does not support the veterans. She does and she has made her contribution, and she thinks that is the way this should be supported. She has questions about whether this is an appropriate use of these LB 840 Funds, and she thinks that is what some of the Council is struggling with also. It is not that they don't think this is worthwhile.

Councilmember Berry asked how many sources the Committee contacted to try to get grant funds. Mr. Otte responded at least 15 private sources within the State of Nebraska, with none being outside of the State of Nebraska.

Councilmember Frevert made a motion and seconded by Councilmember Alexander approving the recommendation of the LB 840 Sales Tax Committee to grant \$75,000 to the Wayne County Veterans Memorial Committee to be used to complete Phase I of the project. Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Van Delden who abstained, the Mayor declared the motion carried.

Terry Galloway of Almquist, Maltzahn, Galloway, & Luth, P.C., presented the FY 08-09 Audit. He provided Council with a spreadsheet which identified “benchmarks” of how Wayne compared with other communities its size. This is a study that they have done across the State of Nebraska with approximately 35 municipalities. For Governmental Activities (general fund), while Wayne is a little less than what the desirable or recommended amount is, we are improving. The business type activities (electric, water and sewer) are excellent. Cash reserves are very good this year in the general fund. In regard to debt coverage ratio (water, sewer and electric), consideration should be given to increasing the water rates. The Council has already taken action on the sewer rates. In regard to our top five sources of revenues, recommendation was that Wayne needs more retail trade. Sales tax runs \$125 per capita, and Wayne is at \$90. In regard to property taxes, the per capita basis is \$150 per person. Wayne is asking \$124 per person. In lieu of tax payments is \$110 per capita; Wayne is at \$97. State Allocation is at \$140 per capita; Wayne is at \$145. Wayne is doing a great job for charges for services. The per capita is \$75; Wayne is at \$79. We have increased grants. The per capita is at \$190; Wayne is at \$131. Last year, Wayne was at \$85.

In regard to cash reserves and replacement reserves, Wayne has a very good cash reserves. If you would look on a state-wide basis for a City of Wayne’s size, this is one of the best you will see. Wayne has done a good job in maintaining and increasing its cash reserves from last year to even this year. Wayne has done a good job of holding down spending overall on the tax asking.

In regard to the operating income, the electric rates will probably have to be increased within the next couple of years. The water fund is fine. The increase in the

sewer rates will help the Sewer Fund. The transfer station rates need to be increased; however, it did improve somewhat over last year.

In regard to the State Allocations, the Highway Allocation went down from \$65 per capital to \$62 per capita. This will be one of the biggest challenges most of the municipalities in Nebraska will have -- how they are going to be able to fund all of their streets and infrastructure when the state revenue is going to continue to decrease the amount of money you are going to get back.

Mr. Galloway then reviewed the per capita costs of departments. The administrative costs to run the City of Wayne is low compared to the other cities. The per capita is \$50; Wayne is at \$30.

In Public Buildings, we are running about \$17 per capita. The average is \$25. In Public Safety, we are running about \$171 per capita. The average is \$170. Pubic Works is \$71 per capita. The average is \$200. The Library is about \$35, with the average being \$40 per capita. Recreation is at \$51 per capita. The average is \$45. Overall, Wayne has done an excellent job in keeping the costs and expenses down in the various departments.

His firm did not encounter any difficulties in performing the audit.

Administrator Johnson distributed a document that showed the rankings from high to low of Wayne's Levy compared with the surrounding communities. Wayne was second from the lowest of the nine surrounding towns. Administrator Johnson commended the staff on a job well done for holding down expenses.

Mr. Galloway stated the City has done a very good job at being good stewards with the money that is here; the amount in cash reserves is very good; and he commended the City staff on a job well done.

Shawn Hanson, President and General Manager, Mike Storjohann, Director of Enterprise Technology, and Jay Anderson, Account Executive of American Broadband were present to provide the Council with a briefing on a very significant investment they are making this spring in Wayne in order to upgrade their network and infrastructure (\$1,000,000). With the upgrade in this infrastructure, they will modernize and provide state of the art cable television service. They will be able to significantly increase internet speeds, and they will introduce competitive telephone service with that provided by Qwest. They will add more expanded basic channels, digital channels and HD channels. They will be testing on June 1<sup>st</sup>, with the launch being July 1<sup>st</sup> depending upon the weather.

Discussion took place regarding alternatives to the Trail Underpass. Administrator Johnson presented a map showing the existing trail configuration which crosses the highway. This does meet the site distance requirements of the Department of Roads, and they have approved that. We have had some discussion by parents and others that are concerned with that crossing. Staff was successful in obtaining a grant to build an underpass. There is also an additional proposal to run the trail west on the north side of 7<sup>th</sup> Street and cross the highway at Donner Pass with the trail then going back east to the Activity Center. The estimated cost of this alternative would be about \$38,000. The original trail design would have to stay in place since that was the approved design by the Department of Roads. They will not reroute the trail. The cost to build the underpass would be about \$530,000, with the grant covering \$380,000 and the city's match being \$158,000. Staff's job is to bring funding options to the Council, and the Council's job is to decide whether or not they want to do them. We have some people that are wondering

why we would want to spend that kind of money. The trail is already in place, but if we are not going to do the underpass, that decision should be made soon because that money would then be available to the next project that did not get funded.

While a lot of children get driven to school, Councilmember Chamberlain stated when the weather is nice, he has to stop a lot at the stop light on 7<sup>th</sup> and Sherman Street.

Councilmember Berry suggested the school have crossing guards in the morning and afternoon.

Brian Kesting who travels that road each morning and evening said the sun is blinding during those times of the day during certain times of the year. It's hard to see the traffic turning on to the street.

Mayor Shelton stated there are nine entrances onto 7<sup>th</sup> Street from the south in that short distance for people to keep track of whether there is traffic coming.

Verdel Lutt stated the main purpose of the underpass he thought was to funnel the children from Western Ridge to the Community Activity Center or to the school. All of the traffic funnels down to Haas Avenue in Western Ridge.

Mayor Shelton stated that will also be a major walking route to the swimming pool for all of the kids south of 7<sup>th</sup> Street from that part of town. Councilmember Ley stated the kids from that area already walk to the pool. This will not change anything. The trail on the east side of town goes across the highway. We have kids cross that, which is also a busy area.

Councilmember Chamberlain responded that the trail traffic, not kid traffic, is on that end of town. There are no schools or activity center on that side of town.

Mayor Shelton stated she found it very sad that they are talking about putting a \$550,000 price on a kid's life. Councilmember Ley stated she thought what the Council was talking about here is spending another \$158,000 for a tunnel. Omaha is getting rid of those tunnels because kids hang out in them. They are not good places for people to be. They can hide in there.

Councilmember Chamberlain stated he is on the fence either way with this decision. He would like to hear some of the public's opinion on this.

Councilmember Haase stated he contacted Kris Winters of the Department of Roads, and she advised him that we would not get a blinking light at this crosswalk.

Lou Benscoter stated that the Western Ridge Subdivision was built for young families. The City of Laurel couldn't move fast enough on their underpass because they were busing the kids across the highway in order to get them to the athletic fields.

Councilmember Haase said that underpass is filled with snow right now.

Joe Blankenau spoke in favor of the underpass.

Councilmember Chamberlain stated he would like the Council to table this and have a town hall meeting at the auditorium to try to get more public input.

It was noted that tax increment financing will be used to pay for the tunnel.

Councilmember Chamberlain made a motion and seconded by Councilmember Ley to table discussion and action on the underpass project until after a town hall meeting is held to get public input. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Alexander left the meeting at 7:10 p.m.

Greg Worner, an instructor at Wayne State College, was present requesting Council consideration to allowing his class to build a small solar collector water heater to heat the baby pool. He has applied for a \$500 service learning grant through Wayne State College. He had a scale model of what the solar collector would look like. He has contacted several businesses who would be willing to donate materials (approximately \$600 worth) and help with the cost of a community project like this. The total cost of this project would be about \$1,600. He was requesting the City to consider donating \$500 towards the project. The operating costs of this solar collector would be \$10 - \$20 per year. The unit will be about 5' tall, 8' wide, with the base being slightly smaller than one 4'x8' sheet of plywood.

Garry Poutre, Supt. of Public Works & Utilities, advised the Council that this project will be dependent upon getting approval from the Nebraska Department of Health and Human Services. We can't do anything at the swimming pool without their permission.

Councilmember Ley made a motion and seconded by Councilmember Chamberlain approving the request of Greg Worner of Wayne State College to donate \$500 to his class to build a small solar collector water heater to heat the baby pool. Mayor Shelton stated the motion, and the result of roll call being all yeas, the Mayor declared the motion carried.

Discussion took place regarding possible action on enforcement options for snow removal. This item was added to the agenda at the request of some Councilmembers to discuss how the City is doing at enforcing the clearing of snow off sidewalks.

Frank Sheda of the Wayne Post Office advised the Council that their policy is that when the sidewalks aren't shoveled, they do not deliver mail. They bring the mail back and hold it at the post office until the sidewalks are shoveled. Because of the year, they have had more hardships than anything else (e.g. elderly getting extensions and wanting the mail delivered right up to their house). Their policy is that they will hold a person's mail if their sidewalk is not shoveled within 4-5 days. It is all because of safety issues. He noted that most of the sidewalks in Wayne have been cleaned.

Councilmember Frevert who had requested this item be on the agenda stated he does not like the residents of Wayne getting fined for not having their snow shoveled off their sidewalks. A moratorium was put on this for three weeks, and he saw no reason for going around and start fining the residents for sidewalk violations.

Administrator Johnson stated that warning notices are sent out which gives the property owner 48 hours to clear the sidewalk.

Councilmember Frevert did not want to use the Police Department's time to go out and check sidewalks or issue warnings, etc. If the property owners want to clean their sidewalk, that is fine, but he did not want any citations issued.

Mayor Shelton stated she thought it was a little bit unfair when you have one person who has gone to the effort to clear their sidewalk and the next door neighbor has done basically nothing.

Councilmember Berry stated some people can't afford to have their sidewalks scooped. It may not be a case where they are just ignoring the ordinance.

Councilmember Chamberlain thought the City could use a little bit more discretion as far as the timeline that is given to get the sidewalk cleared.

Councilmember Frevert made a motion and seconded by Councilmember Ley to not issue any tickets for not removing snow from sidewalks until the snow is gone. Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Chamberlain who voted Nay, the Mayor declared the motion carried.

Councilmember Ley introduced Resolution No. 2010-14 and moved for its approval; Councilmember Chamberlain seconded.

#### RESOLUTION NO. 2010-14

#### A RESOLUTION ORGANIZING A 2010 CENSUS COMPLETE COUNT COMMITTEE.

Maureen Carrigg who has worked for the Census stated it is vital for the college students to fill out the census forms and return them. This is vital for the community to receive federal funding.

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

Penny Vollbracht, Senior Center Coordinator, was present requesting Council consideration to approving the Senior Center Budget that has to be submitted to the Northeast Nebraska Area Agency on Aging. The Senior Center must apply for state funding for the meal program, and Council must approve the budget to be submitted to the Northeast Nebraska Area Agency on Aging.

Councilmember Ley made a motion and seconded by Councilmember Frevert approving the Senior Center budget for the Northeast Nebraska Area Agency on Aging.

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

Councilmember Frevert made a motion and seconded by Councilmember Chamberlain approving the Change Order from Hattig Construction Company in the amount of \$643.00 for gutters and downspouts at the Library/Senior Center. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Nancy Braden, Finance Director, advised the Council that Brian Gaskill of the Nebraska Department of Economic Development met with Administrator Johnson, Mayor Shelton, CDA Chair Chamberlain, Lisa Hurley of NNEDD, and Della Pries, WCHDC concerning the Western Ridge Project. Mr. Gaskill advised them that the City was basically doing a lot more than what was required for this amount of money. They were only required to build 3 LMI houses. DED was advised of where the project was at and the problems that they had run into. They also advised DED that they have visited with representatives of Habitat for Humanity and they are interested in obtaining a lot from the CDA. An additional option discussed was potentially giving the lots to Wayne Community Housing Development Corporation. Ms. Braden advised the Council that guidelines for the new construction and down payment assistance program need to be amended and will be brought before Council at the next meeting. We can lower the number of houses that need to be built and we will meet the guidelines and not have to pay back any grant funds to DED. They will have used the grant funds that are available to the fullest extent.

Councilmember Chamberlain stated that we need to spend \$103,000 by April 6<sup>th</sup>. If we change the down payment assistance guidelines on the LMI from “20% up to \$20,000” to “20% up to \$30,000”, this will use up \$60,000 for the two houses that WCHDC is building. In addition, Habitat for Humanity is interested in building a home in Western Ridge. We could use the remaining \$43,000 to help them meet some of the requirements of a two-car garage and basement, 3 bedrooms, and two bathrooms (one bath with plumbing and the other plumbed ready for a second bathroom).

There is less than a zero percent chance of getting an extension, so whatever we don't have spent by April 6<sup>th</sup> goes back into the pool of money (State Trust Fund). The Legislature is looking into tapping into the State Trust Fund for reserves which is part of the reason why we are not seeing any extensions. In order to make up the shortfall in the State Legislature's budget, they are looking at every potential pot of money, and the Trust Fund is one of those pots. We will be purchasing the lots with the grant money and then giving them to potential buyers.

Councilmember Chamberlain 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, Lois Shelton, Doug Sturm, Kathy Berry, and Kaki Ley; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Member Dale Alexander.

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 December 15, 2009, meeting.

Member Frevert made a motion and seconded by Member Shelton approving the minutes of the December 15, 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 to discuss and take action regarding the request for the donation of a lot in Western Ridge to Habitat for Humanity.

Chair Chamberlain stated the CDA would make funds available to them to help pay for the costs of putting in a basement, two-car garage, etc. Habitat does have a family selected for the house. We have advised them which LMI lots are available.

Administrator Johnson advised the CDA if they approved this, a purchase agreement would be brought to them at the next meeting with the stipulations above referred to.

Member Shelton made a motion and seconded by Member Frevert to donate a lot in Western Ridge to Habitat for Humanity and stipulate that they follow the guidelines that have been set for the other houses in that subdivision. Chair Chamberlain stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Member Ley made a motion and seconded by Member Frevert 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.

Councilmember Chamberlain introduced Ordinance 2010-3, and moved for approval of the third and final reading thereof; Councilmember Haase seconded.

ORDINANCE NO. 2010-3

AN ORDINANCE REVISING THE CITY OF WAYNE ORDINANCES SECTION 58-203, ENTITLED DEFINITIONS FOR PURPOSES OF THIS ORDINANCE.

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

Councilmember Chamberlain made a motion and seconded by Councilmember Haase 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 8:30 p.m.

[Back to Top](#)

## CLAIMS LISTING MARCH 16, 2010

ALMQUIST, MALTZAHN	AUDITED FINANCIAL STATEMENTS	17,700.00
AMERICAN PUBLIC POWER	POWERPLANT DUES	952.75
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,159.10
APPEARA	MATS	25.56
ARNIE'S FORD-MERCURY INC	FUEL INJECTOR REPAIR	1,438.63
ASSOCIATED FIRE	POWER SUPPLY	518.00
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	210.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	6.64
BOMGAARS	PAINT/GRINDER/CHAIN/SCOOPS ETC	904.35
CARHART LUMBER COMPANY	WIRE/THERMOSTAT/FILE/CEMENT ETC	435.66
CHARTWELLS	SENIOR CENTER MEALS	3,935.00
CITY OF NORFOLK	INSPECTION FEES	194.15
CITY OF WAYNE	AUDITORIUM MICROPHONE REFUND	50.00
CITY OF WAYNE	PAYROLL	56,142.02
CITY OF WAYNE	UTILITY REFUNDS	516.90
COACH & ATHLETIC DIRECTOR	SUBSCRIPTION	19.95
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
CONNEY SAFETY PRODUCTS	GLOVES	100.88
CREATIVE SERVICES OF N.E.	BADGE STICKERS	184.95
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	108.00
DGR & ASSOCIATES CO	ELECTRIC DESIGN-BENSCOTER SUBDIVISION	892.00
DOESCHER APPLIANCE	TIMER ON WASHER	50.60
CITY EMPLOYEE	HEALTH REIMBURSEMENT	11.98
EAKES OFFICE PLUS	PRINTER RIBBON	15.55
ECHO GROUP INC JESCO	HEATER UNIT/BALLAST	792.42
CITY EMPLOYEE	HEALTH REIMBURSEMENT	945.69
ED M FELD EQUIPMENT INC	LIGHT STROBE/HYDROTEST	214.50
EGAN SUPPLY CO	BAGS/SCRUB PADS/VACUUM	492.49
ELECTRIC FIXTURE & SUPPLY	WALL HEATER FAN/LAMP	551.07
ELLIS PLUMBING & HEATING	CAC THERMOSTAT BOXES	453.15
EXHAUST PROS	STEERING IDLER/ALIGNMENT	410.55
FLOOR MAINTENANCE	TOWELS/TISSUE/CLEANER	168.36
FREDRICKSON OIL CO	TIRES	1,148.05
G-NEIL	POSTER PROTECTION	637.89
GREAT PLAINS ONE-CALL	DIGGERS HOTLINE	3.03
CITY OF WAYNE	VISION REIMBURSEMENT	132.02
HAUFF MID-AMERICAN SPORTS	BASKETBALL GAME/HOCKEY TABLE	679.98
HOLIDAY INN ""MIDTOWN""	LODGING-ZONING CONFERENCE	630.00
ICMA RETIREMENT TRUST	ICMA RETIREMENT	5,668.24
INVENSYS SYSTEMS	CHARTS	206.04
IRS	FEDERAL WITHHOLDING	18,170.68
CITY OF WAYNE	EMS TRAINING	70.00
JANWAY COMPANY	BOOKMARKS/MAGNETS	354.10
JOHN'S WELDING AND TOOL	PTO SHAFT	159.46
CITY EMPLOYEE	HEALTH REIMBURSEMENT	101.50

CITY OF WAYNE	MILEAGE REIMBURSEMENT	120.00
CITY EMPLOYEE	SAFETY SHOE REIMBURSEMENT	136.41
KELLY PUBLISHING INC	CAC ADVERTISING ON SCHEDULES	328.50
KNIFE RIVER MIDWEST LLC	ASPHALT	348.66
KTCH AM/FM RADIO	RADIO ADS	645.00
LINWELD	OIL	166.36
CITY EMPLOYEE	HEALTH REIMBURSEMENT	166.89
CITY EMPLOYEE	MILEAGE REIMBURSEMENT	120.00
MES-MIDAM	RESPONDER MAGNET	83.40
MIDWEST LABORATORIES, INC	BOD TESTING	53.55
NE DEPT OF REVENUE	STATE WITHHOLDING	2,739.00
NE HARVESTORE	SKIDLOADER REPAIRS	317.80
NE NOTARY ASSOC	NOTARY STAMP-C BELT	154.23
NEBR PUBLIC POWER DIST	ELECTRICITY	211,801.23
NORFOLK BOYS BASKETBALL	ENTRY FEE	200.00
N.E. NE AMERICAN RED CROSS	EMPLOYEE DEDUCTION	29.62
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	10,698.54
PAMIDA INC	MARKERS/BATTERIES/DVD-R	39.05
PEPSI-COLA	CAC POP	601.05
PETERSON INDUSTRIAL ENGINE	ENGINE 8 OVERHAUL	4,580.25
PIEPER, MILLER & DAHL	ATTORNEY FEES	2,823.64
PLUNKETT'S PEST CONTROL	PEST CONTROL	40.00
POSTMASTER	PRESORT MAILING FEE	185.00
QWEST	TELEPHONE CHARGES	1,444.64
RANDY DAMME	ENERGY INCENTIVE	229.46
ROLLIE ROTHER	ENERGY INCENTIVE	500.00
RON'S RADIO	REPAIR WELL TESTER	35.00
S & S WILLERS, INC.	CONCRETE GRAVEL	296.78
SPARKLING KLEAN	JANITORIAL SERVICES	1,118.00
STATE NATIONAL BANK	ACH FEE	47.32
STATE NATIONAL BANK	SERIES 2006	14,820.00
UNITED WAY	EMPLOYEE DEDUCTIONS	14.13
US BANK	CONFERENCE/MEALS/POSTAGE/CABLES ETC	3,173.27
VEL'S BAKERY	FIREMAN'S APPRECIATION DINNER	1,078.31
VOIGT LOCKSMITH INC	CITY HALL DOOR REPAIR	130.25
WAYNE AUTO PARTS	FILTERS/ROTOR/VALVES/SWITCH ETC	1,294.21
WAYNE GRAIN & FEED INC	SCALE CHARGES	74.00
WAYNE HERALD	ADS & NOTICES/ENERGY WISE ADS	1,556.60
WAYNE STATE COLLEGE	LIGHTING EFFICIENCY	900.00
WAYNE VETERINARY CLINIC	DOG IMPOUNDS	189.00
WESCO DISTRIBUTION INC	LIGHT BULBS	133.13
ZACH HEATING & COOLING	REPAIRS/FREON	367.02
ZACH OIL COMPANY	GASOLINE	5,957.46

**RESOLUTION NO. 2010-16**

**A RESOLUTION AMENDING GUIDELINES FOR NEW CONSTRUCTION AND DOWN PAYMENT ASSISTANCE PROGRAM.**

WHEREAS, the City of Wayne established a "New Construction and Down Payment Assistance Program" to provide financial assistance to low-to-moderate income families for the purchase of single-family residential housing units in Wayne; and

WHEREAS, the City of Wayne desires to amend the program guidelines as shown in the changes marked Attachment "A".

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the "New Construction and Down Payment Assistance Program" guidelines are hereby adopted as amended in Attachment "A".

PASSED AND APPROVED this 16<sup>th</sup> day of March, 2010.

THE CITY OF WAYNE, NEBRASKA,

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

ATTEST:

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

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
City Attorney

## ATTACHMENT "A"

### CITY OF WAYNE **PROPOSED** AMENDED GUIDELINES FOR NEW CONSTRUCTION & DOWN PAYMENT ASSISTANCE PROGRAM

#### PURPOSE

The purpose of the City of Wayne Affordable Housing Development Program is to provide financial assistance to low-to-moderate income families, for the purchase of single-family residential housing units, which are safe, decent, sanitary and affordable, utilizing Nebraska Affordable Housing Program Funds. It is an important goal to increase the number of good, habitable dwelling units and improve the housing stock by providing low-interest loans to homeowners to purchase a home in the City of Wayne. Wayne Community Housing Development Corporation (WCHDC) has been contracted / organized to facilitate and coordinate the development of housing and economic development initiatives. The City of Wayne will provide assistance to those persons of greatest need, improve the availability of housing, promote home ownership, and increase attractiveness of designated underdeveloped neighborhoods and increase local employment. This program will be operated and administrated by the City of Wayne and Wayne Community Housing Development Corporation (WCHDC).

#### 1.0 APPLICATION PROCESS WILL BE BASED UPON NEED

##### 1.1 General (Conflict of Interest)

No member of the governing body and no other official, employee, agent, or any member of their immediate family of the City of Wayne or the Wayne Community Housing Development Corporation who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of this Down Payment Assistance program shall directly or indirectly benefit from this program. This prohibition shall continue for one year after an individual's relationship with the City of Wayne and WCHDC ends. Any other employee, officer, or committee member may be eligible, but will be treated no differently in the determination of applications accepted for funding. Enclosed with this person's application shall be a statement of disclosure, which outlines the nature of the possible conflict and a description of how the public disclosure was made. Included will also be verification that the affected person has withdrawn from the active involvement in any Down Payment Assistance loan related issues.

##### 1.2 Income Eligibility

All determinations for assistance will be based upon need. Households receiving assistance from this program will be using 24CFR 5.609 Annual Gross Income (in accordance with HUD guidelines) for the household that does not exceed 100% of the Median Income of the county in which they reside. Employer verification, recent pay stubs or tax returns will determine anticipated income.

### **1.3 Family Status**

To qualify for a home mortgage under this Down Payment Assistance Program, the applicant must be a minimum of a one-person household.

### **1.4 Real Property**

In order to qualify under the program, an applicant shall not currently own or have any other interest in other real property. The property to be purchased must be the principal residence of the applicant during the period of the loan.

### **1.5 Marketing Procedures**

The City of Wayne and Wayne Community Housing Development Corporation will market the program to local, regional residents and tenant of public housing with income of 100% or less of the median area income for Wayne County. The marketing program will include news articles in the area papers, public access, posters and brochures displayed at area where qualified homebuyers might use on a regular basis. This will include those living in manufactured housing or other families assisted by public housing agencies. Included in the marketing program will be households who are least likely to apply but eligible under these guidelines.

## **2.0 PROPERTY ELIGIBILITY**

### **2.1 Location**

The housing units to be purchased by the new construction grant program (07-HP-5004) participants will be located in the Western Ridge Subdivision of Wayne, Nebraska and subject to limitations set by individual NAHP grant rules. ~~The 05-TFHP-535 down payment assistance grant can be used on existing housing units in the City of Wayne. Down payment assistance funds from any source that are a part of this program can only be used on homes constructed or rehabilitated by the WCHDC.~~

### **2.2 Purchase Price**

The purchase price offered in the program shall not exceed the higher of the current single-family mortgage limits under Section 203(b) of the National Housing Act or the Nebraska Investment Finance Authority single-family price limits for existing properties.

### **2.3 Maximum Per Unit Subsidy**

Financial assistance provided to the homebuyer shall not exceed the maximum per unit NAHP subsidy.

## 2.4 Energy Efficiency Criteria

Newly-constructed housing will meet or exceed the 2006 International Model Energy Code. All units assisted with Nebraska Affordable Housing Program (NAHP) will be made to meet Housing Quality Standards (HQS).

## 2.5 Owner-Occupied

The Down Payment Assistance program shall be for only owner-occupied principle residence purchase and shall not be retained for rental purposes.

## 2.6 Unit Characteristics

Housing connected to other space used for commercial purposes, mobile homes, and rental properties are not eligible for assistance. Duplexes are eligible for assistance if the unit is owner-occupied and a definitive property boundary is established.

## 3.0 TYPES OF FINANCIAL ASSISTANCE

### 3.1 Loan Program

All applicants will be required to secure a Single-Family Mortgage Loan from a lender of their choice to purchase a single-family home. The Primary Lender and its underwriting criteria determine the basis for City of Wayne Down Payment Assistance. The applicant will need a good faith estimate or a pre-approval letter from the primary lender prior to applying for the down payment assistance funds. The amount of the down payment loan will be determined at the time of application and will not exceed 20% of the purchase price of the home. The maximum amount of down payment assistance to any borrower is ~~\$20,000~~ \$30,000. The total loan will be used towards the down payment of one housing unit and associated closing costs. The applicant will be required to provide \$1,000 towards closing costs for new construction activity ~~and \$500 will be required for closing costs on housing activities for grant #50-TFHP-535.~~ The primary lender will appraise the property.

A subordinated lien will be placed upon the property at the time of signing the promissory note in an amount equal to the loan. This lien in favor of the City of Wayne will take a subordinate position to the primary lender's original mortgage. Future refinancing, home equity loans and all future liens will take a subordinated position to the City of Wayne loan. At the request of the borrower, future equity loans, which require a release or subordination of the City of Wayne lien, will require our balance to be paid off unless the committee receives a written explanation of need. Any subordination must require at least an 80% loan-to-value (LTV) ratio. The homeowner will be required to pay all closing and filing costs associated with the refinancing and subordination if approved by the City of Wayne council members.

The loan shall consist of a 0% deferred loan. No debt service of the borrower will be required for the down payment assistance loan until the note to the primary lender for the purchase of the property is repaid. ~~Thirty days after the final payment to the primary lender, the first of sixty (60) equal monthly payments to repay the City of Wayne with payments recurring every 30 days thereafter.~~ The forgivable loan is non-transferable, has no (0%) interest, and has a 10 to 15 year recapture provision. See section 3.1a on Affordability period. Forgiveness of the loan is based on the number of full years the owner occupied the property as their primary residence. A year is calculated from the exact date of the loan closing to the corresponding date one year later. No forgiveness will be recognized for partial years. The amount of the loan forgiven will be 20% for each full year of residence after five (5) years with 100% forgiveness at the end of 10 years, or for a 15 year affordability period the amount of the loan forgiven will be 10% for each full year of residence after five (5) years with 100% forgiveness at the end of 15 years.

In the event the borrower or his/her heirs shall sell or move to another principal residence or transfer said property, repayment of the loan to the City of Wayne is required. If the net sale price received less the primary lender's loan is not sufficient to repay the City of Wayne, ~~the borrower will be responsible for the repayment of the loan shall allow the available proceeds from the resale to repay the homeowner's investment first. The subsidy is then repaid to the extent that proceeds are available.~~ The purchaser may apply to the City of Wayne to assume the outstanding loan, but terms will be established based upon the purchaser's financial information.

**3.1a Affordability Period**

<b>Trust Funds invested per Trust Funds-assisted unit:</b>	<b>Affordability Period</b>
\$0 - \$40,000	10 years
>\$40,000	15 years

The affordability period is based upon the amount of Trust Funds invested in a particular unit. The amount of Trust Funds invested in each particular unit within the project may vary; it may be that not all units in a project will have the same affordability period.

**3.2 Foreclosure**

Lender shall give the notice to Borrowers following Borrowers' breach of any covenant or agreement in the Note and the Deed of Trust of which it secures. The notice shall specify (a) the default, (b) the action required to cure the default, (c) a date not less than thirty (30) days from the date the notice is given to Borrowers' by which the default must be cured, and (d) failure to cure the default on or before the date specified in the notice may result in acceleration of the sum secured, the deed of trust and resale of the property. Upon acceleration of the sum secured and resale of the property, the City of Wayne shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale including, but not limited to, the City of Wayne's fees as permitted by Nebraska law and

reasonable fees; (b) to all sums secured by this security agreement; and (c) any excess be recaptured by the City of Wayne. The City of Wayne will recapture the net proceeds in the case of foreclosure

### **3.3 Construction Subsidy**

New Construction includes the hard costs for acquiring land, constructing homes and development subsidy (the difference between the cost to develop and build the home and the appraised value of the home). If the purchase price of the housing unit is higher than income ratios or mortgage eligibility allow then gap subsidy (the difference between the appraised value and the sale price of the home) may be applied to lower the purchase price to allowable limits. This may be used in conjunction with or independent of down payment assistance.

## **4.0 APPLICATION PROCESS**

### **4.1. Application**

The City of Wayne will give notice in the Wayne Herald and local radio stations. In order to obtain the application forms the applicant must contact the Wayne Community Housing Development Corporation to schedule an appointment to make an application for assistance. Staff will explain the assistance available through the program and be responsible for processing the application, verifying income by third party verifications and determining the applicant's eligibility for participation in the program. During the application review, Wayne CHDO will make recommendations and referrals to other programs available such as USDA Direct Rural Housing Loans.

### **4.2 Underwriting Criteria**

The Wayne CHDO housing specialist will take into consideration the following mitigating factors in making a credit recommendation to the WCHDC Board of Directors:

- A. Credit Guidelines - Credit payment history, revolving accounts, any collections, judgments, liens, bankruptcy, foreclosures, repossessions, and credit depth.
- B. Debt to Income Ratios - Housing expense ratios between 25% - 28% and Total household expense ratios between 33% - 40%.
- C. Compensating Factors - Any of the following may be considered in compensating factors providing they are strong: ratios, equity, assets, time on the job.
- D. Loans to provide down payment assistance for the purpose of new single-family and existing homes will be made to eligible families with an income no greater than 100% of the median income of the county in which they reside by Section 8 Part 5 standards established by HUD for lower income assisted housing and meeting all of the criteria that was previously set. The home mortgage loan must be obtained from a local financial institution.

### **4.3 Procedure for Approval or Denial**

Applications will be taken on a first ready, first serve. First ready will mean that the applicant will have completed a preliminary application/initial interview, receive income verification forms to include: SSI/SS Benefits, Child Support, Alimony, ADC, Pay stubs, Asset and other forms needed to determine income; Eligibility Worksheets/Income Calculations; pre-approval letter from primary lender and/or good faith estimate; income worksheet; board loan summary; and homebuyer education certificate ~~and HSQ inspection~~. The Wayne CHDO shall maintain a list of applicants. All applicants will be notified as to approval or denial in writing. Approved applicants will be notified. Non-approved applicants will be notified stating the reason for not being selected.

### **4.4 Purchase Agreement**

Once the applicant is approved, the applicant will sign a purchase agreement and attend a Homebuyer Education Workshop.

### **4.5 Request for Funds**

Following the signing of a purchase agreement and the determination of down payment and closing cost assistance, a Request for NAHP funds will be prepared approximately four (4) weeks prior to the anticipated closing date.

*It is expressly understood that WCHDC may activate its line of credit in order to expedite the loan closing by request of the borrower. It is also understood that the estimated interest accrual from the time of loan closing and the date that the City of Wayne receives reimbursement from the State of Nebraska can be drawn down as a cost to the project as hard costs.*

### **4.6 Homeowner Education Workshop**

Each applicant must attend a Homeowner Education Workshop, which includes an educational packet and instructional materials on topics including family financial management, record keeping, maintenance, and up keeping landscaping, lawns and pest management, appliances and home furnishings.

### **4.7 Fair Housing Act of 1968**

Title VII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- ◆ Refuse to rent or sell housing
- ◆ Refuse to negotiate for housing
- ◆ Make housing unavailable
- ◆ Deny a dwelling
- ◆ Set different terms, conditions or privileges for sale or rental of a dwelling
- ◆ Provide different housing services or facilities
- ◆ Falsely deny that housing is available or inspection, sale, or rental
- ◆ For profit, persuade owners to sell or rent (blockbusting)

## ~~5.0 LEAD BASED PAINT~~

~~The HUD/EPA Disclosure Rule includes the following language on a homebuyer's right to conduct a lead hazard evaluation.~~

### ~~5.1 Lead Based Paint Brochure~~

~~Program participants shall receive as part of their application packet a copy of the HUD brochure on lead based paint. The receipt of the brochure by the program participant shall be documented.~~

### ~~5.2 Work plan in accordance with 24 CFR Part. Subpart A~~

- ~~● After signing a purchase agreement, the buyer has 10 days to perform a risk assessment or paint inspection in the home. The buyer and seller may mutually agree to lengthen or shorten this 10-day time period. If the buyer exercises this right, the buyer is responsible for scheduling and paying for the risk assessment or the paint inspection.~~
- ~~● A Contracted Housing Specialists will conduct visual assessment on all units built prior to 1978.~~
- ~~● If the lead hazard evaluation indicated that lead-based paint hazards are found, the buyer has the right to cancel the contract. However, this right does not exempt the buyer from any costs of cancellation if the right to cancel is not made clear in the contingency to the sales contract.~~
- ~~● If a lead hazard is found, it would be stabilized using lead safe work practices by trained and certified workers.~~
- ~~● Lead safe work practices are not required if the area of repair falls within the diminimus range.~~
- ~~● Lead Hazard Clearance will be achieved before occupancy of the unit.~~
- ~~● On a case by case basis, one of the following four options for addressing lead hazards found during a lead hazard evaluation will be used:
 
  - ~~➤ Provide a rehabilitation loan or refer buyers to another rehabilitation program~~
  - ~~➤ Reject homes with lead hazards from the program and encourage the buyer to find another home~~
  - ~~➤ Have the seller fix the hazard prior to purchase~~
  - ~~➤ Negotiate the price of the home down to provide funds for the buyer to fix the hazards~~~~

## **6.0 LOAN CLOSING**

### **6.1 Closing**

The WCHDC will schedule the loan closing with the borrower and the primary lender. The primary lender will prepare all closing documents for its loan. The WCHDC will prepare and have the borrower execute at closing:

- A. Promissory Note**
- B. Deed of Trust**
- C. Loan Agreement**

Upon signing of the three closing documents, the City of Wayne will file the Deed of Trust at the Register of Deeds Office of the county in which the property is located.

### **6.2 Insurance**

Owner-occupants will need to carry a basic property insurance policy of at least one-hundred (100%) percent of replacement cost. Homes located in a designated special flood hazard will be required to carry flood insurance. Any insurance payment of a claim over \$1,000 will require a review of the board. Homeowners insurance and flood insurance, if applicable, must be carried on the dwelling throughout the loan repayment period in order to remain eligible for the program. The City of Wayne is to be named as a loss-payee on all insurance policies.

### **6.3 Close-Out**

WCHDC shall maintain and keep all applications as well as all other required documents, records and other evidence in conformance with NAHP regulations.

## **7.0 PROPERTY MAINTENANCE**

All properties purchased with Nebraska Affordable Housing Program funds shall be maintained in compliance with local ordinances and subdivision covenants.

## **8.0 CONSTRUCTION SUPERVISION**

All single-family units are built under this program shall be subject to appraisal to verify completed value. All development is subject to review and inspection.

## **9.0 DEVELOPER CONTRACTOR DISPUTES**

Construction related developer/contractor disputes or deficiencies and/or any disagreements between the homebuyer and seller or developer to the construction of the homes shall be resolved prior to loan closing in a manner acceptable to all parties. Informal resolution of disagreements is recommended. Acceptance of the home and delivery of the deed at loan closing shall constitute the homebuyer's waiver of any rights concerning known defects or existing disputes or disagreements between the homebuyer and seller, subject only to such special warranty given by the seller on the home and as set forth in the documents delivered and accepted at the time of closing. The foregoing shall not limit warranty-express or implied-as may otherwise exist as a matter of law.

## **10.0 GRIEVANCE PROCEDURES**

In the event that any applicant feels he or she has been unfairly treated or discriminated against during the process of selection of projects to be funded, excluding the determination of ability to secure a Home Mortgage Loan from a financial institution, or within any other segment of this Down payment assistance Program, he or she may appeal the decision of the City of Wayne for their consideration and be postmarked within 14 calendar days of the decision. The City of Wayne Council Members will act to support or overturn the action within 30 days of the receipt of the appeal. The City of Wayne Council Members will have final authority in the decision.

Appeals regarding loan ability shall be made to the financial institutions in accordance with their procedures.

## **11.0 AMENDMENTS TO THE GUIDELINES**

In an ongoing effort to improve the quality of the Wayne Down payment assistance Program, the City of Wayne will receive any suggestions on amendments to the guidelines from the public, program participants, Realtors, financial institutions or members of the WCHDC Board. Upon approval and adoption of the amendment by the ~~Loan Committee~~ Wayne City Council, the amendment will be included in the program guidelines and submitted to the DED program rep for approval.

## **12.0 OFFICIAL CONTACT OFFICE**

The place of contact for this program shall be the office of the Wayne Community Housing Development Corporation in Wayne, Nebraska. Any grievances, suggestions, or requests for information should be directed to that office. This in no way shall be construed to limit other interested parties from distributing information about the program or receiving suggestions for amendments to the program. All grievances shall be directed to the WCHDC in writing.

### 13.0 PROGRAM INCOME REUSE & RECAPTURE REUSE PLAN

In the event repayment of the NAHP assistance occurs after the grant period, funds will be used to continue the WCHDC Down Payment Assistance Program as stated in this Section. Loans to provide down-payment assistance for the purchase of new or existing single-family homes will be made to eligible families with an income no greater than 100% of the median income of the county in which they reside by 24 CFR 5.609 standards established by HUD for lower income assisted housing and meeting all of the criteria that was previously set. The home mortgage loan must to be obtained from a local financial institution

In the event repayment of the NAHP assistance occurs during the affordability period recapture of all NAHP assistance funds is required. Loans to provide down-payment assistance for the purchase of new or existing single-family homes will be made to eligible families with an income no greater than 100% of the area median income of the county in which they reside by 24 CFR 5.609 standards established by HUD for lower income assisted housing and meeting all of the criteria that was previously set. Up to 10% of the reuse funds may be used for general and housing administration costs, however no funds can be used for general or housing admin if recovered during the federally imposed affordability period. These percentages will not exceed the maximum percentages allowed in the original grant.

### ~~14.0 REPORTING REQUIREMENTS~~

#### ~~14.1 Semi-annual Status Reports~~

~~The City of Wayne will prepare and submit to the Nebraska Department of Economic Development a semi-annual status report detailing activities undertaken, applications taken and in progress, applications approved, closings held and funds obligated and expended.~~

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

City of Wayne

\_\_\_\_\_  
Mayor

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

These housing guidelines are hereby approved by the Nebraska Department of Economic Development (NDED) this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

---

DED Representative

RESOLUTION 2010-17

**A RESOLUTION AMENDING THE ENERGY INCENTIVE PROGRAM OF THE CITY OF WAYNE TO ESTABLISH AND FUND THE ENERGY SAVER PROGRAM AND PROVIDE FOR COST-SHARING USING A SET ASIDE OF CITY OF WAYNE ENERGY SAVING INCENTIVE FUNDS.**

WHEREAS, at their meeting of April 15, 2008, the City of Wayne amended the “City of Wayne Energy Incentive Program” by creating and adding thereto the “City of Wayne Energy Save Program”; and

WHEREAS, it is the desire of the City Council to amend said “City of Wayne Energy Incentive Program.”

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Wayne, Nebraska, hereby amend the “City of Wayne Energy Incentive Program” as follows:

1. In addition to the existing City of Wayne heat incentive program for heat pumps and permanently installed resistance electric heating equipment, the Energy Saver Program will allocate on a first come, first serve basis the set aside of City of Wayne heat incentive funds to City residential, commercial, and industrial utility customers at a 30% cost-share rate, with a maximum of \$500 **per heat pump with a 15 SEER rating or equal to the latest U.S. Department of Energy SEER requirement for federal tax incentives and in the absence of a heat pump installation, a maximum of \$500 per property per year** ~~per customer~~ for the installation of the following energy saving practices: permanently installed radiant electric heat, attic insulation, non-power **and powered** attic ventilation, exterior wall insulation, electric heat pumps, electric entrance boxes, and thermal windows.
2. The City will receive applications for cost-share from utility customers and must approve funding before any equipment is purchased or any work begins.
3. The City will reimburse qualified applicants for the approved activities after the installation is inspected and approved by the City and a copy of the invoice for the approved work has been submitted.
4. The City will advertise and administer the Energy Incentive Program and Energy Saver Cost-Share Program.

BE IT FURTHER RESOLVED, that the “City of Wayne Energy Incentive Program” which includes the “City of Wayne Energy Saver Program” shall approve and fund energy reduction projects for City owned property that will improve the energy efficiency of all City owned buildings, property, operations and services. Only those energy reduction projects will be approved that meet the criteria of the following payback formula:

The \$\$\$ cost of the energy reduction project \_\_\_\_\_ = 10 years or less.

The \$\$\$ annual expected energy savings \_\_\_\_\_

(based on projected utility rate 60 months into the future)

Once approved by the Council, the cash flow to pay for each energy saving project will be extended from the Electric Utility Fund. The cost of all energy saving projects must be paid back to the Fund from the savings in the following ten-year period.

PASSED AND APPROVED this 16<sup>th</sup> day of March, 2010.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
City Attorney

**PURCHASE AGREEMENT**

This agreement is made and entered into by and between **The Community Development Agency of the City of Wayne, Nebraska**, hereinafter referred to as "Seller", and \_\_\_\_\_, hereinafter referred to as "Buyer".

Seller and Buyer agree as follows:

1. **Property Purchased.** Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the following described property, to-wit:

Lot 15, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska.

2. **Purchase Price.** Buyer agrees to pay to Seller, as full consideration for the above described premises, the sum of **5,000**, payable as follows:

\$100.00 earnest money upon execution of this agreement, receipt of which is hereby acknowledged by Seller, and the balance of \$4,900.00 to be paid in full at time of closing. All payments are to be made in cash, money order, or certified bank draft.

3. **Title.** Seller shall provide proof of marketable title in fee simple and furnish to Buyer a commitment for title insurance insuring merchantability. The cost of such owners title insurance policy in the amount of this purchase price shall be split equally between the Buyer and the Seller. Buyer agrees that should a valid defect exist, Seller shall have a reasonable time to correct said defect, not to exceed 30 days from the date of the title commitment. If there are defects that cannot be reasonably corrected within 30 days, this agreement shall be null and void and any earnest money paid upon execution shall be refunded.

4. **Deed.** Seller agrees to convey the property to Buyer, or Buyer's nominee, by Warranty Deed, free and clear of all liens and encumbrances, special assessments, levied or assessed, except any special assessments resulting from assessments from districts that may be created or ordered constructed subsequent to the date of acceptance of this purchase agreement, and subject to all easements, restrictions and covenants of record and any applicable zoning regulations and subject to all the terms and conditions of the Wayne Community Development Agency Western Ridge II Planned Unit Development and NAHTF Grant New Construction Project requirements.

5. **Taxes.** Seller shall pay all real estate taxes up to and including for the calendar year of 2009. Taxes for the calendar year of 2010 shall be prorated to date of closing. Taxes shall be prorated on the basis of the last year that taxes were assessed unless the current tax rate is available, in which case they shall be prorated on the basis of the current valuation and tax rate.

6. **Buyer's Inspection.** This offer is based upon the Buyer's personal inspection or investigation of the premises and not upon any representation or warranty of condition by Seller. Buyer agrees that the property is being sold in an "as is" condition.

7. **Risk of Loss.** This agreement shall in no manner be construed to convey the property or to give any right of possession. Risk of loss or damage to the property prior to date of closing shall rest with the Seller.

8. **Closing and Possession.** The Parties agree to close the purchase on or before April 15, 2010. Possession of the property shall be given to Buyer at time of closing upon payment of the full purchase price herein. The closing date may be changed by agreement of the parties.

9. **Finance Contingency.** The Buyers duty to close and complete this agreement is contingent upon the Buyers obtaining financing for purchase of the lot and subsequent construction prior to the day of closing. Buyers agree to use good faith efforts to obtain financing. In the event Buyers fail to use good faith efforts to obtain financing herein, the Seller may bring any claim or cause of action necessary against the Buyers to recover any and all costs and expenses suffered by the Seller as a result of the lack of good faith efforts by the Buyers to obtain financing.

10. **Additional Terms.**

a) Exhibit A: Attached hereto as Exhibit A is a list of additional conditions and agreements required of the Buyers. The Buyers acknowledge they have had an opportunity to consult with an attorney; that they have read Exhibit A and fully understand the additional terms contained therein; that they have initialed or signed off on each of the additional terms set forth in Exhibit A and; the Buyers fully understand and acknowledge the possible consequences of failure to complete construction of a new house pursuant to this agreement within 12 months of date of closing. Exhibit A is incorporated into this agreement as though fully set forth, and all terms, conditions and requirements between the parties shall survive closing of this agreement and be fully enforceable by either of the parties hereto.

b) Construction Schedule Incentive and Affordability Period: The City of Wayne will provide a Nebraska Affordable Housing Trust Fund New Housing Construction Grant of \$40,000 as a construction schedule incentive to the buyer to be used as follows:

- \$5,000 to purchase the lot from the Wayne Community Development Agency
- \$35,000 in reimbursement for construction costs incurred and invoiced before August 1<sup>st</sup>, 2010

This incentive creates a 10 year Affordability Period with a re-capture requirement secured by a separate non-recourse loan and promissory note that requires the home to be occupied by the original eligible household as their principle residence for ten years. If the property is sold within the first 60 months, \$40,000 will be due to the Wayne Community Housing Development Corporation Program Income Reuse /Recapture Reuse Account. For each year ending in 6th-10<sup>th</sup> year during the ten year affordability period, the remaining incentive balance due will be reduced by 20% or \$8,000 each year until it is forgiven after the end of the 120<sup>th</sup> month.

A subordinated lien will be placed upon the property at the time of signing the promissory note in an amount equal to \$40,000. This lien in favor of the City of Wayne will take a subordinate position to the primary lender's original mortgage. Future equity loans, will require a release or subordination of the City of Wayne lien. The loan shall consist of a 0% deferred loan.

In the event the borrower or his/her heirs shall sell or move to another principal residence or transfer said property, repayment of the loan to the City of Wayne is required. In the event repayment of the NAHP assistance occurs during the federally imposed affordability period, recapture of all NAHP assistance funds is required.

c. Minimum basement elevation: The elevation of the basement floor when constructed on this lot will be equal to or higher than the minimum elevation of 2 ft. higher than the emergency overflow level of the retention area adjacent to Nebraska Highway 35 or 1,500 ft. above sea level as established for Lot #15 in the Western Ridge II Subdivision Agreement

11. **Binding Agreement.** This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each party.

12. **Original Counterparts.** This agreement may be executed in one or more counterparts. Each such counterpart shall be considered an original and all of such counterparts shall constitute a single agreement binding all the parties as if all had signed a single document.

**In witness whereof**, the parties have hereunto set their hands on this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

THE COMMUNITY DEVELOPMENT AGENCY  
OF THE CITY OF WAYNE, NEBRASKA, Seller

By \_\_\_\_\_  
Ken Chamberlain, Chairman  
TIN # \_\_\_\_\_

\_\_\_\_\_, Buyer

\_\_\_\_\_, Buyer

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF WAYNE    )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by Ken Chamberlain, Chairman of the Community Development Agency of the City of Wayne, Nebraska, on behalf of said agency.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF WAYNE    )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

STATE OF NEBRASKA    )  
                                  ) ss.  
COUNTY OF WAYNE    )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**Wayne Public Library Board of Trustees**  
**Tuesday, December 1, 2009 / 5 p.m., Conference Room**

**MINUTES**

**CALL TO ORDER**

The Wayne Public Library Board met on Tuesday, December 1, 2009. President Joel Ankeny called the meeting to order.

**ROLL CALL**

Board members Joel Ankeny, Dennis Lipp, Maureen Kingston and director Lauran Lofgren were present. Board member Mollie Spieker was absent.

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 Library/Senior Center Conference Room.

**APPROVAL OF MINUTES**

November 2009 minutes approved.

**FINANCIAL REPORT**

The financial report was approved as submitted.

**DIRECTOR'S REPORT** 17% of year; circulation way up.

- Statistics
- |  | OCT09 | NOV09 | NOV08 | % of Previous Year Total |
|--|-------|-------|-------|--------------------------|
|--|-------|-------|-------|--------------------------|

	OCT09	NOV09	NOV08	% of Previous Year Total
Circulation	4741	4198	3649	17
Circ-Overdrive	21	19		NA
Circ-Databases	2			NA
Patrons	4277	4271	3813	16
Meeting Room	14		6	
Reference ?s	240	239	179	18
Computer ?s	260	337	291	19
Phone Calls	487	441	474	17
OPACS	176	249	169	17
CD-ROMs	203	201	95	21
Internet	1152	1143	1031	16
New Patron Cards	33	26	33	
Items Added	179		145	
Items Deleted	7		17	

- Meetings attended
  - LKL attended web page meetings and training; learning how to update information on pages.
  - LKL attended webinar on grantwriting
  - LKL presented for Wayne Women's Club, including the group's history in starting the library.
- Staff projects and concerns
  - Held staff inservice – was a great evening. The flu maintenance information was particularly interesting (e.g, delaying shelving until germs die; using disinfectant,

etc.). Plan to host a couple of such in-services a year. The reference interview & using new computer systems likely next topics.

- o Held two computer classes: effective web searching and powerpoint
- o Wayne High School class came in to use microfilm
- o Friends of the Library decorated the library for the holidays
- o Fall Saturday programming ended, will start up again January 9, 2010
- o 27 wreaths have been donated for the silent auction – runs through December 7. All proceeds go to the Veterans Memorial fund.

#### OLD BUSINESS

- Demonstrate library web pages. Site is due to go public on December 18, 2009. Still working out some last-minute articulation and site roaming issues.

#### NEW BUSINESS

- Review conference room policy. Policy approved. Will need to go before the Senior Center board next.
- Review bulletin board policy. Tabled; policy will be re-worked by LKL; however, getting another bulletin board to be used exclusively for jobs was approved.
- Review library improvement grant. Approved: the application should go forward. Application will be submitted in early January before the next board meeting.

ANNOUNCEMENTS – Stick around for the mayhem, Santa Story Time begins at 6:30 pm!

ADJOURNMENT The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Maureen Kingston  
Substitute Board Secretary



- RMcLean became a grandmother for the second time

#### OLD BUSINESS

- Update on conference room policy – senior center board approved with one small change. The policy with amendment as accepted.
- Update on bulletin board policy – waiting to hear from custodian about chances of getting similar bulletin board
- Update on pandemic policy – this kind of stalled with the intensive work on the grant and web pages. However, it seems as if we've had less illness in the building than in some previous years, and the tissue and hand sanitizer provided to the public is used frequently. All staff were offered flu shots, and seem to be keeping pretty healthy (or staying home when sick).

#### NEW BUSINESS

- Technology plan discussion with Brian Kesting – The board discussed ideas for technology planning, narrowing ideas down to those to focus on in the next 2-3 years. Lauran Lofgren will have technology goals formatted into a 3-year plan for the March meeting.

The meeting adjourned at 6 PM.

Submitted by,  
Mollie Spieker

**Wayne Public Library Board of Trustees**  
**Tuesday, February 2, 2010 / 5 p.m., Conference Room**

**MINUTES**

**CALL TO ORDER**

The Wayne Public Library Board met on Tuesday, February 2, 2010. President Joel Ankeny called the meeting to order.

**ROLL CALL**

Board members Joel Ankeny, Dennis Lipp, Maureen Kingston and director Lauran Lofgren were present. Board members Mollie Spieker and Betty Heier were absent.

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 Library/Senior Center Conference Room.

APPROVAL OF MINUTES – approved as written

FINANCIAL REPORT – approved as submitted

**DIRECTOR'S REPORT 33% of year**

- Statistics
- |  | DEC09 | JAN 10 | JAN09 | % of Previous<br>Year Total |
|--|-------|--------|-------|-----------------------------|
|--|-------|--------|-------|-----------------------------|

Circulation	3318	3810	3831	31
Patrons	3416	3555	3638	29
Meeting Room	17	8	11	44
Reference ?s	199	152	176	32
Computer ?s	235	260	231	34
Phone Calls	534	514	448	36
OPACS	153	185	159	31
CD-ROMs	160	121	150	36
Internet	980	1004	981	30
New Patron Cards	11	17	32	24
Items Added	201	130	132	44
Items Deleted	71	44	51	9

- Meetings attended
  - LKL attended meetings regarding the job search for the new system Director (Jessica Chamberlain, originally from Norfolk and now from Ohio, has been hired).
  - LKL attended Consortium quarterly meeting
  - LKL attended NELS board meeting as voting alternate
  - LKL attended Friends of the Library board meeting
- Staff projects and concerns
  - New computers installed at circulation and for LKL and RMcLean (thank you Brian)
  - Updates continue with the new web pages
  - Microfilm sent to Microfilm Imaging

- Annual statistical report completed and submitted to Nebraska Library Commission
- No news yet on Library Improvement Grant – hope to hear by mid-February. Board approved LKL to negotiate within a certain range if grant approval is partial or if the situation warrants it.
- Two computer classes taught, requests have been received for a Facebook class
- Saturday children's program has begun, along with the Toddler program on Wednesdays
- Adult book club is meeting monthly, and have chosen their books for the 2010 series
- Plans are underway for Mardi Gras, a Valentine Craft time, the spring Expand Your Horizons series on Planning for your Future, and (yes already) Summer Reading Program.
- JOSnes is working with Charissa Loftis of WSC to do book loans for the teen corner
- JOSnes has reworked the teen corner, and we are thinking about getting some new furniture for that area.

#### OLD BUSINESS

NEW BUSINESS - Library Board continuing education. Board decided to wait until all members were present to maximize accrual of CE credits at one sitting.

ADJOURNMENT The meeting was adjourned at 5:17 p.m.

Respectfully submitted,

Maureen Kingston  
Substitute Board Secretary



- Tower school and the after school program at OSLC are both making trips to the library a periodic event
- City council recognized the library on its receipt of improved accreditation, moving to the Excellent level (top).
- The adult book club continues this fall, with 9-12 people participating each month.
- Work has begun on the annual report to the state

#### OLD BUSINESS

- Update on Financial policy—The disposition policy wording was approved.
- Discussion on Library vision statement—Will discuss at a future meeting.

#### NEW BUSINESS

- Review Existing Technology Plan: Brian Kesting will be invited to the January 12 meeting.

#### ANNOUNCEMENTS

Library board members are invited to a Staff Inservice meal on Friday, Nov. 6 at 5:30 PM.

The meeting adjourned at 5:30 PM.

Respectfully submitted,  
Mollie Speiker