

**MINUTES
CITY COUNCIL MEETING
April 6, 2010**

The Wayne City Council met in regular session at City Hall on Tuesday, April 6, 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, Kathy Berry and Ken Chamberlain; City Attorney Kyle Dahl; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Dale Alexander, Doug Sturm, and Kaki Ley.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on March 25, 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 Haase made a motion and seconded by Councilmember Chamberlain, whereas the Clerk has prepared copies of the Minutes of the meeting of March 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, as corrected.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ALARM PROS, SU, 192.38; AMERITAS, RE, 2127.05; APPEARA, SE, 136.05; ARNIE'S FORD-MERCURY, RE, 60.05; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, FE, 210.00; CITY EMPLOYEE, RE, 284.53; BERT GURNEY & ASSOCIATES, SU, 2350.04; BIG T ENTERPRISES, SU, 184.90; BLACK HILLS ENERGY, SE, 1086.44; BLACKBURN MANUFACTURING, SU, 252.40; BOMGAARS, SU, 1070.79; CITY EMPLOYEE, RE, 96.25; CARROLL DISTRIBUTING, SU, 39.00; CENTRAL STATES GROUP, SU, 33.32; CITY OF WAYNE, RE, 1250.00; CITY OF WAYNE, PY, 53979.22; CITY OF WAYNE, RE,

2240.47; COMMUNITY HEALTH, RE, 4.00; COMPRESSION SYSTEMS, SU, 5667.75; CREDIT BUREAU SERVICES, RE, 251.25; DE LAGE LANDEN FINANCIAL, SE, 77.00; FIRE FIGHTER, RE, 146.00; DUGAN BUSINESS FORMS, SU, 1043.13; ECHO GROUP, SU, 187.00; ED M FELD EQUIPMENT, SE, 150.29; EGAN SUPPLY, SU, 206.49; ELECTRIC FIXTURE, SU, 54.71; ELECTRONIC ENGINEERING, SU, 2150.00; ELLIS PLUMBING & HEATING, SU, 37.50; ENGINEERED CONTROLS, SE, 6730.00; FAITH REGIONAL, FE, 25.00; FIRST CONCORD GROUP, SE, 3824.78; FLOOR MAINTENANCE, SU, 544.43; FORT DEARBORN LIFE, SE, 1700.76; GAMBLE, BRIAN, RE, 500.00; GEMPLER'S, SU, 27.90; HAUFF MID-AMERICAN SPORTS, SU, 966.55; HD SUPPLY WATERWORKS, SU, 1963.97; ICMA, RE, 5542.53; CITY OF WAYNE, RE, 99750.00; INTERNATIONAL CODE, SU, 222.95; INTERSTATE ALL BATTERY, SU, 44.70; INTERSTATE INDUSTRIAL, SE, 194.27; IRS, TX, 17544.50; JACK'S UNIFORMS, SU, 240.55; JEO CONSULTING GROUP, SE, 80430.73; CITY EMPLOYEE, RE, 258.76; KIRKHAM MICHAEL, SE, 1390.00; KNIFE RIVER MIDWEST, SU, 405.99; KNOEPFLER CHEVROLET, SE, 266.48; KRIZ-DAVIS, SU, 108.11; L.G. EVERIST, SU, 932.95; LOREN PARK, RE, 500.00; LUNDAHL, EARL, FE, 350.00; MERCY MEDICAL CLINICS, SE, 52.00; MIDLAND COMPUTER, FE, 4150.31; MUNICIPAL SERVICE, SU, 32.13; NNEDD, SE, 550.00; NE DEPT OF HHS, FE, 80.00; NE DEPT OF REVENUE, TX, 2592.71; NE FOREST SERVICE, FE, 5.00; NE NEB INS AGENCY, RE, 304.50; NE NEB INS AGENCY, SE, 61502.00; NE PLANNING & ZONING, FE, 420.00; NE PUBLIC HEALTH, SE, 550.00; NE SAFETY COUNCIL, SE, 279.00; NMPP ENERGY, SU, 21941.25; OLSSON ASSOCIATES, SE, 1971.57; OMB POLICE SUPPLY, SU, 20.00; ORIENTAL TRADING CO, SU, 26.97; OTTE CONSTRUCTION, RE, 1000.00; PEERLESS WIPING CLOTH, SU, 202.50; CITY EMPLOYEE, RE, 125.58; PIERCE COUNTY COURT, RE, 300.00; PITNEY BOWES, SE, 648.00; CITY EMPLOYEE, RE, 677.03; CITY EMPLOYEE, RE, 136.41; PROGRESSIVE BUSINESS PUBL., SU, 299.00; PROVIDENCE MEDICAL CENTER, SE, 104.00; QWEST, SE, 427.94; QWEST, SE, 180.14; RON'S RADIO, SE, 526.69; SEAN SPANN, SE, 120.00; STATE NATIONAL BANK, RE, 1650000.00; STATE NATIONAL BANK, RE, 439.30; THE FINAL TOUCH, SU, 769.18; THE MAX AGAIN, RE, 500.00; TODD BARNER, RE, 500.00; US BANK, SE, 4447.39; VERIZON, SE, 566.91; VIAERO, SE, 131.80; WAYNE COUNTY ATTORNEY, FE, 10.00; WAYNE COUNTY COURT, RE, 300.00; WAYNE STATE COLLEGE, RE, 400.00; CITY EMPLOYEE, RE, 209.06; WELLS FARGO FINANCIAL, SU, 17008.20; WESCO, SU, 750.83; WAPA, SE, 33472.40; FIRE FIGHTER, RE, 175.00; 4IMPRINT, SU, 934.81; CITY EMPLOYEE, RE, 3800.00; BLACK HILLS ENERGY, SE, 407.67; BROWN SUPPLY, SU, 1088.79; CHARTWELLS, SE, 6092.10; CITY OF WAYNE, RE, 250.00; CITY OF WAYNE, RE, 413.39; COPY WRITE PUBLISHING, SE, 288.54; COUNTRY NURSERY, SU, 50.00; DAVE'S DRY CLEANING, SE, 177.00; DAVE SWANSON, SE, 46.86; DIGITAL ALLY, SU, 19.50; CITY EMPLOYEE, RE, 73.07; DUTTON-LAINSON, SU, 47.93; EGAN SUPPLY, SU, 18.00; EMPLOYERS MUTUAL CASUALTY, RE, 500.00; FIRST SOURCE TITLE&ESCROW, SE, 25.00; FLOOR MAINTENANCE, SU, 485.93; FREDRICKSON OIL, SU, 1255.53; GILL HAULING, SE, 2441.00; GLEN'S AUTO BODY, SE, 284.46; GREAT PLAINS ONE-CALL, SE, 74.02; HARDING & SHULZ, SE, 43.00; HD SUPPLY WATERWORKS,

SU, 13222.39; HEIKES AUTOMOTIVE, SE, 47.93; HEWLETT-PACKARD, SU, 1346.00; INGRAM BOOK COMPANY, SU, 883.25; J.P. COOKE COMPANY, SU, 133.45; JOHN'S WELDING AND TOOL, SE, 129.72; CITY EMPLOYEE, RE, 918.47; KELLY SUPPLY, SU, 163.66; CITY EMPLOYEE, RE, 54.62; LP GILL, SE, 6000.80; MES-MIDAM, SU, 1541.67; MICROFILM IMAGING SYSTEMS, SE, 1233.10; MIDLAND EQUIPMENT, SU, 19.25; MSC INDUSTRIAL, SU, 148.34; MUNICIPAL SUPPLY, SU, 71.78; NNEDD, SE, 650.00; NE CODE OFFICIAL ASSOC., FE, 100.00; NEBRASKA ENVIRONMENTAL, SE, 721.91; NIAGARA CONSERVATION CORP, SU, 609.73; NNPPD, SE, 1967.56; PAC N SAVE, SU, 35.44; PAMIDA, SU, 20.67; PEPSI-COLA, SU, 728.23; PETERSON INDUSTRIAL ENGINE, SU, 18620.00; PIEPER, MILLER & DAHL, SE, 2106.00; PLUNKETT'S PEST CONTROL, SE, 40.00; PROVIDENCE MEDICAL CENTER, SE, 104.00; PUSH-PEDAL-PULL, SU, 557.70; QUALITY 1 GRAPHICS, SU, 30.00; QWEST, SE, 1177.02; RITA MCLEAN, RE, 500.00; SHAWN STORY, SE, 180.00; SIRSIDYNIX, SE, 2891.68; SKARSHAUG TESTING LAB, SE, 211.33; SLEEP INN & SUITES HOTEL, SE, 319.96; CITY EMPLOYEE, RE, 150.00; WATERLINK, SE, 1053.42; WAYNE COUNTRY CLUB, RE, 6130.00; WAYNE COUNTY CLERK, SE, 67.00; WAYNE GRAIN & FEED, SE, 120.00; WAYNE STATE COLLEGE, RE, 1100.00; WAYNE STATER, SE, 35.00; WAYNE VETERINARY CLINIC, SE, 392.00; WESCO, SU, 2108.70; ZACH HEATING & COOLING, SU, 34.50;

Councilmember Chamberlain made a motion and seconded by Councilmember Frevert 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 Alexander arrived at 5:33 p.m.

Mayor Shelton proclaimed the week of April 11th through April 17th as both “Public Safety Telecommunicator’s Week”, and “National Library Week.”

Councilmember Sturm arrived at 5:35 p.m.

Nancy Braden, Finance Director, along with Mitch Nissen, Chair of the Wayne Airport Authority gave a report on the status of the Airport Project and the results of the bid opening. There will be four phases to this project. The low bid for this project was 32% under the engineer's estimate. The total bid was \$3,647,416.90, of which the FAA will pick up 95% of that amount. We have received a \$50,000 grant from the State of Nebraska, which leaves the local match at \$132,370.84.

Mayor Shelton stated the time was at hand for the public hearing regarding the application for a Retail Class C Liquor License for BaHa, Inc., d/b/a "The Rain Tree."

Joseph and Kari Baldwin, co-owners of The Rain Tree, were present to answer questions. They are modifying their existing liquor license from a Class D to a Class C so they can have wine tasting events without the need of going through the special designated liquor permit process.

Wes Blecke, representing Wayne Area Economic Development and Main Street, supported the Class D liquor license application of BaHa, Inc., d/b/a "The Rain Tree."

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

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

Councilmember Sturm introduced Resolution No. 2010-18 and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2010-18

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS C LIQUOR LICENSE — BAHA, INC., D/B/A "THE RAIN TREE."

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

Mayor Shelton declared the time was at hand for the public hearing regarding the contract amendment to the Nebraska Department of Economic Development for Community Development Block Grant No. 07-TFHP-5044, which is “Housing Development.”

Lisa Hurley of Northeast Nebraska Economic Development District was present to answer questions. She advised the Council that they have been working with DED to amend the program guidelines, and now they are proceeding to amend the contracts and budget, as well as the number of accomplishments. They will be decreasing the houses being built in Western Ridge from 17 to 6, for those will be low-to-moderate income families. While the budget decreases significantly because of the types of mortgages involved, the grant funds will remain the same. DED has approved the amended guidelines that were approved by the City Council at the last meeting.

The original contract budget was:

NAHTF Funds	-	\$ 387,416
Other Funds	-	\$2,340,525
Total Funds	-	\$2,727,941

The proposed budget after the amendment will be:

NAHTF Funds	-	\$ 387,416
Other Funds	-	\$ 794,525
Total Funds	-	\$1,181,941

Nancy Braden, Finance Director, stated the purpose of this amendment is to be able to access all of the grant dollars.

Ms. Hurley also stated that DED is not allowing extensions on trust fund projects at this time, because the trust fund money at the State level is being looked at quite carefully due to budget shortages. They are trying to make sure all trust fund dollars that are allocated get out of the State coffers in a timely manner, which is why we are doing this instead of requesting an extension.

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

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

Councilmember Chamberlain made a motion and seconded by Councilmember Sturm approving the budget amendment to the Nebraska Department of Economic Development for Community Development Block Grant Project No. 07-TFHP-5044 - Housing Development. 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 begin the process of creating the downtown sidewalk/street improvement districts. At the town hall meeting held a couple of weeks ago, it was clear that there was only support for replacing the sidewalk in the downtown district and not adding the decorative light poles or bricks. That is how we instructed JEO to move forward. The proposal this evening is to do Option C on West First Street, from Main Street to Pearl Street, the north and south sides of 2nd Street, from Pearl Street east to Logan Street, the north and south sides of 3rd Street, from Pearl Street east to Logan Street, and the east side of Pearl Street, from 1st Street north to 3rd Street. The Resolution is the Council's declaration that you have looked at the general conditions of the sidewalks in the area and find it necessary to

replace the same. We have a grant deadline to meet to match the funds we have distributed for the building fronts and the ADA accessibility locations. We have enlarged the project area that was not included in the grant. He would like to see the projects broken into smaller phases so there is more opportunity for local construction companies to bid on it.

Ms. Hurley stated the area that is in the grant (East 2nd Street, East 3rd Street, and Pearl Street) needs to be completed by the grant deadline. During the planning phase, the entire area had been looked at from Logan to Pearl, but when they were putting together the applications for Phase II, they limited the area because of costs.

Administrator Johnson stated the grant the City received for the ADA accessibility, building fronts and improvements was for an area that included only the west side of Main Street. Because of the condition of some of the sidewalks and some interest of those property owners on the east side of Main Street, staff included that area also.

Administrator Johnson stated another option for the Council to think about is whether or not they want to spend the money (about \$2 per foot) to lay conduit for future street lighting. If Council would like to do it, now would be the time rather than to tear up concrete later. The approximate cost to do that would be \$15,000 for the entire area.

Garry Poutre, Supt. of Public Works and Utilities, in response to Councilmember Frevert's question, stated the light poles are steel, they've been painted once, the fixtures have been changed, but their life expectancy could be a long time.

Councilmember Frevert thought the poles would outlast the sidewalks.

Ms. Braden stated the sidewalks were last replaced in 1976, so they are 34 years old.

Terry Mead with JEO Consulting Group was present to answer questions.

Councilmember Sturm introduced Resolution No. 2010-19 and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2010-19

A RESOLUTION FINDING THE NECESSITY FOR IMPROVEMENT OF CERTAIN SIDEWALKS IN THE CITY OF WAYNE, NEBRASKA, AND APPROVING THE HIRING OF SPECIAL ENGINEERS FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE CONSTRUCTION OF CERTAIN SIDEWALK IMPROVEMENTS TO BE CONSTRUCTED IN THE CITY OF WAYNE, NEBRASKA.

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 Ordinance would create Street Improvement District No. 2010-01 which consists of the property from West 1st Street from Main Street west to the west right-of-way line of Pearl Street.

Councilmember Chamberlain introduced Ordinance No. 2010-5, and moved for its approval thereof; Councilmember Sturm seconded.

ORDINANCE NO. 2010-5

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2010-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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

Randy Rubendahl wanted to know if the request to include the east side of Main Street came from the business owners. Administrator Johnson responded that the request came from two business owners. However, both sides of Main Street were originally included, but the project was cut back because of costs.

Mr. Rubendahl stated since the grant was issued for the west side only, he would recommend at this time the Council delete the east side.

Mayor Shelton stated the property owners will be given the opportunity to object to the district if they want to.

Councilmember Sturm stated that there may not be any grant money which would decrease the cost in the future. Some of what we are doing concerns ADA and safety issues.

Mr. Mead stated once you remove a sidewalk, it has to be put back to meet ADA standards. Whatever can be done to help accessibility will be an improvement for the downtown.

Councilmember Chamberlain made a motion to waive the statutory requirement for three readings. The same died for lack of a second. The second reading of the ordinance will take place at the next meeting.

Administrator Johnson stated the following Ordinance would create Street (Sidewalk) Improvement District No. 2010-02 which consists of the property on the north and south sides of 2nd Street from Pearl Street east to Logan Street.

Councilmember Sturm introduced Ordinance No. 2010-6, and moved for its approval thereof; Councilmember Chamberlain seconded.

ORDINANCE NO. 2010-6

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET (SIDEWALK) IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET (SIDEWALK) IMPROVEMENT DISTRICT NO. 2010-2 DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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 to waive the statutory requirement for three readings. The same died for lack of a second. The second reading of the ordinance will take place at the next meeting.

Administrator Johnson stated the following Ordinance would create Street (Sidewalk) Improvement District No. 2010-03 which consists of the property on the north and south sides of 3rd Street from Pearl Street east to Logan Street.

Councilmember Sturm introduced Ordinance No. 2010-7, and moved for its approval thereof; Councilmember Chamberlain seconded.

ORDINANCE NO. 2010-7

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET (SIDEWALK) IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET (SIDEWALK) IMPROVEMENT DISTRICT NO. 2010-3 DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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

Administrator Johnson stated the following Ordinance would create Street (Sidewalk) Improvement District No. 2010-04 which consists of the property on the north and south sides of 3rd Street from Pearl Street east to Logan Street.

Councilmember Chamberlain introduced Ordinance No. 2010-8, and moved for its approval thereof; Councilmember Alexander seconded.

ORDINANCE NO. 2010-8

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET (SIDEWALK) IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET (SIDEWALK) IMPROVEMENT DISTRICT NO. 2010-4 DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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

Administrator Johnson stated letters would be sent to the property owners in the districts advising them that the ordinances to create the districts have been passed on their first reading.

Councilmember Sturm made a motion to approve the installation of electrical conduit for future lighting at the time the sidewalks downtown are removed, and Councilmember Haase seconded. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

A report was given on the “pedestrian underpass.” Administrator Johnson had distributed to the Council information from the town hall meeting held on March 23, 2010, regarding the pedestrian underpass. He and Joel Hansen are working with the Department of Roads to look and see what options there are in lieu of an underpass (e.g.

30 or 25 mph speed limit and flashing lights). There is a volunteer crossing guard group starting by the School. The \$538,000 did include the \$38,000 cost of connecting the underpass to the old trail. The responses back from the Department of Roads are in terms of weeks and months – it's not a quick turn around. We are trying to get a feel for what they will do and then bring those to you for a formal request.

The DOR is softening their positions from when Ms. Winter first got there. Their approach is different. He did not see a hesitation on the City's part if there is another option.

Ms. Braden stated that this is a Transportation Enhancement Grant, which is the same as the trail. They figured it would be two years before it would be designed and constructed, but if you are not going to go forward, we need to let them know so the grant dollars can be used by another municipality.

Councilmember Berry stated she has heard that we want it – we don't need it, and if another community actually needs the money, they should get it, instead of us just spending it because we have it.

Councilmember Sturm stated there were people at the town hall meeting that felt there was a great need for the underpass.

Ms. Braden stated she had heard a comment from someone at the town hall meeting who said the council needed to keep in mind that this is a transportation system and that it's best if transportation systems do not intersect or meet each other.

Mayor Shelton did not think they could wait until the DOR responded to the options.

Ms. Braden also stated that when staff went down to the Transportation Enhancement meeting, the reason this grant was approved was because of the safety needs. The DOR felt this was a safety need which is why it ranked as high as it did at that meeting.

Councilmember Alexander stated anybody in his ward that has talked to him about the underpass has not been for it.

Councilmember Sturm stated that they, as a Council, have increased the volume of pedestrian traffic at this location through the trail system and the Western Ridge development, which leads him to the next question of how do we get those people safely from one side of the highway to the other. At this time, we have an opportunity to do something at this one place and he thought it was a good idea to do it.

Councilmember Alexander stated if we are just doing this because of a trail issue, for him it is not going to happen, because people aren't there at 8:00 a.m. walking on the trail or at 3:30 p.m. in the afternoon during the time school is in session.

Councilmember Haase stated that out of everybody he has talked to, only one person was for it.

Councilmember Frevert was disappointed that no one that lives in Western Ridge was at the town hall meeting.

Mayor Shelton stated there were probably a lot of people who did not know about the town hall meeting.

There was no further discussion on the agenda item.

Administrator Johnson stated the following Resolution would place a lien on 120 W. 8th Street for unpaid snow removal costs. This took place during the time the enforcement of snow removal was put back in place.

There were other properties during this time frame that also had to have the snow removed, but those property owners have paid their bill. This property owner has failed to pay her bill.

Councilmember Chamberlain introduced Resolution No. 2010-20 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2010-20

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY UNPAID SNOW REMOVAL COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST 75' OF LOT 3, EXCEPT THE NORTH 10', BLOCK 7, BRITTON & BRESSLER'S ADDITION TO WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 120 WEST 8TH STREET, WAYNE, NEBRASKA.

Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Frevert who voted Nay, the Mayor declared the motion carried.

Administrator Johnson stated that the following Resolution would amend the sewer rate schedule to extend the start date from April 1st to May 1st and establish usage for customers who have had no usage during the months of December, January and February to be 2,000 gallons for single occupancy and 5,000 gallons for double or more occupancy.

Councilmember Sturm introduced Resolution No. 2010-21 and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2010-21

A RESOLUTION AMENDING SEWER SERVICE AND USE RATES.

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

Administrator Johnson stated that the following Resolution is an annual action that the Council takes to apply for funds for the handi-van.

Councilmember Sturm introduced Resolution No. 2010-22 and moved for its approval; Councilmember Van Delden seconded.

RESOLUTION NO. 2010-22

A RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO APPLY FOR NEBRASKA PUBLIC TRANSPORTATION ACT FUNDS.

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 Ordinance would amend Sec. 18-84 Duties of the Building Inspector. We do not have an Electrical Inspector on staff. This clarifies that the Electrical Inspector has the authority to enter the properties to do the electrical inspections for the City of Wayne. This simply clarifies and authorizes them to do what we have already been doing.

Councilmember Chamberlain introduced Ordinance No. 2010-4, and moved for its approval thereof; Councilmember Alexander seconded.

ORDINANCE NO. 2010-4

AN ORDINANCE AMENDING THE WAYNE MUNICIPAL CODE BY AMENDING SECTION 18-84 DUTIES OF THE BUILDING INSPECTOR; TO PROVIDE FOR THE REPEAL OF CONFLICTING 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 will take place at the next meeting.

Greg VanderWeil was requesting Council consideration to allowing them to close off the east end of 10th Street from Providence Road to the First Bank Card Center for an electric vehicle rally on Saturday, April 24, 2010, from 6:30 a.m. until 5:00 p.m. OPPD and NPPD will be providing the required \$1,000,000 liability insurance coverage and naming the City as an additional insured.

Councilmember Sturm made a motion and seconded by Councilmember Alexander approving the request of Greg VanderWeil to close off the east end of 10th Street from Providence Road to the First Bank Card Center for an electric vehicle rally on April 24, 2010. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Lance Webster, Police Chief, gave a report/update on the new E911 Software that gives them the ability to locate cell phone callers.

Councilmember Alexander made a motion and seconded by Councilmember Van Delden 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 6:45 p.m.