

**AGENDA
CITY COUNCIL MEETING
March 1, 2011**

5:30 Call to Order

1. Approval of Minutes – February 15 and 21, 2011

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. Action on Senior Center Budget for Northeast Nebraska Area Agency on Aging

Background: The fiscal year for the State of Nebraska is July 1st through June 30th for grant funding for Senior Centers. The fiscal year for cities is October 1st through September 30th. This annual Council action is needed to submit our already approved senior center budget for this fiscal year to the State to be included in their next fiscal year budget.

4. Action on Recommendation from LB 840 Sales Tax Advisory Committee to approve a \$43,019 Low Interest Loan to DRJ LLC/Inet Library to be used to Assist with Expansion/Start-up Expenses

Background: DRJ LLC/Inet Library is a re-structure/start-up of a former business that was built up in Wayne and sold off. The business is projected to create jobs in multiple locations. However, the LB 840 Sales Tax Advisory Committee's recommendation is based only on the project of full-time job equivalents that would be located in Wayne. The recommendation of the LB 840 Sales Tax Advisory Committee is attached.

5. Update on the Status of the Purchase of the Aerial Ladder Truck—Tom Sievers, Fire Chief

6. Recess

a. Convene as Community Development Agency

b. Approve Minutes – February 15, 2011

c. Consideration and Adoption of CDA Res. 2011-1 Recommending Approval of a Redevelopment Plan Amendment for the Western Ridge Single-Family

Residential Planned Unit Development Project in the City of Wayne, Nebraska, and approval of related actions

Background: Our current TIF Agreement for Western Ridge II established a rolling TIF start date for each new house built, but it also required individual CDA and Council action to amend the TIF Agreement to add each new house. This Resolution eliminates the requirement for individual Council action and establishes a new process to provide for one annual Council Resolution to list all new homes built in the last 12 months and establishes a TIF start date for them.

Recommendation: The recommendation of Mike Bacon, TIF attorney for the project, is to approve this action to simplify the TIF approval process for new homes built each year into one action.

- d. [Action on Request from Lou Benschoter for Lien Release on Lot 6, Western Ridge Subdivision](#)

Background: This lot was sold with a performance lien to have a home built on it within 12 months. The deadline was extended to October 16, 2010, at the request of the contractor. The owner moved in and a temporary Occupancy Permit was issued on November 29th. The final Occupancy Permit was dated January 24th.

Recommendation: The recommendation of the City Administrator is to approve the lien release.

- e. [Adjourn CDA and Reconvene as Council](#)

7. Public Hearing: Redevelopment Plan Amendment Western Ridge II Addition (Advertised Time: 5:30 p.m.)

Background: This is the same action as was just taken by the CDA to amend the TIF Agreement to simplify the process for starting the TIF on the new houses as they are built.

8. Resolution 2011-12: Consideration and Adoption of the Mayor and Council of the City of Wayne, Nebraska, approving Redevelopment Plan Amendment and Related Matters

Recommendation: The recommendation of Mike Bacon, TIF attorney for the project, is to approve this action to simplify the TIF approval process for new homes built each year into one action.

9. Resolution 2011-13: Accepting Work on Public Utility Water Service District No. 2009-01 (Muhs Acres Water Main Extension Project)

Background: The Muhs Acres Water Main Extension Project is complete. Council action is required to approve the project as constructed to allow the engineer to finalize the assessment schedule for the Board of Equalization (Wayne City Council) to review and act on.

Recommendation: The recommendation of the Project Engineer, Rod Hanson, with Olsson Associates is to approve the project as constructed.

10. Resolution 2011-14 : Setting Board of Equalization Hearing Date for Public Utility Water Service District No. 2009-01 for April 5, 2011, at or about 5:30 p.m. (Muhs Acres Water Main Extension Project)

Background: All of the project costs except for ¼ mile of transmission water line connecting the Muhs Acres Utility District to the Wayne water main will be assessed to the property owners within the district based on the amount of front footage of the property as required by State Statute. Olsson Associates will provide a schedule of water utility assessments for the Council acting as the Board of Equalization to approve to be levied against the properties in the district. A public hearing is required before the action of the Board of Equalization is taken.

11. Resolution 2011-15: Accepting Proposal and Awarding Contract to Almquist, Maltzahn, Galloway & Luth, PC for City Auditing Services from 2011 through 2015

Background: We published legal notices requesting statements of qualifications from accounting firms interested and willing to sign a five-year agreement to provide financial auditing services for the City of Wayne. Five proposals were received and reviewed, using a matrix of values that was advertised with the RFQ notices. Almquist, Maltzahn, Galloway and Luth, PC, scored the highest on the matrix.

Recommendation: The recommendation of the Audit Committee is to contract with AMGL, PC, for another five-year agreement for auditing services.

12. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

February 15, 2011

The Wayne City Council met in regular session at City Hall on Tuesday, February 15, 2011, at 5:30 o'clock P.M. Mayor Ken Chamberlain 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 Jill Brodersen; 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 3, 2011, 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 Sturm made a motion and seconded by Councilmember Alexander, whereas the Clerk has prepared copies of the Minutes of the meeting of February 1, 2011, and that each Councilmember has had an opportunity to read and study the same, and that the reading of the Minutes be waived and declared approved.

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

The following claims were presented to Council for their approval:

CHANGES OR CORRECTIONS: VOIDED UNCASHED CHECKS: 2/18/10 CITY EMPLOYEE, RE, 9.60; AND 7/27/10 CITY EMPLOYEE, RE, 85.43

VARIOUS FUNDS: AMERITAS, SE, 2159.97; APPEARA, SE, 96.04; BANK FIRST, FE, 195.00; BIG T ENTERPRISES, SU, 98.95; CITY EMPLOYEE, RE, 145.88; BROWN SUPPLY, SU, 266.15; CALIFORNIA CONTRACTORS, SU, 198.75; CHAD JENSEN, RE, 160.41; CHARTWELLS, SE, 4443.25; CITY OF NORFOLK, SE, 194.15; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, PY, 56953.25; CITY OF WAYNE, RE, 299.37; CLAUSSEN & SONS IRRIG, SE, 90.00; COMMUNITY HEALTH, RE, 3.00; COPY WRITE, SE, 220.13; CUMING CO SHERIFF, SE, 50.00; DAVE'S UNIFORM CLEANING, SE, 105.00; DUTTON-LAINSON, SU, 910.37; CITY EMPLOYEE, RE, 64.85; CITY EMPLOYEE, RE, 879.66; CITY EMPLOYEE, RE, 148.53; ED M FELD EQUIPMENT, SU, 45.25; ELECTRIC FIXTURE, SU, 42.75;

ELLIS PLUMBING & HEATING, SE, 886.26; FLOOR MAINTENANCE, SU, 163.67; FREDRICKSON OIL, SE, 54.50; CITY EMPLOYEE, RE, 69.84; GREAT PLAINS ONE-CALL, SE, 8.91; HARDING & SHULTZ, SE, 8403.39; HAUFF MID-AMERICAN SPORTS, SU, 134.50; HAUGE ASSOCIATES, RE, 167.75; HOLIDAY INN OF KEARNEY, SE, 568.00; HOLIDAY INN-DOWNTOWN, SE, 77.00; ICC, FE, 100.00; ICMA, SE, 5682.90; INGRAM BOOK COMPANY, SU, 455.48; IRS, TX, 17718.18; JEO CONSULTING GROUP, SE, 22077.03; JOHN HADCOCK, RE, 500.00; JOHN'S WELDING AND TOOL, SE, 33.19; JOHNSON HARDWARE, SU, 221.18; CITY EMPLOYEE, RE, 58.82; KRIZ-DAVIS, SU, 161.88; KTCH, SE, 525.00; MAIN STREET AUTO CARE. RE, 300.00; CITY EMPLOYEE, RE, 877.52; MERIT MECHANICAL, SE, 5445.75; MIDWEST DIESEL, SE, 9926.49; MIDWEST LABORATORIES, SE, 136.35; MIDWEST OFFICE AUTOMATION, SE, 933.51; MSC INDUSTRIAL, SU, 159.26; CITY EMPLOYEE, RE, 704.54; NE DEPT OF REVENUE, TX, 2737.88; NE EMERGENCY SERVICE, FE, 60.00; NE SALT & GRAIN, SU, 1533.61; NE STATE PATROL, SE, 105.00; NORFOLK TRUCK CENTER, SU, 193.23; NNPPD, SE, 11634.98; OLSSON ASSOCIATES, SE, 693.01; PAC N SAVE, SU, 10.64; CITY EMPLOYEE, RE, 578.34; PEPSI-COLA, SU, 514.04; PETERSON INDUSTRIAL ENGINE, SE, 8009.65; PIEPER, MILLER & DAHL, SE, 2729.50; PRESTO X, SE, 112.20; CITY EMPLOYEE, RE, 6685.60; CITY EMPLOYEE, RE, 43.20; ROB HENNRICH-LIGHT & SIREN, SU, 343.25; RON'S RADIO, SU, 82.65; S & S WILLERS, SU, 1161.71; CITY EMPLOYEE, RE, 447.72; STADIUM SPORTING GOODS, SU, 359.00; STATE NATIONAL BANK, SE, 47.74; STATE NATIONAL BANK, RE, 111.49; CITY EMPLOYEE, RE, 251.10; SUSAN ELLIS, RE, 500.00; TERRACON CONSULTANTS, SE, 637.00; USEPA-LAS VEGAS FINANCIAL, RE, 26020.00; VOSS LIGHTING, SU, 52.28; WAYNE COUNTY CLERK, SE, 82.50; WAYNE COUNTY COURT, RE, 150.00; WAYNE HERALD, SE, 783.08; WAYNE STATE COLLEGE, RE, 488.00; WAYNE VETERINARY CLINIC, SE, 140.00; WAYNE WESSEL, RE, 100.00; WAPA, SE, 32493.26; ZACH HEATING & COOLING, RE, 150.00; ZACH OIL COMPANY, SU, 8450.31; AHERN CO., SE, 315.00; AMAZON, SU, 162.97; BIG T ENTERPRISES, SU, 197.90; BINSWANGER GLASS, SE, 437.17; CITY EMPLOYEE, RE, 85.43; CITY OF WAYNE, RE, 1000.00; CULLIGAN, SE, 43.95; DAKOTA BUSINESS SYSTEMS, SE, 101.50; DE LAGE LANDEN FINANCIAL, SE, 394.00; CITY EMPLOYEE, RE, 227.27; ELECTRIC FIXTURE, SU, 102.00; FLOOR MAINTENANCE, SU, 103.11; FLOTH CONSULTING, SE, 150.00; CITY EMPLOYEE, RE, 7447.89; HIRERIGHT SOLUTIONS, SE, 73.15; HTM SALES, SU, 937.89; JEO CONSULTING GROUP, SE, 436.00; JOHN'S WELDING AND TOOL, SE, 206.68; CITY EMPLOYEE, RE, 236.60; MARSHALL CAVENDISH, SU, 32.65; MIDWEST TAPE, SU, 139.96; MSC INDUSTRIAL, SU, 119.02; CITY EMPLOYEE, RE, 312.75; NE STATE PATROL, SE, 45.00; NPPD, SE, 262114.42; NORTHEAST EQUIPMENT, SU, 1255.48; ORIENTAL TRADING CO, SU, 58.34; PAMIDA, SU, 31.62; QUILL, SU, 54.06; RANDOM HOUSE, SU, 168.71; CITY EMPLOYEE, RE, 9.60; SPARKLING KLEAN, SE, 1204.00; SUGAR MEMORIES, SU, 22.80; TASTE OF HOME BOOKS, SU, 30.98; WAYNE COMMUNITY SCHOOLS, RE, 3033.25; WESCO, SU, 97.26; ZEE MEDICAL SERVICE, SU, 13.79

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

Mayor Chamberlain advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Berry left the meeting at 5:35 p.m.

Terry Galloway of Almquist, Maltzahn, Galloway, & Luth, P.C., presented the FY 09-10 Audit. He provided Council with a spreadsheet which identified “benchmarks” of how Wayne compares with other communities its size. This is a study that they have done across the State of Nebraska with approximately 35 municipalities.

Unrestricted assets mean that Wayne has net assets that will meet ongoing obligations or the future claims/needs of the City. For Governmental Activities (general fund), this has decreased since last year, and you will need to take a look at increasing that amount. The biggest factor in this account is that at the end of the year, you had used some money for streets; however, after year end, you had the bond anticipation notes of \$956,000, which will come back in and actually gear up that percentage for next year.

The business type activities (electric, water and sewer) are excellent. Wayne is about 53%; anything above 33% is considered excellent.

Cash reserves are very good this year in the general fund. The norm is to have five months worth of cash reserves; Wayne has about 9 months worth. For a city of Wayne's size, that is fantastic.

The outstanding general obligation debt/valuation is used a lot in the bonding world to see how much taxpayer pressure is going to be needed to meet obligations as you go forward. Wayne is at less than 1%. Anything less than 3% is excellent in Nebraska. Wayne does not have a lot of general obligation debt outstanding.

In regard to debt coverage ratio (water, sewer and electric), while electric rates were just recently increased by 6%, consideration should be given to increasing the rates again next year. The Council has already taken action on the sewer rates.

In regard to your top six revenue sources, their recommendation, again, was that Wayne needs more retail trade. Sales tax runs \$150 per capita, and Wayne is at \$94. In regard to property taxes, this is actually good for the taxpayers in Wayne. The per capita basis is \$150 per person. Wayne is asking \$125 per person. In lieu of tax payments (franchise fees) is \$120 per capita; Wayne is at \$96. This is a little bit less than what is recommended. Normally, they see about a 12% franchise fee. Wayne is charging 7% on water and sewer and 8.5% on electric. This is something that could be increased if you needed more revenue in the general fund, etc. State Allocation is at \$130 per capita; Wayne is at \$133. Wayne is doing a great job for charges for services. The per capita is \$80 and Wayne is at \$80. Grants are a little bit low this year. The per capita is at \$150; Wayne is at \$47. Last year, however, Wayne was at \$131.

In regard to cash reserves and replacement reserves, Wayne has very good cash reserves. In operating reserves, they are looking for anywhere between four and six

months worth of cash reserves. Replacement reserves will be generated at need. 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 approximately \$1.2 million in needs, and you have \$1.5 million in cash reserves, so this is very good cash management overall in the governmental activities. You will see the same thing in the business type activities. You have some cash available for operating. You have some cash that is sitting there for replacement of capital assets and infrastructure as you go forward. So, as you do the larger projects, you will be able to pull some cash and not have to fund or finance 100% of those projects. Wayne has the cash in the right places which is pretty unusual for cities across the State of Nebraska. Wayne has done a good job of holding down spending overall on the tax asking.

In regard to capital assets, you will see that the business type activities have fallen a little below the norm, which is due to the treatment plant project. The same is true for the component unit which is basically attributable to the airport project.

In regard to the operating income, it reflects that electric rates need to be increased 6-7%. You have already increased them by 6%. In regard to the water fund, the audit indicates that a rate increase of 6% will need to be implemented within the next few years. The sewer fund in this category is in good shape. While the percentage is high at this time – 34.94%, this is in anticipation of the future debt and operating costs of the current treatment plant project. In regard to your sewer rates, his guesstimate was that in two years from now, he will be saying that our sewer rates may not be high enough.

While the transfer station is in the negative, Wayne now is in a lease agreement which should fix that.

The internal service fund basically refers to the health insurance self-funding component. It went from 11% down to 8%. You want to generate between 10 and 15%, which means that additional funds need to be added to that. With the health insurance rate increases we have already experienced in the current year, it will wipe out all of your excess. This is something we will have to deal with in this fiscal year at some point, and should probably be implemented before September 30, 2011. The Health Care Reform Act cost everyone basically 5%. If you take away 5% from our 11% increase, our loss ratio and increase was really only 6%, which is very good.

In regard to the tax levy rates, Wayne is again under what the recommended or state-wide average is. This is very good for the taxpayers in Wayne.

In regard to the State Allocations, the Highway Allocation went down from \$62 per capita to \$59 per capita, as did Municipal Equalization. State Aid stayed the same at \$9 per person. However, this is one of the revenue sources that the State may be eliminating, which could amount to \$48,000. This will be one of the biggest challenges most municipalities in Nebraska will face — how they are going to be able to fund all of their streets and infrastructure when some of the state allocations are going to decrease or end.

Mr. Galloway then reviewed the per capita costs of departments compared to the state-wide average. The administrative costs to run the City of Wayne is very low compared to the other cities. The per capita cost is \$50; Wayne is at \$28, which is even below last year.

In Public Buildings, we are running at about \$16 per capita; the average is \$20. In Public Safety, we are running at about \$177 per capita; the average is \$180. Public Works is \$73 per capita; the average is \$100. The Library is about \$38, with the average being \$40 per capita. Recreation is at \$35 per capita; the average is \$40. The Community Activity Center is at \$37 per capita, with the average being \$25 per capita. The reason for this is that Wayne has a nicer facility than most communities. Overall, Wayne has done an excellent job in keeping the costs and expenses down in the various departments and still being able to continue the level of service that we have been.

Mr. Galloway noted that his firm did not encounter any difficulties in performing the audit.

Mr. Galloway ended his presentation by stating 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 commending the City staff on a job well done.

Tom Sievers, Fire Chief, introduced Jacy Schmeichel, and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department. Sievers advised the Council that the Fire Department has 37 members at this time.

Councilmember Sturm made a motion and seconded by Councilmember Ley approving the Membership Application of Jacy Schmeichel to the Wayne Volunteer Fire Department. Mayor Chamberlain 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 amend the sewer rates to charge double rates to customers outside city limits.

Jim Broer, a sewer customer who lives outside city limits, was present opposing the rate increase.

Mayor Chamberlain stated this topic was discussed at retreat. We have had double water rates since the mid-nineties for customers outside the city limits, and it was questioned as to why we have not done this for the sewer customers as well outside city limits. The rates were increased about a year ago in anticipation of having enough revenue to pay for the new wastewater treatment plant.

City Clerk McGuire stated if the rates were doubled for the nine customers who are on city sewer but located outside city limits, the additional revenue to be derived would be around \$6,000 to \$7,000.

Councilmember Sturm opined this is a cost to have city services available to those who live outside city limits and do not pay city property taxes. Councilmember Sturm noted that Virgil Kardell also contacted him regarding this matter.

Mayor Chamberlain stated he was approached by some of the owners in the industrial site and explained to them the purpose for doing this and they understood.

Councilmember Sturm introduced Resolution No. 2011-5 and moved for its approval; Councilmember Van Delden seconded.

RESOLUTION NO. 2011-5

A RESOLUTION AMENDING SEWER AND SERVICE USE RATES.

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

The next item on the agenda was to reconsider the Resolution that would have approved the LPA Program Agreement for STP funding for the Wayne Underpass. The

same failed at the last meeting. Councilmember Sturm advised the Council that he was the one who asked to bring this matter back for reconsideration. We needed 5 votes to pass the resolution. There were only six Councilmembers present at that meeting. A few months ago, the Council voted to do the underpass. The resolution at the last meeting was to approve the agreement with the State to accept the funding.

Joel Hansen, Certified Street Superintendent, updated the Council on this process. When the initial discussions took place as to whether or not we were going to accept the grant money from the State to build the underpass, we had discussions with the Department of Roads. When we were looking at all of our options, we presented one option to the NDOR, which was a stop light at that area, which they denied. In the process of looking at that, NDOR realized that those plans were about 7 years old, and advised us that we really needed to have a traffic study done if we were going to have an at-grade crossing. An engineer advised us that a traffic study would cost about \$10,000.

In the discussion with NDOR of how to move forward, they asked why we would build an at-grade crossing if we were going to fund the underpass. At that point, they basically took over the project and said the Phase II trail is now going to have a gap in it from the Activity Center to the water tower. When you build the underpass, we'll call that Phase III, and we'll put the connection links from the underpass up to the water tower and down to the CAC. That simplified the project for us by getting rid of the need for a traffic study, and it also saved us some costs because we weren't going to have to move light poles and build pavement and then turn around two years later and tear that all out.

At this point, this is already a NDOR project. NDOR will bid the project out, receive all of the invoices, pay the bills, and then bill us for our share of the project. Further, the decision's been made in their mind, so we've been moving forward with the idea that the underpass will go in as we move forward with Phase II of the trail. Where we are at right now is doing a supplemental agreement with our engineer to redesign the project by taking that segment of the trail out. We've put in that request. They have reviewed and okayed that, and told us to go ahead and do an independent study of what we feel the costs will be. We've done that. NDOR has reviewed that and told us to get a fee proposal from the engineer. The engineer has submitted their fee proposal to us, and Mr. Hansen has created a pre-negotiation memo that details the differences between their proposal and what he feels is fair, which he has sent to NDOR.

So, if we don't do the underpass, then we need to step away from that option and go back and start the process all over with a new scope of services with an engineer which would include an at-grade crossing. The underpass project really is tied to the trail project, so at this point, if we're not going to move forward with the underpass, then he needs to know that so he can adjust what he is doing for NDOR to also change the trail project.

Finance Director Nancy Braden advised the Council that the City has not spent any money yet on the underpass. We have spent \$101,000 on the Phase II Trail Project. If we do not proceed with Phase II of the trail, we would have to pay back \$73,000 in grant funds. Right now, none of the funds are at risk as long as we keep following the procedures outlined by the NDOR. All we have lost is time and resources.

Councilmember Alexander asked if we do the at-grade crossing, we would pay \$10,000 for a traffic study, but we wouldn't have to pay back \$73,000, because we are still building the Phase II trail, and Mr. Hansen stated that is correct. If we do the underpass, how much city money gets tied up into that then? Ms. Braden responded about \$150,000.

Mayor Chamberlain advised the Council that the underpass will be paid for through tax increment financing from Western Ridge. He is assuming since there has to be a traffic study done that the result could come back that there is too much traffic out there and that we wouldn't be allowed to have an at-grade crossing. Mr. Hansen responded that is correct, and that this is a guessing game. The NDOR could come back and tell us to move the crossing east to the current light or they could tell us to move it west to the intersection at Oak Drive or Haase Avenue and Donner Pass. We don't know what the results of the study could be. This could possibly delay the Phase II Trail Project at least one, if not two years. We are trying to lock this money in at this time. The NDOR has said that every year you delay a project, you can roughly estimate a 5% construction cost increase for inflation. If you delay the trail project one or two years, the additional cost may be 5-10%, but that is speculative.

The only ramification is the time delay if this is not approved.

Mayor Chamberlain advised the Council that since a Resolution requires 5 votes, he has been advised by Attorney Pieper that he could be the 5th vote if need be. In addition, he advised the Council that the motion to reconsider this matter had to come from someone who voted in the majority at the last council meeting.

Councilmember Sturm made a motion, which was seconded by Councilmember Brodersen, to reconsider a Resolution approving the LPA Program Agreement – STP Funds for the Wayne Underpass. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas (Councilmembers Van Delden, Sturm, Ley and Brodersen), with the exception of Councilmembers Frevert, Haase and Alexander voting Nay, the Mayor declared the motion carried.

Mark Hammer, Ken Kwapnioski, Charles Shapiro, Kim Schultz, Barbara and Marcella Hayford, Mamo Mitiku, Mark Evetovich, and Lois Shelton were present and all spoke in favor of the Council moving forward with the underpass project.

Mayor Chamberlain asked those on the Council that are not in favor of this project for financial reasons to remember this is not a burden on the taxpayers of Wayne. For those that are against the underpass for safety issues, he wanted them to think about the safety of this underpass at 11:00 p.m. at night compared to the safety along the trail on the north side of the wastewater treatment lagoon or around the softball complex at 11:00 p.m. The underpass is at least close to houses where the lagoon and softball complex are not.

Councilmember Ley introduced Resolution No. 2011-10 and moved for its approval; Councilmember Van Delden seconded.

RESOLUTION NO. 2011-10

A RESOLUTION APPROVING LPA PROGRAM AGREEMENT – STP FUNDS FOR THE WAYNE UNDERPASS.

Mayor Chamberlain stated the motion. The result of roll call was as follows: four Yeas - Councilmembers Van Delden, Sturm, Ley and Brodersen, and three Nays - Councilmembers Frevert, Haase and Alexander.

Attorney Pieper, reading from the Municipal Code book, stated that “The Mayor may vote on such matters when his vote will provide the additional vote required to create the number of votes equal to the majority of the number of members elected to the Council, and the Mayor shall, for the purposes of such vote, be deemed to be a member of the Council.” This pertains to ordinances, resolutions or orders for the appropriation or payment of money.

Mayor Chamberlain then cast his Yea vote and declared the motion carried.

Administrator Johnson stated one bid was received on the “Cooling Tower Improvement Project.” That bid was from R.S. Stover Company in the amount of \$175,089.91. Wayne was awarded a \$250,000 Federal Stimulus Fund Grant for this project. This bid is for equipment only and does not include the installation thereof.

Councilmember Sturm introduced Resolution No. 2011-10 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2011-10

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE
“POWER PLANT COOLING TOWER IMPROVEMENT PROJECT.”

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

Administrator Johnson stated a pay request has been received from Eriksen Construction Company for the Wastewater Treatment Plant Project in the amount of \$458,019.09. The engineer on the project has approved the same.

Garry Poutre, Superintendent of Public Works & Utilities, updated the Council on the status of the wastewater treatment plant project.

Councilmember Sturm made a motion and seconded by Councilmember Brodersen approving the Application for Payment No. 6 for the Wastewater Treatment Plant Project in the amount of \$458,019.09 for Eriksen Construction Company. Mayor Chamberlain 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 the completion date for the grant on the Downtown Revitalization Project is March 30, 2011. There are still a couple of businesses that need more time to get their projects completed. Just to make sure we can get the remainder of the grant money, we need to request an extension. Staff has conferred with the Department of Economic Development, and they have indicated they would give us a 90-day extension on the grant.

Councilmember Alexander made a motion and seconded by Councilmember Haase authorizing staff to formally request a 90-day extension from the Nebraska Department of Economic Development on the Downtown Revitalization Project to complete the building façades. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

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

Chair Haase called the meeting of the Community Development Agency to order. Those in attendance were: Members Brian Frevert, Jim Van Delden, Dale Alexander, Ken Chamberlain, Doug Sturm, Kaki Ley and Jill Brodersen; City Attorney Mike Pieper;

City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Kathy Berry.

Chair Haase 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 7, 2010, meeting.

Member Alexander made a motion and seconded by Member Van Delden approving the minutes of the December 7, 2010, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

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

- First Source Title & Escrow, Title Insurance - 110.50
- Wayne County Treasurer - 6255.02
- Midwest Land, Lot Sale Fees, 400.00
- City of Wayne, Attorney Fees, 522.50
- Property Exchange Partners, Lot Sale Fees 200.00

Member Sturm made a motion and seconded by Member Chamberlain approving the CDA Claims. Chair Haase 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 consider action on a request to release Javanah Bencoter from the Bencoter Development TIF Project. The divorce decree states that Javanah's name has to be removed. Mike Bacon, Attorney, has advised that as a formality, this needs to come before the CDA for approval.

Member Ley made a motion and seconded by Member Alexander approving the request to release Javanah Bencoter from the Bencoter Development TIF Project.

Chair Haase 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 set sale prices on Lots 49 and 57 in the Western Ridge Subdivision. These are market rate lots, and those prices have previously been set at \$12,000 per lot. These lots are located in Phase III. Lot prices have been established for Phases I and II, but not Phase III. These two lots are considered some of the larger lots in the subdivision.

Member Alexander made a motion and seconded by Member Sturm to set the lot prices for Lots 49 and 57, Western Ridge Subdivision, at the market rate price of \$12,000 per lot. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Member Alexander made a motion and seconded by Member Sturm to adjourn as the Community Development Agency and reconvene as Council. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Councilmember Alexander made a motion and seconded by Councilmember Brodersen to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 6:45 p.m.

February 21, 2011

The Wayne City Council met in special session at City Hall on Tuesday, February 21, 2011, at 12:00 Noon. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Brian Frevert, Jim Van Delden, Jon Haase, Dale Alexander, Doug Sturm, and Jill Brodersen; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Kaki Ley and Kathy Berry.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on February 10, 2011, 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.

Mayor Chamberlain declared the time was at hand for the public hearing on the One and Six Year Street Improvement Program.

Joel Hansen, Building Inspector/Planner/Certified Street Superintendent, presented the One and Six Year Street Improvement Program. This is a yearly requirement to receive Highway Allocation Funds from the Nebraska Department of Roads. He noted that just because a project is in the one-year plan does not mean the project has to be done that year. However, if the City would want to do a project that is not in the one-year plan, another public hearing would have to be held to amend the plan.

Upcoming projects, which include some carry-over projects from previous year(s), include the following:

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>
M - 617(101)	2011	Benscoter Subdivision – Tomar Dr., Jaxon St., E. 4 th St., 1,980' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$520,000

M - 617(102)	2011	Industrial Drive from Hwy 35 to Industrial Way – 315’ Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 60,000
M – 617(89)	2011	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 75,000
M – 617(94)	2011	Folk Street from S. Nebraska Street west 150’ Construct Gravel Street, Storm Drainage	\$ 10,000
M – 617(80)	2012	East 10 th Street from Main St. to Windom St. – 1,225’ Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage	\$600,000
M – 617(92)	2013	Windom Street from 645’ N of Fairground Ave to E. 7 th – 1,750’ Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$590,000
M – 617(91)	2013	Pedestrian Underpass on W. 7 th Street Located between CAC and Oak Drive	\$566,000
M – 617(95)	2014	Schoolview Drive from W. 4 th St. to W. 5 th St. – ‘300 Widen street to allow for parking – safety concerns	\$ 45,000
M – 617(98)	2015	Sherman Street from W. 3 rd St. to W. 7 th St. – 1,200’ Construct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$600,000
	2016	Maintenance Only	

Some of these projects involve collector or arterial streets, which allows the City to utilize its federal funding at 80/20 cost-share. The City then pays only 20% of the cost of the project(s). This cost-share option is not available on some streets that need repaired.

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

No written or oral comments had been received by the City Clerk’s Office concerning the proposed program.

Councilmember Sturm introduced Resolution 2011-11 and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2011-11

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM.

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

Councilmember Alexander made a motion and seconded by Councilmember Haase to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 12:09 p.m.

CLAIMS LISTING MARCH 1, 2011

ALARM PROS, INC.	MONITORING FEE	79.13
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,238.40
APPEARA	LINEN & MAT SERVICE	100.50
BANK FIRST	PETTY CASH	695.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	29.75
CITY EMPLOYEE	HEALTH REIMBURSEMENT	10.55
CITY OF WAYNE	MILEAGE REIMBURSEMENT	122.40
CITY EMPLOYEE	VISION REIMBURSEMENT	7,643.66
BLACK HILLS ENERGY	GAS BILLS	1,458.00
BOMGAARS	COUPLING/PLUGS/ELBOW/PAINT/SOLVENT	743.70
BROWN SUPPLY CO	COUPLING/STEEL INSERT	63.14
CARTRIDGE WORLD	LASER CARTRIDGE REFILL	227.99
CITY OF WAYNE	CAC OVERPAYMENT REIMBURSEMENT	22.03
CITY OF WAYNE	CAT TRAP DEPOSIT REFUND	20.00
CITY OF WAYNE	PAYROLL	65,229.07
CITY OF WAYNE	UTILITY REFUNDS	43.46
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
COVENTRY HEALTH	HEALTH INSURANCE PREMIUMS	20,875.42
DAVID LEY	ENERGY INCENTIVE	500.00
DEMCO INC	JACKET COVER/ADHESIVE REMOVER	98.62
CITY EMPLOYEE	HEALTH REIMBURSEMENT	90.23
ECHO GROUP INC JESCO	WIRE	219.33
EGAN SUPPLY CO	LAUNDRY SOAP	168.95
ELLIS PLUMBING & HEATING	FAUCET REPAIR/HUMIDIFIER PADS	347.96
EMERITUS	LIGHTING EFFICIENCY	300.00
ERIKSEN CONSTRUCTION CO,	TREATMENT PLANT	458,019.09
FIRST CONCORD GROUP LLC	CAFETERIA FEE/FLEX PLAN	3,954.70
FLOOR MAINTENANCE	FOAM PLATES/PAPER TOWELS/LINERS	153.38
FORT DEARBORN LIFE	DISABILITY/LIFE INSURANCE/VFD INS	1,706.48
FREDRICKSON OIL CO	VEHICLE ALIGNMENT	104.95
GALE GROUP	BOOKS	160.00
GEMPLER'S INC	GLOVES	121.50
HAUFF MID-AMERICAN SPORTS	WHISTLE/LANYARDS	42.00
HAUGE ASSOCIATES, INC.	PAYROLL DEDUCTION	167.75
HEWLETT-PACKARD	MONITOR	180.00
HOLIDAY INN-DOWNTOWN	LODGING- A LAWRENCE	84.00
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	5,885.19
IRS	FEDERAL WITHHOLDING	20,021.55
JEO CONSULTING GROUP	SLUDGE ENGINEERING	15,815.76
CITY EMPLOYEE	HEALTH REIMBURSEMENT/SAFETY BOOTS	287.93
KNOEPFLER CHEVROLET CO	DRIVER'S DOOR HANDLE	16.95
KRIZ-DAVIS COMPANY	EXIT LIGHT GUARDS	210.87
LAB SAFETY SUPPLY	GLOVES	128.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	93.05

MATHESON TRI-GAS, INC.	TORCH/WIRE/CUTTING ATTACHMENT	570.71
CITY EMPLOYEE	HEALTH REIMBURSEMENT	132.26
MERIT MECHANICAL	CAC GLYCOL	341.25
MICROFILM IMAGING SYSTEMS	DIGITIZE WAYNE HERALD	537.70
MSC INDUSTRIAL	HAMMERS	126.23
MUNICIPAL SUPPLY	VALVE WRENCH	336.30
CITY EMPLOYEE	HEALTH REIMBURSEMENT	456.07
NE DEPT OF HHS	WADING POOL/POOL PERMIT RENEWAL	120.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,030.29
NE ENVIRONMENT PRODUCTS	A/C FILTER W/GASKET	189.86
NE ENVIRONMENT PRODUCTS	PELICAN CLINIC REGISTRATION	110.00
NE STATE PATROL	CRIMINAL HISTORY RECORD	15.00
NMC, INC.	CAT LOADER PART	575.95
N.E.NE AMERICAN RED CROSS	PAYROLL DEDUCTIONS	69.24
CITY EMPLOYEE	HEALTH REIMBURSEMENT	44.20
PITNEY BOWES INC	POSTAGE METER & FOLDER LEASE	648.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	64.16
PUSH-PEDAL-PULL	PMA CONTRACT/MILEAGE	883.00
QUILL CORPORATION	OFFICE SUPPLIES	364.96
QWEST	TELEPHONE CHARGES	371.52
RON'S RADIO	REPLACE DEFECTIVE SENSOR	35.00
SEALS & SERVICE, INC.	HOSE WITH PIPE ENDS/COUPLER	313.56
STEFFEN	V-PLOW EDGE/RETURN SPRINGS	652.16
TOM'S BODY & PAINT SHOP	WINDSHIELD CHIP REPAIR	20.00
UNITED WAY	PAYROLL DEDUCTION	10.00
UNO	CLERK ACADEMY- B MCGUIRE	230.00
UPSTART	BOOKMARKS/POSTERS	66.87
VERIZON WIRELESS SERVICES	CELL PHONES	261.77
VOSS LIGHTING	LIGHT BULBS	687.08
WAYNE AUTO PARTS	STARTER/FILTERS/IGNITION SWITCH ETC	1,274.06
WAYNE COMMUNITY SCHOOLS	LIGHTING EFFICIENCY-MIDDLE SCHOOL	2,100.00
WAYNE COUNTRY CLUB	PAYROLL MEMBERSHIP DEDUCTIONS	5,175.00
WESCO DISTRIBUTION INC	PADMOUNT/PHASE TRANSFORMERS	25,778.33
CITY EMPLOYEE	HEALTH REIMBURSEMENT	3,545.17

**III-B / III-C / III-E DETAILED PLAN of OPERATION
and BUDGET for FISCAL YEAR 2012**

Wayne-City of
306 Pearl Street, P.O. Box 8 (city
office)
Wayne, Nebraska

1. AAA Subgrantee/Contractor:

Legal Name: Wayne-City of

Mailing Address: 306 Pearl Street, P.O. Box 8 (city office)
Wayne, Nebraska

Designated official to sign grants/contracts: Name: Lowell Johnson
(Board Chairman or City Administrator)
Title City Administrator

Check one:

Private Non-Profit Organization
 General Purpose Government

2. Senior Center (if same as subgrantee, skip to Street Address):

Legal Name: Wayne Senior Center

Mailing Address: 410 Pearl Street
Wayne, Nebraska 68787

Street Address: _____
(if different than mailing address)

Board President: Gloria Leseberg

Mailing Address: 502 Nebraska Street

Telephone Number: 402-375-1460

Wayne, Nebraska 68787

Fax Number: 402-375-3111

Federal Employer ID Number: 47-6006407

E-mail Address: seniorcenter@cityofwayne.org

3. Person responsible for daily operations: Name: Penny Vollbracht

Title: Coordinator

4. Business Hours (open to participants):

"Business Hours" are defined as the hours that your senior center is open and available to provide services (including, but not limited to, health, educational, social, and recreational services) for older people.

From 8:30 AM to 5:00pm on the following days of the week: 5 weekdays/wk, Monday-Friday
(Note AM or PM with times)

From 5:00pm to 8:00pm on the following days of the week: 1 week day/month/4 months
(Note AM or PM with times)

Evening/breakfast/weekend meals are served: $\frac{1}{\text{times/month}} \times \frac{4}{\text{\# of months}} \times \frac{80}{\text{avg \# of eligible participants}} = \frac{320}{\text{Total \# of evening/breakfast/weekend meals per year}}$

GRANTOR: Northeast Nebraska Area Agency on Aging Phone: 1-800-672-8368
119 West Norfolk Avenue
Norfolk NE 68701 Fax: 402-370-3279

COMPONENT SERVICE NARRATIVE

CENTER: Wayne-City of

FY 2012

1. Briefly explain the need for III-B / III-C / III-E services (address all that apply).

III B Services meet the changing social, financial, and community needs of our aging society. Seniors are developing increased need of nutrition, health education, and age and disabled related services and our Center provide updates and help education through programs and speakers and activities, The Senior Center is a one stop location for seniors as it offers durable equipment, assisted and non assisted transportation in Wayne, and daily social activities during the supportive service hours from 8:30am to 5:00pm. The III-C congregate and home delivered meals address the nutritional, social, and emotional needs that elderly want.

2. Explain how the applicant identified and verified the needs of the elderly.

The Wayne Senior Center participant may attend 111B Community speaker programs and identify or assess their own needs for service and contact the center staff for assistance in help assist arranging the service. Family, Physician, Self, other health professionals or Center Staff assess the needs for the home delivered meals and offer the delivered meals for elderly that qualify based on physical or mental need. Delivered meals help increase independence so they can stay at home. The home delivered meals help the Seniors improve their nutritional status and improve their physical condition. The program helps individuals that do not have others to prepare a nutritional meal for them and also if they no longer can cook for

3. How were the elderly involved in the identification of needs?

The needs of the elderly are identified by a referral, followed by a face to face assessment initially done by the Coordinator of the home delivered program. Usually the recipient will notify the center if they are improved and want to stop their delivered meals, A yearly visit again assesses the continued need to receive and continue the service or if improved health then the individual no longer qualifies for the home delivered program. The coordinator uses this opportunity to invite the individual to come to the congregate meal. Menus are in the newsletter (all home delivered recipients are mailed a copy) and the newspaper and cable TV, individuals have a choice to order only desired meals.

4. Provide a listing of the Senior Center's cooperative efforts with community organizations. (Those businesses/organizations/agencies/etc. with whom the Senior Center collaborates in providing services to senior citizens – including information & referral services.)

Center will refer individuals to businesses, organizations, or agencies depending on the need. If appropriate the referral ends up to be a information and assist referral. Center works with and refers to the Area on Agining, League of Human Dignity, Health Care Providers, Advocacy Agencies, Extension Agents, Goldenrod Hills Services, Red Cross, NDOR,	Financial Assistance, Medication Assistance, Legal Aide, Health Knowledge, Home Care Assistance. Nutritional , Home Delivered Meals.
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AGING NETWORK OUTCOMES

FY 2012

Units of service provided by Wayne-City of shall contribute to achieving one or more of the aging network outcomes listed below. List one or more of the activities/services that achieve the outcome.

1. Older adults are able to participate in the political, economic and cultural life of the community.

Our efforts to meet this outcome include:

Public Hearings, Board Meetings monthly, Goldenrod Hills Heating and Air conditioning, Home Weatherization, Food Stamps, SSBS, Elderfest participant, WSC students, Wayne Public Schools, Different Council Members from the different wards are invited to participate at the

2. Older Nebraskans are healthy and have a sense of well being.

Our efforts to meet this outcome include:

Wayne Senior Center is very healthy and active. Our members enjoy dancing, playing cards, pool, exercise and walking club, 3:00 Coffee Social, We have well being by sharing and excellent visits Our quilting room quilters are always busy from 9:00am to 4:00pm. The

3. Older adults reside in living situations that meet their needs and support independence.

Our efforts to meet this outcome include:

We offer programs on Housing Weatherization, Home Caring Organizations, Home Delivered Meals, Transportation Assistance to the community, information on HUD housing for seniors when they have opening. We offer Market Coupons.

4. Caregivers are able to sustain their caregiving roles over time.

Our efforts to meet this outcome include:

Caregivers are able to sustain their caregiving roles over time with assistance programs. They qualify to have home delivered meals at noon so they have nutrition and less time cooking. They can call for the van service to assist with medical or local transportation needs. Referrals

5. Older Nebraskans are free to exercise their full rights as citizens and to have those rights respected by others.

Our efforts to meet this outcome include:

They have the right to contribute what they want or what they can afford to contribute for congregate meals and home delivered meals. They have the right to choose what 111 B services they attend, what congregate or home delivered meal they want, what days they

6. Older adults are free from abuse, neglect, exploitation, and injury.

Our efforts to meet this outcome include:

Weekly it seems the new scam is announced, we offered a program and site to call on abuse, neglect, exploitation, and injury by Haven House. We offered a program on Free Legal Aide at noon. Referrals can be made to APS or Police to do a Wellness Check.

7. Older persons, their friends and family understand the value of and know how to obtain aging services.

Our efforts to meet this outcome include:

Info in the Senior Star Newsletter, City Newsletter, Wkly Wayne Herald, Daily announcement on the KCTH radio, Daily news on the local Cable program. Guest speakers talk about their agency services, example- Home Health, League of Human Dignity.

III-C SUMMARY SHEET
Nutrition Services

Subgrantee / Contractor: Wayne-City of

Use whole dollar amounts

1.	Personnel		\$37,087
2.	Travel		\$252
3.	Printing & Supplies		\$7,554
4.	Equipment		\$956
5.	Building Space		\$0
6.	Communications & Utilities		\$6,966
7.	Other		\$6,538
8.	Raw Food		\$61,265
9.	GROSS COST (Sum of lines 1 thru 8)		\$120,618
10.	Other (Non-Match)		\$0
11.	Federal SSBG (Title XX) (Non-Match)		XXXXXXXX
12.	Federal NSIP (USDA) (Non-Match)		\$9,700
13.	Income Contributions (Non-Match)		\$53,457
14.	TOTAL (Non-match) (Sum of lines 10 thru 13)		\$63,157
15.	ACTUAL COST (Line 9 minus line 14)		\$57,461
16.	Local Public (Cash Match)		\$25,990
17.	TOTAL Federal & State Funds (from NENAAA)		\$31,471
18.	Local Other (Cash Match - Fundraising) (Line 15 minus lines 16 & 17)		\$0
		C-1	C-2
19.	Federal & State Funds (from NENAAA)	\$21,971	\$9,500
20.	Unit Cost (reimbursement rate per meal)	\$1.73	\$2.20

Total Congregate meals	<u>50</u>	x 254 days	=	<u>12,700</u>
Total Home Delivered meals	<u>17</u>	x 254 days	=	<u>4,318</u>
TOTAL III-C MEALS				= <u>17,018</u>



**Economic Development
Chamber ■ Main Street**

February 14, 2011

Lowell Johnson
City Administrator
306 Pearl Street
PO Box 8
Wayne, NE 68787

RE: Sales Tax Advisory Committee – recommendation for DRJ LLC/Inet Library (\$43,019)

Dear Lowell,

The Sales Tax Advisory Committee met on Thursday, February 10, 2011, and reviewed an application to Wayne's Economic Development Program fund.

The committee recommended approving a request (amount and terms modified by the committee) by DRJ LLC/Inet Library for a \$43,019 low interest loan to be used to assist with expansion/start-up expenses for DRJ LLC/Inet Library. The interest rate is recommended to be the same cost as the City is paying on borrowed money. The committee did not include a payback schedule in its motion. The modified recommendation by the committee reduced the initial \$86,038 request, one-half requested as a performance-based loan and one-half requested as a low interest loan. The vote on the motion to recommend approving the modified request was unanimous with 4 in favor.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 10; *Doesn't Meet/Somewhat Meets* scored 1; *Somewhat Meets* scored 11; *Somewhat Meets/Meets* scored 4; and *Meets* scored 14. This review scoring is used for deliberation. The committee does not use a raw number threshold to recommend projects to the Council.

Please convey this recommendation to the members of the City Council so necessary steps can be taken to complete the application process. Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Wes Blecke".

Wes Blecke
Executive Director

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

RESOLUTION NO. 2011-1

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT FOR THE WESTERN RIDGE SINGLE-FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska (the “City”), upon the recommendation of the Planning Commission of the City of Wayne, Nebraska (the “Planning Commission”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), duly declared the redevelopment area legally described on **Exhibit A** attached hereto (the “Redevelopment Area”) to be blighted and substandard and in need of redevelopment; and

WHEREAS, pursuant to and in furtherance of the Act, a Redevelopment Plan Amendment (the “Plan Amendment”), has been prepared by the Agency in the form attached hereto as **Exhibit B**, for the purpose of redeveloping that portion of the Redevelopment Area legally described on **Exhibit A**; and

WHEREAS, pursuant to the Redevelopment Plan Amendment, the Agency would agree to pledge incremental ad valorem real property taxes for payment on the principal and interest on that TAX INCREMENT REVENUE BOND OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA (Western Ridge II Subdivision Project) SERIES 2009 A which indebtedness was incurred to pay for certain infrastructure installed by the City (the “Project”), in accordance with and as permitted by the Act; and

WHEREAS, the Agency has made certain findings and pursuant thereto has determined that it is in the best interests of the Agency and the City to enter to adopt the Redevelopment Plan Amendment and to carry out the transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA AS FOLLOWS:

Section 1. The Agency has determined that the proposed land uses and building requirements in the Project Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2. The Agency has conducted a cost benefit analysis for the Project in accordance with the Act, and has found and hereby finds that the Project would not have been economically feasible without the use of tax increment financing, the Project would not have occurred in the Project Area

without the use of tax increment financing and the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, have been analyzed and have been found to be in the long term best interests of the community impacted by the Project.

Section 3. The Agency hereby recommends that the Mayor and City Council approve the Redevelopment Plan Amendment attached hereto as Exhibit B.

Section 4. The Mayor and Clerk are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out this Resolution.

Section 5. All prior resolutions of the Agency in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED this 1st day of March, 2011.

**THE COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF WAYNE
NEBRASKA**

By: _____
Mayor

ATTEST:

By: _____
Clerk

EXHIBIT A

LEGAL DESCRIPTION OF BLIGHTED AND SUBSTANDARD AREA

Lots One through 57, inclusive, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska.

* * * * *

EXHIBIT B

REDEVELOPMENT PLAN
Amendment No. February 2011

**WESTERN RIDGE SINGLE FAMILY RESIDENTIAL
PLANNED UNIT DEVELOPMENT PROJECT**

REDEVELOPMENT PLAN

Amendment February 2011

WESTERN RIDGE SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT PROJECT

DESCRIPTION OF PLAN AMENDMENT

OVERVIEW:

The City Council approved a redevelopment plan (the "Original Plan") prepared and recommended by the Community Development Agency and approved by the City Council on July 1, 2008, and February 17, 2009, for the Western Ridge II Subdivision. The Plan was subsequently amended on May 19, 2009, and June 1, 2010. The Original Plan is intended to redevelop Lots 1-48 of Western Ridge II PUD Subdivision, an area within the City of Wayne, which has been declared blighted and substandard within the meaning of the Community Development Law of the State of Nebraska by the construction of 48 single family residential lots, in three phases. Phase one includes 17 new homes with average value of \$130,000 and 10 with average value of \$160,000) single family homes and related site improvements.

The Community Development Agency of the city of Wayne (the "Agency") is the owner of the real estate. The Agency is redeveloping the real estate shown on Exhibit A (the "Redevelopment Plan Area") by constructing approximately a 48 lot single family housing development subdivision, complete with the installation of paved streets, sewer, potable water, electrical lines and storm water drainage. The Original Redevelopment Plan further provides that the Agency will offer lots for sale, with the intention of developing housing for low to moderate income families. The redevelopment project will be implemented in three phases with the significant balance of the infrastructure being installed within 12 months after original plan approval.

THE REDEVELOPMENT PLAN AMENDMENT:

1. Relationship of the Plan to Local Objectives: This plan amendment does not alter this element.
2. Statement as to the Kind and Number of Additional Public Facilities or Utilities Required to Support Land Use After Redevelopment: This plan amendment does not alter this element.
3. Boundaries And Site Plan Of Redevelopment Project Area: This plan amendment does not alter this element.
4. Land Use: This plan amendment does not alter this element.
5. Information On Population Densities, Land Coverage And Building Intensities: This plan amendment does not alter this element.
6. Zoning and Ordinance Changes: This plan amendment does not alter this element.
7. Proposed Changes to Streets: This plan amendment does not alter this element.
8. Statement of Public Cost/Benefit Analysis: This plan amendment does not alter this element.

REDEVELOPMENT PROJECT PLAN AMENDMENT

This Plan Amendment revises the effective date for pledge of ad valorem incremental taxes as shown below.

The Original Plan initially projected the use of approximately \$500,000 in net Bond proceeds to finance public improvements. The Agency actually issued \$325,000.00 in bonds to pay for infrastructure and related costs for the project.

Pledge of Incremental Taxes. Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon the following real property in Redevelopment Plan Amendment, to wit: All Lots (except those previously pledged) in the Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska, shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be the first day of January after the issuance of a building permit, but only as to the lot on which such building permit is issued, as follows:

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

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. Specifically, such portion is pledged to the payment of principal and interest on the TAX INCREMENT REVENUE BOND OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA (Western Ridge II Subdivision Project) SERIES 2009 A. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Agency Determinations: The proposed land uses and building requirements in the Project are designed with the general purpose of accomplishing, in conformance with the general plan of development of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the

prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight;

(a) The Redevelopment Project is feasible and in conformity with the general plan for the development of the City as a whole and the plan is in conformity with the legislative declarations and determinations set forth in the Act;

(b) Based on the representations of Agency and City Staff and other information provided by the such Staff,

(i) the Project would not be economically feasible without the use of tax-increment financing;

(ii) the Project would not occur in the Redevelopment Area without the use of tax-increment financing; and

(iii) the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and the Agency and have been found to be in the long-term best interest of the community impacted by the Project;

Recommended by the Community Development Agency on _____

Hearing notice published on _____ and _____

Letters and map mailed to taxing entities on _____

Hearing and approval by city council on _____

NOTE HEARING MUST BE AT LEAST 10 DAYS AFTER 2ND PUBLICATION
LETTER TO TAXING ENTITES AND MAP MUST BE MAILED AT LEAST 10 DAYS
PRIOR TO PUBLIC HEARING.

RESOLUTION NO. 2011-12

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS

WHEREAS, the City of Wayne, Nebraska, a municipal corporation and city of the first class (the “City”), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

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

WHEREAS, the City has previously declared the area legally described in **Exhibit A** attached hereto (the “Redevelopment Area”) to be blighted and substandard and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Development Agency of the City of Wayne, Nebraska (the “Agency”) has prepared or caused to be prepared a Redevelopment Plan Amendment (the “Redevelopment Plan Amendment”), in the form attached hereto as **Exhibit B**, for the redevelopment of that portion of the Redevelopment Area legally described on **Exhibit A**; and

WHEREAS, the City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan Amendment pursuant to Section 18-2115 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan; and

WHEREAS, the City has reviewed the Redevelopment Plan Amendment and determined that the proposed land uses and building requirements described therein are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The Redevelopment Plan Amendment is hereby determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act; and it is hereby found and determined, based on the analysis conducted by the Agency, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible without the Project Area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project,

including costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of the recommendations of the Agency with respect to the Redevelopment Plan Amendment.

Section 2. The Redevelopment Plan Amendment is hereby approved in substantially the form attached hereto, with such immaterial changes, additions, or deletions thereto as may be determined to be necessary by the Mayor in her sole and absolute discretion. The Mayor and Clerk are hereby authorized to execute the Notice to Divide Taxes and file the same with the Assessor and Treasurer of Wayne County.

Section 3. In accordance with Section 18-2147 of the Act, the City hereby provides that any ad valorem tax on real property in the Project Area, to wit: All Lots (except those previously pledged) Western Ridge II Addition to the city of Wayne, Wayne County, Nebraska, for the benefit of any public body be divided as follows for a period of 15 years after the effective date of this provision as provided in Section 18-2147 of the Act, which effective date shall be the first day of January after the issuance of a building permit, but only as to the lot on which such building permit is issued:

(a) That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation (as defined in the Act) shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

(b) That proportion of the ad valorem tax on real property in the Project Area in excess of such amount (the Redevelopment Project Valuation), if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the Agency to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Agency for financing or refinancing, in whole or in part, the Project. Specifically, such portion is pledged to the payment of principal and interest on the TAX INCREMENT REVENUE BOND OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA (Western Ridge II Subdivision Project) SERIES 2009 A. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Agency shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Project Area shall be paid into the funds of the respective public bodies.

Section 4. The Mayor and Clerk are hereby authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

PASSED AND APPROVED this 1st day of March, 2011.

THE CITY OF WAYNE, NEBRASKA

By: _____
Mayor

ATTEST:

By: _____
Clerk

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF BLIGHTED AND SUBSTANDARD AREA

Lots One through 57, inclusive, Western Ridge II Addition to the city of Wayne, Wayne County, Nebraska.



October 5, 2010

Lois Shelton, Mayor
City of Wayne
306 Pearl Street
Wayne, NE 68787

RE: Muhs Acres Water Main Extension
Wayne, NE
OA Project No. 007-1652

Dear Ms. Shelton:

I, Rodney L. Hanson, state that the work done on the above-referenced project, completed by Robert Woehler & Sons Construction, Inc., for the City of Wayne has been completed according to the plans and specifications and in general compliance with the terms of the contract.

I recommend that the work be accepted by the City of Wayne.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. L. Hanson', written over a faint horizontal line.

Rodney L. Hanson, P.E.
Olsson Associates

RESOLUTION NO. 2011-13

A RESOLUTION ACCEPTING WORK ON PUBLIC UTILITY WATER SERVICE DISTRICT NO. 2009-01 (MUHS ACRES WATER MAIN EXTENSION PROJECT).

WHEREAS, on the 1st day of September, 2009, the City of Wayne approved Resolution No. 2009-42 awarding the contract on the Public Utility Water Service District No. 2009-01 (Muhs Acres Water Main Extension Project) to Robert Woehler & Sons Construction of Wayne, Nebraska; and

WHEREAS, the contract has been completed according to the terms and specifications of the plans and specifications and according to the report of the project engineer, Olsson Associates.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the recommendation of acceptance by the project engineer, Olsson Associates, for the work in Public Utility Water Service District No. 2009-01 (Muhs Acres Water Main Extension Project) be and the same is hereby accepted.

PASSED AND APPROVED this 1st day of March, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2011-14

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, AS FOLLOWS:

Section 1. That the Mayor and City Council will meet as a Board of Equalization at or about 5:30 p.m. on the 5th day of April, 2011, in the Council Chambers at the City Hall in Wayne, Nebraska, for the purpose of hearing objections to and for equalizing assessments proposed to be levied in Public Utility Water Service District No. 2009-01 (Muhs Acres Water Main Extension Project).

Section 2. That the notice of said meeting and hearing in the form submitted to this meeting and attached hereto be published in the Wayne Herald on the following dates:

March 24, 2011
March 31, 2011

Section 3. That the City Clerk be and hereby is instructed to mail a copy of said Notice to all known resident and non-resident owners of property in said Public Utility Water Service District No. 2009-01, and to any other party appearing to have a direct interest in such action or proceedings; and

Section 4. That at said time and place, the Mayor and City Council of said City will sit as a Board of Equalization and will grant a hearing to all persons interested and the Mayor and City Council will pass a resolution making said special assessments as provided by law.

PASSED AND APPAROVED this 1st day of March, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

[SEAL]

RESOLUTION NO. 2011-15

A RESOLUTION APPROVING CONTRACT WITH ALMQUIST, MALTZAHM, GALLOWAY & LUTH, PC, FOR CITY AUDITING SERVICES FROM 2011 THROUGH 2015.

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the proposal for the auditing services, as submitted by the following company, is the best bid (proposal) received.

<u>Proposal/Bid</u>	<u>Price</u>
Almquist, Maltzahn, Galloway & Luth, PC. Grand Island, Nebraska	\$16,600.00/yr

BE IT FURTHER RESOLVED, that the bid (proposal), as set forth, filed with the City Clerk in accordance with the terms calling for the proposals for the furnishing of said services by the City of Wayne, Nebraska, be and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor be, and he is hereby instructed and authorized to enter into a contract on behalf of the City of Wayne, Nebraska, with the company for said services as is necessary.

PASSED AND APPROVED this 1st day of March, 2011.

CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk