

**MINUTES  
CITY COUNCIL MEETING  
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 5<sup>th</sup> 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 AWARDED 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.