

**MINUTES
CITY COUNCIL MEETING
May 3, 2011**

The Wayne City Council met in regular session at City Hall on Tuesday, May 3, 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, Kathy Berry and Jill Brodersen; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Kaki Ley.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on April 21, 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 Frevert, whereas the Clerk has prepared copies of the Minutes of the meeting of April 19, 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:

VARIOUS FUNDS: AMERICAN BROADBAND, SE, 1594.87; AMERITAS, SE, 2244.77; APPEARA, SE, 148.18; BANK FIRST, FE, 195.00; BLACK HILLS ENERGY, SE, 656.51; CARROT-TOP INDUSTRIES, SU, 65.85; CITY OF WAYNE, PY, 59611.05; CITY OF WAYNE, RE, 875.97; COMMUNITY HEALTH, RE, 3.00; COPPLE & ROCKEY P.C., SE, 48.10; CUSTOM FILTRATION EQUIP., SU, 888.00; DAKOTA BUSINESS SYSTEMS, SE, 101.50; CITY EMPLOYEE, RE, 328.70; DRJ LLC/INET LIBRARY, RE, 43019.00; ECHO GROUP, SU, 33.18; ELLIS PLUMBING & HEATING, SE, 125.67; ERIKSEN CONSTRUCTION, SE, 310069.97; FIRST

CONCORD GROUP, SE, 3954.70; FLOOR MAINTENANCE, SU, 393.44; FORT DEARBORN LIFE, SE, 92.88; GALE GROUP, SU, 148.53; GEMPLER'S, SU, 162.00; GERHOLD CONCRETE, SU, 20.46; HAUFF MID-AMERICAN SPORTS, SU, 301.95; HAUGE ASSOCIATES, RE, 167.75; ICMA, SE, 5576.29; IRS, TX, 18995.53; JACK'S UNIFORM, SU, 55.90; JEO CONSULTING GROUP, SE, 32169.33; KELLY SUPPLY, SU, 535.10; KRIZ-DAVIS, SU, 216.24; MATT PARROTT AND SONS, SU, 828.95; MICROFILM IMAGING SYSTEMS, SE, 987.05; MIKE TOWNE, SE, 500.00; CITY OF WAYNE, SE, 75.00; MORLOK, JEFF, RE, 75.00; NATIONAL McGRUFF HOUSE, SU, 70.80; NE DEPT OF REVENUE, TX, 2953.51; NE EXPRESSWAYS, SE, 581.04; N.E. NE AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 3114.17; NWOD, FE, 20.00; OLSSON ASSOCIATES, SE, 8530.84; PETERSON INDUSTRIAL ENGINE, SE, 11380.25; CITY EMPLOYEE, RE, 80.95; QUILL, SU, 456.41; QWEST, SE, 310.18; SKARSHAUG TESTING LAB, SU, 123.20; STADIUM SPORTING GOODS, SU, 149.75; STATE NATIONAL BANK, RE, 40130.29; SUPERCIRCUITS, SU, 316.24; TENNANT SALES & SERVICE, SU, 289.68; UNITED STATES PLASTIC, SU, 23.00; UNITED WAY, RE, 10.00; VERIZON, SE, 161.28; VIAERO, SE, 137.85; WAYNE COMMUNITY HOUSING, RE, 200.00; WAYNE STATER, SE, 12.00; WESCO, SU, 1935.74; AS CENTRAL SERVICES, SE, 448.00; CARROLL LAWN SERVICE, SE, 105.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 100.00; CITY EMPLOYEE, RE, 4617.14; CITY EMPLOYEE, RE, 93.29; COPY WRITE PUBLISHING, SU, 767.04; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEMCO, SU, 213.80; DUTTON-LAINSON, SU, 218.07; EASYPERMIT POSTAGE, SU, 1672.14; ECHO GROUP, SU, 87.32; CITY EMPLOYEE, RE, 1016.63; ELLIS PLUMBING, SE, 115.00; FLOOR MAINTENANCE, SU, 109.11; GEMPLER'S, SU, 101.10; GEOCOMM, SE, 1800.00; CITY EMPLOYEE, RE, 874.61; CITY EMPLOYEE, RE, 238.17; INGRAM BOOK COMPANY, SU, 757.30; JOHN'S WELDING AND TOOL, SU, 68.42; CITY EMPLOYEE, RE, 611.62; KIRKHAM MICHAEL, SE, 3419.27; MATT FRIEND TRUCKING, SU, 60.00; MATTHEWS CO, SU, 373.40; MICROFILM IMAGING SYSTEMS, SE, 508.25; NORFOLK WINNELSON, SU, 589.51; NORTHEAST EQUIPMENT, SU, 1112.09; CITY EMPLOYEE, RE, 772.41; PIEPER, MILLER & DAHL, SE, 2783.00; PING TREE SERVICE, SE, 665.00; PLUNKETT'S PEST CONTROL, SE, 185.12; CITY EMPLOYEE, RE, 97.45; QUILL, SU, 222.68; RAD, INC., SU, 43.54; CITY EMPLOYEE, RE, 646.39; STATE NATIONAL BANK, RE, 338.78; STEVE RASMUSSEN, RE, 26.72; UNITED RENTALS, SU, 804.25; UNITED STATES PLASTIC, SU, 117.08; WAED, RE, 6383.33; WAYNE COUNTY, SE, 48.19; WAYNE COUNTY CLERK, SE, 61.50; CITY EMPLOYEE, RE, 5269.54; WESCO, SU, 781.71; ZACH OIL, SU, 5006.12; ZACH PROPANE, SU, 113.57

Councilmember Sturm made a motion and seconded by Councilmember Frevert 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.

Mayor Chamberlain recognized Wayne as being honored as “Tree City USA” for the 20th year. He commended Joel Hansen, Building Inspector/Planner, for all the work he has done with this program. Mr. Hansen explained to the Council the criteria for becoming a “Tree City USA.”

Discussion took place on an option to purchase Federal STP Funds for projects at a discounted amount in order to get more local control of the project

Joel Hansen, Building Inspector/Planner, advised the Council that in the past, the City has used STP funds to help with the costs of paving streets (e.g. Claycomb Road, East 21st Street, and Grainland Road). STP funds currently pass through the Department of Roads directly to the First Class cities. These funds never show up on the State’s ledger and are not part of their budget process. The State is proposing or offering to buy those dollars back from the First Class cities at \$.80 on the \$1.00. Right now, all of the First Class cities collectively receive about \$12 million dollars per year in STP funds. This option would reduce that amount to roughly \$9.5 to \$10 million dollars. The State would take those federal dollars and use them on State projects.

There are pros and cons to this proposal. One benefit is that we would not be under the Federal requirements that we are now which would have some significant time

savings on our projects. The process would be much more streamlined or similar to what we used to do with these projects, where we would start a project, design it and bid it out and construct it, all over a two-year period, where now it is more like a four or five year process to build a project. However, we would still be required to follow Federal Laws as far as any right-of-way acquisitions, etc.

The downside of this proposal is that we would lose about \$2 to \$2.5 million dollars collectively amongst the 25 First Class cities. The other downside is that now these funds will show up on the State's budget, which means it could be subjected to the chopping block when times get tough. In addition, Hansen understood that if the First Class cities take this route and accept the buy-out, there would be no going back.

Hansen noted there is a meeting tomorrow night in Norfolk which he will attend to find out more information on this process. Either all or none of the First Class cities have to participate in this buy-out. When this option first came out, the consensus was that this was a great idea because it would speed along the process of the projects. However, when they brought up the fact that now these funds could be on the chopping block, he thought everybody took a step back to give more consideration to the matter. There are things to consider both ways — what is good and what is bad. At this time, STP funds have to be used strictly on streets that we designate or classify as collector or arterial streets. What's being proposed is that we would be able to use the buy-out funds on any street we would deem fit, which gives us more flexibility. However, we need to remember that those clearly funded streets are so chosen because they are important streets through the community and are heavily used.

He will learn more at tomorrow night's meeting and will relay that information back to the City Administrator.

Administrator Johnson stated the following Resolution would approve the Council goals that were established at their retreat in January. He is working on the spreadsheet of tasks which will be brought to the Council for approval at the May 17th meeting.

Councilmember Sturm introduced Resolution No. 2011-32 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2011-32

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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 Mark Albanesious, Inc., for the Kardell Subdivision Sanitary Sewer Improvements – 2010 Project in the amount of \$19,443.15. The engineer on the project has approved the same.

Councilmember Sturm made a motion, which was seconded by Councilmember Alexander approving Certificate of Payment No. 2 for the Kardell Subdivision Sanitary Sewer Improvements – 2010 Project in the amount of \$19,443.15 to Mark Albanesious, Inc. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson advised the Council that Councilmember Ley asked if the agenda item to appoint Sandy Brown to the Recreation-Leisure Services Commission could be tabled until the next meeting.

Councilmember Sturm made a motion, which was seconded by Councilmember Alexander to table action on appointing Sandy Brown to the Recreation-Leisure Services Commission until the next meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Frevert made a motion and seconded by Councilmember 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 5:46 p.m.