

**AGENDA
CITY COUNCIL MEETING
September 6, 2011**

5:30 Call to Order

1. Approval of Minutes – August 16, 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. Resolution 2011-65: Calling General Obligation Various Bonds, Series 2006, for Redemption

Background: The City's Bond Agent, Phil Lorenzen, has advised us that market interest rates are continuing to drop. With that in mind, he has advised us that the City has two issues outstanding capable of refunding – General Obligation Various Purpose Bonds, Series 2006, with a balance of \$575,000 and an average coupon rate of 4.35%, and General Obligation Refunding Bonds, Series 2005, with a balance of \$80,000.

This Resolution will call the General Obligation Various Purpose Bonds, Series 2006, for redemption. Primary calculations find that the average coupon looks capable of being reduced to around 1.5%, which would result in a savings, net of all transaction costs, of around \$57,000.

Mr. Lorenzen will be in attendance at the Council meeting to explain and answer questions.

Recommendation: Approve this Resolution as recommended by the City's Bond Agent, Phil Lorenzen, City Administrator, and Finance Director.

4. Resolution 2011-66: Calling General Obligation Refunding Bonds, Series 2005, for Redemption

Background: This Resolution will call the General Obligation Refunding Bonds, Series 2005, for redemption, as explained above. Mr. Lorenzen is recommending that the City simply pay the bonds off early from cash on hand instead of reissuing the same.

Recommendation: Approve this Resolution as recommended by the City's Bond Agent, Phil Lorenzen, City Administrator, and Finance Director.

5. [Ordinance 2011-16: Authorizing the Issuance of General Obligation Refunding Bonds, Series 2011, in the Principal Amount of \\$585,000 to Refund and Retire \\$575,000 General Obligation Various Purpose Bonds, Series 2006](#)

6. [Action on Recommendation from LB 840 Sales Tax Advisory Committee to Approve a \\$70,000 Loan to RBDK, LLC, for Assistance with the Construction of a New 4,670 sq. ft. Dental/Orthodontic Clinic](#)

Background: The LB 840 Sales Tax Advisory Committee reviewed the request submitted by RBDK, LLC, for \$70,000 to assist with the construction of a new 4,670 sq. ft. dental/orthodontic clinic to be located at the corner of 7th and Pearl Streets. The Committee recommended that this be a loan, with an interest rate of 3%, with repayment amortized over 20 years, and with a 10-year balloon payment.

Recommendation: The recommendation of the LB 840 Sales Tax Advisory Committee is to approve this application for LB 840 funds.

7. [Action on Recommendation from the LB 840 Sales Tax Advisory Committee to approve a \\$5,000 Grant to Windom Ridge for Assistance with a Housing Study for Residents 55 years of age and Older](#)

Background: The LB 840 Sales Tax Advisory Committee also reviewed the request submitted by Windom Ridge for \$5,000 to assist with a targeted housing study for residents 55 years and older. The Committee recommended that this be a grant, provided the study results are released to the City.

Recommendation: The recommendation of the LB 840 Sales Tax Advisory Committee is to approve this application for LB 840 funds.

8. [Ordinance 2011-17: Amending Chapter 22 Businesses, Article II Occupation Taxes, Sec. 22-32 Alcoholic Liquors to Change the Amount of Occupation Taxes for Non-Profit Organizations — Request of Layne Beza on behalf of the Wayne Vet's Club](#)

Background: Class C liquor license holders pay a \$300 license fee, which is set by State Statute and established by the Liquor Control Commission. State Statute also allows cities to collect two times the amount of the fee as an occupation tax. We have been collecting an occupation tax of two times the license fee since at least 1983.

A request has been made to reduce the fee and occupation tax for non-profit organizations. We only have the ability to reduce the occupation tax. The survey Betty took of other municipalities to see who has a reduced occupation tax for non-profits is enclosed with this packet.

Recommendation: Staff recommendation is to reduce the occupation tax for non-profit Class C Liquor Licenses to \$150

9. Action on Request to Extend the Time to Sell Alcoholic Liquor to 2:00 a.m. — Ken Jorgensen, Owner of “The Max”

Background: Ken Jorgensen, owner of “The Max”, is requesting Council consideration to amending Sec. 6-18 of the Wayne Municipal Code to change the hours of **on-sale** alcoholic beverages from 1:00 a.m. to 2:00 a.m. The Nebraska Legislature amended this Statute in 2010. The hours of **off-sale** was not changed by this amendment – it still remains at 1:00 a.m.

A copy of the “Request to be on Agenda”, along with a written statement from some of Mr. Jorgensen’s employees, is enclosed with this packet.

Recommendation: Staff does not have a recommendation on this matter.

10. Action on Request to Close off 10th Street from Providence Road to Hillside Avenue on Saturday, September 24th, from 6:30 a.m. until 5:00 p.m. for an Electric Vehicle Car Rally — Greg VanderWeil

Background: This is an annual request. They will provide the necessary Certificate of Insurance for this event.

Recommendation: Staff recommendation is to approve this request.

11. Resolution 2011-67: Accepting Bid and Awarding Contract on the 2011 Lagoon Sludge Removal and Application Project

Background: On August 18th, three bids were received and opened on the sludge removal and application project. The bidding specifications dictated that the total cost of the project be \$150,000, and the contractors were bidding for the lowest unit price of dry tons to be removed. DRT Biosolids submitted the lowest bid of \$96.00 per dry ton equaling a removal of 1,562.50 dry tons. The “Sludge Removal Plan” prepared by JEO for the City estimated that the total dry tons that would need to be removed from the lagoon to be at 3,800. Therefore, it is expected that this project will remove approximately 40% of the total amount of sludge within the lagoon.

JEO’s recommendation letter, along with the bid tab showing the results of the bid letting, is in the packet.

Recommendation: JEO, the project engineer, has reviewed the bids and is recommending the same be awarded to the low bidder, DRT Biosolids.

12. Action on Change Order No. 3 for the Well House and Municipal Well 2009-1 Project – Net Decrease of \$12,754.00

Background: The documents concerning Agenda Item Nos. 12 and 13 are for closing out the well project as approved at the June 7th Council meeting.

This Change Order represents a deduct in the amount of \$12,754. That amount represents a change in the final quantities of steel casing and test pumping, and a deduct on the engineering services. If you recall, the engineering services deduct was part of the motion made back in June concerning liquidated damages.

Recommendation: Approve the Change Order by motion.

13. [Resolution 2011-68: Accepting Work on the Well House and Municipal Well 2009-1 Project and Authorizing Final Payment Thereto](#)

Background: By meeting time, we should have written confirmation from Lou Benscoter's insurance agency that the roof will be warrantied for 10 years.

Recommendation: Approve the Resolution by motion.

14. [Action on Application for Payment No. 13 in the Amount of \\$418,028.83 to Eriksen Construction Co. for the 2009-2010 Wastewater Treatment Facility Improvements, Phase I Project](#)

Background: This is for work completed according to plan, and has been approved for payment by the Project Engineer.

15. Public Hearing: Budget Hearing (Advertised Time: 5:30 p.m.)

Background: This is the final opportunity for public input or changes to be made to the budget before it is approved by the Council and submitted to the State of Nebraska.

16. [Ordinance 2011-18: Approving Annual Appropriation Bill](#)

Background: Passage of this Ordinance is required for authority to expend any of the budgeted funds in the next fiscal year.

17. [Action on Approving Allowable 1% Increase in Base Limitation of Restricted Funds Budget](#)

Background: Nebraska Municipalities operate under the authorization and rules of Nebraska Statutes. In 1998, the Unicameral enacted a spending lid for Restricted Funds (our General Fund) with 1998 as the base year. The lid allows a 1% increase in expenditures each year after approval by the City Council. If a 1% increase is disapproved in any year, it can't be made up by a 2% increase at any time after that.

18. [Resolution 2011-69: Adopting 2011-2012 Budget](#)

19. Public Hearing: Tax Asking/Property Tax Levy (Advertised Time: 5:30 p.m.)

Background: The proposed budget will require a city mill levy of \$.4093 or \$40.93 per \$1,000 assessed value on a home. With the levy for the airport included, the total mill levy will be \$45.23 per \$1,000 of valuation. This is the same total mill levy as last year.

20. [Resolution 2011-70: Approving Final Property Tax Request for 2011-2011](#)

21. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

August 16, 2011

The Wayne City Council met in regular session at City Hall on Tuesday, August 16, 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, Doug Sturm, Kaki Ley, Kathy Berry and Jill Brodersen; City Attorney Kyle Dahl; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Dale Alexander.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 4, 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, which was seconded by Councilmember Van Delden, whereas the Clerk has prepared copies of the Minutes of the meeting of August 2, 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: CITY EMPLOYEE, RE, 50.00; AMERITAS, SE, 1391.32; APPEARA, SE, 77.44; ARCADIAN MARKSMANSHIP, FE, 100.00; AXELS AND GEARS, SU, 319.67; BAKER & TAYLOR BOOKS, SU, 637.15; BANK FIRST, SE, 150.00; CITY EMPLOYEE, RE, 118.71; BROWN SUPPLY, SU, 827.84; BROWN TRAFFIC PRODUCTS, SU, 255.50; CITY EMPLOYEE, RE, 225.89; CHAD BRUNS, RE, 500.00; CITY OF WAYNE, RE, 200.00; CITY OF WAYNE, RE, 800.00; CITY OF WAYNE, PY, 60561.35; CITY OF WAYNE, RE, 859.12; CLAUSSEN & SONS IRRIG., SE, 207.65; COMMUNITY HEALTH, RE, 3.00; CREDIT MANAGEMENT, RE, 112.16; DAVE'S UNIFORM, SE, 66.00; DEMCO, SE, 928.48; DOBSON BROTHERS, SE, 66615.32; DUTTON-LAINSON, SU, 433.57; EGAN SUPPLY, SU,

30.25; EMPLOYERS MUTUAL, RE, 144.00; ENERGY FEDERATION, SU, 1831.12; ERIKSEN CONSTRUCTION, SE, 577509.44; FASTENAL, SU, 309.41; FLOOR MAINTENANCE, SU, 63.00; FREDRICKSON OIL, SU, 68.90; FRIESEN CHEVROLET, SU, 207.61; GERHOLD CONCRETE, SU, 41.00; GREAT PLAINS ONE-CALL, SE, 77.41; HARDING & SHULTZ, SE, 12433.25; HAUGE ASSOCIATES, RE, 167.75; HAWKINS, INC, SU, 2357.74; CITY EMPLOYEE, RE, 28.25; CITY EMPLOYEE, RE, 30.99; ICMA, SE, 5642.29; INGRAM BOOK COMPANY, SU, 243.33; IRS, TX, 18508.52; JEO CONSULTING GROUP, SE, 1293.26; JOHN'S WELDING AND TOOL, SU, 356.44; CITY EMPLOYEE, RE, 502.09; KTCH, SE, 525.00; LANGEMEIER, WAYNE, SE, 375.00; MAIN STREET AUTO CARE, SE, 60.00; MCKINNIS ROOFING, SE, 484.16; MIDLAND EQUIPMENT, SU, 143.98; MIDWEST LABORATORIES, SE, 73.55; MOORE WALLACE, SU, 79.73; NE DEPT OF REVENUE, TX, 2743.98; NE DEPT OF ROADS, FE, 500.00; NE LIBRARY COMMISSION, SE, 1287.00; NORFOLK CHAMBER, FE, 258.00; N.E. NE AMERICAN RED CROSS, PY, 59.24; NNPPD, SE, 12046.62; NORTHSTAR SERVICES, RE, 10.00; OCLC, INC, SU, 101.78; PAMIDA, SU, 375.41; PAPER 101, SU, 1297.00; PEPSI-COLA, SU, 114.10; PETERSON INDUSTRIAL ENGINE, SU, 8512.00; PIEPER, MILLER & DAHL, SE, 2099.00; PLUNKETT'S PEST CONTROL, SE, 185.12; PRESTO X, SE, 119.15; CITY EMPLOYEE, RE, 79.40; PROVIDENCE MEDICAL CENTER, RE, 1624.00; RON'S RADIO, SE, 463.00; SAYRE ANDERSON, RE, 464.67; CITY EMPLOYEE, RE, 2600.12; SPARKLING KLEAN, SE, 1311.10; STATE NATIONAL BANK, SE, 50.26; STATE NATIONAL BANK, RE, 383.15; CITY EMPLOYEE, RE, 4480.33; TERRACON CONSULTANTS, SE, 879.00; ULTRAMAX AMMUNITION, SU, 1194.00; UNITED WAY, RE, 10.00; US BANK, SU, 5172.75; VOSS LIGHTING, SU, 36.00; WAYNE AIRPORT, SE, 100000.00; WAED, RE, 6522.33; WAYNE COMMUNITY SCHOOLS, RE, 2306.00; WAYNE HERALD, SE, 2089.10; WAYNE STATE COLLEGE, RE, 1368.00; WESCO, SU, 975.44; WAPA, SE, 33308.52; ZACH HEATING & COOLING, SE, 263.50; ZACH OIL CO, SU, 6641.37; ZEE MEDICAL SERVICE, SU, 60.28; APPEARA, SE, 77.36; BOMGAARS, SU, 847.26; BROWN SUPPLY, SU, 445.50; CARHART LUMBER, SU, 518.18; CHARTWELLS, SE, 5489.25; CITY OF WAYNE, RE, 1700.00; CITY OF WAYNE, RE, 30.00; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, PY, 366.18; CITY OF WAYNE, RE, 109.30; COVENTRY HEALTH, SE, 18344.88; DE LAGE LANDEN FINANCIAL, SE, 394.00; CITY EMPLOYEE, RE, 17.58; DUTTON-LAINSON, SU, 144.31; EASYPERMIT POSTAGE, SU, 1728.97; ELLIS PLUMBING & HEATING, SE, 214.79; FLOOR MAINTENANCE, SU, 31.18; GERHOLD CONCRETE, SU, 95.63; CITY EMPLOYEE, RE, 3800.00; JOHN'S WELDING AND TOOL, SU, 120.00; CITY EMPLOYEE, RE, 1321.94; KELLY MEYER, SE, 2160.00; KRIZ-DAVIS, SU, 3275.22; LANGEMEIER, WAYNE, SE, 175.00; MICHAEL TODD & CO, SU, 996.00; NPPD, SE, 366961.49; OLSSON ASSOCIATES, SE, 951.15; CITY EMPLOYEE, RE, 563.70; PUSH-PEDAL-PULL, SU, 215.07; RANDOM HOUSE, SU, 229.75; CITY EMPLOYEE, RE, 863.24; WAYNE AUTO PARTS, SU, 697.99

Councilmember Sturm made a motion and Councilmember Haase seconded 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.

Jeff Carstens, representing Wayne State College, stated a new agreement has been reached with the City regarding the sharing of law enforcement resources at the college. Because of budget constraints, two changes have been made to the agreement. The hours have been reduced from 32 to 22 hours per week. In addition, the amount that the College will pay the city for said services has been reduced from \$42,000 to \$30,000. The police are on campus during the busier times of the week. WSC has 3 full-time and one part-time security officers.

Councilmember Van Delden stated that some dwellings within a 3-4 block area of the College have sustained some vandalism and it is hard to pinpoint who exactly is to blame. He asked if there was anything, other than a media blitz on the college's part to the students, that the City could do regarding this matter.

Mr. Carstens stated WSC is joining together with Northeast Community College for a prevention program called "We Agree" which is communication (publication and speaker series) to incoming students that will talk about being good neighbors. Their

Student Senate and student leaders will promote this at their fall orientation beginning on Friday and continuing until Sunday. This is not only for new students, but for returning students as well. The Students are a part of the Wayne community now, and there are some rights and responsibilities that go with that, and here are ways to be good neighbors.

The City will provide the officer with a laptop computer so they have access to the necessary files at that location. This will eliminate having to come back to City Hall to access those files.

Sergeant Chinn stated previously the same officer has been assigned to the college. This year, they will try something new with having a different officer at the College. In response to Councilmember Brodersen's question, Chinn responded that they have two systems they use. One is a paper log that each officer keeps track of when they are on patrol, when they are sent on a call, how long they spend on that call, etc. The officer at the college also has to keep a log. He has already discussed with the officer who is scheduled to be at the college that he will need to be more specific on his paper log to show where he is at on campus, if and where he's doing a presentation, criminal calls on campus, investigations on campus, etc. This will allow us to determine if we are following the contract and making sure the officer is allowing enough hours at the campus and at the city.

Councilmember Sturm introduced Resolution No. 2011-63 and moved for its approval; Councilmember Frevert seconded.

RESOLUTION NO. 2011-63

A RESOLUTION APPROVING INTERLOCAL AGREEMENT TO SHARE
LAW ENFORCEMENT RESOURCES BETWEEN THE CITY OF WAYNE
AND WAYNE STATE COLLEGE.

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 direct the City
Clerk to file a lien against 509 West First Street for the cost of work hired by the City to
abate a violation of City Code after proper notice was given to the property owner.

Councilmember Sturm introduced Resolution No. 2011-64 and moved for its
approval; Councilmember Ley seconded.

RESOLUTION NO. 2011-64

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING
COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY
TREASURER TO BECOME A LIEN ON THE WEST 75' OF THE NORTH
150' OF LOT 30, TAYLOR & WACHOB'S ADDITION TO WAYNE, WAYNE
COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 509 WEST
FIRST STREET, WAYNE, NEBRASKA.

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

Councilmember Frevert introduced Ordinance No. 2011-7, and moved for
approval of the third and final reading thereof; Councilmember Sturm seconded.

ORDINANCE NO. 2011-7

AN ORDINANCE TO AMEND CHAPTER 90, ARTICLE XI EXCEPTIONS
AND CONDITIONAL USES, SECTION 90-836 EXPIRATION OF
EXCEPTION USE PERMITS; TO PROVIDE FOR THE REPEAL OF
CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN
EFFECTIVE DATE.

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

Councilmember Sturm introduced Ordinance No. 2011-8, and moved for approval of the third and final reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2011-8

AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE VI UNSAFE BUILDINGS, BY AMENDING SECTION 18-242 PROPERTY MAINTENANCE CODE ADOPTED BY REFERENCE; AND BY ADDING SECTIONS 18-243 CONFLICTS, 18-244 ADDITIONS, INSERTIONS AND CHANGES, AND 18-245 STRUCTURES DAMAGED BY FIRE, FLOOD, WIND, DISASTER OR OTHER CALAMITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Joel Hansen, Certified Street Superintendent, stated the following Resolution and Ordinances pertain to controlling the parking and traffic flow around the Middle School due to the significant building and operational changes that will be occurring this fall.

- Resolution 2011-59 would change Douglas Street to one-way traffic south bound between Third and Fourth Streets and Sherman Street to one-way traffic north bound between Third and Fourth Streets.
- Ordinance 2011-9 would shift the “no parking” from the east side of Sherman Street across from the Middle School to the west side.
- Ordinance 2011-10 would shift the daytime parking from the west side of Sherman Street across from the Middle School to the east side, except for bus loading and unloading times before and after school.
- Ordinance 2011-11 would establish student loading and unloading zones on the east side of Sherman Street and the west side of Douglas Street along the Middle School property.

Staff met with the property owners to discuss the parking and traffic flow changes around Middle School. Some of the discussion was whether or not this would be in effect year round or just during certain times of the year. Mr. Hansen’s recollection was that Duane Schroeder asked that the no parking 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 5:00 p.m. not be in effect during the time school is not in session during the summer.

After the meeting, there was consensus of the majority in the neighborhood that they were willing to go along with this and at least give it a try for a year.

Mayor Chamberlain suggested during the summer time not enforcing the 7:00 to 9:00 and 3:00 to 5:00 no parking restrictions.

Councilmembers Sturm and Frevert were not in favor of that idea. They thought the signs could just be taken down during the summer time.

It was noted that the ordinance could be approved as is, and the signs could just be taken down or covered during the summer time,

Councilmember Sturm introduced Resolution No. 2011-59 and moved for its approval, noting that the signs could be taken down or covered during the summer time when school is not in session; Councilmember Frevert seconded.

RESOLUTION NO. 2011-59

A RESOLUTION ESTABLISHING ONE-WAY AND TWO-WAY TRAFFIC IN THE CITY OF WAYNE, NEBRASKA

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

Mr. Hansen stated the parking on the east side of the school on Douglas street will stay the same with no parking on the east side and no parking overnight on the west side. On the west side of the school, you currently can park on the west side but not the east side. We are going to flip that around so you can park on the east side of the street but not the west side of the street, which will allow every body who is gong to park in that block to park against the school side of the street so that the students get out of the car into the grass and not out of the car into the street.

Mark Lenihan, School Superintendent, was present. Safety of the students is their first priority. The flow of traffic with the construction this year is going to be somewhat of an inconvenience. This first year will be a good test to see if it will work.

Councilmember Sturm introduced Ordinance No. 2011-9, and moved for its approval; Councilmember Ley seconded.

ORDINANCE NO. 2011-9

AN ORDINANCE TO AMEND SECTION 78-132 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Sturm made a motion and Councilmember Ley seconded to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sturm made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2011-9. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Frevert introduced Ordinance No. 2011-10, and moved for its approval; Councilmember Haase seconded.

ORDINANCE NO. 2011-10

AN ORDINANCE TO AMEND SECTION 78-133 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING

ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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 Councilmember Van Delden seconded to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sturm made a motion and Councilmember Ley seconded to move for final approval of Ordinance No. 2011-10. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley introduced Ordinance No. 2011-11, and moved for its approval; Councilmember Sturm seconded.

ORDINANCE NO. 2011-11

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE CHAPTER 78, ARTICLE III, PARKING, BY ADDING SECTION 78-142 RESTRICTED PARKING FROM 7:00 A.M. TO 9:00 A.M. AND FROM 3:00 P.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Ley made a motion and Councilmember Sturm seconded to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley made a motion and Councilmember Sturm seconded to move for final approval of Ordinance No. 2011-11. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain stated Layne Beza has requested that consideration and action on his request for Council to reduce the amount of fees and occupation taxes for the sale of alcoholic liquors by non-profit organizations be postponed or tabled until the September 6th meeting.

Councilmember Sturm made a motion and seconded by Councilmember Ley to table action on Ordinance 2011-16 until the September 6th Council meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to the following appointments to the LB840 Sales Tax Advisory Committee: Curt Frye, Kari Wren and Don Buryanek. These would be four-year terms.

Councilmember Frevert made a motion and seconded by Councilmember Haase approving the appointments of Curt Frye, Kari Wren, and Don Buryanek to the LB840 Sales Tax Advisory Committee (4 year terms). Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley made a motion and seconded by Councilmember Frevert 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 6:01 p.m.

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CLAIMS LISTING SEPTEMBER 6, 2011

4IMPRINT	TOTE BAGS	263.41
ADVANCED CONSULTING	PHEASANT RUN PAVING DESIGN	11,100.00
ATHLETIC FIELD MAINTENANCE	WORKSHOP	195.00
AMAZON	BOOKS	392.82
AMERICAN BROADBAND	FIBER LINE LEASE	330.00
AMERICAN BROADBAND	TELEPHONE CHARGES	1,312.44
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	1,438.86
APPEARA	LINEN & MAT SERVICE	109.22
ARNIE'S FORD-MERCURY INC	ENGINE OVER HEATING/COOLANT/AC	1,728.09
AS CENTRAL SERVICES	TELECOMMUNICATION CHARGES	448.00
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	150.00
BARNES & NOBLE, INC.	BOOKS	19.15
BENSCOTER PLUMBING	STORM SEWER BOX/SIDEWALKS-W RIDGE	1,425.00
BLACK HILLS ENERGY	GAS BILLS	333.78
BLACKBURN MANUFACTURING	MARKING FLAGS	159.63
BOMGAARS	BOLT/CABLE/ROPE/PAINT/SPRAYER ETC	592.83
CITY EMPLOYEE	COMPUTER PURCHASE	665.60
BRIGGS, INC.	REGULATOR/NUT	107.18
BROWN SUPPLY CO	FIRE HYDRANT/ANCHOR COUPLING	1,956.37
CITY EMPLOYEE	HEALTH REIMBURSEMENT	466.71
CENTURYLINK	TELEPHONE CHARGES	307.33
CHEM-DRY	FIRE HALL CARPET CLEANING	450.00
CITY OF NORFOLK	INSPECTION FEES/SNARE MATCH	1,934.05
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUND	450.00
CITY OF WAYNE	BUILDING DEPOSIT REFUND/FEE	1,166.35
CITY OF WAYNE	CAC PEDOMETER/CLASS REFUND	33.96
CITY OF WAYNE	DRIVEWAY DEPOSIT BOND	500.00
CITY OF WAYNE	PAYROLL	62,846.87
CITY OF WAYNE	RAZING BOND REFUND	360.00
CITY OF WAYNE	UTILITY REFUNDS	653.11
COLONIAL RESEARCH	ODOR DISINFECTANT	119.16
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
CREDIT MANAGEMENT	PAYROLL DEDUCTIONS	112.16
DAKOTA BUSINESS SYSTEMS	LIBRARY COPIER LEASE	102.50
DE LAGE LANDEN FINANCIAL	SR CENTER COPIER LEASE	77.00
DITCH WITCH OF OMAHA	SHUT OFF/ADAPTER	133.46
DUTTON-LAINSON COMPANY	CURRENT TRANSFORMER/T-BASE	648.99
EAKES OFFICE PLUS	CAC COPY USAGE	31.80
EASYPERMIT POSTAGE	POSTAGE	1,669.09
ECHO GROUP INC JESCO	TERMINAL BOX/BULBS/CONDUIT	406.69
CITY EMPLOYEE	HEALTH REIMBURSEMENT	1,841.18
ED M FELD EQUIPMENT INC	HELMET CLIPS/FRONTS	132.00
ELECTRIC FIXTURE & SUPPLY	BULB	16.16
ELLIS PLUMBING	WATER COOLER REPAIR/CAC LEAK	1,141.57
F & M BANK	INVESTMENT	1,000,000.00
FIRST CONCORD GROUP LLC	CAFETERIA PLANS	3,834.32
FIRST NATIONAL INSURANCE	HEALTH INSURANCE	272.42

FIRST SOURCE TITLE&ESCROW	DOWNTOWN SIDEWALK TITLE SEARCH	75.00
FLOOR MAINTENANCE	BLEACH/DETERGENT	290.50
FORT DEARBORN LIFE	DISABILITY & LIFE INSURANCE	1,575.51
FREDRICKSON OIL CO	MOWER TIRE REPAIR	30.60
GERHOLD CONCRETE CO INC.	CONCRETE	164.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	5.47
HAUGE ASSOCIATES, INC.	PAYROLL DEDUCTION	167.75
HAWKINS, INC	POOL CHEMICALS	786.00
HD SUPPLY WATERWORKS, LTD	16 WATER METERS	2,460.01
HDR ENGINEERING INC	COOLING TOWER	12,323.13
HYPERION	MONITORING	79.13
CITY EMPLOYEE	HEALTH REIMBURSEMENT	100.46
CITY EMPLOYEE	HEALTH REIMBURSEMENT	27.24
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	5,655.60
IRS	FEDERAL WITHHOLDING	18,779.75
JANWAY COMPANY	BOOKMARKS	209.81
CITY EMPLOYEE	HEALTH REIMBURSEMENT	262.87
KIRKHAM MICHAEL	WINDOM STREET ENGINEERING	8,863.08
KRIZ-DAVIS COMPANY	THERMOSTAT COVER/WIRE/JACKET SEAL	572.98
LANGEMEIER, WAYNE	HEDGE TRIMMING/MOWING	225.00
LEAGUE OF NEBRASKA	LEAGUE DUES	5,650.00
MCGUIRE & NORBY	CIVIL SERVICE ATTORNEY FEES	6,865.79
MIDSTATES ERECTORS INC	SOIL TESTING-COOLING TOWER	2,302.50
N.E. NEB ECONOMIC DEV DIS	DTR PHASE II	1,427.45
NE DEPT OF ENVIRONMENTAL	TS ANNUAL OP PERMIT	500.00
NE DEPT OF REVENUE	STATE WITHHOLDING	2,684.04
NE EXPRESSWAYS	LOBBYIST SERVICES JULY-SEPT	871.56
NE LIBRARY ASSOCIATION	REGISTRATIONS	268.00
NE PUBLIC HEALTH	FLUORIDE/MEMBRANE FILTER	191.00
NIAGARA CONSERVATION CORP	LED NIGHTLIGHTS-ENERGYWISE	850.33
NORTHEAST NE PUBLIC POWER	ELECTRICITY	3,369.75
NSVFA	MEMBERSHIP DUES	800.00
CITY OF WAYNE	CDBG LOAN REIMBURSEMENT	82.83
CITY EMPLOYEE	HEALTH REIMBURSEMENT	99.64
PIEPER, MILLER & DAHL	ATTORNEY FEES	1,605.00
PITNEY BOWES INC	POSTAGE METER/FOLDER RENTAL	648.00
CITY EMPLOYEE	HEALTH REIMBURSEMENT	92.50
PUSH-PEDAL-PULL	PMA/REPAIRS	1,471.84
QUILL CORPORATION	OFFICE SUPPLIES	227.67
RON'S RADIO	HAND MIKE	52.50
SIOUX CITY JOURNAL	SUBSCRIPTION RENEWAL-CITY HALL	194.99
STADIUM SPORTING GOODS	BOX TEMPLATE/FOOTBALLS/PANTS ETC	951.00
STATE NATIONAL BANK	INVESTMENT	750,000.00
STATE NATIONAL BANK	REC SIGN UP PETTY CASH	300.00
SUNSHINE FILTERS	FILTER ELEMENT	402.93
CITY EMPLOYEE	SAFETY SHOES	150.00
TERRACON CONSULTANTS INC	SOIL TESTING-WWTP	431.00
TYLER TECHNOLOGIES	MAINTENANCE	14,223.68
US BANK	SEMINARS/BAGS/SWIM LESSONS/MEAL ETC	1,673.90

UTILITIES SECTION	UTILITIES SECTION MEMBERSHIP	2,400.00
VEL'S BAKERY	CHAMBER COFFEE	37.35
VERIZON WIRELESS SERVICES	CELL PHONES	300.59
VIAERO	CELL PHONES	139.08
VOSS LIGHTING	EXIT BATTERY BACKUPS/INDIRECT LIGHTING	261.48
WAYNE AREA ECONOMIC DEVEL	SEPT 11 CONTRIBUTION	6,383.33
WAYNE AREA ECONOMIC DEVEL	LEADERSHIP CLASS	278.00
WAYNE AREA ECONOMIC DEVEL	BECCA GRANT	5,756.71
WAYNE CO SHERIFF	DELIVERY FEES	18.50
WAYNE COUNTY COURT	BOND	400.00
WAYNE HERALD	SUBSCRIPTION RENEWAL-EL PROD	44.00
WESCO DISTRIBUTION INC	VT PACKS/WIRE/BOX PAD/CONNECTORS	2,117.64
WESTRUM LEAK DETECTION	2011 LEAK DETECTION SURVEY	2,500.00
WHS CHEERLEADERS	PAINT DECAL-CAC	24.00
ZACH HEATING & COOLING	2 HEAT PUMPS FIRE HALL	4,346.00

RESOLUTION NO. 2011-65

A RESOLUTION CALLING GENERAL OBLIGATION VARIOUS BONDS, SERIES 2006 OF THE CITY OF WAYNE, NEBRASKA, FOR REDEMPTION.

BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on October 14, 2011 after which date said bonds shall cease to bear interest:

General Obligation Various Purpose Bonds, Series 2006 dated August 15, 2006, in the principal amount of \$575,000, maturing annually September 15, 2012 through September 15, 2018, issued by the City to pay the cost of improvements in Street Improvement District Nos. 2003-01, 2003-02 and 2003-04(including intersections and the areas formed by the crossing of streets, avenues and alleys); to pay the cost of improvements in Sanitary Sewer Extension District Nos. 2003-01 and 2003-02; to pay the cost of improvements in Water Extension District Nos. 2003-01 and 2003-02; and, to pay costs of issuance and underwriting of the Series 2006 Bonds.

Section 2. Said bonds are payable at the office of the Treasurer of the City of Wayne, Nebraska, as Paying Agent and Registrar, in Wayne, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the Treasurer of the City of Wayne, in Wayne, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



D.A. Davidson & Co.
member SIPC

CITY OF WAYNE, NEBRASKA

PROJECTED SERIES 2011 GENERAL OBLIGATION REFUNDING BONDS

Dated Date of Original Delivery -- Estimated October 14, 2011

**Refund and Retire to Reduce Interest Rates and Overall Payments
\$575,000 Balance of Various Purpose Bonds, Series 2006**

<u>Preliminary Estimate</u> of Total Net Savings	\$57,000
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**(Based on lowering Average Coupon rate from
Its current level of 4.35% to an new estimate of 1.50%)**

<u>Added Consideration – Refund \$80,000 Balance of Series 2005 Bonds</u>
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Estimated Total Net Savings \$ 2,500

Better Alternative – simply prepay bonds with Bond Fund Cash on Hand??

***Calculations as of August 30, 2011, are subject to increases or decreases
in savings resulting from changes in the interest rate markets.***

Benefits of Refunding:

- Reduce interest cost and average interest rate materially***
- Allows adjust bond principal with resulting more acceptable
payment levels***

**Note--Savings are Projected and Subject to Changing Market Conditions. The
Economic Climate Continues to be Volatile,**

***Phil Lorenzen, Vice President
D. A. Davidson & Co.
Omaha, NE
402-392-7902
fax 402-392-7908
email: plorenzen@dadco.com***

In the opinion of Baird Holm, LLP, Bond Counsel, assuming continuing compliance with certain restrictions described herein, under existing laws, regulations, rulings and judicial decisions, interest on the Series 2006 Bonds is not includable in gross income for federal income tax payers generally. See the caption "TAX EXEMPTION" herein. Under existing laws of the State of Nebraska, the Series 2006 Bonds and the income therefrom are exempt from all taxation in the State of Nebraska, except for transfer and estate taxes.

Book-Entry-Only
Bank Qualified

Official Statement

\$800,000
CITY OF WAYNE, NEBRASKA
GENERAL OBLIGATION VARIOUS PURPOSE BONDS
Series 2006

Dated: August 15, 2006

Due Serially September 15, as shown below

The Treasurer of the City of Wayne, Nebraska is the Paying Agent and Registrar. Interest is payable March 15, 2007, and semiannually thereafter each September 15 and March 15. The Bonds are issuable as fully registered bonds and, when initially issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Purchases of Bonds will be made in book-entry-only form, in the principal amount of \$5,000 or any integral multiple thereof, through brokers and dealers who are, or who act through, DTC Participants. Beneficial owners of the Bonds will not receive physical delivery of bond certificates so long as DTC or a successor securities depository acts as the securities depository with respect to the Bonds. So long as DTC or its nominee is the registered owner of the Bonds, payments of the principal or redemption price of and interest on the Bonds will be made directly to DTC. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners is the responsibility of DTC Participants. See "BOOK-ENTRY-ONLY SYSTEM."

<u>Principal Amount</u>	<u>Maturing September 15</u>	<u>Interest Rate</u>	<u>Price</u>
\$100,000	2009	3.90%	100
125,000	2011	4.00	100
75,000	2012	4.05	100
75,000	2013	4.10	100
75,000	2014	4.20	100
75,000	2015	4.30	100
75,000	2016	4.35	100
100,000	2017	4.40	100
100,000	2018	4.45	100

*Bob
5/27/11*

Bonds maturing on or after September 15, 2011 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after August 15, 2011, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. Provided, however, the bonds shall also be subject to call for redemption through application of a mandatory sinking fund payment, said bonds being callable by lot in the amounts and on the dates as set out below at par plus accrued interest to the date of such call:

\$100,000 Principal Maturing September 15, 2009
\$50,000 to be called September 15, 2008
\$50,000 Payable September 15, 2009

\$125,000 Principal Maturing September 15, 2011
\$50,000 to be called September 15, 2010
\$75,000 Payable September 15, 2011

The Bonds are offered in book-entry form, when, as and if issued and received by the Underwriter and subject to the approval of legality by Baird Holm LLP, Omaha, Nebraska, Bond Counsel, and certain other conditions. It is expected that the Bonds will be available for delivery through The Depository Trust Company, in New York, New York, on or about September 15, 2006.



D.A. Davidson & Co.

member SIPC

CITY OF WAYNE, NEBRASKA
 VARIOUS PURPOSE BONDS, SERIES 2006
 FUNDS COUNTRY CLUB ROAD, FAIRWAY ESTATES & VINTAGE HILLS

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Debt Service Schedule

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Date	Principal	Coupon	Interest	Period Total	Fiscal Total
3/15/ 7			19,541.67	19,541.67	
9/15/ 7			16,750.00	16,750.00	36,291.67
3/15/ 8			16,750.00	16,750.00	
9/15/ 8	50,000.00	3.900000	16,750.00	66,750.00	83,500.00
3/15/ 9			15,775.00	15,775.00	
9/15/ 9	50,000.00	3.900000	15,775.00	65,775.00	81,550.00
3/15/10			14,800.00	14,800.00	
9/15/10	50,000.00	4.000000	14,800.00	64,800.00	79,600.00
3/15/11			13,800.00	13,800.00	
9/15/11	75,000.00	4.000000	13,800.00	88,800.00	102,600.00
<hr/>					
3/15/12			12,300.00	12,300.00	
9/15/12	75,000.00	4.050000	12,300.00	87,300.00	99,600.00
3/15/13			10,781.25	10,781.25	
9/15/13	75,000.00	4.100000	10,781.25	85,781.25	96,562.50
3/15/14			9,243.75	9,243.75	
9/15/14	75,000.00	4.200000	9,243.75	84,243.75	93,487.50
3/15/15			7,668.75	7,668.75	
9/15/15	75,000.00	4.300000	7,668.75	82,668.75	90,337.50
3/15/16			6,056.25	6,056.25	
9/15/16	75,000.00	4.350000	6,056.25	81,056.25	87,112.50
3/15/17			4,425.00	4,425.00	
9/15/17	100,000.00	4.400000	4,425.00	104,425.00	108,850.00
3/15/18			2,225.00	2,225.00	
9/15/18	100,000.00	4.450000	2,225.00	102,225.00	104,450.00
<hr/>					
	800,000.00		263,941.67	1,063,941.67	
ACCRUED			2,791.67	2,791.67	
	800,000.00		261,150.00	1,061,150.00	
<hr/>					

Balance
\$ 575,000

Dated 8/15/ 6 with Delivery of 9/15/ 6
 Bond Years 6,191.667
 Average Coupon 4.262853
 Average Life 7.739583
 N I C % 4.262853 % Using 100.000000
 T I C % 4.253375 % From Delivery Date
 Arbitrage Yield 4.253375 %

Filename: WAYNE Key: VP2006 BD

CITY OF WAYNE, NEBRASKA --BALANCE AS OF OCTOBER 14, 2011
 VARIOUS PURPOSE BONDS, SERIES 2006
 FUNDS COUNTRY CLUB ROAD, FAIRWAY ESTATES & VINTAGE HILLS

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Debt Service Schedule

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Date	Principal	Coupon	Interest	Period Total	Fiscal Total
3/15/12			10,318.33	10,318.33	
9/15/12	75,000.00	4.050000	12,300.00	87,300.00	97,618.33
3/15/13			10,781.25	10,781.25	
9/15/13	75,000.00	4.100000	10,781.25	85,781.25	96,562.50
3/15/14			9,243.75	9,243.75	
9/15/14	75,000.00	4.200000	9,243.75	84,243.75	93,487.50
3/15/15			7,668.75	7,668.75	
9/15/15	75,000.00	4.300000	7,668.75	82,668.75	90,337.50
3/15/16			6,056.25	6,056.25	
9/15/16	75,000.00	4.350000	6,056.25	81,056.25	87,112.50
3/15/17			4,425.00	4,425.00	
9/15/17	100,000.00	4.400000	4,425.00	104,425.00	108,850.00
3/15/18			2,225.00	2,225.00	
9/15/18	100,000.00	4.450000	2,225.00	102,225.00	104,450.00
	575,000.00		103,418.33	678,418.33	
ACCRUED	575,000.00		103,418.33	678,418.33	

Dated 10/14/11 with Delivery of 10/14/11

Bond Years	2,378.681	
Average Coupon	4.347718	✓
Average Life	4.136836	
N I C %	4.347718 %	Using 100.0000000
T I C %	4.344635 %	From Delivery Date
Arbitrage Yield	4.344635 %	

Filename: WAYNE Key: VP06101411

CITY OF WAYNE, NEBRASKA
 REFUNDING BONDS, SERIES 2011, REFUNDS SERIES 2006 VP BONDS:
 FUNDS COUNTRY CLUB ROAD, FAIRWAY ESTATES & VINTAGE HILLS

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Sources and Uses of Funds

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Delivery Date: 10/12/11

Sources of Funds
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Par Amount of Bonds.....	\$585,000.00	
+Premium /-Discount.....	\$0.00	
Bond Proceeds.....		585,000.00

		\$585,000.00

Uses of Funds
 =====

Refund Var Purpose Bonds, Series 2006.....	575,000.00	
Est Legal Opinion and Issuance Costs.....	850.00	
Fiscal, marketing, underwriting.....(1.45000%)...	8,482.50	
Contingency.....	667.50	

		\$585,000.00

CITY OF WAYNE, NEBRASKA
 REFUNDING BONDS, SERIES 2011, REFUNDS SERIES 2006 VP BONDS
 FUNDS COUNTRY CLUB ROAD, FAIRWAY ESTATES & VINTAGE HILLS

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Savings Report

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Date	Principal	Proposed Debt Service Coupon	Interest	Total	Prior Debt Service	Savings	Cumulative Savings
3/15/12			3,043.07				
9/15/12	75,000.00	0.650000	3,627.50	81,670.57	97,618.33	15,947.76	15,947.76
3/15/13			3,383.75				
9/15/13	75,000.00	0.750000	3,383.75	81,767.50	96,562.50	14,795.00	30,742.76
3/15/14			3,102.50				
9/15/14	80,000.00	0.850000	3,102.50	86,205.00	93,487.50	7,282.50	38,025.26
3/15/15			2,762.50				
9/15/15	80,000.00	1.000000	2,762.50	85,525.00	90,337.50	4,812.50	42,837.76
3/15/16			2,362.50				
9/15/16	75,000.00	1.300000	2,362.50	79,725.00	87,112.50	7,387.50	50,225.26
3/15/17			1,875.00				
9/15/17	100,000.00	1.650000	1,875.00	103,750.00	108,850.00	5,100.00	55,325.26
3/15/18			1,050.00				
9/15/18	100,000.00	2.100000	1,050.00	102,100.00	104,450.00	2,350.00	57,675.26
	585,000.00		35,743.07	620,743.07	678,418.33		57,675.26
ACCRUED	585,000.00		35,743.07	620,743.07	678,418.33		57,675.26

Dated 10/14/11 with Delivery of 10/14/11
 Bond Years 2,412.875
 Average Coupon 1.481348
 Average Life 4.124573
 N I C % 1.481348 % Using 100.0000000

Weighted Bond Years 2,412.875
 Weighted Average Life 4.124573
 Weighted N I C % 1.481348 % Using 100.0000000
 F I C % 1.475545 % From Delivery Date

Net Present Value Savings at: 1.4755% Equals 55,540.33 or 9.4941% of Par of the Current Issue
 or 9.6592% of Par of the Prior Issue

Filename: WAYNE Key: REF06 11A

Note: These calculations
 are preliminary and are
 subject to change based
 on market conditions

In the opinion of Baird, Holm, McEachen, Pedersen, Hamann & Strasheim, LLP, Bond Counsel, assuming continuing compliance with certain restrictions described herein, under existing laws, regulations, rulings and judicial decisions, interest on the Series 2005 Bonds is not includable in gross income for federal income tax payers generally. See the caption "TAX EXEMPTION" herein. Under existing laws of the State of Nebraska, the Series 2005 Bonds and the income therefrom are exempt from all taxation in the State of Nebraska, except for transfer and estate taxes.

Book-Entry-Only
Bank Qualified

Official Statement

\$575,000
CITY OF WAYNE, NEBRASKA
GENERAL OBLIGATION REFUNDING BONDS
Series 2005

Dated: May 15, 2005

Due Serially June 1, as shown below

The Treasurer of the City of Wayne, Nebraska is the Paying Agent and Registrar. Interest is payable December 1, 2005, and semiannually thereafter each June 1 and December 1. The Bonds are issuable as fully registered bonds and, when initially issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Purchases of Bonds will be made in book-entry-only form, in the principal amount of \$5,000 or any integral multiple thereof, through brokers and dealers who are, or who act through, DTC Participants. Beneficial owners of the Bonds will not receive physical delivery of bond certificates so long as DTC or a successor securities depository acts as the securities depository with respect to the Bonds. So long as DTC or its nominee is the registered owner of the Bonds, payments of the principal or redemption price of and interest on the Bonds will be made directly to DTC. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners is the responsibility of DTC Participants. See "BOOK-ENTRY-ONLY SYSTEM."

<u>Principal Amount</u>	<u>Maturing June 1</u>	<u>Interest Rate</u>	<u>Price</u>
\$ 70,000	2006	2.90%	100
80,000	2007	3.10	100
85,000	2008	3.25	100
85,000	2009	3.35	100
85,000	2010	3.45	100
90,000	2011	3.55	100
40,000	2012	3.70	100
40,000	2013	3.80	100

\$ 80,000

The Bonds are offered in book-entry form, when, as and if issued and received by the Underwriter and subject to the approval of legality by Messrs. Baird, Holm, McEachen, Pedersen, Hamann & Strasheim, Omaha, Nebraska, Bond Counsel, and certain other conditions. It is expected that the Bonds will be available for delivery through The Depository Trust Company, in New York, New York, on or about June 14, 2005.

Redemption Provision

The General obligation Refunding Bonds maturing on and after June 1, 2010 are subject to redemption, in whole or in part, prior to maturity at any time on or after May 15, 2010 at the option of the Issuer at par plus accrued interest to the date set for redemption.

Kirkpatrick Pettis

A Division of D.A. Davidson & Co. Fixed Income Capital Markets

D.A. Davidson & Co.
member SIPC

CITY OF WAYNE, NEBRASKA --BALANCE AS OF OCTOBER 14, 2011
 REFUNDING BONDS, SERIES 2005
 REFUNDED PRIOR BONDS, SERIES 1998 AND SERIES 2002

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Debt Service Schedule

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Date	Principal	Coupon	Interest	Period Total	Fiscal Total
12/ 1/11			396.89	396.89	
6/ 1/12	40,000.00	3.800000	1,520.00	41,520.00	41,916.89
12/ 1/12			760.00	760.00	
6/ 1/13	40,000.00	3.800000	760.00	40,760.00	41,520.00

	80,000.00		3,436.89	83,436.89	
ACCRUED					
	80,000.00		3,436.89	83,436.89	
=====					

Dated 10/14/11 with Delivery of 10/14/11
 Bond Years 90.444
 Average Coupon 3.800000
 Average Life 1.130556
 N I C % 3.800000 % Using 100.0000000

Weighted Bond Years 90.444
 Weighted Average Life 1.130556
 Weighted N I C % 3.800000 % Using 100.0000000
 T I C % 3.803142 % From Delivery Date

Filename: WAYNE Key: REF05101411

CITY OF WAYNE, NEBRASKA
 REFUNDING BONDS, SERIES 2011 AA
 REFUNDS BALANCE OF REFUNDING BONDS, SERIES 2005

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Savings Report

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Date	Principal	Proposed Debt Service Coupon	Interest	Total	Prior Debt Service	Savings	Cumulative Savings
6/ 1/12	40,000.00	0.750000	378.33	40,378.33	41,916.89	1,538.56	1,288.56
12/ 1/12			150.00				
6/ 1/13	40,000.00	0.750000	150.00	40,300.00	41,520.00	1,220.00	2,508.56
	80,000.00		678.33	80,678.33	83,436.89		2,508.56
ACCRUED	80,000.00		678.33	80,678.33	83,436.89		2,508.56
	80,000.00		678.33	80,678.33	83,436.89		2,508.56

Dated 10/14/11 with Delivery of 10/14/11
 Bond Years 90.444
 Average Coupon 0.750000
 Average Life 1.130556
 N I C % 0.750000 % Using 100.0000000

Weighted Bond Years 90.444
 Weighted Average Life 1.130556
 Weighted N I C % 0.750000 % Using 100.0000000
 T I C % 0.749795 % From Delivery Date

N O T E : Cumulative Savings are Net of the Initial Transfer Amount of 250.00

Net Present Value Savings at: 0.7498% Equals 2,490.26 or 3.1128% of Par of the Current Issue
 or 3.1128% of Par of the Prior Issue

N O T E : Present Value Savings are Net of the Initial Transfer Amount of 250.00

Filename: WAYNE Key: REF05 11AA

Note: These calculations
 are preliminary and are
 subject to change based
 on market conditions

RESOLUTION NO. 2011-66

A RESOLUTION CALLING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005 OF THE CITY OF WAYNE, NEBRASKA, FOR REDEMPTION.

BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on October 14, 2011 after which date said bonds shall cease to bear interest:

General Obligation Refunding Bonds, Series 2005 dated May 15, 2005, in the principal amount of \$80,000, maturing annually June 1, 2012 through June 1, 2013, issued by the City to refund General Obligation Refunding Bonds, Series 1998, dated April 1, 1998 and General Obligation Refunding Bonds, Series 2002, and to pay costs of issuance and underwriting of the Series 2005 Bonds.

Section 2. Said bonds are payable at the office of the Treasurer of the City of Wayne, Nebraska, as Paying Agent and Registrar, in Wayne, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the Treasurer of the City of Wayne, in Wayne, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2011-16

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE CITY OF WAYNE, IN THE PRINCIPAL AMOUNT OF FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$585,000) TO REFUND AND RETIRE \$575,000 GENERAL OBLIGATION VARIOUS PURPOSE BONDS, SERIES 2006; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The Mayor and City Council of the City of Wayne, Nebraska (the "City") hereby find and determine that there have been heretofore issued and are now outstanding and unpaid valid interest bearing bonds of the City of Wayne, Nebraska, consisting of General Obligation Various Purpose Bonds, Series 2006, dated August 15, 2006 (the "Outstanding 2006 Bonds") of the total remaining principal amount of \$575,000 which mature and bear interest as follows:

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturing September 15</u>
\$ 75,000	4.05%	2012
75,000	4.10	2013
75,000	4.20	2014
75,000	4.30	2015
75,000	4.35	2016
100,000	4.40	2017
100,000	4.45	2018

which bonds, bonds in the remaining principal amount of \$575,000 maturing from September 15, 2012 through September 15, 2018, both inclusive, (the "Outstanding 2006 Bonds") became callable for prepayment at par and accrued interest anytime on or after August 15, 2011, which bonds are now being called for redemption pursuant to a resolution of the Mayor and City Council adopted contemporaneously with this resolution (the "Call Resolution") on September 14, 2011 (the "Redemption Date") at par plus accrued interest to the date fixed for redemption (the "Series 2006 Redemption Date"); that the Outstanding 2006 Bonds are valid, interest bearing obligations

of the City of Wayne, Nebraska; that the Outstanding 2006 Bonds, bonds in the principal amount of \$575,000 maturing on and after September 15, 2012 through September 15, 2018, both inclusive (the “Refunded Series 2006 Bonds” or the “Refunded 2006 Bonds”), shall be paid as to principal from proceeds of the issuance of refunding bonds of the City; that since the Refunded 2006 Bonds were issued, the rates of interest available in the market have so declined that by issuing its refunding bonds to provide funds, together with available cash of the City, for the payment and redemption of the Refunded 2006 Bonds, all as set out above, a substantial savings in the amount of yearly running interest will be made to the City; that the City has no bond sinking funds on hand for the retirement of said Refunded 2006 Bonds not required for the timely payment of principal and interest on the Outstanding 2006 Bonds or other bonds of the City or for the payment of accrued interest due on the Series 2006 Redemption Date; that to provide for the refunding of the Refunded 2006 Bonds, it is necessary that the City issue its general obligation refunding bonds; and, that all conditions, acts, and things required to exist or to be done precedent to the issuance of General Obligation Refunding Bonds of the City of Wayne, Nebraska, in the principal amount of \$585,000 pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, 2007, as amended, do exist and have been done as required by law.

Section 3. To provide for the issuance of bonds as described in Section 1 hereof, there shall be and there are hereby ordered issued General Obligation Refunding Bonds, Series 2011, of the City of Wayne, Nebraska, in the principal amount of Five Hundred Eighty-Five Thousand Dollars (\$585,000) (the “Bonds”), with said Bonds bearing interest at the rates per annum and to become due in each year as indicated below:

<u>Principal Amount</u>	<u>Maturing September 15</u>
\$ 75,000	2012
75,000	2013
80,000	2014
80,000	2015
75,000	2016
100,000	2017
100,000	2018

provided, that the Bonds shall bear interest at such rates per annum as shall be determined in a written designation (the "Designation") signed by the Mayor of the City or by the City Administrator (the "Authorized Officers") on behalf of the City and which may be agreed to by D.A. Davidson & Co. (the "Underwriter"), which Designation may also determine or modify the principal amount for each maturity of the Bonds, mandatory redemption provisions (if any) and pricing terms as set forth in Section 8 hereof, all within the following limitations:

- (a) the aggregate principal amount of the Bonds shall not exceed \$585,000 but may be reduced in principal amount;*
- (b) the principal amount due in any year (including principal due as mandatory redemption amounts) for each maturity may be decreased by any amount determined but shall not increase by more than 10% or \$10,000, whichever is greater;*
- (c) the longest maturity of the Bonds may not be later than September 15, 2018;*
- (d) subject to the further provisions of section 2 (c) above, two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officers may determine the mandatory sinking fund payments and mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).*
- (e) should changes in the interest rate markets be such that an actual realized savings (net of transaction costs) of not less than \$_____ for an amortized payment schedule, with a final maturity of September 15, 2018 including mandatory sinking fund payments, is not achievable, the bonds shall not be issued*

The Authorized Officers are hereby authorized to make such determinations on behalf of the City and to evidence the same by execution and delivery of the Designation and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the Mayor and City Council without further action of the Mayor and City Council.

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be date of delivery. Interest on the Bonds, at the respective rates for each maturity, shall be payable semiannually on March 15 and September 15 of each year commencing on March 15, 2012, (each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest

Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 5 hereof. The bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 4 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 4 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with any unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 4. The Treasurer of the City of Wayne, Nebraska, is hereby designated to serve as Paying Agent and Registrar for the Bonds. Said Treasurer shall serve in such capacities under the terms of this Ordinance subject to replacement as may be determined by the Mayor and

Council. The City Treasurer, as Paying Agent and Registrar, shall keep and maintain for the City books for the registration and transfer of the Bonds at said Treasurer's office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligation as the Bonds surrendered and shall be entitled to all the benefits and protection of this ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 5. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners

of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 6. In addition to any mandatory sinking fund redemptions, the Bonds maturing on or after September 15, 2016 shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of their date of original issue, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the City in the case of optional redemption and without further direction in the case of mandatory redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue, series and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given. The provisions of this Section 6 shall apply generally to mandatory redemptions. All mandatory redemptions shall be at the principal amount redeemed plus accrued interest to the date set for

redemption. The Paying Agent and Registrar shall select the term bonds to be redeemed in any maturity using any random method of selection deemed appropriate, subject to the provisions of Section 9 of this Ordinance.

Section 7. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Wayne are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 8. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF WAYNE

CITY OF WAYNE, NEBRASKA
GENERAL OBLIGATION REFUNDING BOND
SERIES 2011

No. _____ \$ _____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	September 15, 20_____	_____, 2011	_____

Registered Owner:

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Wayne, in the County of Wayne, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable semiannually on March 15 and September 15 of each year, commencing on March 15, 2012 (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of and interest on this bond due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the Treasurer of the City of Wayne, in Wayne, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an issue of fully registered bonds of the total principal amount of Five Hundred Eighty-Five Thousand Dollars (\$585,000), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the City to provide funds to refund and retire \$575,000 General Obligation Various Purpose Bonds, Series 2006, in pursuance of Section 10-142 Reissue Revised Statutes of Nebraska, 2007 and other applicable statutes and has been duly authorized by ordinance legally passed, approved and published and by proceedings duly had by the Mayor and Council of said City.

Bonds of said issue maturing on or after September 15, 2016 are subject to redemption at the option of the City, in whole or in part, at any time on or after the fifth anniversary of their date

of original issue, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

[Provided, however, the bonds shall also be subject to a mandatory sinking fund payment (mandatory redemption at par plus accrued interest) prior to maturity; such sinking fund payments being as follows:

- \$,000 Principal Maturing September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 Payable September 15, 20__

- \$,000 Principal Maturing September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 Payable September 15, 20__

- \$,000 Principal Maturing September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 to be called September 15, 20__
 - \$,000 Payable September 15, 20__

Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the ordinance authorizing said issue of bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof. If less than all of the principal sum hereof is to be redeemed, in such case upon the surrender hereof, there shall be issued to the registered owner hereof, without charge therefor, a registered bond or registered bonds for the unpaid principal balance of like series, maturity and interest rate in any of the authorized denominations provided for in the ordinance authorizing the issuance hereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar, the Treasurer of the City of Wayne, in Wayne, Nebraska, upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Wayne, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE

ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said City, including this bond and the bonds refunded hereby, does not exceed any limitation imposed by law. Special assessments levied upon certain real estate specially benefited by the improvements (as financed and refinanced) are valid liens upon such real estate and, when collected, shall be set aside and constitute a sinking fund for the payment of the principal of and interest on the Bonds. The City agrees that it will collect such special assessments, and that to the extent such special assessments are insufficient to pay the principal of and interest on the Bonds, the City agrees that it will cause to be levied and collected annually taxes on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount, within applicable statutory and constitution limitations, to fully pay the principal of and interest on this bond as the same become due after the application of other funds available therefor.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and Council of the City of Wayne, Nebraska, have caused this bond to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF WAYNE, NEBRASKA

ATTEST:

(facsimile)
Mayor

(facsimile)
City Clerk
[SEAL]

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by ordinance passed and approved by the Mayor and Council of the City of Wayne, Nebraska as described in said bond.

Treasurer of the City of Wayne, Nebraska.
As Paying Agent and Registrar

By _____

(FORM OF ASSIGNMENT)

For value received _____ hereby sells,
assigns and transfers unto _____ the within bond
and hereby irrevocably constitutes and appoints
_____, attorney, to transfer the same on the
books of registration in the office of the within mentioned Paying Agent and Registrar with full
power of substitution in the premises.

Date: _____

Registered Owner

Witness: _____

Note: The signature(s) of this assignment must correspond with the name(s) as written on
the face of the within bond in every particular, without alteration, enlargement or any change
whatsoever.

Section 9. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk of the City. The Bonds shall be issued initially as “book-entry-only” bonds under the services of The Depository Trust Company (the “Depository”), with one typewritten bond per maturity being issued to the Depository. In such connection said officers of the City are authorized to execute and deliver a letter of representations and inducement (the “Letter of Representations”) in the form required by the Depository, (including any blanket letter previously executed and delivered by the City) for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as “book-entry-only” bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a “Bond Participant”) or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a “Beneficial Owner”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the

Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the ultimate Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement (if any).

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced or upon termination by the City of book-entry-only form, the City shall immediately provide a supply of bond certificates for issuance upon subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement bond certificates upon transfer or partial redemption, the City agrees to

order printed an additional supply of bond certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting officers. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption) such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to deliver them to D.A. Davidson & Co., as initial purchaser thereof, upon receipt of 98.55% of the principal amount of the Bonds plus accrued interest thereon to date of payment for the Bonds. Said initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. Such purchaser and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including without limitation, authorizing the release of the Bonds by the Depository at closing. If no separate written agreement for the sale of the Bonds is executed and delivered by and between the City and the Underwriter, this Ordinance shall constitute the agreement for sale of the Bond to the Underwriter.

Section 10. The City Clerk is directed to make and certify a transcript or transcripts of the proceedings of the Mayor and City Council precedent to the issuance of said Bonds, one of which transcripts shall be delivered to the purchaser of said Bonds.

Section 11. All accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest falling due on March 15, 2012. The proceeds of the Bonds shall be

deposited to the City's bond payment account for the payment of principal of and interest on bonds and applied on the Redemption Date to the payment of expenses of bond issuance and for payment and redemption of the Refunded 2006 Bonds. The City hereby agrees that the registered owners of the Bonds shall be subrogated to the rights of the registered owners of the Refunded Series 2006 Bonds defeased and refunded by the Bonds, all as so paid from the proceeds of the Bonds upon such payment.

Section 12. The City agrees that it will cause to be levied and collected annually taxes on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount, within applicable statutory and constitution limitations, to fully pay the principal of and interest on the Bonds when and as such principal and interest become due after the application of other funds available therefor.

Section 13. (a) The City hereby covenants with the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended (the "Code"), and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The City hereby covenants with the registered owners from time to time of the Bonds hereby authorized that it shall comply with all applicable provisions of the Code, prior to the date of issuance and delivery of the Bonds, and with all applicable provisions of any other tax laws and any regulations, published rulings and court decisions pursuant thereto, which relate to the exclusion from gross income of interest on the Bonds for federal income tax purposes, to the extent necessary to comply with such Code, laws, regulations, published rulings and court decisions or otherwise to preserve such exclusion,

including specifically, but without limitation, all arbitrage rebate and information reporting requirements required by the Code.

(b) The City hereby represents and warrants that (i) it reasonably anticipates issuing not more than \$10,000,000 of tax-exempt obligations not including “private activity bonds” as defined in Section 141 of the Code during the 2011 calendar year, (ii) it has not designated and will not further designate more than \$10,000,000 of obligations (including the Bonds herein authorized) during the 2011 calendar year as qualified tax-exempt obligations, (iii) the Bonds herein authorized are not “private activity bonds” as such term is defined in Section 141(a) of the Code, and (iv) it hereby designates the Bonds as “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(B)(i) of the Code, taking into consideration the exception for current refunding issues. The City agrees to take all further actions, if any, necessary to qualify the Bonds herein authorized as such “qualified tax-exempt obligations,” as and to the extent permitted by law.

Section 14. The City reserves the right to issue refunding bonds and provide for the investment of the proceeds thereof for purposes of providing for the payment of principal and interest on the Bonds in such manner as may be prescribed by law from time to time but specifically including the provisions of Section 10-142, Reissue Revised Statutes of Nebraska, 2007, or any amendment thereto.

Section 15. The City's obligations under this ordinance shall be fully discharged and satisfied as to the Bonds authorized and issued hereunder, and said Bonds shall no longer be deemed outstanding hereunder when payment of the principal thereof plus interest thereon to the date of maturity or redemption thereof (a) shall have been made or caused to have been made in accordance with the terms thereof and hereof, or (b) shall have been provided for by depositing in escrow with a national or state bank having trust powers in trust solely for such payment, (i) sufficient monies to make such payment or (ii) direct general obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States of America

(herein referred to as "Government Obligations"), in such amount and with such maturities as to principal and interest as will insure the availability of sufficient monies to make such payment, and thereupon such Bonds shall cease to draw interest from the date of their redemption or maturity and, except for the purposes of such payments, shall no longer be entitled to the benefits of this ordinance; provided that, with respect to any Bonds called or to be called for redemption prior to the stated maturity thereof, notice of redemption shall have been duly given or provided for. If monies shall have been deposited in accordance with the terms hereof with the escrow agent in trust for that purpose sufficient to pay the principal of such Bonds and all interest due thereon to the due date thereof or to the date fixed for the redemption thereof, all liability of the City for such payment (except from such deposit) shall forthwith cease, determine and be completely discharged, and all such Bonds shall no longer be considered outstanding.

Section 16. The Mayor and City Council do hereby approve the Preliminary Offering Circular with respect to the Bonds and the information therein contained, and the Mayor, the City Administrator, the City Clerk, or any one of them is authorized to approve and deliver a final Offering Circular for and on behalf of the City, and said final Offering Circular shall be delivered to the Underwriter.

Section 17. This ordinance shall be in force and take effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



Economic Development
Chamber ■ Main Street

August 17, 2011

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

RE: Sales Tax Advisory Committee – recommendation for RBDK LLC (\$70,000) and Windom Ridge (\$5,000)

Dear Lowell,

The Sales Tax Advisory Committee met on Thursday, August 11, 2011, and reviewed two (2) applications to Wayne's Economic Development Program fund.

The committee recommended approving the request by RBDK LLC for assistance with the construction of a new 4670 sq ft dental/orthodontic clinic for \$70,000 to the City from the Wayne Economic Development Program fund. The recommended terms included a 3% loan, with repayment amortized over 20 years with a 10 year balloon payment due.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 11; *Doesn't Meet/Somewhat Meets* scored 6; *Somewhat Meets* scored 5; *Somewhat Meets/Meets* scored 9; and *Meets* scored 24. This review scoring is used for deliberation. The committee does not use a raw number threshold to recommend projects to the Council.

The committee also recommended approving the request by Windom Ridge for assistance with a targeted housing study for residents 55 and older for \$5,000 to the City from the Wayne Economic Development Program fund. The recommended terms included this assistance to be a grant provided the study results are released to the City.

Using its "LB 840 Application Review" matrix, the committee scored the project with the following: *Doesn't Meet* scored 8; *Doesn't Meet/Somewhat Meets* scored 4; *Somewhat Meets* scored 12; *Somewhat Meets/Meets* scored 23; and *Meets* scored 5. Once again the committee does not use a raw number threshold to recommend projects to the Council; this review is used for deliberation.

Please convey these recommendations 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 blue ink, appearing to read "Wes Blecke".

Wes Blecke
Executive Director

**APPLICATION FOR WAYNE'S
ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND**

LB840 (form approved 073109)

20 11

Application Number:
Date Received <i>8/10/11</i>

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

1. APPLICANT IDENTIFICATION	2. PERSON PREPARING APPLICATION
Applicant Name RBDK LLC	Name/Business STATE NATIONAL BANK & TRUST CO.
Mailing Address 115 W. 3RD ST.	Address 122 MAIN ST.
WAYNE NE 68787	WAYNE NE 68787
(City) (State) (ZIP)	(City) (State) (Zip)
Telephone Number 402-375-1124	Telephone Number 402-375-1130
Fax Number	Federal Tax ID # / SS#
Federal Tax ID Number 26-3734754	
Email Address dentist@conpoint.com	Email Address jclaussen@state-national-bank.com
3. BUSINESS TYPE <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other _____	5. FUNDING SOURCES
4. ASSISTANCE TYPE REQUESTED <input checked="" type="checkbox"/> Low interest loan <input type="checkbox"/> Interest buy down <input type="checkbox"/> Performance-based loan <input type="checkbox"/> Grant <input type="checkbox"/> Other _____	WEDP Funds Requested \$ 70,000.00
	Matching Funds \$
	Other Funds \$
	Total Project Funds \$ 890,000.00 <i>(Round amounts to the nearest hundred dollars.)</i>

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested
SEE ATTACHED.

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds.
 To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

Signature in ink *[Signature]* **ROBERT BURROWS, MANAGING MEMBER** 8/10/11
 Typed Name and Title Date Signed

Attest *[Signature]* **JASON CLAUSSEN, VICE PRESIDENT** 8/10/11
 Typed Name and Title Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:
 Wayne Area Economic Development
 Wayne Economic Development Program Fund
 108 W 3rd St
 Wayne, NE 68787
 (402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY

(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.					
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.					
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS					

APPLICANT CERTIFICATIONS

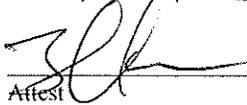
- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: _____ Date: _____

If benefiting business/organization is a Corporation, sign below:

By:  Date: 8/10/11

 **JASON CLAUSSEN, VICE PRESIDENT** 8/10/11
 Attest _____ Typed Name/Title Date

Economic Development Program (WEDP) Fund application

8/11/2011

RBDK Properties, LLC
Wayne Dental Clinic
617 Pearl St.
Wayne, NE 68787

Dr. Robert Burrows
Dr. Daniel Kaler

I. HISTORY AND MANAGEMENT:

Dr. Burrows and Dr. Kaler have been partners in this dental practice along with Dr. Wayne Wessel (retired in 2005) for almost 20 years. Dr. Burrows tends to the general dentistry patients while Dr. Kaler travels to Wayne on Wednesdays to tend to orthodontic patients in the Wayne area and has been doing this rotation in Wayne for over 20 years. Dr. Kaler has an extensive Orthodontic practice in Northeast Nebraska and Iowa with 2 offices in Sioux City, one in Lemars IA and one here in Wayne.

II. EXPLANATION OF TRANSACTION(S):

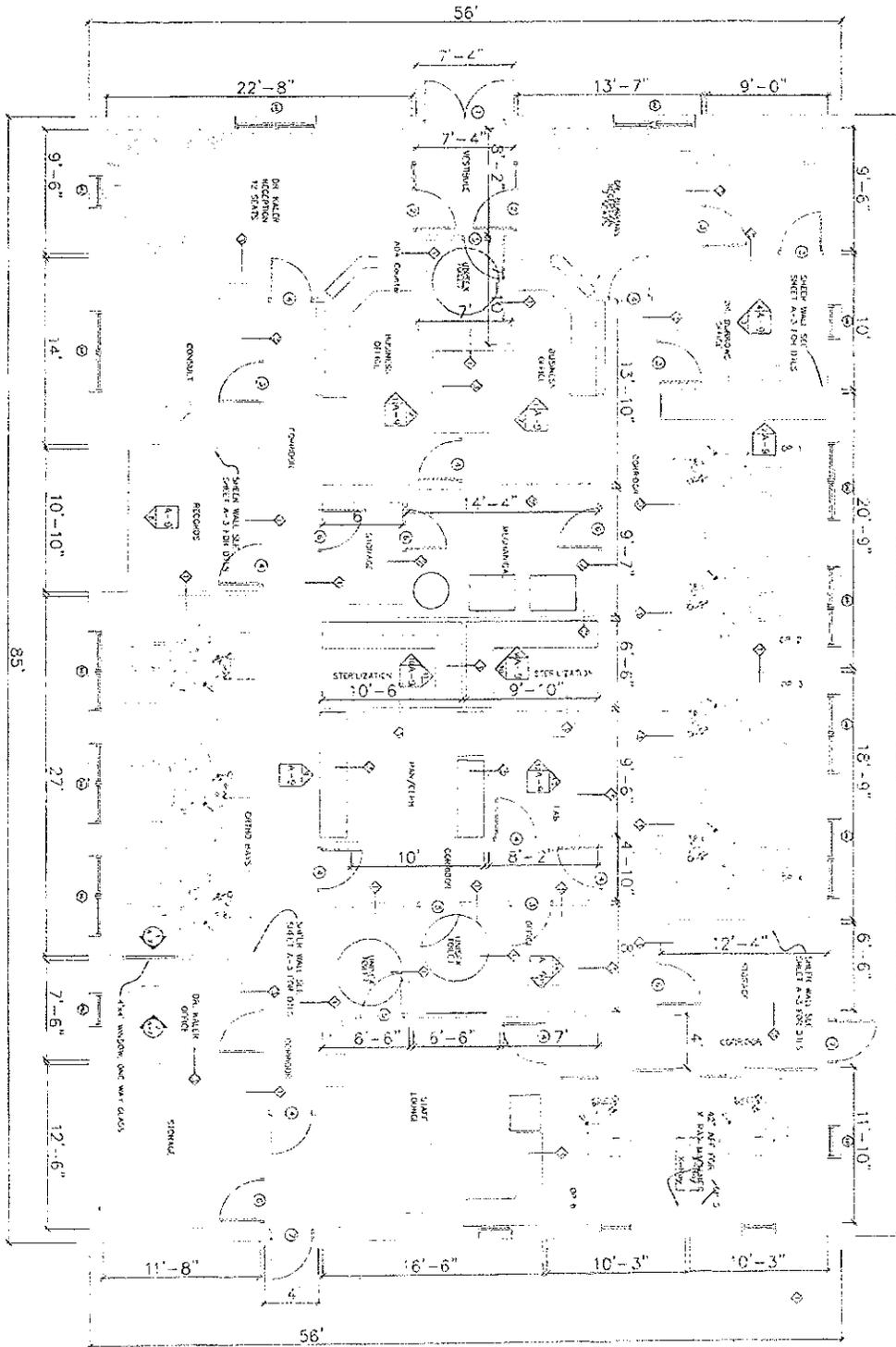
The primary source of funding for this project will be furnished by State National Bank financing 85% (\$756,500) of the total project cost. The existing 15% (\$133,500) will come from Dr. Burrows and Dr. Kaler. The \$70,000 of WEDP funds will contribute 8% of the total project cost. Estimated completion for the building is April of next year.

III. FUTURE IMPACT FOR COMMUNITY:

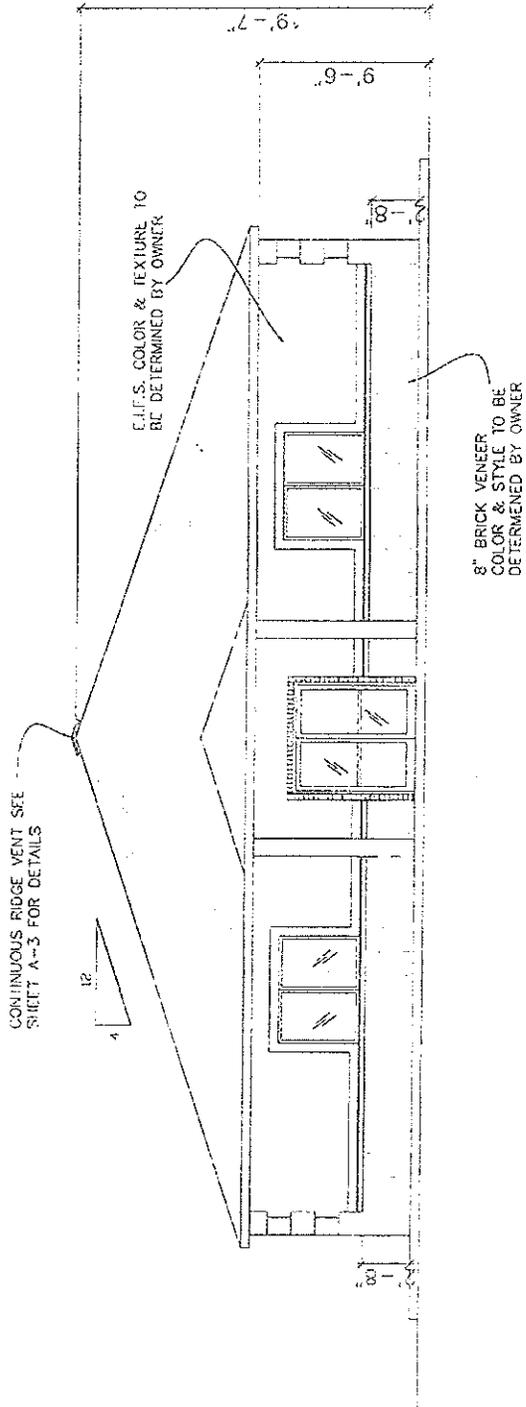
Dr. Burrows currently employs 9 people (including himself) at his current practice. One major reason for the new building was to attract a new dentist to the area and possibly another dental hygienist. Dr. Burrows has indicated that a dentist has shown interest and could start practicing by the completion of the project. These additions will in turn create new support staff job opportunities. Considerable aesthetic improvements will evolve for the 7th and main area of town as well.

FLOOR PLAN

FLOOR PLAN
SCALE: 1/4" = 1'-0"



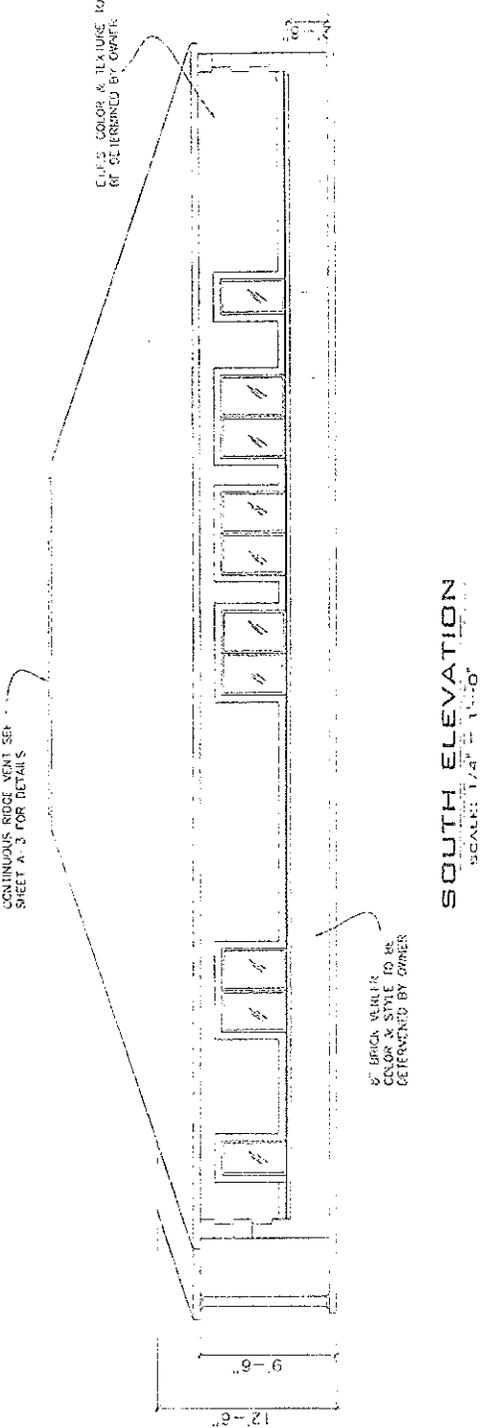
WEST ELEVATION



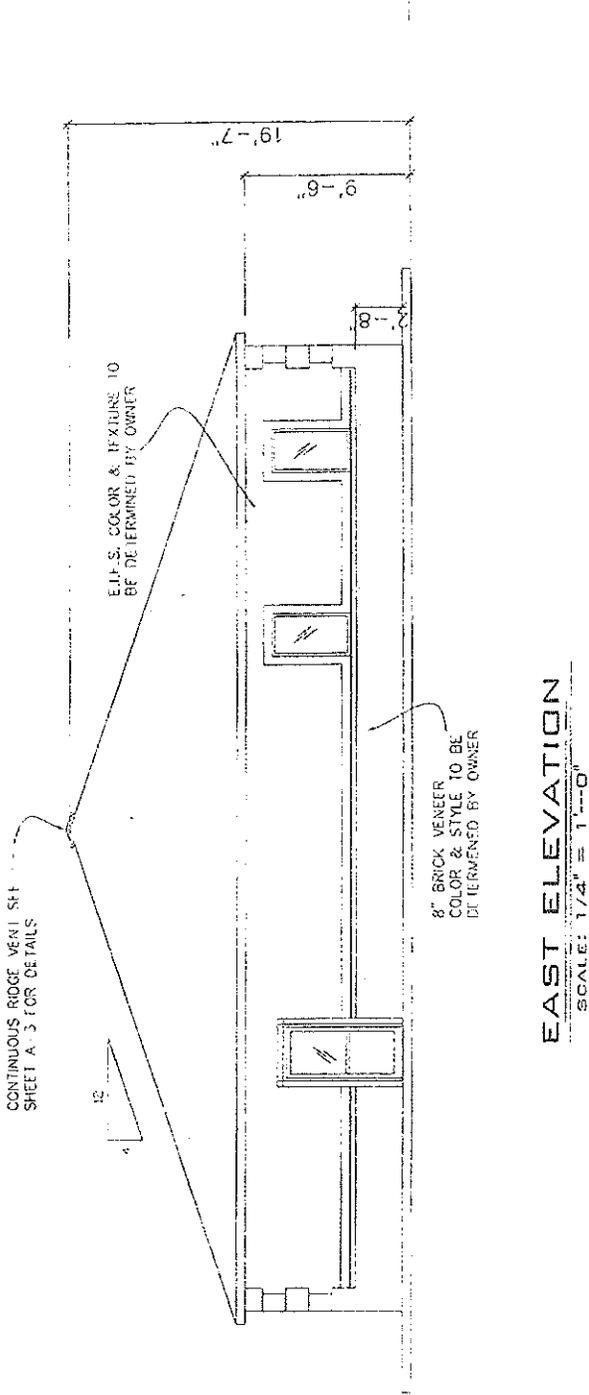
WEST ELEVATION

SCALE: 1/4" = 1'-0"

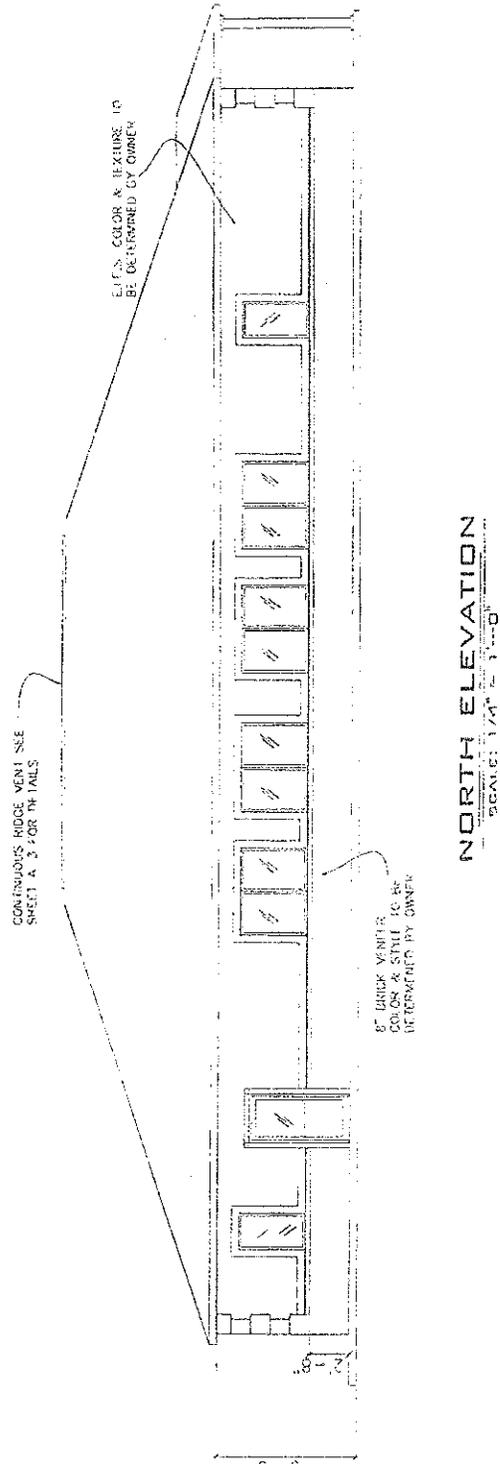
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



FINAL VALUE CONCLUSIONS

Indicated Value by the Cost Approach	\$890,000.00
Indicated Value by the Income Approach	Not Used
Indicated Value by the Market Approach	Not Used

In the traditional appraisal process three approaches to value are commonly used, they are the cost approach, the income approach and the market value approach. In this appraisal all three approaches to value were reviewed but only the Cost Approach was used.

The Market Approach typically provides a strong indication of value. This is true when sufficient, highly comparable sales are available. Because of the size of Wayne and the surrounding area there are no sales of similar property. The Income Approach provides a good indication of value provided that comparable rental property can be found. This was not the case in the Wayne, NE area, therefore the Income Approach was not used in this report.

Based on the previous data and analysis, and with reliance on the Cost Approach, the current market value of the real estate described in this report, is estimated to be \$890,000.00 as of July 6, 2011, when completed as per plans and specifications.

5K

APPLICATION FOR WAYNE'S ECONOMIC DEVELOPMENT PROGRAM (WEDP) FUND

LB840 (form approved 073109)

20

Application Number:

Date Received

8/8/11

PART I. GENERAL INFORMATION

TYPE OR PRINT ALL INFORMATION

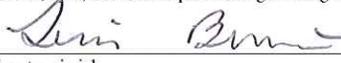
1. APPLICANT IDENTIFICATION			2. PERSON PREPARING APPLICATION		
Applicant Name	Windom Ridge		Name/Business	Louis Benscoter	
Mailing Address	57773 862 Rd		Address	57773 862 Rd	
	Newcastle	NE 68757		Newcastle	NE 68757
	(City)	(State) (ZIP)		(City)	(State) (Zip)
Telephone Number	402 355-2369		Telephone Number		
Fax Number			Federal Tax ID #/		
Federal Tax ID Number	27-5301120				
Email Address			Email Address		
3. BUSINESS TYPE			5. FUNDING SOURCES		
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company		WEDP Funds Requested	\$ 5000.00	
<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietorship		Matching Funds	\$	
<input type="checkbox"/> Other			Other Funds	\$ 2,195,000	
4. ASSISTANCE TYPE REQUESTED			Total Project Funds	\$ 2.2 million	
<input type="checkbox"/> Low interest loan	<input type="checkbox"/> Interest buy down		<i>(Round amounts to the nearest hundred dollars.)</i>		
<input type="checkbox"/> Performance-based loan	<input checked="" type="checkbox"/> Grant				
<input type="checkbox"/> Other					

6. PROGRAM SUMMARY: Brief narrative description of the project for which WEDP funds are requested

While trying to build housing for a project targeted for 55 and older people we are required to have a targeted study for that age group the housing will be built in our development on Taxon Street

7. CERTIFYING OFFICIAL: Chief Executive Officer or owner of applicant requesting WEDP funds.

To the best of my knowledge and belief, data and information in this application are true and correct, including any commitment of local or other resources This applicant will comply with all Federal, state, and local requirements governing the use of WEDP funds.

	Louis Benscoter Pres.	8/8/11
Signature in ink	Typed Name and Title	Date Signed
	Wes Blech / WAEED	8/8/11
Attest	Typed Name and Title	Date Signed

SUBMIT THE ORIGINAL AND ONE COPY (UNBOUND) OF THE ENTIRE APPLICATION TO:

Wayne Area Economic Development
Wayne Economic Development Program Fund
108 W 3rd St
Wayne, NE 68787
(402) 375-2240 Fax (402) 375-2246

PART II. FUNDING SUMMARY

(Round amounts to the nearest hundred dollars.)

Eligible Activities	WEDP Funds	Matching Funds	Other Funds	Total Funds	Sources of Matching or Other Funds
The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements					
Payments for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.					
Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in a qualifying business.					
The authority to issue bonds pursuant to the act subject to City Council approval.					
Grants or agreements for job training.					
Small business and microenterprise development including expansion of existing businesses.					
Interest buy down agreements.					
Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.					
Development of housing related programs to foster population growth.	5,000		2,195,000		tax credits, loan financing personal equity
Activities to revitalize and encourage growth in the downtown area.					
May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.					
Other approved activity					
TOTAL PROGRAM COSTS	5,000		2,195,000	2,200,000	

APPLICANT CERTIFICATIONS

- a. There are no legal actions underway or being contemplated that would significantly impact the capacity of this company to effectively proceed with the project; and to fulfill all WEDP requirements.

If benefiting business/organization is a proprietorship or partnership, sign below:

By: _____ Date: _____

If benefiting business/organization is a Corporation, sign below:

By: Joni Bennett Date: 8/8/11

[Signature]
Attest

Wes Blecke / WAED ED
Typed Name/Title

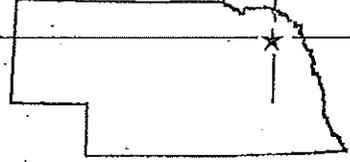
8/8/11
Date

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated • February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: WAYNE VETS CLUB

Address: 270 MAIN ST, WAYNE, NE 68787

Telephone No.: 402-369-0655

Date of Request: 8 AUGUST 2011

Description of Requested Topic: REDUCTION OF LIQUOR LICENSE AND
OCCUPATIONAL TAX FEES AS A NON PROFIT ORGANIZATION.



**SURVEY
NON-PROFIT V. FOR PROFIT
CLASS C LIQUOR LICENSE
OCCUPATION TAX**

MUNICIPALITIES	Non-Profit Occ. Tax
Blair	\$325
Hartington	\$150
Hastings	\$100
Laurel	\$0
Schuyler	\$25
Seward	\$150
Wahoo	\$50
Wakefield	\$150

DOES NOT CHANGE OCC TAX FOR NON-PROFITS:

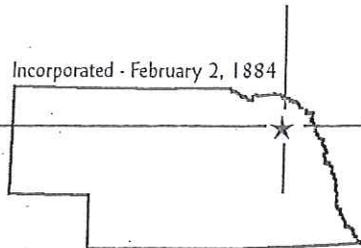
Beatrice
Beemer
Bellevue
Cozad
Creighton
David City
David City
Fort Calhoun
Fremont
Gothenburg
Grand Island
Kearney
Lexington
Ogallala
Omaha
Oshkosh
Papillion
Plattsmouth
Randolph
Sidney
Silver Creek
Springfield
Stromsburg
Trenton
West Point
Wisner
York

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: KEN JORGENSEN THE MAX

Address: 109 MAIN WAYNE NE

Telephone No.: 375 9817

Date of Request: 8-18-2011

Description of Requested Topic: CLOSING TIME FOR BARS
IN WAYNE



To The Wayne City Council,

We would like to bring to your attention the subject matter of extending our closing hours here at the Max Bar and Grill. On behalf of the Max Employees, we would like to bring to your attention these concerns about alcohol sales restrictions.

As of now alcohol sales must be terminated by one o'clock am while the majority of our in-coming travelers and visitors are accustomed to the two o'clock mandated hours. On that matter we are the only campus in the NSIC that does not have the extended hour. This has become a conflicting issue here at our bar. It has created confusion and hostility. With such issues customers have complained and commented on not returning to Wayne due to bar closing hours, and its contribution to our entertainment value. On a positive matter with the temporary extension of our hours to two am on Chicken Days Weekend, it resulted in a huge success and came without any issues. Please consider our request, for the concern of our safety, the well-being of our community, and to continue to attract visitors to the area.

THE MAX BARTENDERS

Shelley Brown
Connor Coffey

Jay Nelson

RESOLUTION NO. 2011-67

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE "2011 LAGOON SLUDGE REMOVAL AND APPLICATION PROJECT."

WHEREAS, three bids were received on August 18, 2011, on the "2011 Lagoon Sludge Removal and Application Project"; and

WHEREAS, the bids have been reviewed by the City's engineer on the project, JEO Consulting Group, Inc.; and

WHEREAS, JEO Consulting Group, Inc., is recommending that the contract be awarded to DRT Biosolids, Inc., in the amount of \$150,000 (\$96.00 per dry ton based upon 1,562.50 of dry tons of sludge).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid for the "2011 Lagoon Sludge Removal and Application Project", as submitted by the following contractor, is reasonable and responsive, and the same is hereby accepted:

<u>Bidder</u>	<u>Amount</u>
DRT Biosolids, Inc. Bloomer, WI	\$150,000.00

BE IT FURTHER RESOLVED, that the bid, as set forth and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same is hereby accepted.

BE IT FURTHER RESOLVED, that the Mayor be, and she is hereby instructed and authorized to enter into a contract on behalf of the City of Wayne, Nebraska, with the contractor for the above project, and the City Administrator is authorized to approve and execute change orders in amounts not to exceed five percent of the contract amount.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



Engineering
Architecture
Surveying
Planning

August 30, 2011

Mayor Ken Chamberlain and Council
City of Wayne, NE
PO Box 8
Wayne, NE 68787

RE: Wayne, NE
2011 Lagoon Sludge Removal and Application
JEO Project No. 101111

Dear Mr. Chamberlain and Council,

JEO conducted a bid opening for the 2011 Lagoon Sludge Removal and Application project for the City of Wayne on August 18th, 2011. We received, opened, and read aloud three bids for the work. The low bidder for the project is DRT Biosolids from Bloomer, Wisconsin.

The bidding specifications dictated that the total cost of the project be \$150,000.00 and the contractors were bidding for the lowest unit price of dry tons to be removed. DRT Biosolids submitted a bid of \$96.00 per dry ton equaling a removal of 1,562.50 dry tons to be removed. The results of all the bids are included in the Bid Tab attached to this letter.

The sludge management plan prepared by JEO for the City estimated the total dry tons that would need to be removed from the lagoon at 3,800 dry tons. Therefore it is expected that this project will remove approximately 40% of the total amount of sludge within the lagoon.

It is JEO's recommendation to award the contract for the 2011 Lagoon Sludge Removal and Application to DRT Biosolids. Four copies of the Notice of Award (NOA) have been prepared for your signature should you award the project. Upon receipt of the NOA's, JEO will begin preparing and obtaining signatures for the contracts.

If you have any questions or comments, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "L.C. Billesbach", written over a horizontal line.

Lucas C. Billesbach
Project Manager

LB:lcb
Enclosures

Pc: Garry Poutre, Utility Superintendent

BID TAB



WAYNE, NEBRASKA
2011 LAGOON SLUDGE REMOVAL AND APPLICATION

11717 Burt Street
Suite 210
Omaha, NE 68154
402.934.3680

JEO PROJECT NO. 101111

LETTING DATE & TIME: AUGUST 11, 2011 @ 2:00 P.M.

OPINION OF COST: \$150,000

AWARD PENDING

				DRT Biosolids	
ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
GROUP "A"					
1.	1,562.50	Dry Tons	Lagoon Sludge Removal and Application	\$96.00	\$150,000.00
TOTAL GROUP "A"					\$150,000.00

				Lagoon Pumping & Dredging, Inc.	
ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
GROUP "A"					
1.	882.35	Dry Tons	Lagoon Sludge Removal and Application	\$170.00	\$150,000.00
TOTAL GROUP "A"					\$150,000.00

				Wulfekuhle Injection & Pumping, Inc.	
ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
GROUP "A"					
1.	750.60	Dry Tons	Lagoon Sludge Removal and Application	\$199.84	\$150,000.00
TOTAL GROUP "A"					\$150,000.00

SECTION 00 5100 - NOTICE OF AWARD

Dated September 6, 2011

TO: DRT Biosolids, Inc.
(BIDDER)

ADDRESS: 7140 State Hwy. 40
Bloomer, WI 54724

Project: 2011 Lagoon Sludge Removal and Application, Wayne, Nebraska

You are notified that your Bid dated August 5, 2011 for the above Project has been considered. You are the apparent Successful Bidder and have been awarded a Contract for Removal of sludge from an existing lagoon and application of that sludge for a total project cost of One Hundred Fifty Thousand Dollars and no/cents (\$150,000).

(Indicate total Work, alternates or sections or Work awarded)

The Contract Price of your Contract is One Hundred Fifty Thousand Dollars and no cents (\$150,000.00) at a unit price of \$96.00 per dry ton removed.

Four (4) copies of each of the proposed Agreement (except Drawings) accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the OWNER four (4) fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents, Bonds and Certificates of Insurance as required by Contract Documents.
3. (List other conditions precedent).

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid in default, to annul this Notice of Award and to declare your Bid security forfeited.

Within ten days after you comply with the above conditions, OWNER will return to you one fully executed counterpart of the Contract Documents.

City of Wayne
(OWNER)

By: _____
(AUTHORIZED SIGNATURE)

Ken Chamberlain, Mayor
(TITLE)

Acknowledgement of Receipt

DRT Biosolids, Inc.
CONTRACTOR

By _____
Name Title

Date _____

CHANGE ORDER NO. 3

DATE OF ISSUANCE: June 14, 2011 EFFECTIVE DATE: June 14, 2011

OWNER: City of Wayne, Nebraska
CONTRACTOR: Layne Christensen Co.
Project: Well House and Municipal Well 2009-1
JEO Project No.: 617W6
ENGINEER: JEO Consulting Group, Inc.

You are directed to make the following changes in the Contract Documents:

Description:
5a - 18" Steel Casing - (\$424.00)
8a - Step Drawdown & Constant Rate Pump Test - (\$830.00)
Deduct Engineering Services - \$11,500

Reason for Change Order:
5a - Adjust final quantity
8a - Adjust final quantity

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE:	
Original Contract Price	
\$	<u>363,651.00</u>
Net Increase (Decrease) from previous Change Orders	
No.: <u>1</u> to <u>2</u> :	
\$	<u>(5,088.00)</u>
Contract Price prior to this Change Order:	
\$	<u>358,563.00</u>
Net increase (decrease) of this Change Order:	
\$	<u>(12,754.00)</u>
Contract Price with all approved Change Orders:	
\$	<u>345,809.00</u>

CHANGE IN CONTRACT TIMES:	
Original Contract Times:	
Ready for final payment:	<u>28-Feb-10</u>
	(days or dates)
Net change from previous Change Orders	
No.: <u>1</u> to <u>1</u> :	
Ready for final payment:	<u>28-Feb-10</u>
	(days)
Contract Times prior to this Change Order:	
Ready for final payment:	<u>28-Feb-10</u>
	(days or dates)
Net increase (decrease) this Change Order:	
Ready for final payment:	<u>145 days</u>
	(days or dates)
Contract Times with all approved Change Orders:	
Ready for final payment:	<u>23-Jul-10</u>
	(days or dates)

RECOMMENDED: JEO Consulting Group, Inc.

By: 
ENGINEER (Authorized Signature)

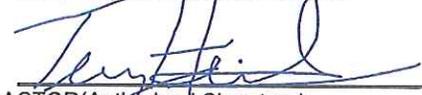
Date: 8/29/11

APPROVED: City of Wayne

By: _____
OWNER (Authorized Signature)

Date: _____

ACCEPTED: Layne Christensen Co.

By: 
CONTRACTOR (Authorized Signature)

Date: August 25, 2011

**Well House and Municipal Well 2009-1
Wayne, Nebraska
JEO Project No. 617W6**

June 14, 2011

CHANGE ORDER NO. 3

Owner: City of Wayne, Nebraska

Contractor: Layne Christensen Co.

ORIGINAL CONTRACT AMOUNT:	\$ 363,651.00
CHANGE ORDER NO. 2	\$ (5,088.00)

ITEM NO.	QTY	UNIT	DESCRIPTION	UNIT PRICE	ADD	DEDUCT
5a	4	VF	18" Steel Casing (16" PVC Certa-Lok change)	\$106.00		\$424.00
8a	5	HR	Step Drawdown & Constant Rate Pump Test	\$166.00		\$830.00
	1		Deduct Engineering Services	\$11,500.00		\$11,500.00
TOTAL ADD					\$ -	
TOTAL DEDUCT						\$ 12,754.00
NET					\$ (12,754.00)	
NEW CONTRACT AMOUNT					\$	345,809.00

RESOLUTION NO. 2011-68

A RESOLUTION ACCEPTING WORK ON THE WELL HOUSE AND MUNICIPAL WELL 2009-1 PROJECT.

WHEREAS, on the 18th day of August, 2009, the City of Wayne approved Resolution No. 2009-78 awarding the contract on the “Well House and Municipal Well 2009-1 Project” to Layne Christensen Co.; 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, JEO Consulting Group, Inc.

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, JEO Consulting Group, Inc., for the work on the “Well House and Municipal Well 2009-1 Project” be and the same is hereby accepted.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the City Administrator is authorized to make final payment to the contractor, including the retainage, pursuant to the project contract.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

EXHIBIT "E"
RECOMMENDATION OF ACCEPTANCE

DATE OF ISSUANCE: June 14, 2010

OWNER: City of Wayne, Nebraska

CONTRACTOR: Layne Christensen Co.

Contract: Well House and Municipal Well 2009-1, Wayne, Nebraska

Project: Well House and Municipal Well 2009-1

OWNER's Contract No.: _____

ENGINEER's Project No.: 617W6

This Recommendation of Acceptance applies to all Work under the Contract Documents or to the following specified parts thereof:

To: City of Wayne, Nebraska
OWNER

And To: Layne Christensen Co.
CONTRACTOR

The Work to which this Recommendation of Acceptance applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and that Work is hereby declared to be complete in accordance with the Contract Documents on February 1, 2011, expressly subject to the provisions of the related Agreement documents and the terms and conditions set forth herein.

CONDITIONS OF RECOMMENDATION OF ACCEPTABILITY OF WORK

The Recommendation of Acceptability of Work ("Recommendation") on the front side of this sheet is expressly made subject to the following terms and conditions to which all persons who receive said Recommendation and rely thereon agree:

1. Said Recommendation is given with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.
2. Said Recommendation reflects and is an expression of the professional judgment of ENGINEER.
3. Said Recommendation is given as to the best of ENGINEER's knowledge, information, and belief as of the date hereof.
4. Said Recommendation is based entirely on and expressly limited by the scope of services ENGINEER has been employed by OWNER to perform or furnish during construction of the Project (including observation of the CONTRACTOR's work) under ENGINEER's Agreement with OWNER and under the Construction Contract referenced herein, and applies only to facts that are within ENGINEER's knowledge or could reasonably have been ascertained by ENGINEER as a result of carrying out the responsibilities specifically assigned to ENGINEER under ENGINEER's Agreement with OWNER and the Construction Contract referenced herein.

5. Said Recommendation is not a guarantee or warranty of CONTRACTOR's performance under the Construction Contract referenced herein nor an assumption of responsibility for any failure of CONTRACTOR to furnish and perform the Work thereunder in accordance with the Contract Documents. The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties and guarantees shall be as follows:

OWNER: Responsible for security, operation, safety and maintenance.

CONTRACTOR: Responsible for the one-year warranty and guarantee shall commence to run as of the date of acceptance by the OWNER shown below.

The following documents are attached to and made a part of this Recommendation of Acceptance:
Payment Application No. 11 (Final)

This Recommendation of Acceptance does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

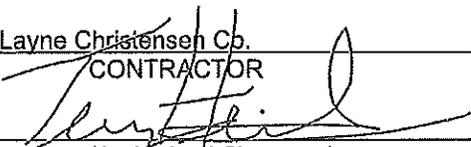
Executed by ENGINEER on 8/29/11
Date

JEO Consulting Group, Inc.
ENGINEER

By: 
(Authorized Signature)

CONTRACTOR accepts this Recommendation of Acceptance on August 25, 2011
Date

Layne Christensen Co.
CONTRACTOR

By: 
(Authorized Signature)

OWNER accepts this Recommendation of Acceptance on _____
Date

City of Wayne, Nebraska
OWNER

By: _____
(Authorized Signature)

APPLICATION FOR PAYMENT NO. 11 (FINAL)

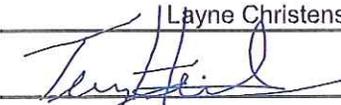
To: City of Wayne, Nebraska
 From: Layne Christensen Co.
 Contract For: Well House and Municipal Well 2009-1
 ENGINEER's Project No. 617W6
 For Work accomplished through the date of: 14-Jun-11

1. Original Contract Price:	\$ 363,651.00
2. Net change by Change Orders and Written Amendments (+ or -):	\$ (17,842.00)
3. Current Contract Price (1 plus 2):	\$ 345,809.00
4. Total completed and stored to date:	\$ 345,809.00
5. Percent of Project Completed <u>100%</u>	
6. Retainage (per agreement):	
<u>10%</u> of completed Work and Stored Materials:	\$ -
(10% of the first 50% of work completed & stored)	
Total Retainage:	\$ -
7. Total completed and stored to date less retainage (4 minus 6):	\$ 345,809.00
8. Less previous Application for Payments:	\$ 321,578.10
9. DUE THIS APPLICATION (7 MINUS 8):	\$ 24,230.90

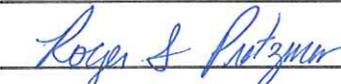
Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 11 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated: August 25, 2011 _____ Layne Christensen Co.
 By:  _____

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 8/29/11 _____ JEO CONSULTING GROUP, INC.
 By:  _____

APPLICATION APPROVED BY: City of Wayne, Nebraska

By: _____
 Title: _____ Date: _____

ATTEST:

By: _____ Title: _____

CONTRACTOR'S PROGRESS ESTIMATE

Owner: City of Wayne, Nebraska

Date: June 14, 2011

Project: Well House and Municipal Well 2009-1

Estimate No.: 11

Contractor: Layne Christensen Co.

JEO Project No.: 617W6

ITEM NO.	CONTRACT QTY	UNIT	DESCRIPTION	QTY TO DATE	UNIT PRICE	TOTAL
1	1	LS	Mobilization / Demobilization	1	\$18,385.00	\$18,385.00
2	259	VF	Drill Hole	259	\$61.00	\$15,799.00
3	46	VF	18" SS Screen (90 Slot)	46	\$160.00	\$7,360.00
4	3	VF	18 SS Screen (0 Slot)	3	\$427.00	\$1,281.00
5	216	VF	18" Steel Casing	216	\$106.00	\$22,896.00
6	1	LS	Bentonite, Grout, & Gravel Pack	1	\$15,373.00	\$15,373.00
7	1	LS	Develop & Disinfect Well	1	\$6,267.00	\$6,267.00
8	30	HR	Step Drawdown & Constant Rate Pump Test	30	\$166.00	\$4,980.00
9	1	LS	Plumbness & Alignment Test	1	\$633.00	\$633.00
10	1	LS	Chemical Analysis	1	\$5,341.00	\$5,341.00
11	1	LS	Pump, Motor, & Column	1	\$42,584.00	\$42,584.00
12	1	LS	Fluoride Chemical Feed Equipment	1	\$14,813.00	\$14,813.00
13	1	LS	Discharge Piping	1	\$30,911.00	\$30,911.00
14	1	LS	Well Building & Site Work	1	\$53,105.00	\$53,105.00
15	1	LS	Electrical w/Generator & VFD	1	\$104,393.00	\$104,393.00
16	1	LS	Access Drive	1	\$6,632.00	\$6,632.00
17	2	EA	10" 90 Bend	2	\$316.00	\$632.00
18	110	LF	10" DIP Pipe	110	\$34.00	\$3,740.00
19	1	EA	10" Gate Valve & Box	1	\$1,947.00	\$1,947.00
20	1	EA	Connect to Existing 16' Main w/ 16" x 10" Tapping Sleeve	1	\$5,526.00	\$5,526.00
21	1	LS	Seeding	1	\$1,053.00	\$1,053.00
CO#1				1	-\$5,088.00	(\$5,088.00)
CO#3				1	-\$12,754.00	(\$12,754.00)
SUBTOTAL GROUP "A"						\$345,809.00



Lowell D. Johnson
City Administrator
City of Wayne
PO Box 8
Wayne, NE 68787

RE: Wayne, NE
2009-2010 Wastewater Treatment Facility Improvements, Phase I
JEO Project No. 090621 / 617S7

Dear Lowell:

Enclosed for the Council's consideration are four (4) copies of Application for Payment No. 13 for the above referenced project. Work completed this month includes major items such as miscellaneous metals, Aquarius unit assembly and electrical work. The Contractor is seeking payment on \$4,953,663.81 less retainage and previous payments. JEO recommends payment in the amount of \$418,028.83 to Eriksen Construction Co. Inc.

A progress meeting was held on August 25, 2011 and meeting minutes will be forwarded. Also enclosed with the pay application are copies of the daily field reports with a copy also being forwarded to staff for review. Materials testing results enclosed also show work is meeting specifications with some minor retesting of soils compaction.

The contractor is working diligently to meeting the September 5, 2011 completion date and it appears they will make it within a day or two. With the completion date being Labor Day holiday, it will likely be Tuesday the 6th or Wednesday the 7 before attempts are made to cut the old system over to the new system. This completion time is more favorable than anticipated in May however; some site work will still need to be completed after the switch.

Upon approval of the pay application, please forward one copy with payment to the Contractor, and return one copy to JEO. You can provide photocopies to NDEQ or USEPA for reimbursement through the funding agencies.

Sincerely,

Roger S. Protzman, P.E.
Project Manager

RSP:skw
Enclosures

Pc: Gary Poutre w/Field Reports (via email)

APPLICATION FOR PAYMENT NO. 13

To: City of Wayne, Nebraska
 From: Eriksen Construction Company, Inc.
 Contract For: 2009 - 2010 Wastewater Treatment Facility Improvements, Phase I
 ENGINEER's Project No. 090621 (617S7)
 For Work accomplished through the date of: 8/25/2011

1. Original Contract Price:	<u>\$ 5,098,770.00</u>
2. Net change by Change Orders and Written Amendments (+ or -) (#1 - #3):	<u>\$ 63,924.49</u>
3. Current Contract Price (1 plus 2):	<u>\$ 5,162,694.49</u>
4. Total completed and stored to date:	<u>\$ 4,953,663.81</u>
5. Percent of Project Completed <u>96%</u>	
6. Retainage (per agreement):	
<u>10%</u> of completed Work and Stored Materials: <u>\$ 254,938.50</u>	
(10% of the first 50% of work completed & stored)	
Total Retainage:	<u>\$ 254,938.50</u>
7. Total completed and stored to date less retainage (4 minus 6):	<u>\$ 4,698,725.31</u>
8. Less previous Application for Payments:	<u>\$ 4,280,696.48</u>
9. DUE THIS APPLICATION (7 MINUS 8):	<u>\$ 418,028.83</u>

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 12 inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated: 8/24/11 _____ ERIKSEN CONSTRUCTION COMPANY, INC.
 By:  _____

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 8/25/11 _____ JEO CONSULTING GROUP, INC.
 By:  _____

APPLICATION APPROVED BY:

By: _____ Date: _____
 Title: _____

ATTEST:

By: _____ Title: _____

ORDINANCE NO. 2011-18

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2011, through September 30, 2012. All sums of money contained in the budget statement as fund totals are hereby appropriated for the necessary expenses and liabilities of the City of Wayne. A copy of the budget document shall be forwarded, as provided by law, to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Wayne County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA

By: _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2011-69

A RESOLUTION TO ADOPT THE 2011-2012 BUDGET FOR THE CITY OF WAYNE.

WHEREAS, LB 989 changed budget limitation provisions regarding restricted funds for political subdivisions; and

WHEREAS, LB 1114 established Levy Limits for local governments; and

WHEREAS, the 2011-2012 Budget document meets the requirements of the legislative laws; and

WHEREAS the Mayor and Council of the City of Wayne, Nebraska, has conducted a public hearing as prescribed by law and heard and considered comments concerning the 2011-2012 budget for the City of Wayne; and

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska, hereby finds and determines that it is in the best interest of the City that the 2011-2012 Budget be adopted as the Official Budget for fiscal year 2011-2012.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the 2011-2012 Budget of the City of Wayne, Nebraska, be and is hereby adopted.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2011-70

**A RESOLUTION APPROVING FINAL PROPERTY TAX
REQUEST FOR FY2011-2012.**

WHEREAS, Nebraska Revised Statute 77-16-01.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the City of Wayne passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Wayne that the property tax request for the current year be different than the property tax request for the prior year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that:

1. The 2011-2012 property tax request be set at \$733,961; said calculated levy being \$.4093; and
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 1, 2011.

PASSED AND APPROVED this 6th day of September, 2011.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk