

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

The Wayne City Council met in regular session at City Hall on Tuesday, September 6, 2011, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Brian Frevert, Jim Van Delden, Jon Haase, Dale Alexander, Doug Sturm, Kaki Ley, Kathy Berry and Jill Brodersen; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 25, 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 Ley, whereas the Clerk has prepared copies of the Minutes of the meeting of August 16, 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: 4IMPRINT, SU, 263.41; ADVANCED CONSULTING, SE, 11100.00; ATHLETIC FIELD MAINTENANCE, FE, 195.00; AMAZON, SU, 392.82; AMERICAN BROADBAND, SE, 330.00; AMERICAN BROADBAND, SE, 1312.44; AMERITAS, SE, 1438.86; APPEARA, SE, 109.22; ARNIE'S FORD-MERCURY, SE, 1728.09; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, SE, 150.00; BARNES & NOBLE, SU, 19.15; BENSCOTER PLUMBING, SE, 1425.00; BLACK HILLS ENERGY, SE, 333.78; BLACKBURN MANUFACTURING, SU, 159.63; BOMGAARS, SU, 592.83; CITY EMPLOYEE, RE, 665.60; BRIGGS, INC, SU, 107.18;

BROWN SUPPLY, SU, 1956.37; CITY EMPLOYEE, RE, 466.71; CENTURYLINK, SE, 307.33; CHEM-DRY, SE, 450.00; CITY OF NORFOLK, SE, 1934.05; CITY OF WAYNE, RE, 450.00; CITY OF WAYNE, RE, 1166.35; CITY OF WAYNE, RE, 33.96; CITY OF WAYNE, FE, 500.00; CITY OF WAYNE, PY, 62846.87; CITY OF WAYNE, RE, 360.00; CITY OF WAYNE, RE, 653.11; COLONIAL RESEARCH, SU, 119.16; COMMUNITY HEALTH, RE, 3.00; CREDIT MANAGEMENT, RE, 112.16; DAKOTA BUSINESS SYSTEMS, SE, 102.50; DE LAGE LANDEN FINANCIAL, SE, 77.00; DITCH WITCH OF OMAHA, SU, 133.46; DUTTON-LAINSON, SU, 648.99; EAKES OFFICE PLUS, SE, 31.80; EASYPERMIT POSTAGE, SU, 1669.09; ECHO GROUP, SU, 406.69; CITY EMPLOYEE, RE, 1841.18; ED M FELD EQUIPMENT, SU, 132.00; ELECTRIC FIXTURE & SUPPLY, SU, 16.16; ELLIS PLUMBING, SE, 1141.57; F & M BANK, RE, 1000000.00; FIRST CONCORD GROUP, SE, 3834.32; FIRST NATIONAL INSURANCE, RE, 272.42; FIRST SOURCE TITLE&ESCROW, SE, 75.00; FLOOR MAINTENANCE, SU, 290.50; FORT DEARBORN LIFE, SE, 1575.51; FREDRICKSON OIL, SE, 30.60; GERHOLD CONCRETE, SU, 164.00; CITY EMPLOYEE, RE, 5.47; HAUGE ASSOCIATES, RE, 167.75; HAWKINS, SU, 786.00; HD SUPPLY WATERWORKS, SU, 2460.01; HDR ENGINEERING, SE, 12323.13; HYPERION, SE, 79.13; CITY EMPLOYEE, RE, 100.46; CITY EMPLOYEE, RE, 27.24; ICMA, SE, 5655.60; IRS, TX, 18779.75; JANWAY COMPANY, SU, 209.81; CITY EMPLOYEE, RE, 262.87; KIRKHAM MICHAEL, SE, 8863.08; KRIZ-DAVIS, SU, 572.98; LANGEMEIER, WAYNE, SE, 225.00; LEAGUE OF NEBRASKA, FE, 5650.00; MCGUIRE & NORBY, SE, 6865.79; MIDSTATES ERECTORS, SE, 2302.50; N.E. NEB ECONOMIC DEV DIS, SE, 1427.45; NE DEPT OF ENVIRONMENTAL, FE, 500.00; NE DEPT OF REVENUE, TX, 2684.04; NE EXPRESSWAYS, SE, 871.56; NE LIBRARY ASSOCIATION, FE, 268.00; NE PUBLIC HEALTH, SU, 191.00; NIAGARA CONSERVATION CORP, SU, 850.33; NNPPD, SE, 3369.75; NSVFA, FE, 800.00; CITY OF WAYNE, RE, 82.83; CITY EMPLOYEE, RE, 99.64; PIEPER, MILLER & DAHL, SE, 1605.00; PITNEY BOWES, SE, 648.00; CITY EMPLOYEE, RE, 92.50; PUSH-PEDAL-PULL, SE, 1471.84; QUILL, SU, 227.67; RON'S RADIO, SU, 52.50; SIOUX CITY JOURNAL, SU, 194.99; STADIUM SPORTING GOODS, SU, 951.00; STATE NATIONAL BANK, RE, 750000.00; STATE NATIONAL BANK, RE, 300.00; SUNSHINE FILTERS, SU, 402.93; CITY EMPLOYEE, RE, 150.00; TERRACON CONSULTANTS, SE, 431.00; TYLER TECHNOLOGIES, SE, 14223.68; US BANK, SU, 1673.90; UTILITIES SECTION, FE, 2400.00; VEL'S BAKERY, SU, 37.35; VERIZON, SE, 300.59; VIAERO, SE, 139.08; VOSS LIGHTING, SU, 261.48; WAED, RE, 6383.33; WAED, FE, 278.00; WAED, RE, 5756.71; AYNE CO SHERIFF, SE, 18.50; WAYNE COUNTY COURT, RE, 400.00; WAYNE HERALD, SU, 44.00; WESCO, SU, 2117.64; WESTRUM LEAK DETECTION, SE, 2500.00; WHS CHEERLEADERS, SU, 24.00; ZACH HEATING & COOLING, SU, 4346.00; BARONE SECURITY SYSTEMS, SE, 192.00; BROWN SUPPLY, SU, 528.30; CHARTWELLS, SE, 6146.50; COPY WRITE, SE, 179.69; CITY EMPLOYEE, RE, 31.22; FIVE STAR ENTERPRISES, SU, 8.50; GERHOLD CONCRETE, SU, 38.25; GILL HAULING, SE, 133.00; JASON CAROLLO, SE, 175.00; JEO CONSULTING GROUP, SE, 34329.68; JOHN'S WELDING AND TOOL, SU, 96.94; KCP&L GREATER MISSOURI, SE, 156.52; KTCH, SE, 605.00; VERONICA JAQUA, RE, 30.00; NE PUBLIC HEALTH ENVIRON, SE, 168.00; NORTHEAST EQUIPMENT,

SE, 591.49; OMAHA WORLD-HERALD, SE, 666.31; PAMIDA, SU, 118.01; PLUNKETT'S PEST CONTROL, SE, 185.12; POLLARD PUMPING, SE, 422.50; ROBERTSON IMPLEMENT, SU, 469.12; TERRACON CONSULTANTS, SE, 431.00; WASTE CONNECTIONS, SE, 48.10; WAYNE COUNTY CLERK, SE, 101.50; WAYNE GROCERY, SU, 1.98; WAYNE HERALD, SE, 2734.51; WAYNE VETERINARY CLINIC, SE, 154.00; WAPA, SE, 32333.96; ZACH HEATING & COOLING, SU, 159.00; ZACH OIL COMPANY, SU, 6,578.69

Councilmember Sturm made a motion and Councilmember Ley 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.

Phil Lorenzen of D.A. Davidson & Co., the City's bonding agent, was present to update the Council on two outstanding bond issues that are capable of refunding - General Obligation Various Bonds, Series 2006, and General Obligation Refunding Bonds, Series 2005. The first bond issue (Series 2006) has an outstanding balance of \$575,000, with an average coupon rate of 4.35%. Preliminary calculations indicate that new bonds can be issued at an interest rate of around 1.5% which would result in a savings, net of all transaction costs, of around \$57,675.

Councilmember Sturm introduced Resolution 2011-65, and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2011-65

A RESOLUTION CALLING GENERAL OBLIGATION VARIOUS BONDS, SERIES 2006, FOR REDEMPTION.

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

Mr. Lorenzen stated there is about \$80,000 in bonds outstanding on the Series 2005 bond issue. The City can cash in savings of about \$2,500 by refinancing this bond issue. Given the cash position of the City and the low interest rates earned on that cash, the City would be better advised to go ahead and call those bonds and pay the same off early from cash on hand and maximize the savings because there are no transaction costs.

Councilmember Ley introduced Resolution 2011-66, and moved for its approval, with the call date being December 15, 2011; Councilmember Sturm seconded.

RESOLUTION NO. 2011-66

A RESOLUTION CALLING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005, FOR REDEMPTION.

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

Mr. Lorenzen stated the following Ordinance would authorize the issuance of General Obligation Refunding Bonds, Series 2011, in the principal amount of \$585,000. The expected interest rate is 1.5%. The savings, again, is estimated at \$57,675. He asked Council to pass the ordinance and authorize the issuance of bonds only if savings can be at a level of \$54,500 or more.

Councilmember Sturm introduced Ordinance No. 2011-16, and moved for approval thereof, only if there is a minimum savings of \$54,500 or more; Councilmember Alexander seconded.

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 NOT TO EXCEED 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.

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 Alexander 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. 2011-16. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, representing the LB 840 Sales Tax Advisory Committee, advised the Council that they received and reviewed a request from RBDK, LLC, for \$70,000 to assist with the construction of their new dental/orthodontic clinic which will be located at the corner of 7th and Pearl Streets. The Committee recommended that this request for \$70,000 be a 20-year amortization loan, with a 10-year balloon payment, at 3% interest.

Councilmember Alexander made a motion and seconded by Councilmember Sturm approving the recommendation of the LB 840 Sales Tax Advisory Committee to approve a 3% percent low-interest loan in the amount of \$70,000, to be amortized over a 20 year period, with a balloon payment due at year 10, for RBDK, LLC, to assist with the construction of a new dental/orthodontic clinic to be located at the corner of 7th & Pearl Streets. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, representing the LB 840 Sales Tax Advisory Committee, advised the Council that they received and reviewed a request from Windom Ridge (Louis Bencoter) for \$5,000 to assist with a targeted housing study for residents 55 years and older. The Committee recommended that this request for \$5,000 be a grant, provided the study results are released to the City.

Lou Bencoter was present to answer questions. They are looking to build 10 to 12 housing units. The lending institutions are requiring this study to show them that there is a need in the community for this type of housing. Some will be single houses and some will be townhouses. If everything goes as planned, he thought they would start building houses next spring. The first ones to be built will be rentals. He stated that if he does not receive this money, it will not kill the project.

Nancy Braden, Finance Director, advised the Council that RDG Planning & Design will be doing the housing study. This firm also did the Comp Plan for the City. The benefit to the City will be the housing that will be built in the community. This is the catalyst to get other things potentially going in that area.

Councilmember Frevert thought the \$5,000 for the study should be at the risk of the developer/builder, not the City.

Councilmember Berry made a motion and seconded by Councilmember Sturm approving the recommendation of the LB 840 Sales Tax Advisory Committee to approve a grant in the amount of \$5,000 for Windom Ridge (Louis Benscoter) to assist with a targeted housing study for residents 55 years and older, provided the results are released to the City. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Frevert and Haase who voted Nay, the Mayor declared the motion carried.

Mayor Chamberlain stated Layne Beza has requested that his agenda request to consider reducing the amount of fees and occupation taxes for the sale of alcoholic liquors by non-profit organizations be postponed or tabled until the September 20th meeting.

Councilmember Alexander made a motion and seconded by Councilmember Ley to table action on Ordinance 2011-16 until the September 20th Council meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Ken Jorgensen, owner of “The Max”, was present requesting Council to consider extending the time to sell alcohol from 1:00 a.m. to 2:00 a.m. The Legislature, approximately a year and a half ago, passed a bill which would allow the on-sale of alcohol to go until 2:00 a.m. If passed, it would be up to each bar owner to make the choice of staying open until that time. It would be voluntary, not mandatory. If passed, Mr. Jorgensen noted he would probably only be open until that time three days a week,

eight months out of the year. He thought this would slow down some of the house parties that take place after the bars close.

Councilmember Alexander stated that people have talked with him about this matter. Some of their concerns are extending what is called the “Power Hour” for kids turning 21 from one hour to two hours. People are already coming into the emergency room for alcohol poisoning or assaults. A lot of the things that come through the hospital or the legal system have a high percentage of one thing in common, and that’s alcohol. The Council also needs to be concerned about the well-being of the community as well. A sentence that stuck out to him when he read the letter from Mr. Jorgensen’s employees was the one asking that the Council “please consider their request for the concern of their safety, the well-being of the community...” They may have meant it in a different way, but it brought the matter of safety to his attention. He was of the opinion that the legislative intent on changing the bar time was to keep the people from leaving Omaha and going to Council Bluffs.

Mayor Chamberlain clarified that what the Council would be acting on this evening is a motion directing the City Attorney to prepare an ordinance for future consideration. The Council was not acting on an ordinance that would make this law.

Councilmember Sturm opined that maybe if the time is extended to 2:00 a.m., people wouldn’t get so crazy so fast with the “Power Hour.” He would hope that would slow that down. While he stated he is against extending the time, the owners of the bars are not doing anything wrong. The Legislature didn’t have the guts to pass it the right way and they are dumping it in our laps.

Jeff Carstens, a community member and also representing Wayne State College, asked the Council to look at this in a more community comprehensive manner. This is a very complicated issue, but there is a little research on this matter. Research does indicate that the more frequent and the longer time period in which alcohol is served, the greater the incidences of consumption and therefore, the greater the incidences and problems are relating to alcohol. There was another study done in communities that had college towns that found there were some increases in public intoxication, misdemeanor assaults, and calls for law enforcement services that were related to extended hours of sale. His point was that this is a complicated issue and that there are a variety of factors involved. His request was that if the Council further considers this that they put together a work team or subcommittee to take a look at what additional research might be out there within the last year.

Mike Meyer, owner of Mikey's Place, stated he thought the Liquor Commission made a law regarding the Power Hour where you can't start consuming alcohol at midnight on the day of your birthday. If this passes, he knows it's his choice on whether or not to stay open until 2:00 a.m. He had concerns about the time his employees would be leaving the bar if the hours would be extended, and in addition, he was also concerned about their safety. He had concerns about people from neighboring towns coming to Wayne for that extra hour and then driving back. He was in favor, however, of extending hours for special events, such as homecoming, graduation, Chicken Days, 4th of July and New Year's Eve.

John Nelson, representing Project Extra Mile, stated that even though this is permissible, the Council needs to determine if it is beneficial to the community. Wayne's decision will impact other surrounding communities.

Kathy Mohlfeld stated she agreed with most of the things that have been said this evening. She wanted to state that the crowd that was here during the Chicken Show may have been a different crowd than the college crowd. She would recommend that if the Council does move forward with this that the Council take some time to look for best practices, etc.

Councilmember Van Delden stated, as a doctor, most of the time he doesn't mind getting called at 2:00 a.m. for a heart attack or someone needing stitches, however and unfortunately, he came to hate, after 30 years, the fact that some of his clients overdid things, totally in excess of what a rational person would do. He was talking about too much alcohol. He was also concerned about his "old picket fence" and his back yard. It's not the old picket fence anymore; it has some new slats in it. He doesn't like it.

Sergeant Chinn stated during the weekend of Chicken Show there was a couple of scuffles, but nothing major.

Bill Melena, owner of White Dog Pub, stated staying open until 2:00 a.m. on Chicken Days was a success. His stance on this is that if they stay open until 2:00, he is probably not going to stay open too often. On certain days, he would stay open. If it's legal and he has 50-60 people in the bar at 1:00 a.m., he is going to stay open. If the Council does not pass an ordinance extending the time, he hopes that they keep an open mind for certain special events/occasions, such as the Chicken Show, etc.

Councilmember Sturm made a motion, which was seconded by Councilmember Frevert, directing the City Attorney to prepare an ordinance extending the sale of alcohol to 2:00 a.m. Mayor Chamberlain stated the motion, and the result of roll call being all Nays, with the exception of Councilmembers Sturm, Frevert and Van Delden who voted Yea, the Mayor declared the motion failed.

A request was received from Greg VanderWeil for Council consideration to allowing them to close off the east end of 10th Street from Providence Road to Hillside Drive (First Bank Card Center) for an electric vehicle car rally on Saturday, September 24, 2011, from 6:30 a.m. until 5:00 p.m. OPPD and NPPD will be providing the required \$1,000,000 liability insurance coverage and naming the City as an additional insured.

Councilmember Frevert made a motion and seconded by Councilmember Sturm approving the request of Greg VanderWeil to close off the east end of 10th Street from Providence Road to Hillside Drive (First Bank Card Center) for an electric vehicle car rally on September 24, 2011, from 6:30 a.m. until 5:00 p.m. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Lucas Billesbach of JEO Consulting Group was present concerning the bids received on the 2011 Lagoon Sludge Removal and Application Project. He stated three bids were received on this project, and his recommendation was to award the project to the lower bidder, DRT Biosolids, who will remove 1562.50 dry tons of sludge for \$150,000. They have the capability of pumping the sludge up to 7 miles from the lagoon. DRT is responsible for obtaining the land on which the sludge will be pumped onto. Forty percent of the sludge will be removed this year and the remainder or 60% will be

removed next year. They will start in the southwest corner of the lagoon where the heaviest concentration of sludge is at.

Councilmember Ley introduced Resolution No. 2011-67 and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2011-67

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

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, which was seconded by Councilmember Alexander, approving Change Order No. 3 which is a net decrease of \$12,754 for the Well House and Municipal Well 2009-1 Project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Ley introduced Resolution No. 2011-68 and moved for its approval; Councilmember Alexander seconded.

RESOLUTION NO. 2011-68

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

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

Lucas Billesbach of JEO Consulting Group updated the Council on the status of the Wastewater Treatment Facility Project. The Aquarius structure is complete. They are currently conducting the clear water testing. It is their intention to take raw wastewater either Friday or Monday of next week. For a short period of time, they will

be maintaining two facilities at the same time, and after approximately one week of operating that way, they will switch over and be running completing on the new Aquarius system.

Councilmember Sturm commended JEO Consulting Group on this project and their ability to keep the project on schedule.

Mr. Billesbach stated in regard to change orders, they are at around 1%, which on a project this size is very good. Usually, it is 2-3% if the project goes well.

Administrator Johnson stated a pay request has been received from Eriksen Construction Co. for the 2009-2010 Wastewater Treatment Facility Improvements, Phase I Project in the amount of \$418,028.83. The engineer on the project has approved the same.

Councilmember Alexander made a motion, which was seconded by Councilmember Haase approving Application for Payment No. 13 for the 2009-2010 Wastewater Treatment Facility Improvements, Phase I Project, in the amount of \$418,028.83 to Eriksen Construction Co. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the proposed FY2011-2012 budget.

The total of the FY2011-2012 budget is \$29,651,064. The property tax proposal for the General Fund operation is \$651,961, which compares to the 2010 tax asking of \$626,275. Pursuant to State Law, the maximum levy for a municipality is \$0.45 per \$100 of property valuation. When combined with the debt service asking, the combined amount for the proposed budget year is \$733,961 or \$.409312 per \$100 of property

valuation. The valuation in the community, as reported by the County Assessor for 2011 is \$179,315,556, which is up \$1,164,660 from last year. We have maintained the same levy as last year.

Councilmember Sturm noted that the tax asking has dropped continuously for several years now. City staff does an excellent job in working hard to maintain their budgets.

City Clerk McGuire had not received any communication, written or verbal, for or against this public hearing.

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

Councilmember Sturm introduced Ordinance 2011-18, and moved for its approval; Councilmember Alexander seconded.

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; 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 Alexander 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. 2011-18. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The base year started in 1998. The restricted funds are the property taxes, payments in lieu of property taxes, local option sales taxes, motor vehicle taxes, state aid, transfers of surpluses from any user fee, and any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements, but which were not spent and are not expected to be spent for capital improvements. Cities are given the opportunity to increase the base limitation of the restricted funds budget by 1%. The State Auditor is also recommending that entities pass this 1% increase. This increases our base number we can use for our restricted fund revenues.

Councilmember Alexander made a motion and seconded by Councilmember Sturm approving the allowable 1% increase in base limitation of the restricted funds budget. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Alexander introduced Resolution 2011-69, and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2011-69

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

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

Mayor Chamberlain declared the time was at hand for the public hearing regarding the tax asking/property tax levy.

To support the proposed general operating and debt service budgets for the City and the Airport Authority, a total property tax levy of \$.452198 per hundred dollars of property value is included. The levy equates to a tax request of \$733,961. Last year's

tax levy was \$.406868 per hundred dollars of valuation; this year it is \$.049312, excluding the airport.

City Clerk McGuire had not received any communication, written or verbal, for or against this public hearing.

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

The following Resolution would approve the final property tax request of \$733,961. This Resolution does not include the airport levy.

Administrator Johnson stated in 1993, Wayne peaked with a mill levy of .719. There has been a steady decline until now - .45 mills.

Councilmember Alexander introduced Resolution 2011-70, and moved for its approval; Councilmember Sturm seconded.

RESOLUTION NO. 2011-70

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

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 Alexander 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 7:00 p.m.