

AGENDA  
CITY COUNCIL MEETING  
January 17, 2012

5:30 Call to Order

1. [Approval of Minutes – January 3, 2012](#)

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. [Presentation of FY10-11 Audit – Terry Galloway, Almquist, Maltzahn, Galloway & Luth, PC](#)

**Background:** This is the annual presentation of the auditor's report for the previous fiscal year. We don't have copies yet, so they will be distributed at the Council meeting.

4. [Discussion Regarding Proposal to Build Ten Spec Homes in Wayne — Lou Bencoter](#)

**Background:** We have received the following proposal from Bencoter Construction to build ten new homes in Wayne this summer. Bencoter Construction has asked for time to discuss this proposal informally before beginning to incur design and legal fees.

1. Build ten three-bedroom residences priced at \$130-\$135,000 this summer in the Bencoter Subdivision that was the former Scotty Thompson property. All ten would have two-car garages and unfinished basements.
2. Three single-family homes and three duplex town homes would be built on lots along the existing trail. The tenth residence would be on the southeast side of Jaxon Street facing one of the other nine homes.
3. All homes would be sold and not rented, and eligible families would have to be at median household income or lower to purchase. The target market for these homes would be families with two incomes making \$12-\$14/ hour. This higher income level helps expand the window of eligible families over what our Wayne Community Housing Down Payment Loan requirements are. We would require a minimum of \$1,000 down payment by the buyer.
4. Bencoter Construction requests two loans from the City of Wayne:
  - TIF agreement to provide \$200,000 to be used for ten \$20,000 down payment loans to the buyers. These would be paid back as the house is sold or rented to someone else or when the original mortgage is paid off. This TIF agreement on the ten houses would also generate an additional \$100,000 to \$140,000 to pay most of the city's cost of paving the south lane of 4th Street.

- LB840 loan of \$200,000 to be used for construction loans to build the houses. These loans would be paid back to the city LB840 fund by the mortgage financing as each house is sold.

5. An additional proposal from me is that we sell our three city-owned lots to Bencoter for this project at \$1,000 each instead of the \$10,000 option in the subdivision agreement to incent Bencoter to build three of their houses on these three city lots so we can rid of them and not have to maintain them.

5. [Public Hearing: One and Six Year Street Improvement Plan \(Advertised Time: 5:30 p.m.\)](#)

**Background:** Wayne is allocated about \$350,000 in Highway Funds each year from the Nebraska Department of Roads to be used for street department operations. Wayne will also be eligible for an estimated \$100,000-\$130,000 each year for capital street projects through a new allocation plan expected to start next year. In order to be eligible for these state funds, each city has to match them with local funds and adopt an annual One and Six Year Street Improvement Plan for construction projects showing how the funds will be spent. The purpose of this hearing is for public review and adoption by City Council.

**Recommendation:** The recommendation of Joel Hansen, Street Superintendent, Garry Poutre, Superintendent of Public Works & Utilities, and Lowell Johnson, City Administrator is to approve the plan as proposed.

6. [Resolution 2012-3: Approving One and Six Year Street Improvement Program](#)

7. [Ordinance 2011-32: Permitting ATV and Utility Vehicles on Public Streets with Certain Restrictions \(Third and Final Reading\)](#)

8. [Ordinance 2012-2: Designating a Wellhead Protection Area as Drawn by the Nebraska Department of Environmental Quality Wellhead Protection Program](#)

**Background:** The Nebraska Department of Environmental Quality recommends that all cities prepare and adopt a Wellhead Protection Plan for all city wells used to supply domestic water for the city. Wayne regularly operates five different wells to supply city water. The purpose of the Plan is to identify the direction of groundwater flow to the wells and the speed it travels through the water aquifer. A map is then prepared that shows the general areas of land where the city's water will be coming from for the next 10, 20 and 50 years. A general inventory is then made of past and current land surface uses over that designated land area. A general plan for future uses is developed with the private property owners of that area that is agreed will help protect the quality of the ground water. Several public meetings have been held with the existing landowners in preparation of this plan.

**Recommendation:** The recommendation of Garry Poutre, Superintendent of Public Works and Utilities is to approve the plan.

9. [Resolution 2012-4: Amending Schedule of Fees](#)

**Recommendation:** We occasionally add a new fee or adjust fees on the city schedule of fees for services as needed. We are recommending the attached fee changes to the existing schedule.

**10. [Resolution 2012-5: Establishing Electrical Rates](#)**

**Background:** NPPD has increased their wholesale power rates for 2012 by 6.5%. NPPD's rate increase last year was 9.7%, but we elected to not raise our retail rates for 2011. NPPD and all United States electric utilities that burn coal expect significant future costs to modify coal fired plants to meet the new EPA air quality standards for mercury, sulfur and nitrous oxides, particulates and eventually carbon. Attached is the Summary and Pro-Forma Sheets with detail of the rate analysis for the City of Wayne. This projects the rates we will need to charge our customers over the next few years based on projected cost increases in wholesale power and system operating costs.

The Attached Rate Analysis shows two sets of rate projects, 0% and 6.5% increase for 2012 and each year for the next four years. The line in the spreadsheet called "Test Year" represents 2012. The 0% projection depletes the Electric Fund's Cash Reserve during that time, and the 6.5% rate increase each year shows losses for the first three years and gains for the next three years.

**Recommendation:** Since we are a public utility, we set our rates to only maintain an emergency cash reserve and not make a profit. The proposed 6.5% retail rate increase for this year and for the next four years would preserve our existing cash reserve over the long run without major increases in any one year. The recommendation of Gene Hansen, Superintendent of Electric Production, Nancy Braden, Finance Director, Garry Poutre, Superintendent of Public Works and Utilities and Lowell Johnson, City Administrator is to increase our retail electric rates for all our customer rate groups by 6.5% beginning with the February 1, 2012, electric bill.

**11. [Resolution 2012-6: Approving Nebraska WARN Water and Wastewater and Stormwater Mutual Aid Agreement](#)**

**Background:** The purpose of this agreement is to establish a group of cities and to set pre-established terms and conditions for cities to help each other in case of a major failure of a utility system operation. It is similar to the Fire and Rescue Mutual Aid agreements we are a part of. As a matter of interest, Betty reports that 158 other cities have signed onto this agreement to date. This agreement was begun with the assistance of the League of Nebraska Municipalities.

For your additional information, Wayne also has an interlocal agreement for operational backup of our water system and wastewater system with Norfolk. We will continue to see more of these types of interlocal agreements for municipal services coverage in the future.

**Recommendation:** The recommendation by Garry Poutre, Superintendent of Public Works and Utilities, is to approve the agreement and join the Mutual Aid Group.

**12. [Resolution 2012-7: Approving Amended Letter Agreement with Olsson Associates to Increase the Not to Exceed Amount of \\$15,000](#)**

for their Engineering Fees for the Power Plant Cooling Tower Project

**Background:** Last September, we asked Olsson Associates (OA) to assume the engineering for the cooling tower project in an attempt to get the project caught up to a schedule that would allow us to salvage the \$250,000 Department of Energy grant. We told OA that time was of the essence, and OA agreed to take over the project and finish the design work with a “Not-to-Exceed” cap of \$15,000. After a substantial effort from Gene Hansen, OA, and Woehler as the subcontractor, the Nebraska Department of Energy extended the deadline for a second time, and we are now back on track. However, some design alterations were needed to make the project work at the site. Gene estimates the cost for the extra work can be done for \$10,000 or less and asks for Council approval to amend the original engineering agreement.

**Recommendation:** The recommendation of Gene Hansen, Superintendent of Electric Production, is to approve the amended agreement.

13. Action on Application for Payment No. 16 in the Amount of \$14,039.00 to Eriksen Construction Co. for the 2009-2010 Wastewater Treatment Facility Improvements, Phase I Project

14. Action on Police Dispatcher Job Description

**Background:** Nancy, Betty and I are in the process of updating our City Personnel Manual and our job descriptions. We have updated these three because we are in the process of filling these positions. We are asking your approval of these at this time for our use.

15. Action on Police Officer Job Description

16. Action on Recreation Services Director Job Description

17. Appointments:

Reappointment of Darrel Heier to the Civil Service Commission

18. Adjourn

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator

January 3, 2012

The Wayne City Council met in regular session at City Hall on Tuesday, January 3, 2012, 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, and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson and City Clerk Betty McGuire. Absent: Councilmembers Dale Alexander and Kathy Berry.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 22, 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 Haase made a motion, which was seconded by Councilmember Frevert, whereas the Clerk has prepared copies of the Minutes of the meeting of December 20, 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:** AMAZON.COM, SU, 640.03; AMERICAN BROADBAND, SE, 550.00; AMERICAN BROADBAND, SE, 1438.61; AMERITAS, SE, 1040.00; AMERITAS, SE, 1483.65; APPEARA, SE, 70.29; ARNIE'S FORD-MERCURY, SE, 99.53; AS CENTRAL SERVICES, SE, 448.00; BANK FIRST, SE, 180.00; BLACK HILLS ENERGY, SE, 982.58; BOMGAARS, SU, 8.46; CITY EMPLOYEE, RE, 75.27; CITY EMPLOYEE, RE, 120.87; CENTURYLINK, SE, 308.67; CITY OF NORFOLK, SE, 338.37; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 100.00; CITY OF WAYNE, PY, 53700.25; CITY OF WAYNE, RE, 125.00; COMMUNITY HEALTH, RE, 3.00; CITY EMPLOYEE, RE, 142.88; ENERGY FEDERATION, INC., SU, 1720.00; FIRST CONCORD GROUP, SE, 5696.48; FLOOR MAINTENANCE, SU,

142.48; FORT DEARBORN LIFE, SE, 86.00; FRIESEN CHEVROLET, SU, 188.21; GALE GROUP, SU, 222.30; GIS WORKSHOP, SE, 14509.00; HEARTLAND PAPER, SU, 24.76; ICMA RETIREMENT TRUST-457, SE, 5386.00; IRS, TX, 17347.08; JEO CONSULTING GROUP, SE, 3326.00; JOHNSON'S PLUMBING, SE, 268.50; KNOEPFLER CHEVROLET, SU, 9.10; KRIZ-DAVIS, SU, 103.59; CITY EMPLOYEE, RE, 590.00; MATT PARROTT AND SONS, SU, 354.13; MCGUIRE & NORBY, SE, 9364.76; NE DEPT OF REVENUE, TX, 2666.72; NORFOLK WINNELSON, SU, 542.16; N.E. NE AMERICAN RED CROSS, RE, 59.24; NNPPD, SE, 3442.00; NWOD, FE, 10.00; OGDEN INK, SU, 12.00; OVERHEAD DOOR COMPANY, SU, 121.50; PIEPER, MILLER & DAHL, SE, 3907.86; CITY EMPLOYEE, RE, 32.82; QUILL, SU, 183.48; ROBERT WOHLER & SONS, SE, 5115.00; ROURKE PUBLISHING, SU, 255.20; SMEAL FIRE APPARATUS, SE, 187769.00; STADIUM SPORTING GOODS, SU, 192.00; CITY EMPLOYEE, RE, 137.34; TERRACON CONSULTANTS, SE, 691.50; TERRY SIEVERS, RE, 500.00; THE CHILD'S WORLD, SU, 247.30; TOM JACOBSEN, RE, 500.00; UNITED WAY, RE, 10.00; VERIZON, SE, 60.07; VIAERO, SE, 137.66; WAYNE COMMUNITY HOUSING, RE, 2000.00; WESCO, SU, 161.03; ADVANCED CONSULTING, SE, 1000.00; APPEARA, SE, 77.44; ASCAP, FE, 320.00; CINDY MILLIGAN, RE, 500.00; CITY OF WAYNE, RE, 1651.84; COPY WRITE, SU, 510.44; DE LAGE LANDEN FINANCIAL, SE, 77.00; DOESCHER APPLIANCE, SU, 1148.00; ELECTRIC FIXTURE, SU, 167.73; GEMPLER'S, SU, 215.25; GILL HAULING, SE, 133.00; JACK'S UNIFORM, SU, 209.85; JERRY ROBINSON, RE, 500.00; KELLY SUPPLY, SU, 189.73; KEN PROKOP, RE, 1000.00; KEPSCO, SU, 7.00; KRIZ-DAVIS, SU, 1097.80; LOOSELEAF LAW PUBLICATION, SU, 24.90; MID-STATES ORGANIZED, FE, 100.00; NE PLANNING & ZONING, FE, 40.00; NORFOLK TRUCK CENTER, SU, 127.30; PAUL DANGBERG, RE, 138.00; S & S WILLERS, SU, 380.39; SKARSHAUG TESTING LAB, SE, 120.09; VERIZON, SE, 102.68; WAED, RE, 6383.33; WAYNE COMMUNITY HOUSING, RE, 1425.00

Councilmember Frevert made a motion and Councilmember Van Delden 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.

Cap Peterson with Northeast Nebraska Insurance Agency presented and reviewed the 2012 Property and Casualty Insurance Package. The 2012 premium is \$232,898, which is approximately \$10,241 higher than the 2011 premium. This represents about a 4% increase which is mostly on the property side of the coverage. The City buildings and contents are insured at a 90% replacement value, with the exception of the power plant. The power plant building is insured by way of separate coverage at an agreed upon value, which is \$28,388,461. The power plant has a \$50,000 deductible. The company provides and has done a risk management analysis of all city buildings, etc., at no cost. In addition, Mr. Peterson advised the Council that because of the safety programs initiated and the decline in workers compensation claims, the experience modification has dropped from 1.33 in 2009 to 1.12 in 2010 to .89 in 2011 to .81 this year. This represents a significant savings in the premium.

In addition, Mr. Peterson advised the Council that if the deductible on the property was increased from \$1,000 to \$5,000, the savings would be about \$2,200, and if it was raised to \$10,000, the savings would be about \$4,100. While it is not a significant savings, it is something they should take into consideration.

Councilmember Berry arrived at 5:38 p.m.

Riley Tonkins, Marketing Representative with EMC, showed, via their website, some of the different services they offer. These services are free because we are insured with EMC.

Councilmember Brodersen made a motion, which was seconded by Councilmember Berry approving the 2012 Property and Casualty Insurance Package with Northeast Nebraska Insurance Agency and changing/increasing the property deductible

from \$1,000 to \$5,000. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, Executive Director of WAED, was present and advised the Council that the Sales Tax Advisory Committee met and reviewed an application to Wayne's Economic Development Program Fund. The \$5,000 grant request was from the Wayne Community Theater to be used to assist in replacing the overhead doors on the old fire hall building (the west 1977 addition). The Committee met, and their recommendation was to amend the request from a \$5,000 grant to a \$5,000 loan to be paid back over 5 years with an interest rate determined by the City Council. The vote was unanimous with four voting members present. Some of the reasons for amending the request were the lack of job creation and the rental income they receive from the property.

Judy Nemeec, representing the Wayne Community Theater, asked the Council to reconsider the recommendation and amend the same back to a grant as originally requested. The total cost of the project will be \$11,100. They have saved up \$5,000 from their rental income for the matching funds. Ms. Nemeec stated they share a lot of props, people, set materials and costumes with both the High School and Wayne State College.

Ms. Nemeec advised the Council that the theater group, in 2011, put on a show at the Majestic in February, in March they had an Arts Festival at the Armory, and in July they had a musical and children's workshop. They will put on another show in February and also have their arts festival in March. They have a fundraiser once a year to help pay for shows.

Councilmember Sturm was in favor of granting the \$5,000 to the Community Theater group; however, if Council approved a loan, he would like the interest rate set at 0%.

Councilmember Van Delden stated what has attracted him to this proposal is the fact that the group has not shied away from rolling up their sleeves and doing things such as fundraisers, etc., so he was in favor of Councilmember Sturm's suggestion to make this a grant rather than a loan as recommended by the Committee.

Councilmember Sturm made a motion, which was seconded by Councilmember Brodersen approving the request of the Wayne Community Theater for a \$5,000 grant from the LB840 Sales Tax Funds to be used to assist in replacing the overhead doors on the old fire hall building (the west 1977 addition). Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Wes Blecke, Executive Director of Wayne Area Economic Development, provided the Council with the six-month LB 840 update.

Council would like to have the businesses or groups that receive LB840 funding provide updates to them in the future. They would discuss this in more detail at their retreat at the end of the month.

Mr. Blecke updated the Council on the Inet Library business that received LB840 funds. They have secured a contract with an entity, and they should be looking at a hiring spike in this quarter.

In regard to the ATV and Utility Vehicle Ordinance, Attorney Miller reiterated that they will not be allowed on highways except for the purposes of crossing them. She

also noted she had made some changes to the ordinance, and the same are highlighted in red.

Mayor Chamberlain asked whether or not the Council wanted to require helmets for gator utility type vehicles. Councilmember Sturm thought the ordinance should stay as is for now.

The fee for licensing the vehicle has not been calculated at this time, nor has the written test been developed.

Councilmember Sturm introduced Ordinance 2011-32 and moved for approval thereof; Councilmember Frevert seconded.

#### ORDINANCE NO. 2011-32

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78 BY ADDING ARTICLE VII TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Haase who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Johnson stated the Kardell Subdivision Sanitary Sewer Improvement Project is complete. We have received Change Order No. 1 (Final) which is a decrease of \$319.00 which represents a deduction for some quantity adjustments that took place during construction.

Councilmember Sturm made a motion, which was seconded by Councilmember Ley approving Change Order No. 1 (Final) for the Kardell Subdivision Sanitary Sewer

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

Administrator Johnson stated the following Resolution would accept the Kardell Subdivision Sanitary Sewer Improvement Project and authorize the final payment to the contractor as recommended by the engineer on the project.

Councilmember Sturm introduced Resolution No. 2012-1 and moved for its approval; Councilmember Ley seconded.

#### RESOLUTION NO. 2012-1

A RESOLUTION ACCEPTING WORK ON THE "KARDELL SUBDIVISION SANITARY SEWER IMPROVEMENT PROJECT" AND AUTHORIZING FINAL PAYMENT THERETO.

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

Wes Blecke, Director of WAED, stated Williams Form Engineering Corporation has made an offer to purchase the 1.49 acre parcel of land, which adjoins the Opportunity Building property they previously purchased, for the sum of \$18,000. Mr. Blecke recommended selling this property to Williams Form Engineering Corporation.

Councilmember Ley made a motion, which was seconded by Councilmember Sturm approving the Offer to Purchase Real Estate made by Williams Form Engineering Corporation regarding the purchase of the 1.49 acre parcel known as Lot 1 of the 2<sup>nd</sup> Replat of Tompkins Industrial Tract #1 Subdivision, Wayne County, Nebraska, for the sum of \$18,000. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Frevert introduced Resolution No. 2012-2 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2012-2

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN PROPERTY TO WILLIAMS FORM ENGINEERING CORPORATION, A MICHIGAN CORPORATION.

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

Councilmember Sturm introduced Ordinance 2012-1, and moved for approval thereof; Councilmember Ley seconded.

ORDINANCE NO. 2012-1

AN ORDINANCE DIRECTING THE SALE OF LOT ONE (1) OF THE 2<sup>ND</sup> REPLAT OF TOMPKINS INDUSTRIAL TRACT #1 SUBDIVISION, WAYNE COUNTY, NEBRASKA, TO WILLIAMS FORM ENGINEERING CORPORATION, A MICHIGAN CORPORATION.

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. 2012-1. 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 seconded by Councilmember Ley to recess as Council and convene as the Community Development Agency. Mayor

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

Chair Haase called the meeting of the Community Development Agency to order. Those in attendance were: Members Brian Frevert, Jim Van Delden, Ken Chamberlain, Doug Sturm, Kaki Ley, Kathy Berry and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Chair Haase advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection.

The next item on the CDA agenda was to approve the minutes of the December 20, 2011, meeting.

Member Chamberlain made a motion and seconded by Member Sturm approving the minutes of the December 20, 2011, meeting. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next item on the agenda was to consider and take action on the request of Lou Benscoter for a 60-day extension on the closing date regarding the purchase of Lot 2A, Replat of Kardell Industrial Park, a Subdivision by Wayne NG Cars, LLC.

Member Chamberlain made a motion and seconded by Member Sturm approving the request of Lou Benscoter for a 60-day extension on the closing date regarding the purchase of Lot 2A, Replat of Kardell Industrial Park, a Subdivision, by Wayne NG Cars, LLC. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Member Frevert made a motion and seconded by Member Chamberlain to adjourn as the Community Development Agency and reconvene as Council. Chair Haase

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

Mayor Chamberlain requested Council consideration to the following appointments: Rod Tompkins and Dana Tompkins to the Joint Airport Zoning Board.

Councilmember Sturm made a motion, which was seconded by Councilmember Ley approving the appointment of both Rod Tompkins and Dana Tompkins to the Joint Airport Zoning Board. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Brodersen who abstained, the Mayor declared the motion carried.

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

## CLAIMS LISTING JANUARY 17, 2012

AMERITAS LIFE INSURANCE	POLICE RETIREMENT	1,663.94
APPEARA	LINEN & MAT SERVICE	97.38
ARC-HEALTH & SAFETY	CPR	390.00
ARNIE'S FORD-MERCURY INC	LIGHTING EFFICIENCY	540.00
ATCO INTERNATIONAL	FOAMACIDE	55.20
BACKSTROM, JAMIE	ENERGY INCENTIVE	500.00
BAKER & TAYLOR BOOKS	BOOKS	878.35
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	180.00
CITY EMPLOYEE	VISION REIMBURSEMENT	73.00
BOMGAARS	BATTERIES/GLOVES/BROOM/CLAMPS ETC	628.98
CITY EMPLOYEE	COMPUTER PURCHASE	695.49
CITY EMPLOYEE	HEALTH REIMBURSEMENT	82.54
BROWN SUPPLY CO	GREASE/LUG NUTS/GASKETS/LIGHT BARS	754.04
CARHART LUMBER COMPANY	LUMBER/BATTERIES/SCREWS/BLADES ETC	491.16
CITY EMPLOYEE	HEALTH REIMBURSEMENT	15.92
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	42.31
CHARTWELLS	CONGREGATE MEALS	5,572.85
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUNDS	350.00
CITY OF WAYNE	PAYROLL	55,016.76
CITY OF WAYNE	UTILITY REFUNDS	160.32
CITY OF WAYNE	WAED REIMBURSEMENT	1,601.57
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
DAVE'S UNIFORM CLEANING	POLICE UNIFORM CLEANING	42.00
DEMCO INC	DATER/DAILY CARDS/SKIP DOCTOR	51.32
DITCH WITCH OF OMAHA	OIL	82.25
DOESCHER APPLIANCE	2 STOVES-AUDITORIUM	878.00
EASYPERMIT POSTAGE	POSTAGE	1,183.41
CITY EMPLOYEE	HEALTH REIMBURSEMENT	917.24
EMPLOYERS MUTUAL CASUALTY	WORK COMP	900.00
FIRST CONCORD GROUP LLC	STOP PAYMENT	30.00
FLOOR MAINTENANCE	GLOVES/PLATES/TOILET PAPER/TOWEL ETC	948.36
FREDRICKSON OIL CO	TIRE REPAIR	16.00
GENO'S STEAKHOUSE	EMPLOYEE APPRECIATION DINNER	3,802.64
GRAPHIC CONTROLS	WATT CHART	388.59
GREAT PLAINS ONE-CALL	DIGGERS HOTLINE	45.27
CITY EMPLOYEE	HEALTH REIMBURSEMENT	435.71
HARDING & SHULTZ P.C.	ATTORNEY FEES	2,714.32
HAWKINS, INC	HYDROFLUOSILICIC ACID	830.11
HD SUPPLY WATERWORKS, LTD	WATER METERS	1,493.14
CITY EMPLOYEE	HEALTH REIMBURSEMENT	111.54
HIRERIGHT SOLUTIONS INC	COLLECTION FEE	20.00
HOBBY LOBBY STORES, INC	CRAFTS	14.56
HTM SALES INC	GASKET	113.28
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	5,200.51
INGRAM BOOK COMPANY	BOOKS	83.63
IRS	FEDERAL WITHHOLDING	17,859.37
JEFF FLEMING	ENERGY INCENTIVE	500.00
JOHN'S WELDING AND TOOL	STRAIGHTEN BASKETBALL HOOP	60.00
JORGENSEN, JASON	ALLEY APPROACH REPAIR-MAIN/PEARL	700.00
KRIZ-DAVIS COMPANY	BRACKETS	370.62
KTCH AM/FM RADIO	RADIO ADS	605.00
LP GILL INC	DIRT DISPOSAL-COOLING TOWER PROJECT	1,066.80
MARK ALBENESIUS, INC.	KARDELL SANITARY SEWER IMPR.	14,647.29

MARRIOTT HOTELS	LIBRARY MEALS	55.18
MCGRATH NORTH	ATTORNEY FEES	243.00
MIDWEST LABORATORIES, INC	BOD TESTING	1,044.90
MIDWEST TAPE LLC	AUDIO BOOKS	59.98
MIKE TOWNE	RATE STUDY	2,300.00
N.E. NEB ECONOMIC DEV DIS	ENERGY GRANT-COOLING TOWER	1,215.00
NE DEPT OF REVENUE	LODGING TAX	53.03
NE DEPT OF REVENUE	STATE WITHHOLDING	2,787.97
NE NEB INS AGENCY INC	INSURANCE	58,224.50
NE PUBLIC HEALTH	FLUORIDE/NITRATE	193.00
NEBR PUBLIC POWER DIST	ELECTRICITY	245,247.25
NEBRASKA U.C. FUND	UNEMPLOYMENT COMP	2,919.67
NORFOLK DAILY NEWS	DISPATCHER ADVERTISING	260.40
NORTHEAST EQUIPMENT	HOSE FITTINGS/O RINGS/FILTERS/OIL	44.24
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	12,180.28
OLSSON ASSOCIATES	BENSCOTER ADDITION	2,429.47
OVERHEAD DOOR COMPANY	TRANSMITTER PROGRAMMING	194.50
PAMIDA STORE # 165	PLEDGE/BATTERIES/PLATES/COFFEE ETC	204.91
CITY EMPLOYEE	HEALTH REIMBURSEMENT	229.42
POSTMASTER	PO BOX FEE	110.00
PRESTO X COMPANY	PEST CONTROL	82.15
PROGRESSIVE BUSINESS	SUBSCRIPTION RENEWAL	299.00
QUALITY FOODS	DISTILLED WATER/ICE	6.12
QUILL CORPORATION	OFFICE SUPPLIES	252.94
RANDOM HOUSE	AUDIO BOOKS	614.96
ROBERT WOEHLE & SONS	COOLING TOWER FOOTINGS	24,020.39
SPARKLING KLEAN	JANITORIAL SERVICES/SUPPLIES	2,073.46
STADIUM SPORTING GOODS	NYLON BAGS	62.00
STATE FARM INSURANCE	SURETY BOND- B MCGUIRE	563.00
STATE NATIONAL BANK	ACH FEES	49.84
STATE NATIONAL BANK	SAFETY DEPOSIT BOX RENTAL	40.00
THE JOURNAL OF LIGHT	SUBSCRIPTION RENEWAL	14.99
THOMPSON PUBLISHING GROUP	FAIR LABOR STANDARDS	438.50
TOP SAFETY	SUBSCRIPTION	139.92
UNIVERSITY OF NE-LINCOLN	REGISTRATION-HEGGEMEYER/JORGENSEN	280.00
US BANK	CABLE/STAMPS/TRANNY REBUILD/TRAYS ETC	3,514.38
WAKEFIELD REPUBLICAN	SUBSCRIPTION	27.00
WASTE CONNECTIONS	SB COMPLEX SANITATION SERVICE	49.50
WATERLINK, INC	WATER TREATMENT SERVICE	1,053.42
WAYNE AUTO PARTS	BELTS/LIGHTS/FILTERS/WASHER/SEALS ETC	686.91
WAYNE COUNTY CLERK	FILING FEES	37.00
WAYNE HERALD	ADS AND NOTICES	2,055.03
WAYNE STATE COLLEGE	TRANSFER STATION CHARGES REFUND	35.00
WAYNE VETERINARY CLINIC	CAT IMPOUND	140.00
WESCO DISTRIBUTION INC	RED CAUTION TAPE/RISER TIE	121.89
WESTERN AREA POWER ADMIN	ELECTRICITY	35,228.86
WINDOM RIDGE	BENSCOTER SUBDIVISION TIF	8,234.60
ZACH HEATING & COOLING	FIRE HALL HEAT PUMP REPAIRS	259.00
ZACH OIL COMPANY	GASOLINE	5,867.15
GRAND TOTAL		487,224.35



To the Honorable Mayor and City Council  
City of Wayne  
Wayne, Nebraska

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Wayne for the year ended September 30, 2011, and have issued our report thereon dated January 6, 2012. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated March 17, 2011. Professional standards also require that we communicate to you the following information related to our audit.

#### Significant Audit Findings

##### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Wayne are described in Note A to the financial statements. The City adopted GASB 54 regarding classification of governmental fund balances during the year ended September 30, 2011. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Management's estimate of the collectability of accounts receivable is based on historical utility revenues, historical loss levels, and an analysis of the collectability of individual accounts. We evaluated the key factors and assumptions used to develop the collectability of accounts receivable in determining that it is reasonable in relation to the financial statements taken as a whole.

#### SHAREHOLDERS

Robert D. Almqvist  
Phillip D. Maltzahn  
Terry T. Galloway  
Marcy J. Luth  
Heidi A. Ashby  
Christine R. Shenk

Management's estimate of the depreciation of capital assets is based on the estimated useful life of the capital asset. We evaluated the key factors and assumptions used to develop the depreciation of capital assets in determining that it is reasonable in relation to the financial statements taken as a whole.

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### *Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. Fourteen audit adjustments decreased the fund balances of the City's governmental funds by \$44,297. Sixteen audit adjustments decreased the net assets of the City's business-type funds by \$3,941,565. Eleven audit adjustments increased the net assets of the City's component units by \$288,847. The following material misstatements detected as a result of audit procedures were corrected by management:

1. Reduce sewer bond proceeds revenue \$4,165,492, increasing sewer DEQ notes payable \$3,467,352, increasing federal grant revenue \$250,000 and decreasing DEQ SRLF receivable \$448,140.
2. Decrease federal grant revenue on the Water Fund \$123,434, increasing water DEQ notes payable \$98,698 and decreasing DEQ SRLF receivable \$24,736.
3. Reclassify \$84,700 of TIF bond proceeds to a liability.
4. Record \$108,875 TIF receivable and TIF revenue on Windom and Western Ridge TIF projects.
5. Record water special assessments receivable and assessment revenue of \$84,228.
6. The Community Development Fund bad debt expense and fund balance were both increased \$53,604 to correct the reporting of two revolving loan balances that were written off.
7. Land and fund balance were both increased \$79,946 on the CDA Fund to adjust fund balance to the prior audited balance.
8. Airport grants receivable and revenue were both increased \$307,138.
9. Airport accounts payable and various expenses were both increased \$59,094.

### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated January 6, 2012.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

In connection with our audit of the financial statements of the City of Wayne as of September 30, 2011, we noted certain matters that we believe you should consider. Our observations were formed as a by-product of our audit procedures, which did not include a comprehensive review for the purpose of submitting detailed recommendations.

1. Check number 74623 to Layne Christensen Co. for \$24,230.90 dated September 7, 2011, was listed as outstanding at September 30, 2011, and was still being held by the City as of the date of audit fieldwork (November 20, 2011) pending receipt of liquidated damages from this vendor. We recommend refraining from writing and holding checks in the future.
2. The cash balances at Bank First exceeded FDIC coverage and pledged securities by \$53,553 at September 30, 2011. We recommend requesting the bank to assign additional collateral.
3. While performing inventory price testing, we noted that a high voltage switch gear was on the inventory schedule at \$16,441, the anticipated order price, when only \$15,522.38 was actually paid for the item. We recommend using the actual price paid for items on the inventory schedule.

4. We suggest you review your partially self-insured health insurance plan for ways to decrease the costs. The overall cost increase for coverage for an employee of the City was 22.52 percent. Also, at the same time consider partially self-insuring for workers compensation.
5. During the petty cash test, we found a hand written note that reflected an expense. We recommend getting a receipt from the vendor for proper documentation.
6. While auditing fixed assets, we noted several items capitalized that were under the \$5,000 capitalization threshold. We recommend following your capitalization policy and only capitalizing items greater than the \$5,000 threshold.

This information is intended solely for the use of the City Council and management of the City of Wayne and is not intended to be and should not be used by anyone other than these specified parties.

*Amquist, Malthalm.*  
*Galloway & Luth, P.C.*

Grand Island, Nebraska  
January 6, 2012

To the Honorable Mayor and City Council  
City of Wayne  
Wayne, Nebraska

In planning and performing our audit of the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Wayne as of and for the year ended September 30, 2011, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all such deficiencies have been identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiencies in the City of Wayne's internal control to be significant deficiencies:

The size of the City's accounting and administrative staff precludes certain internal controls that would be preferred if the office staff were large enough to provide optimum segregation of duties. This situation suggests that the City Council remain involved in the financial affairs of the City to provide oversight and independent review functions.

SHAREHOLDERS

Robert D. Almquist  
Phillip D. Maltzahn  
Terry T. Galloway  
Marcy J. Luth  
Heidi A. Ashby  
Christine R. Shenk

This communication is intended solely for the information and use of management, the City Council, and others within the City, and is not intended to be and should not be used by anyone other than these specified parties.

Amquist, Maltzahn.  
Galloway - Luth, D.C.

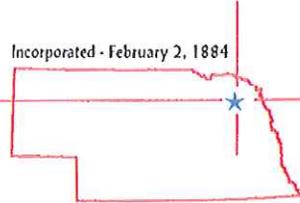
Grand Island, Nebraska  
January 6, 2012

# City of Wayne

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

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

Incorporated - February 2, 1884



## PROPOSED ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM FOR THE CITY OF WAYNE, NEBRASKA

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>
*****			
M - 617(101)	2012	Benscoter Subdivision - Tomar Dr, Jaxon St, E. 4 <sup>th</sup> St - 1,980'	\$520,000
		Construct Concrete Paving, Curb & Gutter, Storm Drainage	
M - 617(103)	2012	Pheasant Run from W. 7 <sup>th</sup> St to 825' N of W. 7 <sup>th</sup> St. - 745'	\$150,000
		Construct Concrete Paving	
M - 617(92)	2012	Windom Street from 645' N of Fairground Ave to E. 7 <sup>th</sup> - 1,750'	\$590,000
		Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	
M - 617(89)	2012	Lage Subdivision - South of Fairgrounds Avenue - 900'	\$ 175,000
		Construct Concrete Paving, Curb & Gutter, Storm Drainage	
*****			
M - 617(80)	2013	East 10 <sup>th</sup> Street from Main St. to Windom St. - 1,225'	\$600,000
		Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage	
M - 617(91)	2013	Trail & Pedestrian Underpass on W. 7 <sup>th</sup> Street Located between CAC and Oak Drive	\$566,000
*****			
	2014	Maintenance Only	
*****			
M - 617(98)	2015	Sherman Street from W. 5 <sup>th</sup> St. to W. 6 <sup>th</sup> St. - 300'	\$80,000
		Construct Concrete Paving, Curb & Gutter, Storm Drainage	
M - 617(104)	2015	S. Lincoln Street from W. 1 <sup>st</sup> St. to 300' S. of W. 1 <sup>st</sup> St.	\$80,000
		Construct Concrete Paving, Curb & Gutter	
*****			
M - 617(105)	2016	Tomar Drive from E. 4 <sup>th</sup> St. to the Summer Sports Complex	\$150,000
		Construct Concrete Paving	
*****			
	2017	Maintenance Only	
*****			

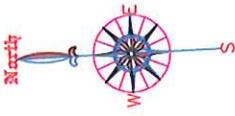
No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.



Home of Wayne State College



Equal Housing Opportunity



**City of Wayne**  
— One Year Plan  
— Six Year Plan



**RESOLUTION NO. 2012-3**

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

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the One and Six Year Street Improvement Program, as prepared by the Superintendent of Public Works and Utilities, Street Superintendent, and City Administrator of the City of Wayne, Nebraska, and attached hereto be approved and adopted.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 2011-32

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78 BY ADDING ARTICLE VII. TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Section 1. A new Section **78, Article VII**, is added to the Municipal Code of Wayne, Nebraska, as follows:

(1) For purposes of this section:

(a) All-terrain vehicle means any motorized off-highway vehicle which (a) is fifty inches or less in width, (b) has a dry weight of nine hundred pounds or less, (c) travels on three or more low-pressure tires, (d) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (e) has a seat or saddle designed to be straddled by the operator, and (f) has handlebars or any other steering assembly for steering control.  
(Neb. Rev. Stat. 60-6,355)

(b) Street or highway means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.  
(Neb. Rev. Stat. 60-624)

(c) (i) Utility-type vehicle means any motorized off-highway vehicle which (A) is not less than forty-eight inches nor more than seventy-four inches in width, (B) is not more than one hundred thirty-five inches, including the bumper, in length, (C) has a dry weight of not less than nine hundred pounds nor more than two thousand pounds, (D) travels on four or more low-pressure tires, and (E) is equipped with a steering wheel and bench or bucket-type seating designed for at least two people to sit side-by-side.  
(ii) Utility-type vehicle does not include golf carts or low-speed vehicles.

(Neb. Rev. Stat. 60-6,355)

(2) An all-terrain vehicle and a utility-type vehicle may be operated on streets *and highways* within the corporate limits of the city/village only if the operator and the vehicle comply with the provisions of this section.

(3) An all-terrain vehicle or a utility-type vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of thirty miles per hour. When operating an all-terrain vehicle or an utility-type vehicle as authorized in subsection (2) of this section, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

(4) Any person operating an all-terrain vehicle or a utility-type vehicle as authorized in subsection (2) of this section shall have:

- (a) A valid Class O operator's license or a farm permit as provided in Neb. Rev. Stat. 60-4,126; and
- (b) Liability insurance coverage for the all-terrain vehicle or a utility-type vehicle while operating the all-terrain vehicle or a utility-type vehicle on a street or highway. The person operating the all-terrain vehicle or a utility-type vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.

(5) All-terrain vehicles and utility-type vehicles may be operated without complying with subsections (3) and (4) of this section on streets and highways in parades which have been authorized by the State of Nebraska or any department, board, commission, or political subdivision of the state.

(6) ~~An all-terrain vehicle or an utility-type vehicle shall not be operated on any **controlled-access highway with more than two marked traffic lanes, and the crossing of any controlled-access highway with more than two marked traffic lanes shall not be permitted.** Subsections (2) through (4) and (7) of this section authorize and apply to operation of an all-terrain vehicle or an utility-type vehicle only on a street or highway other than a controlled-access highway with more than two marked traffic lanes.~~ Nebraska State Highway within the city limits of Wayne, except as provided in Paragraph (8).

(7) All ATVs and UTVs are to abide by the state statutes pertaining to the operation of vehicles on roadway's within the state.

(8) Subject to subsection (6) of this section, the crossing of a ~~street or~~ state highway shall be permitted by an all-terrain vehicle or an utility-type vehicle only if:

- (a) The crossing is made at an angle of approximately ninety degrees to the direction of ~~the street or~~ state highway and at a place where no obstruction prevents a quick and safe crossing;
- (b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the ~~street or~~ state highway;

(c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;

(d) Both the headlight and taillight of the vehicle are on when the crossing is made.

(Neb. Rev. Stat. 60-6,356)

**(9) Additional Requirements:**

(a) The vehicle must be licensed with the City of Wayne and display a city approved, reflective license plate with numbers and/or letters 4 inches high, prominently and clearly displayed on the rear of the vehicle;

(b) Any operator operating an ATV or Utility Vehicle must stop immediately when signaled to do so by a law enforcement officer;

(c) The operator must sign a written acknowledgement of the terms of this Ordinance and complete a safety program approved by the City of Wayne;

(d) The operator must wear a protective helmet that meets the motorcycle helmet standards of the State of Nebraska;

(e) The operator must be at least 19 years of age; and

(f) No operator shall permit any passengers to ride on ATVs which are not specifically designed by the manufacturer to carry passengers.

Section 2. ~~A person who violates Section 1 of this ordinance shall be punished as provided generally in the municipal code.~~ Section 1-9 of the City Code of Wayne, Nebraska, is amended as follows "...such violation of any such provision of this Code or any ordinance shall be punishable by a fine not exceeding \$500 ... except for Section 78, Article VII, which, for a first offense, shall be punishable by a \$100 fine, which may be paid by waiver. If such person has one prior conviction within one year of the second offense, conviction of the second offense shall be punishable by a \$100 fine, and the operator's City of Wayne ATV/utility vehicle license shall be impounded for one year from the date of conviction. Penalties for subsequent convictions are not waivable. "Prior conviction within one year" shall be measured by the time that passes from the date of conviction of the prior offense to the date of offense for the subsequent offense.

Section 3. Any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance, and in conflict with its provisions, is repealed.

Section 4. This ordinance shall take effect and be in full force on January \_\_\_\_, 2012, after its passage, approval, and publication as required by law and shall remain in effect until December 31, 2012.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2011-32**

**AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE, CHAPTER 78 BY ADDING ARTICLE VII. TO ALLOW THE OPERATION OF ALL TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES WITHIN THE CORPORATE LIMITS UNDER CERTAIN CIRCUMSTANCES; TO IMPOSE RESTRICTIONS ON THE USE OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES; TO ESTABLISH PENALTIES FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.**

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

Section 1. A new Section **78, Article VII**, is added to the Municipal Code of Wayne, Nebraska, as follows:

(1) For purposes of this section:

(a) All-terrain vehicle means any motorized off-highway vehicle which (a) is fifty inches or less in width, (b) has a dry weight of nine hundred pounds or less, (c) travels on three or more low-pressure tires, (d) is designed for operator use only with no passengers or is specifically designed by the original manufacturer for the operator and one passenger, (e) has a seat or saddle designed to be straddled by the operator, and (f) has handlebars or any other steering assembly for steering control.  
(Neb. Rev. Stat. 60-6,355)

(b) Street or highway means the entire width between the boundary limits of any street, road, avenue, boulevard, or way which is publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.  
(Neb. Rev. Stat. 60-624)

(c) (i) Utility-type vehicle means any motorized off-highway vehicle which (A) is not less than forty-eight inches nor more than seventy-four inches in width, (B) is not more than one hundred thirty-five inches, including the bumper, in length, (C) has a dry weight of not less than nine hundred pounds nor more than two thousand pounds, (D) travels on four or more low-pressure tires, and (E) is equipped with a steering wheel and bench or bucket-type seating designed for at least two people to sit side-by-side.

(ii) Utility-type vehicle does not include golf carts or low-speed vehicles.

(Neb. Rev. Stat. 60-6,355)

(2) An all-terrain vehicle and a utility-type vehicle may be operated on streets within the corporate limits of the city/village only if the operator and the vehicle comply with the provisions of this section.

(3) An all-terrain vehicle or a utility-type vehicle may be operated only between the hours of sunrise and sunset and shall not be operated at a speed in excess of thirty miles per hour. When operating an all-terrain vehicle or an utility-type vehicle as authorized in subsection (2) of this section, the headlight and taillight of the vehicle shall be on and the vehicle shall be equipped with a bicycle safety flag which extends not less than five feet above ground attached to the rear of such vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

(4) Any person operating an all-terrain vehicle or a utility-type vehicle as authorized in subsection (2) of this section shall have:

- (a) A valid Class O operator's license or a farm permit as provided in Neb. Rev. Stat. 60-4,126; and
- (b) Liability insurance coverage for the all-terrain vehicle or a utility-type vehicle while operating the all-terrain vehicle or a utility-type vehicle on a street or highway. The person operating the all-terrain vehicle or a utility-type vehicle shall provide proof of such insurance coverage to any peace officer requesting such proof within five days of such a request.

(5) All-terrain vehicles and utility-type vehicles may be operated without complying with subsections (3) and (4) of this section on streets and highways in parades which have been authorized by the State of Nebraska or any department, board, commission, or political subdivision of the state.

(6) An all-terrain vehicle or an utility-type vehicle shall not be operated on any Nebraska State Highway within the city limits of Wayne

(7) All ATV's and UTV's are to abide by the state statutes pertaining to the operation of vehicles on roadway's within the state

(8) Subject to subsection (6) of this section, the crossing of a state highway shall be permitted by an all-terrain vehicle or an utility-type vehicle without complying with subsections (3) and (4) of this section only if:

- (a) The crossing is made at an angle of approximately ninety degrees to the direction of a state highway and at a place where no obstruction prevents a quick and safe crossing;
- (b) The vehicle is brought to a complete stop before crossing the shoulder or roadway of the state highway;
- (c) The operator yields the right-of-way to all oncoming traffic that constitutes an immediate potential hazard;
- (d) In crossing a divided state highway, the crossing is made only at an intersection of such state highway with another state highway; and

(e) Both the headlight and taillight of the vehicle are on when the crossing is made.

(Neb. Rev. Stat. 60-6,356)

(9) Additional Requirements:

- (a) The vehicle is licensed with the City of Wayne and displays a city approved, reflective license plate with numbers and/or letters 4 inches high, prominently and clearly displayed on the rear of the vehicle;
- (b) Any operator operating an ATV or Utility Vehicle must stop immediately when signaled to do so by a law enforcement officer;
- (c) The operator has signed a written acknowledgement of the terms of this Ordinance and has completed a safety program approved by the City of Wayne; and
- (d) The operator is wearing a protective helmet that meets the motorcycle helmet standards of the State of Nebraska.
- (e) The operator must be at least 19 years of age and no passengers are allowed on ATV which are not designed to carry passengers.

Section 2. Section 1-9 of the City Code of Wayne, Nebraska, is amended as follows  
“...such violation of any such provision of this Code or any ordinance shall be punishable by a fine not exceeding \$500 .... except for Section 78, Article VII, in which each violation shall be punishable by a \$100 fine, and the operator’s City of Wayne ATV/utility vehicle license shall be revoked for one year after conviction of two violations within 365 days of each other.

Section 3. Any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

Section 4. This ordinance shall take effect and be in full force on February 1, 2012, after its passage, approval, and publication as required by law and shall remain in affect until December 31, 2012.

**I HAVE READ AND UNDERSTAND THE TERMS OF THIS ENTIRE DOCUMENT and will abide by these terms as a condition of holding a City of Wayne ATV/ UTV operator’s license.**

By \_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

**ORDINANCE NO. 2012-2**

**AN ORDINANCE DESIGNATING A WELLHEAD PROTECTOIN AREA, AS DRAWN BY THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY, WELLHEAD PROTECTION PROGRAM, JUNE 2011; TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.**

Be it ordained by the Mayor and the City Council of the City of Wayne, Nebraska:

Section 1. Definitions. Wellhead Protection Area means the surface and subsurface area surrounding a public water supply well or wellfield, supplying a public water supply system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

Section 2. The City Council designates a Wellhead Protection Area for the purpose of protecting the public water supply system. The boundaries of the Wellhead Protection Area are a parcel of land located in:

A PARCEL OF LAND LOCATED IN SECTIONS 9 THRU 16, ALL IN TOWNSHIP 27 NORTH, RANGE 3 EAST OF THE SIXTH P.M., WAYNE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTHERLY ON THE WEST LINE OF SECTIONS 9 AND 16 TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SECTION 9; THENCE EASTERLY ON THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 10; THENCE EASTERLY ON THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SECTION 11; THENCE EASTERLY ON THE NORTH LINE OF SAID SOUTH HALF TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 12; THENCE EASTERLY ON THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE NORTHEAST CORNER OF THE WEST HALF OF SECTION 13; THENCE SOUTHERLY ON THE EAST LINE OF SAID WEST HALF TO THE SOUTHEAST CORNER OF SAID WEST HALF; THENCE WESTERLY ON THE SOUTH LINE OF SAID WEST HALF TO THE SOUTHEAST CORNER OF SECTION 14; THENCE WESTERLY ON THE SOUTH LINE OF SECTIONS 14, 15 AND 16 TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND LOCATED IN SECTIONS 1, 2, 3, 11, 12, ALL IN TOWNSHIP 26 NORTH, RANGE 3 EAST AND SECTIONS 6 AND 7, ALL IN TOWNSHIP 26 NORTH, RANGE 4 EAST OF THE SIXTH P.M., WAYNE COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 3; THENCE NORTHERLY ON THE WEST LINE OF SAID SECTION 3 TO THE NORTHWEST CORNER OF SAID SECTION 3; THENCE EASTERLY ON THE NORTH LINE OF SECTIONS 1, 2, AND 3 TO THE NORTHWEST CORNER OF THE WEST HALF OF SECTION 6; THENCE EASTERLY ON THE NORTH LINE OF SAID WEST HALF TO THE NORTHEAST

CORNER OF SAID WEST HALF; THENCE SOUTHERLY ON THE EAST LINE OF SAID WEST HALF TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 7; THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHWEST QUARTER TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WESTERLY ON THE SOUTH LINE OF SAID NORTHWEST QUARTER TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE WESTERLY ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTHERLY ON THE EAST LINE OF SECTION 12 TO THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE WESTERLY ON THE SOUTH LINE OF SAID SECTION 12 TO THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTHERLY ON THE WEST LINE OF SAID SECTION 12 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 11; THENCE WESTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON THE SOUTH LINE OF SAID SECTIONS 2 AND 3 TO THE POINT OF BEGINNING.

CONTAINING 10.34 SQUARE MILES, MORE OR LESS.

Section 3. That a copy of the map of the Wellhead Protection Area for the City of Wayne, Nebraska is on file and shall be kept in the office of the Department of Utilities and Public Works for the City of Wayne, Nebraska.

Section 4. That all Ordinances previously adopted by the Mayor and the City Council of the City of Wayne, Nebraska, which are inconsistent and in conflict herewith this Ordinance are hereby repealed and without further force of effect.

Section 5. That this ordinance shall be in full force and take effect from and after its passage, approval, and publication as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of January, 2012.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# WAYNE

WAYNE COUNTY  
 Drawn by Nebraska Department of  
 Environmental Quality, Wellhead  
 Protection Program, June 2011

C-155312  
2006-1  
Well #11

A-016977  
90-1  
Well #10

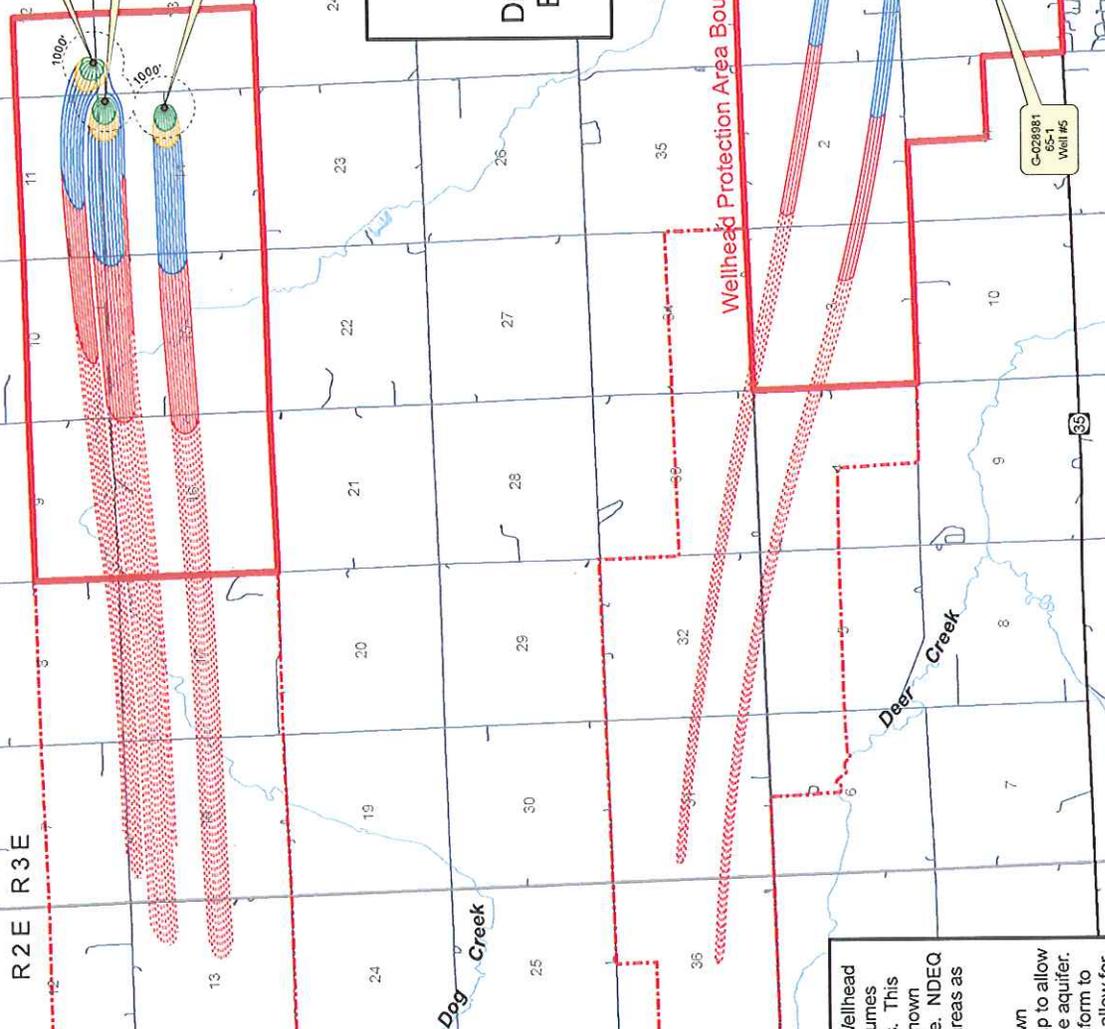
A-016525  
80-1  
Well #9

G-062209  
70-2  
Well #7

G-062208  
70-1  
Well #6

G-029981  
65-1  
Well #5

G-029980  
65-1  
Well #4



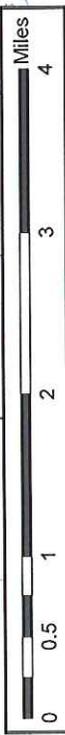
**Time of Travel**

- 0-1 Year
- 1-2 Year
- 2-10 Year
- 10-20 Year
- 20-50 Year

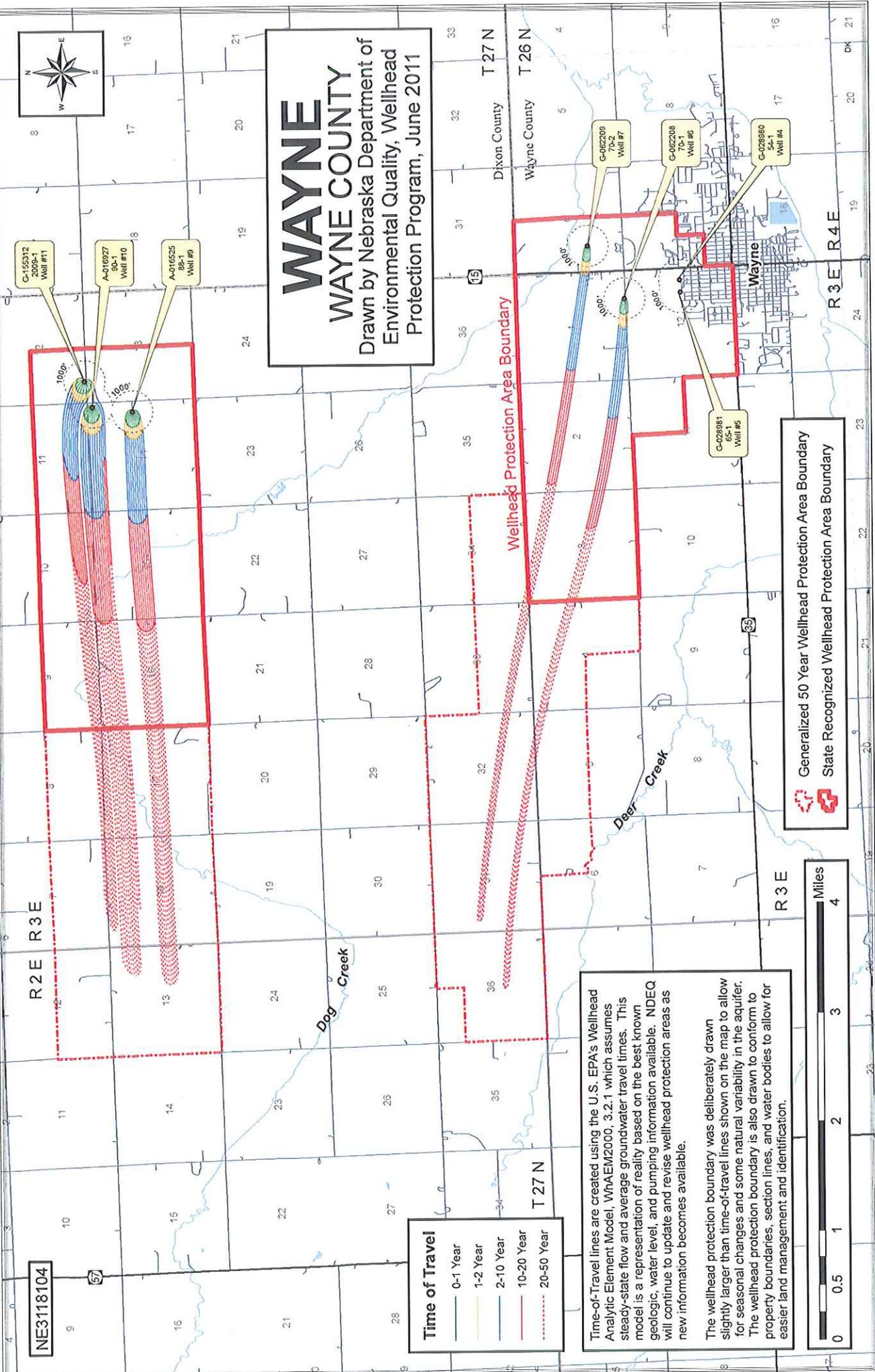
Time-of-Travel lines are created using the U.S. EPA's Wellhead Analytic Element Model, WhAEM2000, 3.2.1 which assumes steady-state flow and average groundwater travel times. This model is a representation of reality based on the best known geologic, water level, and pumping information available. NDEQ will continue to update and revise wellhead protection areas as new information becomes available.

The wellhead protection boundary was deliberately drawn slightly larger than time-of-travel lines shown on the map to allow for seasonal changes and some natural variability in the aquifer. The wellhead protection boundary is also drawn to conform to property boundaries, section lines, and water bodies to allow for easier land management and identification.

Generalized 50 Year Wellhead Protection Area Boundary  
 State Recognized Wellhead Protection Area Boundary



NE3118104





# WAYNE

## WAYNE COUNTY

Drawn by Nebraska Department of Environmental Quality, Wellhead Protection Program, June 2011

C-155312  
2009-1  
Well #11

A-016927  
9A-1  
Well #10

A-016525  
8B-1  
Well #9

C-062209  
70-2  
Well #7

C-062208  
70-1  
Well #6

C-028980  
5A-1  
Well #4

C-028981  
5B-1  
Well #5

NE3118104

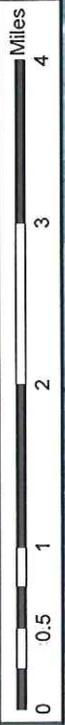
57

**Time of Travel**

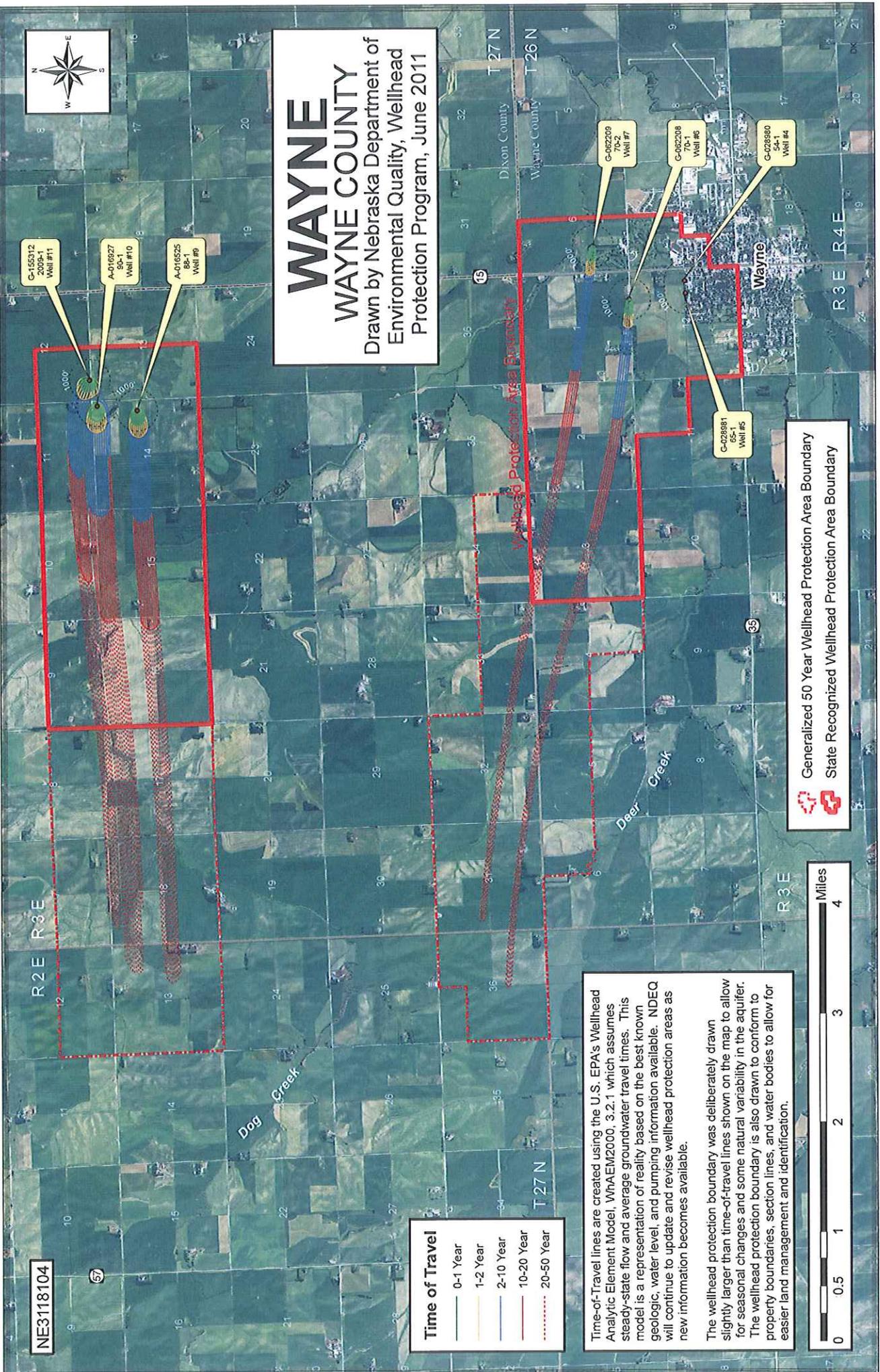
—	0-1 Year
—	1-2 Year
—	2-10 Year
—	10-20 Year
—	20-50 Year

Time-of-Travel lines are created using the U.S. EPA's Wellhead Analytic Element Model, WnAEM2000, 3.2.1 which assumes steady-state flow and average groundwater travel times. This model is a representation of reality based on the best known geologic, water level, and pumping information available. NDEQ will continue to update and revise wellhead protection areas as new information becomes available.

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Generalized 50 Year Wellhead Protection Area Boundary  
State Recognized Wellhead Protection Area Boundary



**RESOLUTION NO. 2012-4**

**A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES**

WHEREAS, the City Council, by and through the City Code and as a matter of general policy, establish certain rates, fees and charges for purposes of raising operating revenue and covering costs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Wayne, Nebraska, that the attached schedule of rates, fees and charges are hereby amended and the same shall, if not already in effect, become effective upon the passage and approval of this Resolution.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## SCHEDULE OF FEES

	2011	2012
<b>Utility Deposits</b>		
Electric	\$ 125.00	
Water	\$ 50.00	
Sewer	\$ 50.00	
Reconnect Fees	\$ 50.00	
Overtime Rate	\$ 75.00	
<b>Bad Checks</b>	\$ 30.00	
<b>Dog License</b>	\$ 6.00	
<b>Fingerprints</b>	\$ 20.00	
<b>Vendor's Permit</b>	\$ 25.00	
<b>Vehicle Storage (Per Day Outside)</b>	\$ 10.00	
<b>(Per Day Inside)</b>	\$ 25.00	
<b>Impounded Vehicle</b>	\$ 150.00	
<b>Parking Fines:</b>		
Paid within first five days	\$ 15.00	
Paid between 6-15 days	\$ 30.00	
Paid after 15 days	\$ 45.00	
<b>Police Reports</b>	\$5.00 up to 6 pgs	
<b>Copies</b>	\$ 0.25	
Color	\$ 1.00	
CAD Maps (24" wide)	\$ 15.00	
CAD Maps (36" wide)	\$ 25.00	
<b>Electronic Media (i.e. CD's)</b>		\$ 25.00
<b>Faxes (per page)</b>	\$ 2.00	
International Faxes (per page)	\$ 6.00	
<b>Clearing Snow and Ice (Min. 1 hr)</b>	\$ 75.00	
<b>Mowing (Min. 1 hr)</b>	\$ 90.00	
<b>Route Vendor</b>	\$ 100.00	

## SCHEDULE OF FEES

### Water/Sewer Hook-ups

		2011	2012
Residential	\$	250.00	
Commercial	\$	500.00	

### Well Permit Fee

Non-Domestic - over 100 gpm			200 + Engineering Fee
Domestic - less than 100 gpm			

### Pool

Family Ticket	\$	95.00	
Pre-Season Discount	\$	85.00	
Individual Ticket	\$	55.00	
Pre-Season Discount	\$	50.00	
Daily Admissions - Over 12	\$	4.50	
Ages 6-12	\$	3.50	
Age 5 and below	\$	3.00	
Swimming Lessons	\$	30.00	
Swimming Parties	\$	75.00	

### Auditorium

Rental	\$	225.00	
State Registered	\$	100.00	
Youth	\$	35.00	
North Meeting Room	\$	75.00	
State Registered	\$	45.00	
Breakfast/Lunch Mtgs	\$	45.00	
Damage Deposit	\$	150.00	
With Sound System	\$	200.00	
<b>Library/Sr Center Mtg Rm</b>	\$	25.00	
<b>Senior Center Rental</b>	\$	150.00	
Damage Deposit	\$	150.00	
<b>Fire Hall Rental</b>	\$	150.00	
Damage Deposit	\$	150.00	

## SCHEDULE OF FEES

<b>Activity Center</b>		<b>2011</b>	<b>2012</b>
Family	\$	268.49	
Adult Married Couple	\$	207.46	
Single Adult	\$	152.55	
Senior Married Couple	\$	99.72	
Single Senior	\$	74.77	
 College			
Year	\$	104.69	
9-months	\$	86.66	
Semester	\$	61.50	
College Married Couple	\$	166.15	
High School (Grades 9-12)	\$	88.39	
Middle School (Grades 5-8)	\$	71.27	
Elementary School (Grades K-4)	\$	55.00	
 Punch Card (10 visits)	\$	31.95	
Punch Card (5 visits)	\$	21.30	
 <b>CORPORATE RATES</b>			
Family			
6 - 25 Members	\$	246.46	
26+	\$	235.28	
 Adult Couple			
6 - 25 Members	\$	192.22	
26+	\$	186.63	
 Adult Single			
6 - 25 Members	\$	141.18	
26+	\$	132.79	
 <b>Excavation Permit</b>	\$	25.00	
Annual Fee	\$	250.00	
 <b>Moving Permit</b>	\$	200.00	
 <b>Razing Permits</b>			
Residential & Commercial	\$	60.00	
Accessory Structures (includes garages)	\$	20.00	

## SCHEDULE OF FEES

### Plan Review Fee (non-refundable)

2011

2012

1. Inspections outside of normal business hours; \$35 plus \$25/hour after first hour and expenses at actual cost.
2. Reinspections fees assessed under the provisions of Sec. 305(g), \$35 plus \$25/hour after first hour and expenses at actual cost.
3. Inspections for which no fee is specifically indicated; \$35 plus \$25/hour after first hour and expenses at actual cost.
4. Additional plan review required by changes, additions, or revisions to approve plans; \$35 plus \$25/hour after first hour and expenses at actual cost.
5. Inspections for Property Maintenance Code - \$35 plus \$25/hour after first hour and expenses at actual cost.

### Sidewalk

\$25 plus Bond

### Property Maintenance Fees

Initial Code Complaint Inspection; \$35 plus \$25/ hour after first hour and expenses at actual cost

Final Inspection to Verify Compliance

Failure to Meet 1st Notice Compliance Deadline

Failure to Meet 2nd Notice Compliance Deadline

	\$	-
	\$	300.00
	\$	300.00

### Driveway/Apron Cons. Permit

	\$	35.00
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### Zoning Regulation

Amendment Text	\$	100.00
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Amendment District/Map	\$	200.00
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### Variance Application (Board of Adjustment)

	\$	200.00
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### Conditional Use Application

Ag and Residential Dist.	\$	200.00
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All Other Districts	\$	200.00
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### Subdivision

Preliminary Plat		\$250 + \$5 /lot
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Final		\$150 + \$1.50/lot
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Variance	\$	150.00
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### Lot Split/Admin. Subdivision

	\$	175.00
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### Meter Testing

Residential	\$	15.00
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Non-Residential	\$	25.00
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### Specially Req. Bldg Inspect.

	\$	30.00
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### Garbage Haulers

Class A Permit	\$	400.00
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Class B Permit	\$	30.00
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## SCHEDULE OF FEES

	2011	2012
<b>Special Designated Liquor Permits</b>		
(For Those without Catering License)	\$ 40.00	
<b>Plumber Permits</b>		
New	\$ 100.00	
Renewal	\$ 50.00	
<b>Electrician Permits</b>		
New	\$ 100.00	
Renewal	\$ 50.00	
<b>Pawnbroker Permit</b>	\$ 50.00	
<b>ATV &amp; Utility Vehicle Permit</b>		
<b>Occupation Taxes:</b>		
Telephone & Telecommunication		5%
Fireworks	\$ 100.00	
Natural Gas Companies		
Residential	\$2.50 per month	
Commercial	\$5.00 per month	
Industrial	\$50.00 per month	
Utility Franchise Fees:		
Electric		8.50%
Water		7.00%
Sewer		7%
Hotel		5%
Alcoholic Liquors	2x License Fee	
Non-Profit Class C	\$150	

December 29, 2011

Mayor and City Council  
C/o Mr. Lowell Johnson, City Administrator  
PO Box 8, 306 Pearl Street  
Wayne, NE 68787

Re: 2012 Electric Utility Revenue/Expense Update  
Project: Wayne Electric T/E # 8510

Honorable Mayor and City Council,

Pursuant to the request and direction of the City Administrator, we have prepared a cash flow analysis for the electric department, which follows. The analysis, aside from the narrative, is comprised of both proforma cases, summarizing historic/projected revenue and expense information, and comparative production costs, the latter of which makes up the major portion of the department expenses. The formats are likely familiar to both staff and some council members and the figures presented form the basis for any recommended rate changes. While production costs (basically purchased power) are the primary drivers in rate changes, the contributions of capital outlay, operations, transfers and debt service are also considered.

**Summary**

The Nebraska Public Power District (NPPD) and the Western Area Power Administration (WAPA) serve the electric power needs of the City and, as in the past, predictably change (increase) periodically. The electric department uses a revenue collection mechanism called the Production Cost Adjustment (PCA) whereby changes in production costs are recovered on a monthly basis if higher or lower than the costs included in current retail rates. Depending on the contribution of these variable costs, or the combination with other operation costs, to the overall expense estimate, the City can either collect these expenses through the PCA or raise rates (which will raise the PCA base, thus reducing the PCA collection), either of which can have the same net effect on retail revenues. Both factors will have proportional impacts on the rates.

For reference, the changes in variable/operating expenses are as follows:

	<u>2011</u>	<u>Test Year</u>	<u>% Chg.</u>
Production (purchased power and operations):	\$4,193,477	4,590,754	+ 9.5
Distribution	507,686	567,354	+11.8
General/Administrative	515,564	571,676	+10.9

Both the Distribution and General/Administrative costs are basically from the Revenue and Expense report (historic) and the budget numbers supplied by staff; purchased power costs are estimated separately. Estimated annual escalation is shown on line 38 of the proformas which follow. Production costs (column 'D') are estimated to increase as shown. A new bond issue in the amount of \$2.3M for various necessary utility projects is assumed in the Test Year (reflected in 'Debt Service' – column 'K') and In Lieu payments are estimated to remain at 8.5% of sales

**Mike Towne**

1212 W. Center St. #1401, Sherman, TX 75092 402-304-8359, townemh@gmail.com

revenues for the Test and subsequent years, with a one-time transfer of \$375,000 occurring in the Test Year.

Based on the information presented here, we recommend the City increase retail electric rates by 6.5% for the upcoming year (2012), effective immediately, and consider further increases as necessary in subsequent years to offset inflation and normal operating expenses and to maintain an acceptable debt service coverage. If implemented, this will be accompanied by a related increase in the PCA base. The details will be discussed briefly in the Proformas that follow.

#### **A. Proformas**

The following proforma (Table 1.01) summarizes revenues and expenses for both historic and projected periods. Historic data are presented in the upper half of the table and projected figures are in the lower half and include the Test Year (line 35).

The Test Year (basically fiscal 2012) includes capital outlay (column 'N') that is the expensed net of the budgeted outlay for immediate projects estimated to require funding within one year and the above-referenced bond issue. Capital expenses in future years reflect what is considered to be an average requirement to maintain the distribution system and fund necessary improvements. For reference, it should be pointed out that FY 1996 and 1997 figures were partially offset by bond issues, but nonetheless influence the 18 year average shown on line 33. Projected capital expense shown is in line with historic outlays and isn't expected to vary significantly.

Without any rate increases, net income (column 'O') for the Test Year is estimated to be negative (\$999,441), and increasingly negative for subsequent years. Debt service coverage drops below 1.25 (bond requirement) immediately and would be insufficient to cover basic principal and interest payments thereafter. You will also note that under this scenario reserves would be completely depleted by 2017.

Table 1.01A assumes a 6.5% rate increase in the Test Year, and similar increases in following years that are estimated to both track inflation and maintain reserves at approximate Test Year levels over a 5 year period. Because Series 2003 bonds will be retired in 2015 total debt service (column 'K') will change as noted. Debt service coverage in this proforma case is sufficient throughout the period shown.

*We emphasize these tables are not meant to imply an ability to perfectly forecast what revenues and expenses will be several years in the future, but are meant to provide a planning tool, given the estimates as shown.* Revenues and expenses appear to be in line with expectations at this point.

**Mike Towne**

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## **B. Wholesale Cost Changes**

NPPD's costs are estimated to increase (based on FY 2011 actual loads and costs) by approximately 12.5% (7.5% if identical CY 2010 loads are simply run on both the 2011 and 2012 rates). This increase is comprised mostly of a demand (rate) increase of 15.2% in the winter and energy rate increases of about 2.0 – 6.0% (summer) and 8.0 – 12.0% (winter). Transmission rates are unchanged. NENPPD transmission charges increase by 6.5%.

For all practical purposes WAPA rates, including pass-through transmission, are not estimated to increase in the Test Year.

Together, these increases result in about an 11.2% increase in total wholesale power costs over FY 2011 actual, which in turn contributes to the increases noted above in Table 1.01A.

Actual fiscal 2011 and estimated Test Year purchased power costs are included, respectively, as Tables 1.02 and 1.02A.

Historically, average wholesale costs to the City have increased by 4.3%/yr. since 2002, the composition of which is split between various changes in demand and energy charges.

## **C. Wind Energy**

Over the last year or so, as many are aware, the City has been actively pursuing the possibility of adding a small contingent of wind generation to their power requirements resources. Although more than one vendor has been vetted in the process, and exhaustive analyses performed to determine feasibility, both technical and economic, the determination has been made at this point that, until small installations can provide a more reliable and cost-effective alternative to traditional hydro and fuel generation, any further investigation should be tabled for the time being.

Because production costs make up a relatively large portion of the overall utility costs, we feel compelled to note, and staff/management concur, that while NPPD has forecast increases over the next five years that we feel are overly optimistic, the City should be prepared for changes that could easily be twice (or more) what current predictions appear to be, particularly in light of imminent regulatory change and mandates, both on a state and federal level. For that reason, we suggest the City may want to consider implementation of rate increases on a more frequent basis, instead of only the PCA pass-throughs, simply to apprise the customer of necessary increases and their basis.

Having said that, we also point out that the City is, and has been, in a very favorable economic position as relates to power supply resources. Their generation plant is not only capable of meeting the City power supply requirements if necessary, but is reimbursed annually to maintain the plant at functional status to provide a capacity backdrop to its wholesale power supplier.

Again, *we propose the City increase rates by 6.5% at this time*, and anticipate possible similar increases for the next few years, given estimates as shown and that your wholesale suppliers will likely continue to increase their rates on a regular basis. As always, we recommend the City continue to monitor its utility finances and goals, as it has done in the past.

**Mike Towne**

1212 W. Center St. #1401, Sherman, TX 75092 402-304-8359, townemh@gmail.com

Hopefully, this is the information you needed, but please call with any comments or questions you may have, at your convenience.

Respectfully,

Mike Towne  
Western Consulting

**Mike Towne**

1212 W. Center St. #1401, Sherman, TX 75092 402-304-8359, [townemh@gmail.com](mailto:townemh@gmail.com)



# HISTORIC ELECTRIC PRODUCTION COSTS - FY 2011

## Wayne, NE

1	2	3	4	WAPA				NPPD				NEPPD		
				Total Demand (kW)	Actual Demand (kW)	Billing Demand (kW)	Energy (kWh)	Actual Demand (kW)	Billing Demand (kW)	Transm. Lines (kW)	Transm. Substation (kW)	Energy (kWh)	Wheeling (kW)	
5	Jan '11	11,513	6,355,669	74.20%	1,718	862,000	1,718	9,795	11,574	11,770	5,493,669	11,770	11,770	11,770
6	Feb	11,700	5,571,440	70.86%	1,696	854,000	1,696	9,186	11,574	11,770	4,717,440	11,770	11,770	11,770
7	Mar	10,339	5,526,564	71.85%	1,620	879,000	1,620	8,719	11,574	11,770	4,639,564	11,770	11,770	11,770
8	Apr	9,197	4,770,773	72.05%	1,553	839,000	1,553	7,644	11,574	11,770	3,931,773	11,770	11,770	11,770
9	May	11,367	4,926,064	58.25%	1,445	663,000	1,445	9,922	11,574	11,770	4,263,064	11,770	11,770	11,770
10	Jun	13,138	5,469,617	57.82%	1,823	783,000	1,823	11,315	11,574	11,770	4,686,617	11,770	11,770	11,770
11	Jul	14,194	7,041,555	66.68%	1,849	854,000	1,849	12,345	12,345	12,345	6,187,555	12,345	12,345	12,345
12	Aug	14,377	6,527,987	61.03%	1,849	797,000	1,849	12,528	12,528	12,528	5,730,987	12,528	12,528	12,528
13	Sep	14,064	5,160,638	50.96%	1,295	642,000	1,295	12,769	12,769	12,769	4,518,638	12,769	12,769	12,769
14	Oct '10	9,125	4,891,475	72.05%	1,333	675,000	1,333	7,792	11,574	11,770	4,216,475	11,770	11,770	11,770
15	Nov	10,474	5,071,065	67.24%	1,687	845,000	1,687	8,787	11,574	11,770	4,226,065	11,770	11,770	11,770
16	Dec	10,970	6,082,478	74.52%	1,718	1,022,000	1,718	9,252	11,574	11,770	5,060,478	11,770	11,770	11,770
17	Totals	14,377	67,395,325	53.51%	1,849	9,723,000	1,849	12,769	12,247	12,528	57,672,325	12,769	12,769	12,769
18	Summer	14,377	24,199,797	57.49%	1,849	3,076,000	1,849	12,769	12,247	12,528	21,123,797	12,769	12,769	12,769
19	Winter	11,700	43,195,528	63.30%	1,718	6,647,000	1,718	10,004	9,877	11,574	36,548,528	11,770	11,770	11,770
20														
21	Month	Demand	Energy	WAPA COST (\$)	Discount	Wheeling	Total	Demand	Energy	PCA/Adj.	Trans Line	Trans/Subst	Total	Ave Cost (m/k)
22	Jan '11	13,142.70	16,421.10	(2,340.19)	5,269.65	32,493.26	102,651.60	127,826.48	(4,319.50)	31,365.54	14,241.70	271,765.82	304,259.08	47.87
23	Feb	12,974.40	16,268.70	(2,316.16)	5,269.65	32,196.60	96,269.28	111,202.81	(11,559.85)	31,365.54	14,241.70	241,519.48	273,716.08	49.13
24	Mar	12,393.00	16,897.35	(2,351.52)	5,269.65	32,208.48	91,375.12	109,962.30	(1,071.80)	31,365.54	14,241.70	245,872.86	278,081.34	50.32
25	Apr	11,890.45	15,982.95	(2,232.17)	5,269.65	30,900.88	73,642.96	93,484.92	(598.00)	31,365.54	14,241.70	212,137.12	243,038.00	50.94
26	May	11,054.25	12,630.15	(1,847.22)	5,269.65	27,106.83	103,510.96	100,263.37	(1,564.00)	31,365.54	14,241.70	247,817.57	274,924.40	55.81
27	Jun	13,945.95	14,916.15	(2,226.11)	5,269.65	31,905.65	149,769.13	131,244.62	(6,893.10)	31,365.54	14,241.70	319,727.89	351,633.54	64.29
28	Jul	14,144.85	16,268.70	(2,374.68)	5,269.65	33,308.52	157,584.99	171,544.00	(437.00)	33,454.95	14,937.45	377,084.39	410,392.91	58.28
29	Aug	14,144.85	15,182.85	(2,263.39)	5,269.65	32,333.97	160,068.29	161,325.96	(6,969.54)	33,950.88	15,158.88	363,534.47	395,868.44	60.64
30	Sep	9,906.75	12,230.10	(1,748.84)	5,269.65	25,657.66	160,068.29	125,695.09	(1,618.05)	33,950.88	15,450.49	333,546.70	359,204.36	69.60
31	Oct '10	10,197.45	12,858.75	(1,827.81)	5,343.61	26,572.00	68,335.84	88,100.91	(2,570.25)	31,828.50	14,241.70	199,936.70	226,508.70	46.31
32	Nov	12,905.55	16,097.25	(2,295.14)	5,343.61	32,051.27	75,728.95	87,532.91	(17,438.92)	31,828.50	14,241.70	191,893.14	223,944.41	44.16
33	Dec	13,142.70	19,469.10	(2,652.59)	5,343.61	35,302.82	78,167.01	104,116.18	0.00	31,828.50	14,241.70	228,353.39	263,656.21	43.35
34	Totals	149,832.90	185,223.15	(26,475.80)	63,457.68	372,037.93	1,317,172.42	1,412,299.55	(55,040.01)	385,035.45	173,722.12	3,233,189.53	3,605,227.46	53.49
35	Summer	52,142.40	58,597.80	(8,613.01)	21,078.60	123,205.79	627,490.70	589,809.67	(15,917.69)	132,722.25	59,788.52	1,393,893.45	1,517,099.24	62.69
36	Winter	97,690.50	126,625.35	(17,862.79)	42,379.08	248,832.14	689,681.72	822,489.88	(39,122.32)	252,313.20	113,933.60	1,839,296.08	2,088,128.22	48.94

Note: Transmission Substation charges include wheeling costs from NENPPD.  
Additional drought billings were started in Jan '08.

PROD11Print 12/30/11

TABLE 1.02

WESTERN CONSULTING



RESOLUTION NO. 2012-5

**A RESOLUTION ESTABLISHING A SCHEDULE OF ELECTRICAL RATES TO BE CHARGED CUSTOMERS FOR ENERGY AND POWER FROM THE ELECTRIC DISTRIBUTION SYSTEM OF THE CITY; TO REPEAL CONFLICTING RATES AND SCHEDULES; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that pursuant to Section 82-83 (bb) Rates of the Wayne Municipal Code, the following schedule of rates to be charged customers for energy and power from the electric distribution system is hereby approved:

**RATES:**

**Summer Rates:**

The summer rates shall apply to the customer's use from the day meters are read for billing purposes in mid-May through the day meters are read for billing purposes in mid-September.

**Winter Rates:**

The winter rates shall apply to the customer's use from the day meters are read for billing purposes in mid-September through the day meters are read for billing purposes in mid-May.

**Terms and Conditions:**

1. Service will be furnished under the City's General Terms and Conditions.
2. The rates set forth herein may be increased by the amount of any new or increased governmental tax imposed and levied on transmission, distribution, production, or sale of electrical power.

SECTION I: RESIDENTIAL (ER)

A. Monthly rate for Summer Period:

	<u>NET</u>	
Customer Service Charge, per month .....	<del>\$10.32</del>	<b>\$10.99</b>
Plus Energy Charge of:		
First 700 kWh, per kWh.....	<del>\$.08981</del>	<b>\$.09565</b>
Over 700 kWh, per kWh.....	<del>\$.09160</del>	<b>\$.09755</b>

B. Monthly rate for Winter Period:

	<u>NET</u>	
Customer Service Charge, per month .....	<del>\$10.32</del>	<b>\$10.99</b>
Plus Energy Charge of:		
First 700 kWh, per kWh.....	<del>\$.08095</del>	<b>\$.08621</b>
Over 700 kWh, per kWh.....	<del>\$.03856</del>	<b>\$.04107</b>

- C. Minimum Monthly Bill:  
The Customer Service Charge

### SECTION II: GENERAL SERVICE (EC)

- A. Monthly rate for Summer Period:

	<u>NET</u>	
Customer Service Charge, per month .....	<del>\$22.04</del>	<b>\$23.47</b>
Plus Energy Charge of:		
First 1,300 kWh, per kWh.....	<del>\$.09308</del>	<b>\$.09913</b>
Over 1,300 kWh, per kWh.....	<del>\$.09662</del>	<b>\$.1029</b>

- B. Monthly Rate for Winter Period:

Customer Service Charge, per month .....	<del>\$22.04</del>	<b>\$23.47</b>
Plus Energy Charge of:		
First 1,300 kWh, per kWh.....	<del>\$.08425</del>	<b>\$.08973</b>
Over 1,300 kWh, per kWh.....	<del>\$.04041</del>	<b>\$.04304</b>

- C. Minimum Monthly Bill:

The Customer Service Charge, and for special installations, \$1.00 per kVA of requested transformer capacity.

In case of equipment having abnormally low utilization factors or unusual operating characteristics, special minimum charges may be prescribed by the City.

### SECTION III: GENERAL SERVICE DEMAND (GSD)

- A. Monthly rate for Summer Period:

	<u>NET</u>	
Customer Service Charge, per month		
·Single phase .....	<del>\$29.46</del>	<b>\$31.37</b>
·Three phase .....	<del>\$36.29</del>	<b>\$38.65</b>

Demand Charge:  
Per kW per month of billing demand.....~~\$14.08~~ **\$15.00**

Plus Energy Charge of:  
For all usage, per kWh.....~~\$0.4726~~ **\$0.05033**

B. Monthly rate for Winter Period:

Customer Service Charge, per month  
Single phase .....~~\$29.46~~ **\$31.37**  
Three phase .....~~\$36.29~~ **\$38.65**

Demand Charge:  
Per kW per month of billing demand.....~~\$6.53~~ **\$6.95**

Plus Energy Charge of:  
For all usage, per kWh.....~~\$0.4726~~ **\$0.05033**

C. Minimum Monthly Bill:

Customer Service Charge, plus billing demand

D. Applicable: To any existing or new customers that have a peak demand of 50 kW for three consecutive months, but not exceeding 1,000 kW. For monitoring purposes, a demand meter may be installed by the City when the customer's demand is believed to exceed 25 kW. The customer will remain on this rate for a minimum of 12 months, once established.

E. Demand Meter: A demand meter may be installed by the City when the customer's demand is believed to exceed 25 kW. A demand meter shall be required for at least 12 months for customer's having metered demand of 100 kW or more.

F. Power Factor Adjustment: For loads of 100 kW or more, or at the option of the City for loads of less than 100 kW, power factor adjustments will be made in the billing demand, when the power factor, as determined by test, at the time of the customer's maximum use is less than 90%. If the power factor, as measured by the electric department, is lower than 90%, the monthly demand charge will be multiplied by the ratio 90% bears to the measured power factor, or at the City's option, the power factor may be corrected at the customer's expense. The adjusted measured demand then becomes a billing demand.

G. Billing Demand: The billing demand for any month shall be the adjusted measured demand, but not less than 60% of the highest summer month of the past 11 months.

- H. Primary Voltage Metering: Where service is taken under this rate schedule at a primary voltage, the following discounts shall apply.
- 4% of the total charge where metering is at primary voltage and transformers are owned by the customer.
  - 2% of the total charge where metering is at secondary voltage and transformers are owned by the customer.
  - 1% of the total charge where metering is at primary voltage and transformers are owned by the City.
- I. Applicable: All GSD customers will be reviewed annually in October to determine their status in this rate class. (Not applicable to resale, stored, or auxiliary service).

SECTION IV: SUPPLEMENTAL SERVICE (SS)

- A. Monthly rate for Summer Period:

	<u>NET</u>	
Customer Service Charge, per month.....	<del>\$54.79</del>	<b>\$58.35</b>
Demand Charge:		
Per kW of billing demand.....	<del>\$13.14</del>	<b>\$13.99</b>
Plus Energy Charge, per kWh:		
For all usage, per kWh.....	<del>\$.05138</del>	<b>\$.05472</b>

- B. Monthly rate for Winter Period:

	<del>\$54.79</del>	<b>\$58.35</b>
Customer Service Charge, per month.....		
Demand Charge:		
Per kW of billing demand.....	<del>\$7.12</del>	<b>\$7.58</b>
Plus Energy Charge, per kWh:		
For all usage, per kWh.....	<del>\$.05138</del>	<b>\$.05472</b>

- C. Minimum Monthly Bill:

The Customer Service Charge, plus billing demand charges.

- D. Power Factor Adjustment: For loads of 500 kW or more, or at the option of the City, power factor adjustments will be made in the billing demand, when the average power factor is less than 90%. If the average power factor, as determined by the electric department, is lower than 90%, the monthly demand charge will be multiplied by the ratio 90% bears to the average power factor, or at the City's option, the power factor may be corrected at the customer's expense. The adjusted measured demand then

becomes the billing demand.

- E. Billing Demand: The billing demand for any month shall be the adjusted measured demand, but not less than 60% of the highest summer month of the past 11 months.
- F. Primary Voltage Metering: Where service is taken under this rate schedule at a primary voltage, the following discounts shall apply.
  - 4% of the total charge where metering is at primary voltage and transformers are owned by the customer.
  - 2% of the total charge where metering is at secondary voltage and transformers are owned by the customer.
  - 1% of the total charge where metering is at primary voltage and transformers are owned by the City.

SECTION V: LARGE POWER (LP)

- A. Monthly rate for Summer Period:

	<u>NET</u>	
Customer Service Charge, per month .....	<del>\$49.49</del>	<b>\$52.71</b>
Demand Charge:		
Per kW of billing demand .....	<del>\$16.50</del>	<b>\$17.57</b>
Plus Energy Charge, per kWh:		
For all usage, per kWh .....	<del>\$.03995</del>	<b>\$.04255</b>

- B. Monthly rate for Winter Period:

Customer Service Charge, per month .....	<del>\$49.49</del>	<b>\$52.71</b>
Demand Charge:		
Per kW of billing demand .....	<del>\$9.02</del>	<b>\$9.61</b>
Plus Energy Charge, per kWh:		
For all usage, per kWh .....	<del>\$.03995</del>	<b>\$.04255</b>

- C. Minimum Bill:

The Customer Service Charge, plus billing demand charges.

- D. Power Factor Adjustment: For loads of 1,000 kW or more, or at the option of the City, power factor adjustments will be made in the billing demand, when the power factor, as determined by test, at the time of the customer's maximum use is less than 90%. If the power factor, as measured by the electric department, is lower than 90%, the monthly demand charge will be multiplied by the ratio 90% bears to the measured

power factor, or at the City's option, the power factor may be corrected at the customer's expense. The adjusted measured demand then becomes a billing demand.

- E. Billing Demand: The billing demand for any month shall be the adjusted measured demand, but not less than 60% of the highest summer month of the past 11 months.
  
- F. Primary Voltage Metering: Where service is taken under this rate schedule at a primary voltage, the following discounts shall apply.
  - 4% of the total charge where metering is at primary voltage and transformers are owned by the customer.
  - 2% of the total charge where metering is at secondary voltage and transformers are owned by the customer.
  - 1% of the total charge where metering is at primary voltage and transformers are owned by the City.
  
- G. Applicable: All LP customers will be reviewed annually in October to determine their status in this rate class. (Not applicable to resale, stand-by, or auxiliary service).

SECTION VI: MUNICIPAL SERVICE (CC)

- A. Monthly Rate:  
All kWh, per kWh.....~~\$ .08556~~ **\$ .09122**
  
- B. Available:  
To any customer meeting City criteria for service under this schedule, and to any electrical load in which the City has the sole investment and interest. This rate shall be applicable to street lighting.

SECTION VII: DUSK-TO-DAWN LIGHTING

- A. Monthly Rate:
  - 1. For installation on an existing pole and connected to existing secondary conductors on each pole:

<u>Mercury Vapor Luminaire</u>	<u>High Pressure Sodium</u>	<u>Net</u>	
175 watt	100 watt	<del>\$7.49</del> per unit	<b>\$ 7.98</b>
250 watt	150 watt	<del>\$9.71</del> per unit	<b>\$10.34</b>
400 watt	200 or 250 watt	<del>\$12.64</del> per unit	<b>\$13.46</b>
400 watt		<del>\$17.01</del> per unit	<b>\$18.12</b>

2. Where an extension of existing overhead facilities is required, and where such extension is acceptable to the City, the monthly rate shall be increased as follows:

	<u>Net</u>	
· each additional pole installed and	<del>\$1.60</del>	<b>\$1.70</b>
each additional span of secondary conductors installed	<del>\$1.10</del>	<b>\$1.17</b>

3. For installation on decorative metal poles, including secondary wiring:

<u>Mercury Vapor Luminaire</u>	<u>High Pressure Sodium</u>	<u>Net</u>	
175 watt	100 or 150 watt	<del>\$12.37</del> per unit	<b>\$13.17</b>
		9' to 11' poles	
175 watt	100 watt	<del>\$17.15</del> per unit	<b>\$18.26</b>
		18' to 22' poles	
250 watt	150 or 200 watt	<del>\$18.96</del> per unit	<b>\$20.19</b>
		18' to 22' poles	
400 watt	200 or 250 watt	<del>\$21.16</del> per unit	<b>\$22.54</b>
	24' to 30' poles		
	400 watt	<del>\$28.19</del> per unit	<b>\$30.02</b>
		30' to 40' poles	

SECTION VIII:  
POWER PROCUREMENT COST ADJUSTMENT (PCA)

- A. Power Procurement Cost Adjustment: All electrical usage in the Service Area may be subject to application of a Production Cost Adjustment (PCA). The rates, as defined above, include a Production Cost Base of ~~\$.0624~~ **.06507** (summer) and ~~\$.05129~~ **.05638** (winter).

Whenever the total monthly Production Cost exceeds, or is less than, the Production Cost Base, a Production Cost Adjustment may be included in the billing charges. The adjustment shall be calculated in accordance with the following formula and shall include a loss adjustment based upon the previous year's sales and purchases data.

PCA = Actual Average Monthly Cost x (1 + Loss Factor) - Base Cost

Production costs shall include all costs of purchased power and energy. The Loss Factor shall be equal to the difference, expressed as a fraction, between net system energy purchased for the previous year and annual retail sales for the same period.

BE IT FURTHER RESOLVED that the electrical rates established by Resolutions No. 83-17, 89-6, 92-48, 95-16, 95-22, 99-41, 2001-51, 2003-9, 2004-3, 2005-97, 2007-5, 2009-23, 2009-104 and 2010-98 are hereby revoked, canceled, and annulled on the effective date of this Resolution, and the schedule of rates herein established and fixed shall continue until changed, revoked, or modified by resolution.

BE IT FURTHER RESOLVED that the amendments made herein shall become effective upon the passage and approval hereof.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2012-6**

**A RESOLUTION APPROVING NEBRASKA WATER/WASTEWATER AGENCY RESPONSE NETWORK (WARN) WATER AND WASTEWATER AND STORMWATER MUTUAL AID AGREEMENT.**

WHEREAS, NeWARN is a statewide Water/Wastewater Agency Response Network (WARN) of “utilities helping utilities” to prepare for the next natural or human-caused emergency; and

WHEREAS, NeWARN provides water and wastewater utilities with:

- A Mutual Aid Agreement and process for sharing emergency resources among water and wastewater agencies statewide.
- A mutual assistance program consistent with other statewide mutual aid and assistance programs and the National Incident Management System.
- The resources to respond and recover more quickly from a natural or human caused disaster; and
- A forum for developing and maintaining emergency contacts and relationships; and

WHEREAS, the City of Wayne is desirous of entering into a Mutual Aid Agreement with NeWARN for sharing emergency resources among water and wastewater agencies.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the NeWARN Water and Wastewater and Stormwater Mutual Aid Agreement, a copy of which is attached hereto, be approved as written, and the City Administrator and/or Mayor is authorized and directed to execute said Agreement on behalf of the City.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# **NEBRASKA WARN WATER AND WASTEWATER AND STORMWATER MUTUAL AID AGREEMENT**

## **PURPOSE**

The Water and Wastewater and Stormwater Mutual Aid Program is hereby established to provide a method whereby water, wastewater, and stormwater departments sustaining physical damage from natural or man made disasters can obtain emergency assistance, in the form of personnel, equipment, and materials and other associated services necessary, from other water, wastewater, and stormwater departments. The purpose of this Agreement is to formally document such program. The title of this agreement shall be the Nebraska WARN.

## **PARTIES**

This Mutual Aid Agreement (“Agreement”) is entered into by, \_\_\_\_\_, that by the signatures on duplicate original copies of this Agreement has consented to the terms of this Agreement. Any utility that has signed this Agreement and submitted a copy to the location designated by the Nebraska WARN governance Board is a party to this Agreement. Eligible participants shall be limited to any political subdivision of the State of Nebraska that owns and/or operates a water, wastewater and/or stormwater system.

## **PROCEDURE**

- In the event that a particular utility becomes a damaged utility, the following procedure shall be followed to the best extent possible:
- The Damaged utility may contact the Authorized representative of one or more of the Participating Utilities and provide them with the following information:
  - A general description of the damage sustained;
  - The part of the water/wastewater/stormwater system for which assistance is needed;
  - The amount and type of personnel, equipment, materials and supplies needed and a reasonable length of time they will be needed;
  - The present weather conditions and the forecast for the next twenty-four hours; and
  - A specific time and place for a representative of the damaged utility to meet the personnel and equipment of the assisting utility; and
  - The identification of work conditions and special constraints such as availability of fuel supplies, lodging/meal support, medical facilities, security, communications, etc.
- When contacted by a damaged utility, the authorized representative of a participating utility shall assess his utility’s situation to determine whether it is capable of

providing assistance. No participating utility shall be under any obligation to provide assistance to a damaged utility. If the authorized representative determines that the Assisting utility is capable of and willing to provide assistance, the assisting utility shall so notify the authorized representative of the damaged utility and providing the following information to the best extent possible:

- A complete description of the personnel, equipment and materials to be furnished to the damaged utility;
  - The estimated length of time the personnel, equipment and materials will be available;
  - The work experience and ability of the personnel and the capability of the equipment to be furnished;
  - The name of the person or persons to be designated as supervisory personnel; and
  - The estimated time when the assistance provided will arrive at the location designated by the authorized representative of the damaged utility.
- The personnel and equipment of the assisting utility shall remain, at all times, under the direct supervision and control of the designated supervisory personnel of the assisting utility. In instances where only equipment is provided by the assisting utility, the ownership of said equipment shall remain with the assisting utility and said equipment shall be returned to the assisting utility immediately upon request. Representatives of the damaged utility shall suggest work assignments and schedules for the personnel of the assisting utility; however, the designated supervisory personnel of the assisting utility shall have the exclusive responsibility and authority for assigning work and establishing work schedules for the personnel of the assisting utility. The designated supervisory personnel shall maintain daily personnel time records and a log of equipment hours, be responsible for the operation and maintenance of the equipment furnished by the assisting utility, and report work progress to the damaged utility.
  - Unless otherwise agreed to, the damaged utility must provide food and housing for the personnel of the assisting utility from the time of departure from their regularly scheduled work location until the time of return to their regularly scheduled work location. The food and shelter provided shall be subject to the approval by the Assisting utility's supervisory personnel. If not approved, food and shelter must be provided and paid for as determined by mutual agreement.
  - The damaged utility must provide communications between the personnel of the Assisting utility and the damaged utility.
  - When providing assistance under this Agreement, the damaged utility and assisting utility shall be organized and shall function under the National Incident Management System.

## REIMBURSABLE EXPENSES

To the best extent possible, the terms and conditions governing reimbursement for any assistance provided under this Agreement shall be agreed to prior to the providing of such assistance and shall be in accordance with the following provisions:

- **PERSONNEL** – During the period of assistance, the assisting utility shall continue to pay its employees according to its then prevailing rules and regulations. The damaged utility shall reimburse the Assisting utility for all direct and indirect payroll costs and expenses incurred during the period of assistance, including, but not limited to, employee pensions and benefits.
- **EQUIPMENT** – The assisting utility shall be reimbursed for the use of its equipment during the Period of Assistance according to the Schedule of Equipment Rates established and published by FEMA. If an assisting utility uses an alternate basis of rates for equipment listed on the FEMA Schedule of equipment rates, it shall provide such rates to the damaged utility prior to providing assistance. Rates for equipment not referenced on the FEMA Schedule of Equipment Rates shall be developed based on actual recovery of costs.
- **MATERIALS AND SUPPLIES** – The assisting utility shall be reimbursed for all materials and supplies furnished by it and used or damaged during the period of assistance, unless such damage is caused by negligence of the assisting utility's personnel. The measure of reimbursement shall be the replacement cost of the materials and supplies used or damaged, plus ten percent of such cost. In the alternative, the parties may agree that the damaged utility will replace, with a like kind and quality, as determined by the Assisting utility, the materials and supplies used or damaged.

## PAYMENT

Unless mutually agreed otherwise, the assisting utility shall bill the requesting utility for all expenses not later than 45 days following the period of assistance. Unless mutually agreed otherwise, the requesting utility shall pay the bill in full not later than 90 days following the billing date.

## INSURANCE

Each participating utility shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance, and in what amounts, it should carry.

## INDEMNIFICATION

The utility requesting assistance shall indemnify, defend and hold harmless any assisting utility against any and all claims, demands and damages or expenses, including attorneys fees, arising out of or resulting from the performance of the contract that results in bodily injury, sickness, disease, death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom and is caused in whole or in part by the assisting utility or anyone for whose acts any of them may be liable. However, this provision will not require the requesting utility to indemnify or hold harmless the assisting utility for any losses, claims, damages, and expenses arising out of or resulting from the gross negligence of the assisting utility.

## GOVERNANCE AND VOTING

The Nebraska WARN shall be governed by a Board of up to 11 persons selected by the participating utilities. One time in a 12 month period, the Board shall send a Board nomination form to all Nebraska WARN participating utilities. Following the submission of nominations, the Board shall send a ballot of Board candidates to all Nebraska WARN participating utilities. Each participating utility shall be entitled to complete one ballot. The persons receiving the most votes on the returned ballots shall be the Nebraska WARN Board. Board members do not have to be staff or elected officials of a participating utility.

## BOARD DUTIES

The Board shall have the authority to govern the general operations of the Nebraska WARN. The Board shall have the authority to appoint one or more Nebraska WARN administrators to assist in the general operations of the Nebraska WARN.

## FUNDING AND PROPERTY OWNERSHIP

The Nebraska WARN shall not collect dues, taxes or any type of revenue from the participating utilities. The Nebraska WARN shall not own property.

## TERM AND DURATION

This Agreement shall become effective as to each party on the date such party executes the Agreement and shall continue in force and remain binding until said party terminates the agreement. Termination of participation in this Agreement by a party shall not affect the continued operation of this Agreement between and among the remaining parties. This agreement shall remain effective until January 31, 2058.

TERMINATION

Any Party may at any time by written resolution or notice given to the administrator to decline to participate in the provision of mutual aid. The party shall give written notice of termination of participation in this Agreement.

**NOW, THEREFORE, in consideration of the covenants and obligations contained herein, the Participating Utility listed here, as a Participating Utility duly executes this Water/ Wastewater/Stormwater Mutual Aid Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

\_\_\_\_\_

Name of Utility

\_\_\_\_\_

Authorized Representative

**RESOLUTION NO. 2012-7**

**A RESOLUTION APPROVING LETTER AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF WAYNE AND OLSSON ASSOCIATES FOR THE WAYNE POWER PLANT COOLING TOWER PROJECT.**

WHEREAS, the Wayne City Council approved a Letter Agreement with Olsson Associates on September 20, 2011, in an amount not to exceed \$15,000 for professional services regarding the "Wayne Power Plant Cooling Tower Project"; and

WHEREAS, the services provided by Olsson Associates for said project have exceeded the project cap of \$15,000; and

WHEREAS, Olsson Associates and staff are requesting that the project cap of \$15,000 be removed and that Olsson Associates be allowed to proceed with the project with engineering fees for services as required to complete the project.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Letter Agreement between the City of Wayne and Olsson Associates for the "Wayne Power Plant Cooling Tower Project" be accepted as recommended, and the City Administrator and/or Mayor is authorized and directed to execute said agreement for the professional services on behalf of the City.

PASSED AND APPROVED this 17<sup>th</sup> day of January, 2012.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



Engineering  
Architecture  
Surveying  
Planning

January 12, 2012

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. 16 for the above referenced project. Work completed this month includes some paving, grading, and electrical work. The Contractor is seeking payment on \$5,130,495.49 less retainage and previous payments. JEO recommends payment in the amount of \$14,039.00 to Eriksen Construction Co. Inc.

A progress meeting was held on January 9, 2012 and meeting minutes will be forwarded to staff.

Since November 16, 2011 the facility has been fully online and treating wastewater. Compliance samples have met permit limits. We are conducting additional testing within the system and continue to make some minor adjustments. Punch lists have been developed and provided to the Contractor to address either incomplete items or ones needing attention. All demolition work has been completed and training tasks are being finalized.

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,

A handwritten signature in blue ink that reads "Roger S. Protzman".

Roger S. Protzman, P.E.  
Project Manager

RSP:skw  
Enclosures

Pc: Garry Poutre (via email)

## APPLICATION FOR PAYMENT NO. 16

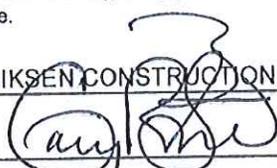
To: City of Wayne, Nebraska  
 From: Eriksen Construction Company, Inc.  
 Contract For: 2009 - 2010 Wastewater Treatment Facility Improvements, Phase I  
 ENGINEER's Project No. 090621 (617S7)  
 For Work accomplished through the date of: 12/30/2011

1. Original Contract Price:	\$5,098,770.00
2. Net change by Change Orders and Written Amendments (+ or -):	\$ 63,924.49
3. Current Contract Price (1 plus 2):	\$ 5,162,694.49
4. Total completed and stored to date:	\$5,130,495.49
5. Percent of Project Completed <span style="float: right;"><u>99%</u></span>	
6. Retainage (per agreement):	
<u>10% of 50%</u> of completed Work and Stored Materials: <u>\$254,938.50</u>	
(10% of the first 50% of work completed & stored)	
Total Retainage:	\$ 254,938.50
7. Total completed and stored to date less retainage (4 minus 6):	\$ 4,875,556.99
8. Less previous Application for Payments:	\$ 4,861,517.99
<b>9. DUE THIS APPLICATION (7 MINUS 8):</b>	<b>\$ 14,039.00</b>

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 15 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: 1/5/2012 By: ERIKSEN CONSTRUCTION COMPANY, INC.  


Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: 1/12/12 By: JEO CONSULTING GROUP, INC.  


APPLICATION APPROVED BY:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_ Title: \_\_\_\_\_

Application and Certificate for Payment, containing Contractor's signed certification is attached. In tabulations below, amounts are stated to the nearest Dollar.

Application Number: 16  
Application Date: 12/30/2011  
Period From: 11/30/2011  
Period To: 12/30/2011  
Eng. Project No.: 617S7

Use Column 1 on Contracts where variable retainage for line items may apply.

Retainage: 10%

A No.	B Description of Work	C Scheduled Value	D Work Completed			G Total Completed and Stored to Date D+E+F	H % G/C	I Retainage C-G
			Previous Applications	Work In Place	Stored Materials			
1	Bonds and Insurance	75,000.00	75,000.00	-	0.00	75000.00	100%	-
2	Mobilization	68,680.00	68,680.00	-	0.00	68680.00	100%	-
3	Site Clearing	85,360.00	85,360.00	-	0.00	85360.00	100%	-
4	Grading	25,660.00	23,100.00	1,283.00	0.00	24383.00	95%	1,277.00
5	Excavation	50,724.00	50,724.00	-	0.00	50724.00	100%	-
6	Aquarius Tank Rock Base & Sub	39,780.00	39,780.00	-	0.00	39780.00	100%	-
7	Fill	9,780.00	9,780.00	-	0.00	9780.00	100%	-
8	Backfill	80,126.00	80,126.00	-	0.00	80126.00	100%	-
9	Surcharge	19,375.00	19,375.00	-	0.00	19375.00	100%	-
10	Staging Area	34,607.00	34,607.00	-	0.00	34607.00	100%	-
11	Demolition	2,120.00	2,120.00	-	0.00	2120.00	100%	-
12	Rock Around Lift Station	2,163.00	2,163.00	-	0.00	2163.00	100%	-
13	Erosion Control	15,000.00	15,000.00	-	0.00	15000.00	100%	-
14	Fence	40,783.00	21,000.00	-	0.00	21000.00	51%	19,783.00
15	Seeding	5,000.00	-	-	0.00	0.00	0%	5,000.00
16	Pavement	32,000.00	28,800.00	3,200.00	0.00	32000.00	100%	-
17	Concrete	294,000.00	294,000.00	-	0.00	294000.00	100%	-
18	Rebar	196,100.00	196,100.00	-	0.00	196100.00	100%	-
19	Hollow Core	2,500.00	2,500.00	-	0.00	2500.00	100%	-
20	Masonry	151,450.00	151,450.00	-	0.00	151450.00	100%	-
21	Misc. Metals	65,000.00	65,000.00	-	0.00	65000.00	100%	-
22	Handrails/Stairs/Grating	21,000.00	21,000.00	-	0.00	21000.00	100%	-
23	Final Clarifier Demo	4,400.00	4,400.00	-	0.00	4400.00	100%	-
24	Flat Covers	250,000.00	250,000.00	-	0.00	250000.00	100%	-
25	Carpentry	28,500.00	28,500.00	-	0.00	28500.00	100%	-
26	Trusses	10,500.00	10,500.00	-	0.00	10500.00	100%	-
27	Water Repellants	3,500.00	3,500.00	-	0.00	3500.00	100%	-
28	Insulation	1,000.00	1,000.00	-	0.00	1000.00	100%	-
29	Gutters	3,000.00	3,000.00	-	0.00	3000.00	100%	-
30	Joint Sealants	8,000.00	8,000.00	-	0.00	8000.00	100%	-
31	Doors & Hardware	7,800.00	7,800.00	-	0.00	7800.00	100%	-
32	Overhead Doors	12,000.00	12,000.00	-	0.00	12000.00	100%	-
33	Drywall	1,000.00	1,000.00	-	0.00	1000.00	100%	-
34	Painting	45,000.00	45,000.00	-	0.00	45000.00	100%	-
35	Toilet Accessories	4,700.00	4,700.00	-	0.00	4700.00	100%	-
36	Grit and Screw Classifier System	200,000.00	200,000.00	-	0.00	200000.00	100%	-
37	Submersible Lift Station Pumps	33,000.00	33,000.00	-	0.00	33000.00	100%	-
38	Rotary Lobe Pumps	4,800.00	4,800.00	-	0.00	4800.00	100%	-
39	Scraper Clarifiers	165,000.00	165,000.00	-	0.00	165000.00	100%	-
40	Verticle Fine Screen	98,000.00	98,000.00	-	0.00	98000.00	100%	-
41	Interrally Fed Drum Screen & Comp	142,500.00	142,500.00	-	0.00	142500.00	100%	-
42	Gates	14,000.00	14,000.00	-	0.00	14000.00	100%	-
43	Aquarius MSABP	1,326,600.00	1,326,600.00	-	0.00	1326600.00	100%	-
44	Possitive Displacement Blower	64,050.00	64,050.00	-	0.00	64050.00	100%	-
45	Casework/Counter Top	11,865.00	11,865.00	-	0.00	11865.00	100%	-
46	Hoist/Trolley/Crane	13,650.00	13,650.00	-	0.00	13650.00	100%	-
47	Valves	117,600.00	117,600.00	-	0.00	117600.00	100%	-

Application and Certificate for Payment, containing Contractor's signed certification is attached. In tabulations below, amounts are stated to the nearest Dollar.

Application Number: 16  
Application Date: 12/30/2011  
Period From: 11/30/2011  
Period To: 12/30/2011  
Eng. Project No.: 617S7

Use Column 1 on Contracts where variable retainage for line items may apply.

Retainage: 10%

A No.	B Description of Work	C Scheduled Value	D Work Completed			G Total Completed and Stored to Date D+E+F	H % G/C	I Retainage C-G
			Previous Applications	Work In Place	Stored Materials			
48	Yard Piping	238,975.00	238,975.00	-	0.00	238975.00	100%	-
49	Manholes	174,900.00	174,900.00	-	0.00	174900.00	100%	-
50	Process Piping	98,322.00	98,322.00	-	0.00	98322.00	100%	-
51	Mechanical	86,000.00	86,000.00	-	0.00	86000.00	100%	-
52	Electrical	613,900.00	598,205.00	9,556.00	0.00	607761.00	99%	6,139.00
53		0.00	-	-	0.00	0.00	0%	-
		5,098,770.00	5,052,532.00	14,039.00	0.00	5066571.00	99%	32,199.00
	CHANGE ORDERS							
	CO1 Change Order No. 1	3,810.83	3,810.83	-	0.00	3810.83	100%	-
	CO2 Change Order No. 2	4,226.63	4,226.63	-	0.00	4226.63	100%	-
	CO3 Change Order No. 3	55,887.03	55,887.03	-	0.00	55887.03	100%	-
		5,162,694.49	5,116,466.49	14,039.00	0.00	5130495.49	99%	32,199.00

## City of Wayne

**Job Title:** Police Dispatcher

**Department:** Police

**Reports To:** Police Chief

**FLSA Status:** Hourly

### Summary

Receives complaints from public concerning police emergencies and broadcasts orders to suitable units to investigate by performing the following duties.

**Essential Duties and Responsibilities** include the following. Other duties may be assigned.

Relays instructions or questions from remote units. Records calls broadcast and complaints received. Questions callers to determine location and seriousness of emergency and response needed. Coordinates all police, fire, ambulance, and other emergency requests, relaying instructions to closest and most suitable units available through the use of radio and paging systems. Relays information between hospital staff and emergency medical technicians at site or in ambulance. Provides preliminary first aid instructions before paramedic truck or ambulance arrives. Transmits and receives messages between divisions of own agency and other law enforcement agencies. Contacts police officers to verify assignment locations, monitors dispatched units and, when necessary, serves as liaison with caller. Monitors alarm panels, closed circuit cameras for building security, front desk lobby. Assists daily processing of reports and records. Provides public and general assistance and related duties as required.

### Supervisory Responsibilities

This job has no supervisory responsibilities.

### Competencies

To perform the job successfully, an individual should demonstrate the following competencies :

Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.

Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.

Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.

Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.

Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others.

Organizational Support - Follows policies and procedures.

Judgement - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

### **Qualifications**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

### **Education and/or Experience**

High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.

### **Language Skills**

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

### **Mathematical Skills**

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

### **Reasoning Ability**

Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

## **Computer Skills**

Ability to enter accurate data in to Computer Aided Dispatch System and be proficient in word processing.

## **Other Skills and Abilities**

Must be able to transmit and receive radio and telephone communications; must have fluent use of English language for both oral and written communications; possess or be able to obtain CPR certification; operate computer keyboard and typewriter, multi-line telephone system, and multi-channel radio system.

## **Other Qualifications**

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit; use hands to finger, handle, or feel; reach with hands and arms and talk or hear. The employee is occasionally required to stand and walk. The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision and color vision.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet.

## City of Wayne

**Job Title:** Police Officer  
**Department:** Police  
**Reports To:** Police Sergeant  
**FLSA Status:** Hourly

### Summary

Under direction of Chief of Police or Sergeant, is a certified, sworn, and armed officer that enforces laws related to the protection of life and property, directs and controls traffic, prevents crime or disturbance of peace, and arrests violators by performing the following duties.

**Essential Duties and Responsibilities** include the following. Other duties may be assigned.

Patrols assigned area on foot, by motorcycle, in patrol car, or on bicycle to enforce laws, prevent and discover crimes, investigate crimes, maintain order, and answer calls and complaints. Answers radio-dispatched or citizens' requests for police services at the scene of accidents, domestic disputes, law violations, and peace disturbances. Familiarizes self with beat and with persons living in area. Investigates illegal or suspicious activities, persons, and establishments, and quells disturbances. Locates, searches, detains, and arrests law violators, following recognized police procedures. Interviews and questions victims, witnesses, and suspects. Gathers and preserves evidence. Performs first aid and provides other assistance to accident and other victims. Investigates causes and results of accidents. Directs and controls traffic, assists Fire Department on various calls. Issues written citations for traffic and other minor violations. Inspects public establishments requiring licenses to ensure compliance with rules and regulations. Checks security of homes and businesses. Operates police communication and computer equipment to obtain, disseminate, and report information. Attends community meetings to discuss crime prevention activities and crime problems. Writes detailed incident, investigation, activity, and other reports. Testifies in court to present evidence by describing conditions, situations, and actions. Maintains police vehicles and equipment and performs office duties as required or assigned.

### Supervisory Responsibilities

This job has no supervisory responsibilities.

### Competencies

To perform the job successfully, an individual should demonstrate the following competencies :

Customer Service - Manages difficult or emotional customer situations; Responds promptly to customer needs; Solicits customer feedback to improve service ; Responds to requests for service and assistance; Meets commitments.

Interpersonal Skills - Focuses on solving conflict, not blaming; Maintains confidentiality; Listens to others without interrupting; Keeps emotions under control; Remains open to others' ideas and tries new things.

Oral Communication - Speaks clearly and persuasively in positive or negative situations; Listens and gets clarification; Responds well to questions; Demonstrates group presentation skills; Participates in meetings.

Written Communication - Writes clearly and informatively; Edits work for spelling and grammar; Varies writing style to meet needs; Presents numerical data effectively; Able to read and interpret written information.

Teamwork - Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed.

Ethics - Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically; Upholds organizational values.

Organizational Support - Follows policies and procedures; Completes administrative tasks correctly and on time; Supports organization's goals and values; Benefits organization through outside activities; Supports affirmative action and respects diversity.

Judgment - Displays willingness to make decisions; Exhibits sound and accurate judgment; Supports and explains reasoning for decisions; Includes appropriate people in decision-making process; Makes timely decisions.

Motivation - Sets and achieves challenging goals; Demonstrates persistence and overcomes obstacles; Measures self against standard of excellence; Takes calculated risks to accomplish goals.

Planning/Organizing - Prioritizes and plans work activities; Uses time efficiently; Plans for additional resources; Sets goals and objectives; Organizes or schedules other people and their tasks; Develops realistic action plans.

Professionalism - Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position; Accepts responsibility for own actions; Follows through on commitments.

Quality - Demonstrates accuracy and thoroughness; Looks for ways to improve and promote quality; Applies feedback to improve performance; Monitors own work to ensure quality.

Quantity - Meets productivity standards; Completes work in timely manner; Strives to increase productivity; Works quickly.

Safety and Security - Observes safety and security procedures; Determines appropriate action beyond guidelines; Reports potentially unsafe conditions ; Uses equipment and materials properly.

Adaptability - Adapts to changes in the work environment; Manages competing demands; Changes approach or method to best fit the situation; Able to deal with frequent change, delays, or unexpected events.

Attendance/Punctuality - Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time.

Dependability - Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments; Commits to long hours of work when necessary to reach goals.; Completes tasks on time or notifies appropriate person with an alternate plan.

Initiative - Volunteers readily; Undertakes self-development activities; Seeks increased responsibilities; Takes independent actions and calculated risks; Looks for and takes advantage of opportunities; Asks for and offers help when needed.

Innovation - Displays original thinking and creativity; Meets challenges with resourcefulness; Generates suggestions for improving work; Develops innovative approaches and ideas; Presents ideas and information in a manner that gets others' attention.

## **Qualifications**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

## **Education and/or Experience**

High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.

## **Language Skills**

Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

## **Mathematical Skills**

Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

## **Reasoning Ability**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

## **Other Skills, Abilities, and Qualifications**

Must be 21 years of age; must be a United States citizen; must be a high school graduate or GED equivalent; must be able to pass a high school equivalency (TABE) test; must be able to operate a police cruiser; must maintain a valid Nebraska motor vehicle operators license; must be able to obtain Police Officer certification through the Nebraska Law Enforcement training Center; must be physically able to obtain and maintain certification in CPR and Department or personal issued firearms; must have fluent use of the English language for both oral and written communication; must be able to hear normal conversations; must be able to differentiate between the eight basic colors; must have 20/20 vision in both eyes or correctable to 20/20 in both eyes; must be able to lift to recover property and assist with accident victims; must be physically able to pursue and effect the arrest of suspects in various areas of the City; ability to work in adverse weather conditions.

## **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; stoop, kneel, crouch, or crawl and talk or hear. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision and color vision.

## **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is occasionally exposed to outside weather conditions; extreme cold and extreme heat. The noise level in the work environment is usually moderate.

**CITY OF WAYNE RECREATION SERVICES DIRECTOR**

**DESCRIPTION OF WORK:** Under the direction of the City Administrator; the Recreation Services Director provides a broad and comprehensive public recreation and leisure service program, utilizing the City of Wayne's Community Activity Center (CAC) and other recreation areas or facilities in the community. The Director plans, organizes, and directs all recreation activities and programs that encourage and promote community participation. The Director also oversees management of CAC staff and directly supervises the CAC Assistant Director.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

- Developing and promoting comprehensive plans for recreation, parks and leisure services programs and facilities that meet the needs of the community;
- Supervising, planning, designing constructing and maintaining baseball/softball/soccer parks and leisure services facilities in cooperation with other City departments;
- Selecting, developing, and supervising paid staff and volunteers;
- Evaluating effectiveness of recreation services department areas, facilities and programs;
- Developing and implementing budgetary and fiscal management plans and programs;
- Promoting and increasing membership and usage at the CAC through development and offering of programs and activities;
- Working to insure that recreation, parks and leisure services are well-balanced, coordinated and integrated in the community;
- Interpreting offered programs to the public and maintaining cooperative planning and working relations with allied public and advisory agencies, including the City's appointed Recreation-Leisure Services Commission; and
- Performing such other related duties and responsibilities as may be directed by the City Administrator.

**EXAMPLES OF WORK:** Assumes general responsibility for the care, security, maintenance, and inventory of all recreation equipment and facilities (except for the swimming pool); prepares such reports as may be required; employs and trains coaches and seasonal personnel upon completion and verification of application forms; arranges the use of appropriate local facilities with School District, City of Wayne, and Wayne State College; prepares annual department budgets; directly supervises and approves expenditures for equipment, supplies, dues, fees, etc., within budget guidelines; assists other recreation personnel in total recreation program activities when necessary; and maintains accurate record filing system in office setting.

**JOB STANDARDS/SKILLS:** Bachelor's Degree in Recreation-Leisure Services, physical education, public administration, or related field required. Have minimum of four (4) years public recreation-leisure services experience; supervisory; first-aid; CPR skills are preferred.

**JOB LOCATION:** Wayne Community Activity Center and grounds at 901 West 7<sup>th</sup> Street; other various facilities to include Hank Overin Field; Wayne State College tennis courts; Wayne golf course; City Summer Sports Complex; Bressler Park; pedestrian trail system; and swimming pool.

**EQUIPMENT USED:** Lawn mowers; city vehicles; pitching machines; computer; typewriter; VCR; camera; copy machine; telephone; hand tools; calculator; floor machine; recreation equipment

**SALARY RANGE:** \$24,000 to \$35,000, depending on experience and qualifications, plus full benefits package, including medical, vacation, sick leave, holidays, short term/long term disability, and retirement.



- LKL began preparation of a Building and Grounds Maintenance to be completed in early next year with the guidance of the library board. The current intent is for this to become a tool for each round of long range planning in the future.
- Fall Children's Programming ended the week before Thanksgiving. Saturdays went well; Mother Goose was down a little this fall. Not sure whether it is just a change in the demographics of children that age, if we need to better market this program to young parents, or even just change the day. (staff has noticed young mothers and children gathering in the children's room on Thursdays and Fridays)
- LKL, RMcLean, and JOsnes have completed CPR recertification. Five of the library assistants have also completed training.
- JOsnes continues with participation in the Wayne Leadership program. She brings some new tidbit back each month to share with the staff.
- LKL has completed annual evaluations for the Library Assistants. December will see evaluation of the Librarian 1 positions. The two new staff members will receive their 6-month probationary review in early 2012.
- JOsnes hosted a Cabin Fever party on Tuesday afternoon, November 15 to celebrate the release of the latest book in Jeff Kinney very popular series: Diary of a Wimpy Kid.
- RMcLean met with the adult book club for the final time in 2011. The group selected reads for 2012. This popular program for adults is becoming so successful we may need to consider expanding to more than one group.
- December report preview: Last Friday JOsnes was awarded with the Chamber's final Congeniality Award of 2012. The timing was perfect, happening at the Chamber Coffee with elementary students singing. Lots of parents were there, so we told Julie to attend coffee and share info about the Early Literacy Station computers in the children's room. She came, presented, and then was thoroughly surprised by the honor. Fun to watch her get this well deserved award.

#### OLD BUSINESS

- Video request--L. Lofgren will look into purchasing the book version of the video.
- Library Long Range Planning--J. Hammer moved to approve the long range plan with the option of altering it in the future. M. Spieker seconded. Plan approved.

#### NEW BUSINESS

- Officer elections--postponed until next month

Other:

L. Lofgren will develop a "Giving Tree" for the library that will allow patrons a new way to donate materials.

M. Spieker moved to adjourn the meeting, J. Hammer seconded. Meeting adjourned at 5:30 PM.

Respectfully submitted,  
Mollie Spieker  
Secretary