

MINUTES
CITY COUNCIL MEETING
January 15, 2008

The Wayne City Council met in regular session at City Hall on Tuesday, January 15, 2008, at 5:30 o'clock P.M. Mayor Lois Shelton called the meeting to order with the following in attendance: Councilmembers Brian Frevert, Don Buryanek, Doug Sturm, Kaki Ley, Darrel Fuelberth, and Ken Chamberlain; City Attorney Chris Connolly; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Verdel Lutt and Dale Alexander.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 3, 2008, 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 Fuelberth made a motion and seconded by Councilmember Sturm, whereas the Clerk has prepared copies of the Minutes of the meeting of January 2, 2008, 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 Shelton 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: APPEARA, SE, 129.39; BANK FIRST, SU, 100.00; BROWN SUPPLY, SU, 91.65; CITY OF WAYNE, RE, 375.00; CITY OF WAYNE, RE, 20.00; CITY OF WAYNE, RE, 5497.28; CITY OF WAYNE, RE, 1000.00; CITY OF WAYNE, SE, 120.00; CITY OF WAYNE, RE, 142.50; CITY OF WAYNE, RE, 510.83; CONNECTING POINT, SE, 17.90; COPY WRITE PUBLISHING, SU, 211.26; DULTMEIER SALES, SU, 36.45; FLOOR MAINTENANCE, SU, 111.86; GILL HAULING, SE, 1584.68; GREAT PLAINS ONE-CALL, SE, 7.07; HATTIG CONSTRUCTION, SU, 4561.00; HAUFF MID-AMERICAN SPORTS, SU, 19.50;

HYTREK LAWN SERVICE, SE, 80.00; JACK'S UNIFORMS, SE, 99.00; KTCH, SE, 845.00; LP GILL, SE, 4717.96; MADISON CO SHERIFF, SE, 40.00; MATTHEW BENDER & CO, SU, 259.80; METRO KN CHAPTER ICBO, FE, 20.00; NAEM, FE, 290.00; NATIONAL BUSINESS FURNITURE, SU, 108.95; NCBOI, FE, 150.00; NE EMERGENCY SERVICE, FE, 75.00; NE PLANNING & ZONING ASSOCIATION, FE, 40.00; PAC N SAVE, SU, 1406.35; PEPSI-COLA, SU, 283.82; PIERCE TELEPHONE CO, SU, 447.72; POSTMASTER, SU, 279.00; PRESTO X COMPANY, SE, 71.89; PROVIDENCE MEDICAL CENTER, SE, 4245.25; QUILL, SU, 80.99; QWEST, SE, 1158.97; RASMUSSEN ELECTRIC, SU, 806.40; RON'S RADIO, RE, 521.00; STADIUM SPORTING GOODS, SU, 27.80; STATE NATIONAL BANK, RE, 4337.26; USIS COMMERCIAL SERVICES, SE, 51.90; WATERLINK, INC, SE, 1053.42; WAYNE AREA CHAMBER, FE, 35.00; WAEDI, RE, 7284.58; WAYNE COUNTY CLERK, SE, 16.50; WAYNE COUNTY COURT, RE, 400.00; WAYNE GRAIN & FEED, SE, 96.00; WAYNE HERALD, SE, 190.00; WAYNE VETERINARY CLINIC, SE, 311.89; WESCO, SU, 307.75; WAPA, SE, 22606.61; AWWA, FE, 280.00; CITY OF WAYNE, RE, 563.40; CITY OF WAYNE, RE, 500.00; CITY OF WAYNE, RE, 326.20; CLASSY CLEANING LADIES, SE, 195.35; COLONIAL RESEARCH, SU, 111.18; COPY WRITE PUBLISHING, SU, 162.00; COVENTRY HEALTH, SE, 19,191.52; CREDIT BUREAU SERVICES, RE, 45.12; DAKOTA BUSINESS SYSTEMS, SE, 71.16; JACK'S UNIFORMS, SU, 1794.05; DE LAGE LANDEN FINANCIAL, SE, 411.00; ED M FELD EQUIPMENT, SU, 153.43; EISENBRAUN & ASSOC., SE, 3579.90; ELECTRIC FIXTURE, SU, 1232.78; ENVIROTECH SERVICES, SU, 3882.56; FLOOR MAINTENANCE, SU, 1689.50; FREDRICKSON OIL, SE, 611.01; GERHOLD CONCRETE, SU, 13.56; INDUSTRIAL TOOL, SU, 170.14; INGRAM BOOK COMPANY, SU, 245.34; LESEBERG MASONARY & CONST, SE, 75.00; LINWELD, SU, 62.04; MIDWEST LABORATORIES, SE, 187.30; NE DEPT OF ENVIRONMENTAL, SE, 150.00; NPPD, SE, 158475.86; NMC, INC., SU, 409.95; NORTHEAST EQUIPMENT, SU, 89.03; N.E. NE AMERICAN RED CROSS, RE, 29.62; NNPPD, SE, 10920.14; NWOD, FE, 10.00; ORIENTAL TRADING CO, SU, 97.45; PAMIDA, SU, 66.72; PURCHASE POWER, SU, 1023.04; QWEST, SE, 98.83; RON'S RADIO, SU, 454.00; S & S WILLERS, SU, 677.20; STATE STEEL SUPPLY, SU, 1761.57; THOMASSON COMPANY, SU, 12015.33; TOM'S BODY & PAINT, RE, 2342.05; TRI-TECH INC., SU, 197.50; UNITED WAY, RE, 43.05; UTILITIES SECTION, FE, 100.00; WAYNE AUTO PARTS, SU, 406.84; WAYNE HERALD, SE, 1990.46; ZACH PROPANE, RE, 261.05

Councilmember Buryanek made a motion and seconded by Councilmember Chamberlain to approve the claims. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Shelton proclaimed March as "Gambling Awareness Month."

Councilmember Lutt arrived at the meeting at 5:33 p.m.

Mayor Shelton 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, she 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.

Dave Simonsen, Executive Director of Wayne Area Economic Development, Inc., presented the findings of the Synchronist Business Retention and Expansion Software Program that the City helped fund several months ago. Several businesses in the area participated in the program/survey. Copies of the results of the survey are available at the WAEDI office. The State of Nebraska and the Omaha Public Power District are considering implementing this program. Right now, WAEDI is the only economic development organization in the state that uses this program.

Mayor Shelton noted that she has been on a couple of these interviews and from her own perspective, it has given her an opportunity to know a lot more about some of the businesses and industries that are in the community.

Mr. Simonsen then advised Council that they have a business prospect that would like to relocate in Wayne. This is a service-related business, with the potential to provide 40-50 jobs. It would be a 25,000 sq. ft. building with a 50-car parking lot. Our competitors are a lot of other communities in this region. The community that puts forth the best package has the best chance of getting this business. They are already in this region, so it is an existing business. This business spends close to \$50,000 a year at other

businesses within the community they are in right now, so it definitely has a direct benefit on community businesses. If this business were to relocate to Wayne, he believes they would spend as much, if not more, because we have more retail selection than the community they are in right now.

Administrator Johnson stated that WAEDI is requesting Council consideration to offer the following incentives to a business recruitment proposal:

- Waiver of water and sewer hook-up fees depending on the site selected;
- Offer of access to government broad band internet service;
- Possible extension of water/sewer line depending on the site selected;
- Possible extension of street depending on site; and
- Electric heat incentive for all electric building design and heat exchanger ventilation for summer peak load control

Mr. Simonsen stated that even if we would put a very good proposal forward, there is no guarantee that this business would choose Wayne. They may stay in the community where they are at. That community is also putting a proposal together. Obviously when you move a business, you have to have a good reason to move that business. We are also competing against several other communities around that area, too. If we don't put something out there, then we aren't competing at all. They have not made any requests other than giving us specs on a building and telling us some information about what they currently do within the community they are in. These would be benefits that Administrator Johnson put together for examples. WAEDI was asking Council if they would be willing to do some of these or all of these. He cannot disclose the name of the business at this time.

The incentive to offer access to government broad band internet service is a Wayne State College issue. They have been working with WSC and Dennis Linster on

this, and this will be one of the incentives they are going to offer. This is not a private business. In order to be on the College's system, you have to be a publicly funded entity.

Vakoc Construction is providing an estimate on a building. This business is looking at a couple of different sites. WAEDI has to submit the proposal by the end of next week.

Administrator Johnson stated Council has two choices:

- Put some finite number in the budget and say first come first serve; or
- Extend, as you have opportunities, and put some kind of a dollar limit on it.

Mr. Simonsen recommended taking every project on its own merit in regard to what kind of incentives should be offered. Because the business is already in the region, he was not sure if many of the employees would relocate to Wayne. The average pay per person was over \$30,000 a year.

Councilmember Lutt opined if the Council waives the water and sewer hookup fees for a new business coming to Wayne, then they should be waived for a new family of five coming into town.

It was noted that this business, even though a public one, would pay property tax. Commercial water and sewer hookup fees are \$500 each.

Councilmember Chamberlain stated he did not have any objections to the incentives, but as far as the street and water/sewer extensions, he would prefer a cost-share rather than it being paid for completely by the City.

Mr. Simonsen stated that 2-3 sites they are looking at either already have a street or have one very close to it.

Councilmember Sturm had some objection to waiving the hookup fees. We raise money across the board on everybody and then turn around and give somebody a break. It doesn't seem like we are treating people equally. The reason we have these fees are to cover the costs of doing business.

Mayor Shelton stated that part of the City's doing business is attracting economic development, too.

Mr. Simonsen stated that if you want to be in the game, you have to play the game. This business is putting it out there because they want to find the community that is going to give them the best deal.

Councilmember Buryanek stated we have some properties identified that might work for this business. These incentives, plus the property, might entice them to come to Wayne. The other communities might not have the broad band internet service. Even though the incentives aren't going to cost us a lot of money, they are things we can put out there. It's part of marketing.

Councilmember Chamberlain stated the property tax generated from this property will help the community. Buryanek stated even if the people just commute, we would still be bringing people to Wayne to shop.

Councilmember Buryanek made a motion and seconded by Councilmember Fuelberth approving the following incentives to be offered for a recruitment proposal (not to exceed a block of access):

- Waiver of water and sewer hook-up fees depending on the site selected;
- Offer of access to government broad band internet service;
- Possible extension of water/sewer line depending on the site selected;
- Possible extension of street depending on site; and
- Electric heat incentive for all electric building design and heat exchanger ventilation for summer peak load control

Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Lutt who voted Nay, the Mayor declared the motion carried.

Councilmember Sturm made a motion and seconded by Councilmember Fuelberth approving Down Payment Assistance Loan No. 2006-12 for \$18,000. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sturm introduced Ordinance 2007-26, and moved for final approval thereof; Councilmember Ley seconded.

ORDINANCE NO. 2007-26

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, BY AMENDING SECTION 90-10 DEFINITIONS AND SECTION 90-710(c) PARKING OR DRIVEWAY SURFACES, (d) and (e); TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

In response to Councilmember Frevert's inquiry, George Ellyson stated he had not received any telephone calls regarding this ordinance.

Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Frevert who voted Nay, the Mayor declared the motion carried.

Councilmember Chamberlain introduced Ordinance 2008-1 and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2008-1

AN ORDINANCE OF THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA AMENDING SECTION 22-31 OF THE WAYNE CITY MUNICIPAL CODE TO LEVY AN OCCUPATION TAX ON MOBILE TELECOMMUNICATION SERVICES; REPEALING ALL ORDINANCES OR

PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Mayor Shelton stated the reason for this ordinance is to replace the lost revenue from the LAN lines that have disappeared. This is written for total gross revenues.

Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The third and final reading will take place at the next Council meeting.

Councilmember Sturm introduced Resolution No. 2008-4 and moved for its approval; Councilmember Buryanek seconded.

RESOLUTION NO. 2008-4

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON RAZING THE STRUCTURE LOCATED AT 609 LOGAN STREET.

George Ellyson, Chief Inspector/Planner, stated the parent of the owner of this property has requested a 30-day extension. His office does not have a problem with this request, so long as the parent submits the request in writing. However, his recommendation would be for Council to award the bid this evening in order to keep the process moving forward in a timely manner.

Councilmember Lutt thought it would be in the City's best interest to give her the 30-day extension. We don't want to get stuck with another piece of property where we have a razing bill that is higher than what the lot is worth.

Two bids were received: Milo Meyer Construction, Inc., and Dennis E. Otte Excavation Service. The low bid was that of Milo Meyer Construction, Inc.

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

Administrator Johnson stated the following Ordinance would establish handicapped accessibility parking stalls at the following locations as recommended by the ADA Committee:

- 1) One parking space at the intersection of Third and Main Streets on the northeast corner of Third Street.
- 2) One parking space at the intersection of Third and Main Streets on the southeast corner of Third Street.
- 3) One parking space at the intersection of Third and Pearl Streets on the northeast side of Pearl Street.
- 4) One parking space at the intersection of 2nd and Main Streets on the southwest corner of 2nd Street.
- 5) One parking space at the intersection of 2nd and Main Streets on the southeast corner of 2nd Street.
- 6) One parking space at the intersection of 4th and Main Streets on the northeast corner of 4th Street.
- 7) One parking space between Main and Pearl Streets on the north side of Third Street.
- 8) One parking space at the intersection of Third and Pearl Streets on the southwest side of Pearl Street.
- 9) One parking space between Third and Fourth Streets on the east side of Lincoln Street.
- 10) One parking space on the north side of First Street between Main and Pearl Streets (on the east side of alley).

Councilmember Lutt introduced Ordinance 2008-2 and moved for approval thereof; Councilmember Frevert seconded.

ORDINANCE NO. 2008-2

AN ORDINANCE AMENDING CHAPTER 78, ARTICLE III, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING OF THE WAYNE MUNICIPAL CODE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The second reading will take place at the next Council meeting.

George Ellyson, Chief Inspector Planner, presented the new floodplain ordinance. This is the final step in our modification of the existing floodplain. The language before you has already been approved by the State of Nebraska Department of Natural Resources. This is ready to be submitted to FEMA upon Council's approval of the ordinance. Approximately 1600 acres were removed from the floodplain.

Councilmember Ley introduced Ordinance 2008-3, and moved for approval thereof; Councilmember Fuelberth seconded.

ORDINANCE NO. 2008-3

AN ORDINANCE AMENDING CHAPTER 90, ARTICLE VII. SPECIAL, MODIFIED, AND APPENDED DISTRICTS, DIVISION 2. SFP FLOODPLAIN DISTRICT BY CREATING FLOODWAY AND FLOOD FRINGE DISTRICTS, DEFINING THE SAME AND SETTING FORTH REGULATIONS THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

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

Councilmember Buryanek made a motion and Councilmember Frevert seconded to move for final approval of Ordinance No. 2008-3. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Tara Hosick, Development Consultant and the LB840 Coordinator for the State of Nebraska Department of Economic Development, gave a presentation on LB840 – Local

Option Municipal Economic Development Act. Economic development funding sources that we look at are private funds, state and federal funds, and local funds which consist of loan and/or re-use funds, Municipal Publicity Act, and LB840. LB840 gives local communities complete authority over uses and funding; increases community capacity and internal planning commitment; and assists in overcoming historic limitation on the ability to adequately respond to opportunities. LB840 allows the use of general tax revenues only (either local option sales tax or property tax). Villages and cities can participate, but not counties. Sales tax must be spent as intended and approved by the voters. Any type of amendment to the plan has to go back to the voters. You can divide the vote. Some sample uses are economic development, property tax relief, infrastructure, or other city purposes (parks, update pool, etc.). You can only collect it within city limits. It is collected on vehicles registered within the city no matter where they are purchased. It is not collected on items delivered outside the city limits.

A restriction is no municipality can appropriate more than the amount approved by the voters, and \$2,000,000 or 4 percent of the actual valuation of the municipality for LB840. Voters must approve a written plan and the tax. There have to be at least two ballot questions.

Some elements of the plan are: description of eligible businesses; description of eligible activities; and a beginning and ending date for the economic development plan. The tax can actually continue, but then it just goes into the general fund. Oversight methods are included in the plan as well as a Citizens' Advisory Committee and a method for ending the program.

Eligible activities are any project or program for the purpose of providing direct or indirect financial assistance to a qualifying business or for related costs and expenses.

Examples of activities are public works improvement grants to qualifying businesses; payment of salaries to run the program; job training grants and loans; loans, grants and loan guarantees for qualifying businesses; purchase or option to purchase real estate; and business recruitment activities.

Cities between 2,500 and 10,000 population may spend 20% on retail (no more than 40% in one year with no more than 20% in a five year period).

This is locally controlled. A local committee will make the decisions on where the funds should be spent and what businesses should be assisted. The law does not provide any direction. The plan should lay out how decisions will be made.

The steps Ms. Hosick will help the City work through are:

- Prepare an economic development strategy;
- Notify the Dept. of Revenue of intent to pursue sales tax;
- Prepare a proposed plan for the economic development program;
- Hold initial public hearing;
- Pass a resolution that adopts the plan;
- File the resolution with the election commissioner; and
- Hold the election (may be special, general or primary)

Ms. Hosick prefers a special election because only the people who are really passionate and have educated themselves thoroughly on the issue will come to the polls.

After the ballot questions are approved, then we will need to hold a council meeting that establishes this by ordinance and notify the Dept. of Revenue. The Mayor

will need to appoint a Citizen Advisory Review Committee, then include this in the City's budget, and then establish an economic development fund.

Periodic tasks include regular meetings of the committee, public hearings every six months, and an annual audit.

The Citizen Advisory Review Committee is an "oversight" committee who reviews the process. By law, no one on the committee shall be in a decision-making position as to where the funds are spent.

Ms. Hosick will work with staff on preparing a timeline for getting ready for the election. If the intent is to do housing with these funds, they have to be for low-to-moderate income families. She thought they were trying to change the requirement so that municipalities can use more of the funds for market rate housing rather than all of it going towards low-to-moderate income housing. She recommended working with a local or area economic development group to conduct a survey to find out what the community wants to see the sales tax used for (e.g. property tax relief, housing, etc.). It's all about the marketing – once you get the priorities in place, it is very important to market it well.

Ms. Hosick advised the Council that the City can pay for the special election and encourage people to become educated. The City cannot take a stance on it one way or the other because then you would be lobbying for something and you are supposed to be the neutral party.

She recommended contacting communities who have been through this process before to find out what not to do.

If the measure would fail, it could not go back to the voters again for 23 months.

She reminded Council if you collect more sales tax than what is identified in the plan, it cannot be spent. She stressed that they want to aim high.

Mr. Simonsen stated that Wayne is at a definite disadvantage over all of those other communities that are our size or bigger that have this in place. He would strongly encourage and support the Council going forward on this matter.

Ms. Hosick recommended that the Mayor appoint a committee to go out and get some grass roots input. She will then work with that group to put some comment cards together, etc. The committee needs to be on a fact-finding mission to find out what the public really wants.

Once a committee is appointed, Ms. Hosick will be contacted for assistance on the matter.

Councilmember Fuelberth made a motion and seconded by Councilmember Chamberlain to recess as Council and convene as the Community Development Agency. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Chair Don Buryanek called the meeting of the Community Development Agency to order. Those in attendance: Members Brian Frevert, Verdel Lutt, Lois Shelton, Doug Sturm, Kaki Ley, Darrel Fuelberth, and Ken Chamberlain; City Attorney Chris Connolly; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Member Dale Alexander.

The next item on the CDA agenda was to approve the minutes of the January 2, 2008, meeting.

Member Chamberlain made a motion and seconded by Member Fuelberth approving the minutes of the January 2, 2008, meeting. Chair Buryanek stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

There were no claims to be acted upon.

Discussion took place on right-of-way and paving widths and lot sizes for the Western Ridge Development Project.

Chair Buryanek advised the CDA that a committee met and discussed the right-of-way and paving widths and lot sizes for Western Ridge. The concept that was approved at the last meeting showed 32' streets with 60' right-of-ways. Part of the discussion this afternoon was the increased cost of putting in 32' streets and what the CDA wanted to do with the streets and right-of-ways in this development. Staff felt it was important to keep at least 14' from the curb to the property line so there is room for utilities. Keeping the right-of-way smaller would give us greater lot depth. The group that met liked the roundabout located at the north of the development, especially if this street has the potential of becoming more of an arterial or collector street.

Norfolk has 26' wide streets with parking overnight on one side, 32' streets with parking on both sides, and 37' streets if it is going to be a future arterial street. Kirkham Michael needed direction on street widths to move forward on the project.

If the street width was reduced, it would reduce the cost by about 22%.

Another requirement in this development is two car garages.

Member Fuelberth objected to reducing the width of the streets. He preferred at least 32' wide streets.

Chair Buryanek stated that Joel Hansen stated one of the reasons Wayne went to 32' streets was for lane miles for STP funding. So instead of 2 lane miles out of a mile for 26' streets, you would get 3 lane miles out of a mile for 32' streets.

Member Chamberlain requested a more accurate description of the lot sizes before a decision is made on 32' wide streets. To make these lots sellable to any kind of family, there has to be a yard.

Member Shelton stated that communication received from KM stated the minimum lot dimension is 60' wide with a depth of 105'.

Member Frevert didn't see any reason to have a 32' wide street in a residential area if overnight parking isn't going to be allowed.

Member Fuelberth made a motion and seconded by Member Ley approving a minimum of 32' wide streets in the Western Ridge Subdivision. Chair Buryanek stated the motion, and the result of roll call being all Nays, with the exception of Members Fuelberth and Ley who voted Yea, the Chair declared the motion failed.

Member Shelton made a motion and seconded by Member Ley approving a 32' wide street on the west street and a 28' wide street on the east loop.

Chair Buryanek opined that if we are trying to keep these lots at \$5,000-10,000, can we afford to add that extra cost onto the property. This is something we have to consider. Phil Cox was building these types of homes on 65' wide lots with plenty of room.

Member Shelton stated the reason she made a motion for a 32' wide street is that she is thinking in terms of the future. She is concerned about making it a narrow street and then putting a lot of traffic on it. It has the potential for that to happen.

Member Fuelberth agreed that they need to think into the future.

Member Lutt stated if we are looking at keeping the costs down, then we need to keep our initial costs down and make it a 26' wide street.

It was noted that sidewalks will be required in this subdivision.

Chair Buryanek stated the motion, and the result of roll call being all Nays, with the exception of Members Shelton, Fuelberth, Buryanek and Ley who voted Yea, the Chair declared the motion failed because it was a tie vote.

Member Sturm made a motion and seconded by Member Chamberlain approving 28' wide streets in the Western Ridge Subdivision and 14' right-of-ways on each side (total right-of-way width - 56').

Member Fuelberth thought it would be a mistake going to 28' feet on the collector street on the west side of the subdivision. Member Ley agreed.

Member Chamberlain stated if that street would get that much traffic - streets are for travel and not a parking lot - then they can initiate no parking on that street.

Member Ley asked if people can't park on the street during the day, where are people supposed to park that are visiting. If you are going to have a high density area like this development and then you don't ever allow parking, that is not realistic. They'll have to park over at the CAC and walk over to the subdivision.

Chair Buryanek stated the motion, and the result of roll call being all Yeas, with the exception of Members Fuelberth, Shelton and Ley who voted Nay, the Chair declared the motion carried.

Chair Buryanek stated the next item on the agenda is to discuss/consider the sale of Lot 4 in the Kardell Industrial Park.

Dave Simonsen, Executive Director of WAEDI, was requesting Council consideration to allowing them to market Lot 4 in the Kardell Industrial Park Subdivision which is 8.44 acres. Chair Buryanek stated this is something the CDA can look at and mull over in the next week or two and come back with a decision.

Administrator Johnson stated the CDA bought this property for \$7,500 per acre.

Mr. Simonsen asked the CDA if the right company came in, would they consider giving the lot to them. He noted that this is where LB840 would benefit Wayne.

Member Ley made a motion and seconded by Member Chamberlain to adjourn as the Community Development Agency and reconvene as Council. Chair Buryanek stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Administrator Johnson advised Council that we have received a letter of recommendation from Mike Towne of Western Consulting who reviews our electric rates and costs. We will receive a rate increase of 12% from NPPD and a rate increase of 25% from WAPA. We requested Mr. Towne to prepare an analysis of what we would have to do with our retail rates to pass through these increases. Recommendation is to increase the electric rates by 7% (6.5% to pass through the increases from NPPD and WAPA and .50% to continue to work away at the reserve that we are trying to build for the plant take over in 2022). A resolution will be brought forward at the next meeting.

There were no reports on meetings attended.

Councilmember Buryanek made a motion and seconded by Councilmember Frevert to adjourn the meeting. Mayor Shelton stated the motion, and the result of roll

call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 8:15 p.m.