

**MINUTES
CITY COUNCIL MEETING
November 18, 2008**

The Wayne City Council met in regular session at City Hall on Tuesday, November 18, 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, and Ken Chamberlain; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Verdel Lutt, Dale Alexander and Darrel Fuelberth.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on November 6, 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 Sturm made a motion and seconded by Councilmember Ley, whereas the Clerk has prepared copies of the Minutes of the meeting of November 4, 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.

Councilmember Frevert noted a correction to the minutes - Dale Alexander's name was omitted as being present.

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

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERITAS, RE, 1959.32; APPEARA, SE, 147.57; BANK FIRST, FE, 210.00; BENSCOTER PLUMBING, SE, 2301.35; BIG T ENTERPRISES, SU, 266.85; CITY OF WAYNE, RE, 35.00; CITY OF WAYNE, RE, 1011.43; CITY OF WAYNE, RE, 409.01; CITY OF WAYNE, PY, 52229.94; CITY OF WAYNE, RE,

185.54; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 122.00; DANKO EMERGENCY EQUIPMENT, SU, 422.97; EISENBRAUN & ASSOC., SE, 538.75; FARMERS AND MERCHANTS, RE, 500000.00; FASTENAL, SU, 106.30; FIREMAN'S ASSOCIATION, RE, 5000.00; FIRST NATIONAL BANK, RE, 250000.00; FLOOR MAINTENANCE, SU, 243.09; FORT DEARBORN LIFE, SE, 1572.40; FREMONT NATIONAL BANK, RE, 408897.50; GILL HAULING, SE, 2158.28; GREAT PLAINS ONE-CALL, SE, 84.48; HATTIG CONSTRUCTION, SE, 21927.74; HAUFF MID-AMERICAN SPORTS, SU, 284.70; HOLIDAY INN OF KEARNEY, SE, 130.00; HYTREK LAWN, SE, 240.00; ICMA RETIREMENT, RE, 5136.24; INGRAM BOOK COMPANY, SU, 348.16; IRS, TX, 17490.10; JLC BOOKS, SU, 99.99; KTCH, SE, 605.00; LP GILL INC, SE, 6582.16; METRO KC CHAPTER ICBO, FE, 60.00; MIDWEST LABORATORIES, SE, 642.95; NE DEPT OF REVENUE, TX, 2383.54; NE SAFETY COUNCIL, FE, 315.00; NORFOLK DAILY NEWS, SU, 234.00; NNPPD, SE, 10341.87; OVERHEAD DOOR COMPANY, SU, 38.00; PAMIDA, SU, 179.95; PEPSI-COLA, SU, 453.80; PRESTO X, SE, 30.89; PROVIDENCE MEDICAL CENTER, SE, 5696.50; PURCHASE POWER, SU, 500.00; QUALITY 1 GRAPHICS, SU, 255.00; QUALITY FOOD CENTER, SU, 3.57; QUALITY INN & SUITES, SE, 252.00; QUILL, SU, 510.87; QWEST, SE, 1297.05; QWEST, RE, 6265.00; ROBERT WOehler & SONS, RE, 1825.00; SSC CHAMBER OF COMMERCE, FE, 26.00; STATE NATIONAL BANK, RE, 389.92; STATE NATIONAL BANK, RE, 6002.50; STEVE HARRIS CONSTRUCTION, SE, 424352.10; UTILITIES SECTION, FE, 665.00; W.T. COX SUBSCRIPTIONS, SU, 2571.00; WAPA, SE, 19592.72; ALLTEL, SE, 179.10; ATCO INTERNATIONAL, SU, 75.40; BROWN SUPPLY, SU, 190.55; CHANGE YOUR CLOCK, SU, 60.00; CITY OF NORFOLK, SE, 250.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 2985.65; CITY OF WAYNE, RE, 2600.00; CITY OF WAYNE, RE, 400.12; COPPLE & ROCKEY P.C., SE, 432.20; COPY WRITE, SU, 348.97; COVENTRY, SE, 17577.49; CULLIGAN, SE, 41.00; DAKOTA BUSINESS SYSTEMS, SE, 73.16; DANKO EMERGENCY EQUIPMENT, SU, 3506.54; DE LAGE LANDEN FINANCIAL, SE, 411.00; DUTTON-LAINSON, SU, 523.09; ELECTRICAL ENGINEERING, SU, 113.11; ELLIS PLUMBING, SU, 126.40; ENVIRONMENTAL SERVICES, SE, 2798.00; FLOOR MAINTENANCE, SU, 366.12; FREDRICKSON OIL, RE, 207.25; GALE GROUP, SU, 46.09; GEMPLER'S, SU, 42.90; GERHOLD CONCRETE, SU, 99.50; GOVERNING, SU, 16.00; GRAND ISLAND BOOSTER CLUB, FE, 220.00; HAUFF MID-AMERICAN SPORTS, SU, 162.72; HAWKINS, SU, 1656.80; HEARTLAND STAINLESS, SU, 22.90; HERITAGE MANUFACTURING, SU, 175.00; HOLIDAY INN OF KEARNEY, SE, 291.80; HOLIDAY LITES & TRIM, SU, 396.36; HYTREK LAWN, SU, 67.00; INDUSTRIAL TOOL, SU, 116.21; KRIZ-DAVIS COMPANY, SU, 24004.04; LATIMER ASSOCIATES, SU, 123.43; LONG PAINTING, SE, 15876.00; NE STATE HISTORICAL, SE, 65.00; NPPD, SE, 173526.16; NORTHEAST EQUIPMENT, SU, 155.54; N.E. NE AMERICAN RED CROSS, SE, 479.62; OLSSON ASSOCIATES, SE, 9424.28; OTTE CONSTRUCTION, SE, 107.72; PITNEY BOWES, SE, 637.00; POSTMASTER, SU, 126.00; RIEKES EQUIPMENT, SU, 143.67; ROBERT H KREPEL, SE, 284.00; ROBERT NELSON, SE, 70.00; ROBERT WOehler & SONS, RE, 111.34; ROURKE PUBLISHING, SU, 311.94; S & S WILLERS, SU, 1441.09; SEVERN TRENT WATER, SE, 11900.00; STATE

NATIONAL BANK, RE, 134.77; STATE NATIONAL BANK, SE, 300.00; STRATTON & KUBE, SE, 2890.00; TELEDYNE ISCO, SU, 4573.55; UNITED WAY, RE, 20.14; UTILITY EQUIPMENT, SE, 742.52; WAEDI, RE, 6383.33; WAYNE AUTO PARTS, SU, 294.47; WAYNE COMMUNITY SCHOOLS, SE, 63.00; WAYNE COUNTY COURT, RE, 150.00; WAYNE HERALD, SU, 80.00; WAYNE HERALD, SE, 2012.75; WEB SOLUTIONS OMAHA, SE, 275.00; WESCO, SU, 680.11; WESTERN OFFICE PRODUCTS, SU, 57.85

Councilmember Frevert made a motion and seconded by Councilmember Buryanek to approve the claims.

Administrator Johnson recognized Tom Hattig of Hattig Construction and George Ellyson, Chief Inspector/Planner, for their efforts in finding a solution to stop the roof from leaking at the Library/Senior Center.

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

Councilmember Alexander arrived at 5:35 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.

Scott Zaruba and Gabe Trent of Black Hills Energy presented the City with the 3rd quarter franchise fee check in the amount of \$12,981.97. In addition, they updated Council on the project in the downtown area. Gas rates for November are \$.78 for residential customers. They have not seen rates in this range since 2003.

Troy Johnston of JEO Consulting Group, along with members of the Project Planning/Design Team, presented the Wayne Downtown Revitalization Plan. In their conclusion/recommendation, they identified two projects that will be pursued under Phase II: Sidewalk Improvements/Americans with Disabilities ACT (ADA) Accessibility and Building Façade Improvements. Mr. Johnston stated the group felt like the combination of the two projects fits both the needs of the Downtown District and the selection criteria of the CDBG Program. With \$250,000 of Phase II monies available, the group wanted to see a split of this funding for the two projects -- \$175,000 dedicated to the Sidewalk/ADA improvements, with the remaining \$75,000 dedicated to the Building Façade Improvements. Any grant monies obtained through this program must be met with 25% local matching funds. In the case of the sidewalk improvements, matching dollars will be provided through the City's sidewalk replacement program, which the City already has in place and has monies budgeted for. By leveraging the grant funds with the sidewalk replacement funds, the grant dollars go even further for sidewalk and ADA improvements. Likewise, grant funds dedicated towards Building Façade Improvements can be leveraged with other available funding sources. Energy improvement loans, historic tax credits, and the current revolving loan for building facades could all be used to provide the required matching funds.

Lisa Hurley of Northeast Nebraska Economic Development District stated the first phase has a contract end date of December 2nd.

Administrator Johnson noted that other activities mentioned in this plan are the Welcome/Visitor Center in the old depot, assisting the community theater building (either

in the downtown Gay Theater or the old fire hall), assisting second floor housing, and marketing the downtown.

One of the things that also came to the top was some design guidelines for the downtown. Currently, Wayne's downtown has been surveyed, and a nomination is being written and will be submitted in September of 2009 for a "historic district." Being classified as a historic district will open some doors as far as tax incentives, etc. We would then also be eligible to become a certified local government. One of the first opportunities, as a certified local government, is to apply for a grant to write those design guidelines. So, while that was discussed, there is funding virtually in place if we just follow the path that we are already on.

Ms. Hurley stated in January, the Council will have to decide exactly where they want to go with the plan and what the budget is going to be with cost estimates, etc.

Councilmember Buryanek made a motion and seconded by Councilmember Ley approving the Wayne Downtown Revitalization Plan prepared by JEO Consulting Group.

Ms. Hurley stated the grant is for \$250,000. The sidewalk district is intended to include First, Second and Third Streets and then Pearl Street on the west side.

BJ Woehler, who was on the committee, stated before the last meeting, sidewalks was at the bottom of the list.

Councilmember Sturm wanted to make sure that the wishes of the committee were being considered.

Mayor Shelton stated there is a lot of trip hazards downtown, in addition to ADA accessibility improvements that are needed.

Councilmember Sturm questioned the need for a “Visitor’s Center” opposite the Chamber of Commerce. He was not against any of these projects; he was concerned about the timing and funding of the same. Mayor Shelton responded that the Visitor’s Center would be in combination with the City and Chamber Offices and downtown development, etc.

Nancy Braden, City Treasurer, stated the goal of this plan is to be something we can keep and use today, tomorrow and 20 years into the future.

Dave Simonsen of WAEDI stated he had also missed the last meeting and was informed that the priorities had changed, but the reasoning given to him makes a lot of sense. ADA accessibility is something that DED likes to fund.

Coupled with that, too, it is a city priority to take care of the sidewalks, but if you pump CDBG money into that, you have freed up other city money to go elsewhere. You have an opportunity to collect \$250,000. This plan shows 10 or 11 ways that it can be used. The top two that the committee came up with at the last meeting are the most desirable by CDBG to get the money that can be used and spent in that next funding round. A lot of the other priorities beyond those two could not get spent.

Mr. Johnston also advised the Council that approving this plan, in no way, commits the Council from start to finish to all ten or eleven of these projects. They have tried to identify some ideas and things that came to the top of the list for ways to create some excitement in the downtown area. They tried to produce a document that is going to be working and living and can be referred back to five years from now.

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

Mayor Shelton declared the time was at hand for the public hearing to consider the Planning Commission's recommendation to rezone the area described as the South 13 feet of Lot 1, and all of Lots 2, 3, and 4 of the Replats of Lots 1 through 7, Block 3, Roosevelt Park Addition and the Folk Street Right-of-Way on the West side of South Nebraska Street and all of Lots 1, 2, 3, 4, 5, 6, 7, and 8, of Block 4, Roosevelt Park Addition, and extending South to the centerline of Logan Creek from B-1 Highway Commercial to R-3 Residential.

Robert Woehler and BJ Woehler were present and spoke against the rezoning of this property. They questioned the City's involvement, as the applicant, to rezone the property. In addition, Mr. Woehler recalled language in the zoning code which would allow people that are not properly zoned to rebuild without any problem if they have a fire, disaster, etc.

Mayor Shelton stated this is part of a process where staff is looking city-wide at places that are not zoned properly for the use that they have been in for a long period of time.

George Ellyson, Zoning Administrator, stated in the past few years, he has identified several zoning lines that were inconsistent with the requirement that zoning lines follow geographic features (ex. Logan Creek or the hundred year flood plain line), center lines of streets or alleys, property lines, and that they be consistent with the Comprehensive Plan and/or the current historical use of the properties. Recognizing these inconsistencies, the City has facilitated corrections to these areas to make them consistent with the current use and the comprehensive plan. The first such change was about four years ago around the Transfer Station that extended up into Second Street. The next change was west of the new subdivision on the north side of the Highway. These lines were random across agricultural land with no distance measurements for any of the lines. The third area was at the south end of Pearl, Lincoln and Douglas Streets. This area was previously identified as industrial. This rezoning issue is in keeping consistent with the aforementioned areas, that of maintenance and correction of the zoning map to be consistent with the Comprehensive plan and the historical use of the area. This area is and has been since before

the adoption of zoning (1979) residential. With the current zoning language and designation of the B-1 District, these dwelling units, if damaged in excess of 50% of the assessed value, could not be repaired without the required legal process of a use by exception and a public hearing and approval before the Planning Commission and Council. Undoubtedly, these exceptions would be approved, but significant and present is the insurability of these properties in that currently they are identified as legal non-conforming structures. Often, insurance writers have called his office about properties of legal non-conforming status in regards to the structure's repairability under current zoning language or designation. In addition, typical B-1 Zoning Districts have access or frontage to either a highway or a collector street status. South Nebraska Street is designated as a local street only. Secondly, the issue is before you as a public hearing to provide input and discussion from the public as well as the owners of the affected property. This rezoning request was forwarded to the Council by the Planning Commission with unanimous approval by the members present. At present, there are four or five more areas outside the corporate limits that are inconsistent with zoning delineation standards. One such is the I-2 line in the Industrial Park that goes north to the middle of the new spec building and the Kardell Industrial Park. The other is north and east of 21st Street and Centennial Road. These lines are arbitrary out through agricultural land with no distance measurements recorded. The third is a B-1 designation that seems to have identified the old drive-in movie area. He has talked with Mr. Johnson, the landowner, who is supportive of returning this area to an A-1 designation. It is his intent to bring these changes to the Council all in one change document in an effort to reduce public hearing costs.

Mr. Ellyson stated he has not seen anything in the zoning language that states that the structures can be rebuilt. All of the landowners in this area, including Mr. Bebee, have been contacted and approve of this rezoning request. The legal description of Mr. Bebee's property on the highway is a different legal description than the property in this rezoning request.

Mike Sievers, Lynn Sievers and Karen McDonald all spoke in favor of this rezoning request.

Attorney Pieper advised the Council that the City can bring forward recommendations regarding rezoning, and he was not aware of anything being illegal.

Attorney Pieper then questioned the validity of the letter of protest presented to the City by Robert Woehler because the same was not properly acknowledged.

Mr. Woehler stated he was not opposed to the rezoning of the property, but just the way it was handled. He had to come before Council and pay the appropriate fees to have his property rezoned in order to have his towing business on Fairgrounds Avenues. He thought it was more than right that these property owners pay the fee to get their property rezoned.

Dave Simonsen of WAEDI advised the Council that he has a party who is interested in a piece of property for a commercial business which is located in this area. Originally, that was all zoned business. The forefathers were probably looking at it as a natural growth for a commercial district. If it is rezoned to R-3, it would then have to be rezoned back to B-1 or these potential buyers would have to seek a use by exception.

Councilmember Sturm questioned the fairness of this process.

Councilmember Alexander stated the property owners are aware of the situation right now, and they know what they need to do to rectify it, and that is to rezone it. Those property owners could request the rezoning instead of having the City rezone it.

Councilmember Ley stated things like this should be looked at when the need arises. She did not think staff should be spending all of their time, even though it doesn't fit the comprehensive plan, on this.

Mayor Shelton responded that this is one of the things you do when you do the Comprehensive Plan.

It was noted that a Use by Exception was just granted to the Wayne Community Housing Development Corporation to build a house zoned in a B-1 district. This is the process that those who own a home on property that is zoned anything other than residential would have to do.

When asked about the process one would go through to get their property rezoned, Mr. Ellyson stated that it would get filed in his office. It then goes before the Planning Commission with a recommendation to the Council.

Councilmember Alexander then addressed the property owners and stated that they now know what they need to do to rectify the situation and that would be to file a rezoning application with Mr. Ellyson. The City isn't going to come in and rezone his property, and he did not think the City should do that for them.

Councilmember Buryanek stated it would still be the same situation, except it would be the property owners who are paying for it. He did not think the process of updating the map is inconsistent with what they are trying to do with the comprehensive plan.

Mayor Shelton stated she hoped the Council would not turn down a rezoning request when Mr. Ellyson brings forward a recommendation to rezone the Industrial Tract so we don't have half the spec building in I-1 and the other half in I-2.

There being no further discussion, Mayor Shelton closed the public hearing.

City Clerk McGuire stated she had received a telephone call from Carol Bauermeister who was in favor of this rezoning request.

Councilmember Sturm stated he was not, at this point, in favor of amending the rezoning map. While he is not against the rezoning part, he does have questions that he wants to visit with Mr. Ellyson, Administrator Johnson, and the property owners about.

Councilmember Sturm made a motion to table action on Ordinance 2008-24 until the first meeting in December; Councilmember Ley seconded.

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

Councilmember Frevert made a motion and seconded by Councilmember Alexander to allow Robert Woehler to resubmit his letter of protest with the same being properly acknowledged.

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

Councilmember Buryanek introduced Ordinance 2008-23, and moved for approval of the second reading thereof; Councilmember Ley seconded.

ORDINANCE NO. 2008-23

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE III, BY AMENDING SECTION 90-710(c) PARKING OR DRIVEWAY SURFACES, INTERIOR OF THE LOT BY ADDING SUBSECTIONS 2, 3, AND 4; 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, with the exception of Councilmembers Frevert and Chamberlain who voted Nay, the Mayor declared the motion failed.

Administrator Johnson stated the following Resolution would approve the application for assistance (\$250,000) from the Safe Routes to School Program to help pay for the costs of building an underpass under the highway from Western Ridge to the Community Activity Center. The estimated cost for the underpass is \$400,000. Tax

increment financing will be used to pay for the remainder of the project. Information is also being obtained on an overpass.

It was noted that the Department of Roads does not look favorably on installing lights on highways.

BJ Woehler told the Council that Wisner tried to update their light poles for the crossing on Highway 275. The State said if they moved them, they were going to take them out.

The \$400,000 estimate is based upon Kirkham Michael's proposal on the underpass for the golf course. The trail will have to be rerouted, which will then be the City's cost.

Councilmember Chamberlain introduced Resolution 2008-99 and moved for its approval; Councilmember Frevert seconded.

RESOLUTION NO. 2008-99

A RESOLUTION APPROVING THE APPLICATION FOR ASSISTANCE FROM THE SAFE ROUTES TO SCHOOL PROGRAM.

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

Garry Poutre, Superintendent of Public Works and Utilities, presented the specifications for the one-ton flatbed truck that has been in the budget the past three years. This will not add to the size of the fleet. They sold the 1985 Chevy pickup at the consignment auction last month since there has been some discussion of replacing a pickup with a vehicle such as a John Deere Gator. In addition, they plan on selling the 1987 Chevy pickup with plow and replace it with a one-ton flatbed. The total estimate is

\$36,200. In addition to plowing snow, the truck would be used to haul picnic tables, rock, etc.

Councilmember Sturm questioned the need to replace the 1987 pickup since it only has 65,000 miles on it.

Councilmember Buryanek stated he would trust the Department in making their choice and that they have taken into consideration the options as far as a pickup vs. a flatbed. The flatbed is certainly going to be more versatile and serve the needs of the department.

After a lengthy discussion, staff was directed to get/research information on a used pickup, a used flatbed or a used ¾ ton dually. No action was taken on the Resolution.

Administrator Johnson stated the following Resolution would approve an agreement with Northeast Nebraska Economic Development District to administer the grant for Sand Creek Post and Beam.

Lisa Hurley of Northeast Nebraska Economic Development District was present to answer questions.

Councilmember Sturm introduced Resolution 2008-101 and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2008-101

A RESOLUTION APPROVING SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT FOR GENERAL ADMINISTRATION OF THE GRANT FOR SAND CREEK POST AND BEAM.

Councilmember Ley left the meeting at 7:20 p.m. and returned at 7:24 p.m.

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

George Ellyson, Chief Inspector/Planner, stated that a request has been received from Pentagon Development, LLC, to release the existing easements between Lots 15 through 19 in Fairway Estates Subdivision. They intend to replat those five lots with different lot line configurations and will dedicate revised easements at that time.

Councilmember Sturm introduced Ordinance 2008-26, and moved for its approval; Councilmember Ley seconded.

ORDINANCE NO. 2008-26

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE SIDE YARD UTILITY EASEMENTS LOCATED IN LOTS 15, 16, 17, 18, AND 19, FAIRWAY ESTATES SUBDIVISION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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 Sturm 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 Chamberlain made a motion and Councilmember Frevert seconded to move for final approval of Ordinance No. 2008-26. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Dave Simonsen of Wayne Area Economic Development, Inc., gave a report on what WAEDI has done over the past year. In addition, he presented the City with an award they received at the Nebraska Economic Development Association Conference.

Some of the things WAEDI has done and/or been involved in are as follows:

- Received \$510,000 in grants which they were directly involved with, in addition to the \$250,000 Downtown Revitalization Initiative, totaling \$760,000. For every dollar the City has given WAEDI, they have been a part of bringing \$8 or \$9 back into the community.
- Made 757 visits this past year to businesses in the community.
- Involved in the start up of Peterson's Physical Therapy.
- Processed three revolving loans to date, and they have two more they will be approving this week.
- Applied for and received notification that they received a \$25,000 jobs grant that matches the revolving loan fund.
- Involved in the LB840 Sales Tax initiative.
- Mr. Simonsen has been elected to the Nebraska Economic Development Association Board.
- Involved in the Sand Creek Post & Beam expansion, along with the Opportunity Building.
- Mr. Simonsen has attended four trade shows this past year.
- Started a Young Professional's Group in the community, and are planning a Leadership Program.
- The "Wayne Works" and Western Ridge marketing campaigns are going strong right now.
- This past year, there have been 87 jobs (FT equivalent) created that WAEDI has been involved in.
- They continue to focus on business retention as well as business expansion.

Council encouraged them to make more frequent visits to the businesses such as Great Dane and Pacific Coast headquarters, etc., and to pursue more retail businesses. In addition, they were directed to be more visible to the businesses within the community and to contact those businesses that they have not had any contact with over the past three years and to do so within the next year.

Councilmember Sturm asked if this organization was supposed to be self-supporting or self-sufficient within a certain time frame. Mr. Simonsen stated even with

LB840, they would not be able to do the things they are doing right now without the support from the City. His goal is to reduce what the City provides them through the electric fund if not this year, then the following year.

Councilmember Chamberlain left the meeting at 7:30 p.m. and returned at 7:32 p.m.

Administrator Johnson presented the Farming Use Agreement between the City and Richard Milligan. This allows Mr. Milligan to farm the land using existing UNL recommendations for fertilizer and chemical applications.

Councilmember Sturm made a motion and seconded by Councilmember Chamberlain approving the Farming Use Agreement between the City of Wayne and Richard Milligan. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Johnson presented the proposed Wayne Trail Project – Phase II final design.

Councilmember Chamberlain made a motion and seconded by Councilmember Ley approving the final design of the Trail Project and authorizing the same to be bid out. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

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

Chair Buryanek 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 November 4, 2008, meeting.

Member Sturm made a motion and seconded by Member Ley approving the minutes of the November 4, 2008, meeting. Chair Buryanek stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

The next agenda item was to take action on electing a Chair of the CDA.

Member Sturm made a motion, which was seconded by Member Alexander nominating Member Chamberlain as Chair of the CDA.

Member Frevert made a motion which was seconded by Member Sturm to cease nominations.

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

Member Ley made a motion and seconded by Member Sturm 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.

Mayor Shelton gave a report on the National League of Cities Conference she attended in Orlando, Florida. In addition, Councilmember Buryanek reported on the Home Builders Association Meeting which he has been attending in Norfolk on a monthly basis. They commented on the commercial that was made in Wayne, in addition to the Western Ridge Development.

There were no appointments.

Councilmember Buryanek made a motion and seconded by Councilmember Alexander 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.