

**MINUTES  
CITY COUNCIL MEETING  
July 21, 2009**

The Wayne City Council met in regular session at City Hall on Tuesday, July 21, 2009, at 5:30 o'clock P.M. Mayor Lois Shelton called the meeting to order with the following in attendance: Councilmembers Brian Frevert, Verdel Lutt, Jon Haase, Kaki Ley, and Ken Chamberlain; City Attorney Mike Pieper; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Dale Alexander, Doug Sturm and Kathy Berry.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 9, 2009, 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 Chamberlain made a motion and seconded by Councilmember Ley, whereas the Clerk has prepared copies of the Minutes of the meeting of July 7, 2009, 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:** ALARM PROS, SU, 269.03; AMERITAS, RE, 2155.03; APPEARA, SE, 15.73; BAKER & TAYLOR, SU, 633.62; BANK FIRST, FE, 210.00; BIG T ENTERPRISES, SU, 181.90; BINSWANGER GLASS, SU, 180.00; BOMGAARS, SU, 1458.80; CARHART LUMBER COMPANY, SU, 1139.41; CITY OF NORFOLK, SE, 187.35; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 250.00; CITY OF WAYNE, RE, 19.25; CITY OF WAYNE, RE, 2481.27; CITY OF WAYNE, RE, 5139.15; CITY OF WAYNE, PY, 63922.14; CITY OF WAYNE, RE, 185.54; CITY OF WAYNE, RE, 30.00; CITY OF WAYNE, RE, 149.56; CULLIGAN,

SE, 42.25; DAKOTA BUSINESS SYSTEMS, SE, 100.00; DAVE'S DRY CLEANING, SE, 118.00; DEMCO, SU, 178.62; ELLIS PLUMBING, SU, 354.54; ENGINEERED CONTROLS, SU, 1432.75; FLOOR MAINTENANCE, SU, 274.58; FREDRICKSON OIL, SE, 572.30; GERHOLD CONCRETE, SU, 3423.74; GLEN'S AUTO BODY, SE, 1315.61; HDR ENGINEERING, SE, 12465.46; HOLIDAY INN-DOWNTOWN, SE, 280.00; ICMA, RE, 5246.53; INGRAM BOOK COMPANY, SU, 19.23; IRS, TX, 19273.03; JEO CONSULTING GROUP, SE, 9126.00; KTCH, SE, 80.00; LAVERN OSTENDORF, RE, 426.00; MIDWEST OFFICE AUTOMATION, SE, 88.36; NCBOI, FE, 100.00; NE DEPT OF REVENUE, TX, 2772.34; NPPD, SE, 261559.77; NEBRASKA ENVIRONMENTAL, SU, 30.41; NORFOLK DIESEL REPAIR, SE, 595.07; NORFOLK WINNELSON, SU, 95.30; NORTHEAST EQUIPMENT, SU, 689.41; N.E. NE AMERICAN RED CROSS, RE, 59.24; N.E. NE AREA CLERKS ASSOC, FE, 5.00; NNPPD, SE, 11013.42; OVERHEAD DOOR, SU, 62.00; PAC N SAVE, SU, 315.02; PAMIDA, SU, 677.13; PENRO, SE, 16915.69; PITNEY BOWES, SU, 637.00; PURCHASE POWER, SU, 500.00; PUSH-PEDAL-PULL, SU, 77.23; QUALIFICATION TARGETS, SU, 155.29; QUALITY FOOD CENTER, SU, 76.71; QUILL, SU, 579.98; QWEST, SE, 137.87; RANDY'S WATER COOLER, SU, 979.20; RANDOM HOUSE, SU, 360.00; ROBERTSON IMPLEMENT, SU, 203.98; RON'S RADIO, SU, 52.25; SIOUX CITY WINTRONIC, SU, 45.78; STATE NATIONAL BANK, SE, 45.78; STATE NATIONAL BANK, RE, 608.33; TACO'S AND MORE, SU, 35.92; UNITED WAY, RE, 28.98; UNIVERSITY OF NE-LINCOLN, FE, 30.00; WAED, RE, 6383.33; WAYNE AUTO PARTS, SU, 65.06; WAYNE COMMUNITY SCHOOLS, RE, 3958.91; WAYNE GRAIN & FEED, SE, 144.00; WAYNE ROTARY, FE, 240.00; WAYNE STATE COLLEGE, RE, 400.00; WEB SOLUTIONS OMAHA, SE, 275.00; WESCO, SU, 481.85; WAPA, SE, 27565.07; WESTRUM LEAK DETECTION, SE, 2500.00; ZEE MEDICAL SERVICE, SU, 55.95; 4IMPRINT, SU, 1754.62; ALLTEL, SE, 327.23; APPEARA, SE, 37.77; BOMGAARS, SU, 42.79; CITIZENS NATIONAL BANK, RE, 3543.90; CITY OF WAYNE, RE, 2194.88; CLASSY CLEANING LADIES, SE, 215.61; CONTINENTAL FIRE SPRINKLER, SE, 210.00; COVENTRY HEALTH, RE, 17107.58; DE LAGE LANDEN FINANCIAL, se, 471.00; EGAN SUPPLY, SU, 263.57; ELECTRICAL ENGINEERING, SU, 530.69; FEDERAL LICENSING, SE, 124.00; FLOOR MAINTENANCE, SU, 201.14; FORT DEARBORN LIFE, SE, 99.76; FREMONT NATIONAL BANK, RE, 397035.72; INLINE BARRICADES, SU, 1600.00; JEREMY VAN AMPTING, RE, 306.30; JORGENSEN, JASON, SE, 230.00; KRIZ-DAVIS, SU, 359.65; LINWELD, SE, 550.00; MIDWEST OFFICE AUTOMATION, SE, 560.00; MINES JEWELERS, RE, 19750.00; NPPD, SE, 175541.26; PIEPER, WIEBELHAUS & DAHL, SE, 1945.50; POLLARD PLUMBING, SE, 730.00; QUALITY 1 GRAPHICS, SU, 45.00; SIRSI MIDWEST USERS, FE, 50.00; STATE NATIONAL BANK, RE, 1473.25; STATE NATIONAL BANK, RE, 500000.00; SUN RIDGE SYSTEMS, SE, 2600.00; SUNSHINE FILTERS, SU, 437.24; VAN DIEST SUPPLY, SU, 1874.40; WAYNE CO AG, FE, 90.00; WAYNE COUNTY COURT, RE, 296.50; WAYNE STATE COLLEGE, RE, 900.00; WESCO, SU, 202.69

Councilmember Frevert 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 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.

Councilmember Sturm arrived at 5:39 p.m.

Ron Asche, CEO of Nebraska Public Power District, spoke to the Council on several issues regarding the electric industry, including the challenge of having to reduce their CO2 emissions by 3% by 2012 and 17% by 2020.

Phil Monahan, Asst. Fire Chief, was present requesting Council consideration to approving the membership application of Amanda Pearson to the Wayne Volunteer Fire Department.

Councilmember Sturm made a motion and seconded by Councilmember Ley approving the membership application of Amanda Pearson to the Wayne Volunteer Fire Department. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Garry Poutre, on behalf of the Wayne Baseball Association, was present requesting Council consideration to allowing them to have no parking on Windom Street

from 3<sup>rd</sup> to 4<sup>th</sup> Street for the State Baseball Tournament, starting July 31<sup>st</sup> through August 4<sup>th</sup>. They do not want to close the street off to traffic.

Councilmember Lutt made a motion and seconded by Councilmember Sturm to allow the Wayne Baseball Association to put no parking signs on Windom Street from 3<sup>rd</sup> to 4<sup>th</sup> Street for the State Baseball Tournament. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Stacy Craft, on behalf of the Q125 Parade Committee, was present requesting Council consideration to closing off Walnut Street from 10<sup>th</sup> to 14<sup>th</sup> Streets to traffic and to provide barricades at 10<sup>th</sup> and Walnut, 14<sup>th</sup> and Walnut, and Hillcrest and Walnut. The parade will take place on Saturday, August 8<sup>th</sup>, at 6:30 p.m. They would request the street be closed at 5:00 p.m.

Councilmember Lutt made a motion and seconded by Councilmember Sturm approving the request of the Q125 Parade Committee to close off Walnut Street from 10<sup>th</sup> to 14<sup>th</sup> Streets and to provide barricades at 10<sup>th</sup> and Walnut, 14<sup>th</sup> and Walnut, and Hillcrest and Walnut. 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 regarding the Final Plat for Benscoter Addition.

Administrator Johnson stated the Planning Commission reviewed the Final Plat for Benscoter Addition and forwarded a recommendation to disapprove the same on the grounds that they did not receive the final revision until the time of the meeting and that the current revision they have been shown is in error because of the subdividers.

Louis and Javanah Benscoter, owners of the property, were present to answer questions.

Councilmember Chamberlain asked the Benscoters if they had had a chance to review the changes that were made. He wanted to make sure they were comfortable with the changes and whether or not they needed time to have their attorney review the documents.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Sturm introduced Resolution 2009-60, and moved for its approval; Councilmember Ley seconded.

#### RESOLUTION NO. 2009-60

#### A RESOLUTION APPROVING THE FINAL PLAT FOR BENSCOTER ADDITION AND SUBDIVISION AGREEMENT.

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 determine the sufficiency of any objections filed to the Creation of Public Utility Water Service District No. 2009-01 as set out in Ordinance No. 2009-11.

City Clerk McGuire stated that no objections had been filed in regard to Public Utility Water Service District No. 2009-01.

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

Councilmember Ley introduced Resolution 2009-61, and moved for its approval; Councilmember Sturm seconded.

RESOLUTION NO. 2009-61

A RESOLUTION MAKING A DETERMINATION THAT NO OBJECTIONS WERE FILED TO THE CREATION OF PUBLIC UTILITY WATER SERVICE DISTRICT NO. 2009-01.

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

Councilmember Chamberlain introduced Resolution 2009-62, and moved for its approval; Councilmember Frevert seconded.

RESOLUTION NO. 2009-62

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR PUBLIC UTILITY WATER SERVICE DISTRICT NO. 2009-01 OF THE CITY OF WAYNE, NEBRASKA, AS PREPARED BY THE CITY'S ENGINEERS AND DIRECTING ADVERTISEMENT FOR BIDS.

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

Councilmember Sturm introduced Resolution 2009-63, and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2009-63

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE LOGAN CREEK BANK STABILIZATION PROJECT AS PREPARED BY THE CITY'S ENGINEERS AND DIRECTING ADVERTISEMENT FOR BIDS.

Administrator Johnson stated the cost for this project will be \$250,000.

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

Councilmember Lutt introduced Resolution 2009-64, and moved for its approval; Councilmember Sturm seconded.

RESOLUTION NO. 2009-64

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE WELL HOUSE AND MUNICIPAL WELL 2009 PROJECT AS PREPARED BY THE CITY'S ENGINEERS AND DIRECTING ADVERTISEMENT FOR BIDS.

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

Councilmember Lutt introduced Resolution 2009-65, and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2009-65

A RESOLUTION ADOPTING THE REQUIREMENTS OF THE LPA GUIDELINES MANUAL AND AUTHORIZING LPA RC, CITY ADMINISTRATOR AND SUPERINTENDENT OF PUBLIC WORKS & UTILITIES AS THE RESPONSIBLE PARTY FOR MANAGEMENT OF THIS PROCESS.

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

Roger Protzman, Engineer with JEO Consulting Group, presented two proposals for engineering design and construction administration services for the construction of an Aquarius style wastewater treatment system.

Proposal 1 (Site A) is for the services necessary to design and administer a project let for construction using portions of the existing facility as outlined in the facility plan report. The cost of Proposal 1 - \$1,097,013.

Proposal 2 (Site B) was developed at the request of staff to be able to bid relocating the facility to the southwest corner of the existing lagoon and compare that to a bid that would be obtained in Proposal 1. The cost of Proposal 2 - \$1,339,986.

The difference between the two proposals is \$242,883. In addition, it is estimated that to move the plant to this location would be an additional \$500,000.

Administrator Johnson recommended obtaining two proposals because he thinks there are a lot of things that could happen over the next 50 years in this area, and every time the City needs to build or rebuild the plant, the Council ought to be discussing whether or not this is the place it should be located. It is a discussion that should take place.

In response to Councilmember Sturm's question, Mr. Protzman noted that the proposal put together to relocate the plant came from staff. The ultimate goal is to try to minimize or eliminate the lagoon cell and recover that land as developable land. That is what has been related to him. The pilot study has indicated that there is going to be some sludge production. They have observed some full-scale operations and there is virtually no sludge. If that is the case, then there may be some future justification of completely eliminating that lagoon. But, right now as they see it and the way the pilot plant has performed, they don't think they can totally rid themselves of any type of sludge treatment system at this point and time. You need to keep something as a back up protection until this plant is up and operating and we see the full-scale performance.

Councilmember Sturm stated there is still going to be a fair amount of lagoon left, which will not eliminate that much odor.

Mayor Shelton stated if we didn't care if the lagoon stayed there, we wouldn't need to be building the Aquarius system. They (Administrator Johnson and Mayor Shelton) were asking the Council to have some vision and allow that area to be open for development by moving this plant – investing that half million or three-quarters of a

million dollars now so that in the next 10, 15, 20 years that land is available for development.

Councilmember Lutt stated that three-quarters of that land could still be available for development by leaving the treatment plant where it is right now.

Mayor Shelton agreed, except that with that lagoon still there, she did not think they would get development there.

Councilmember Lutt introduced Resolution 2009-66, and moved for its approval, with Site A being the only site considered; Councilmember Sturm seconded.

#### RESOLUTION NO. 2009-66

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH JEO CONSULTING GROUP, INC., FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE AQUARIUS WASTEWATER TREATMENT SYSTEM PROJECT.

Lou Benscoter, who is developing the area north, spoke in favor of moving the plant to the southwest corner of the lagoon.

Mr. Protzman wanted to clarify that at this point and time, the Council is not deciding to build it in that location. What you are doing, if you approve both sites, is to take bids on both options and compare the costs after the bids are received. Again, the additional engineering costs to submit both proposals is \$242,883.

Councilmember Sturm was not in favor of the option to relocate the plant. He opined that there is so much ground right there now that needs to be developed. In addition, if the Aquarius system performs like they think it will, we could eliminate the most of the lagoon which opens up more area. In addition, there is nothing that says the softball complex has to stay where it is right now. If we start to get that much growth, we can probably figure out somehow, with a lot of discussion, to relocate the softball fields.

He was of the opinion that there is a lot of property in that area right now available for development.

Mayor Shelton stated that one of the things Council might want to consider is that the Rugby Fields and the Softball Complex are in the flood plain so you can't build there.

Wes Blecke, Interim Director of WAED, spoke on behalf of development and as a private citizen. He was in favor of Council approving the option to relocate the treatment plant to the southwest corner of the lagoon.

Councilmember Sturm stated the pictures brought back from the plant in Illinois showed landscaping around that treatment facility, and they had people living right across the street from it.

Councilmember Ley could see the reasoning for wanting to look at both options because we can't change it once we make a decision. She would support the same.

Kent Franzen, representing Northeast Nebraska Investors, LLC, asked the Council to envision what that much real estate in that position is worth as development ground when they are making this decision.

Mayor Shelton also stated that if this ground is open up for development, we are putting it back on the tax rolls with improvements. Property taxes are going to be coming in off of that property.

Councilmember Lutt stated with the new system, hopefully we won't need a lot of lagoon area. You will need some lagoon because you are not going to get rid of 100% of the sludge, but you don't need 26 acres of lagoon. He would leave the plant where it is right now and use the west one-third of the existing lagoon for a channel to Logan Creek. Then if you want to push in 20 acres of the 26 acres and use for development, we have

that option. He understands that they have to look towards the future, but he is also looking at the fact that we have an awful lot of money stuck into this thing already, and every time we turn around, it is another \$250,000.

Jeff Brady, Water/Wastewater Foreman, was asked to give his opinion on this matter. Mr. Brady, who was speaking as a citizen, stated that because the Aquarius plant is supposed to produce less sludge, we may not need all of the lagoon area, but we don't know that for sure. In addition, he lives at 204 S. Windom which is by the lagoon. A lot of people have moved into that area. If it were up to him, as a citizen, he would not move the plant where they are going to move it. He would rather see it stay where it is. He believes, after visiting the plant in Israel, that the odor is not going to be anything like it is now.

Mayor Shelton stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase, Ley, and Chamberlain, who voted Nay. The Mayor, because of a tie, cast her vote as Nay and declared the motion failed.

Councilmember Chamberlain then introduced Resolution 2009-66, and moved for its approval, with both Site A & B being considered; Councilmember Ley seconded.

#### RESOLUTION NO. 2009-66

**A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH JEO CONSULTING GROUP, INC., FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE AQUARIUS WASTEWATER TREATMENT SYSTEM PROJECT.**

Mayor Shelton stated the motion, and the result of roll call was all Yeas, with the exception of Councilmembers Lutt and Sturm who voted Nay. Mayor Shelton then cast her vote of Yea, which was needed to provide the additional vote required to create a

number of votes equal to a majority elected to the Council, and declared the motion carried.

Mayor Shelton stated the following Resolution would approve Wayne's membership in the Nebraska Expressways for Economic Development organization. This has been in existence for 2-3 years. They are lobbying the legislature to keep them on task to work on funding roads.

Councilmember Lutt introduced Resolution 2009-67, and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2009-67

A RESOLUTION OF SUPPORT FOR MEMBERSHIP IN THE NEBRASKA EXPRESSWAYS FOR ECONOMIC DEVELOPMENT.

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

Administrator Johnson stated the following Resolution would approve Kirkham Michael as the engineering consultant for the Asphalt Overlay Project in the southwest quadrant of Wayne for \$7,900. This is scheduled in the One and Six Year Street Improvement Plan.

Councilmember Lutt introduced Resolution 2009-68, and moved for its approval; Councilmember Chamberlain seconded.

RESOLUTION NO. 2009-68

A RESOLUTION APPROVING KIRKHAM MICHAEL AS THE ENGINEERING CONSULTANT FOR THE ASPHALT OVERLAY PROJECT IN THE SOUTHEAST QUADRANT OF WAYNE.

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

Administrator Johnson stated that the following ordinance would add aggregate as an allowed surface for parking lots greater than six parking stalls. The Planning Commission held a public hearing on this matter and recommended approval of these amendments.

Councilmember Ley introduced Ordinance 2009-17, and moved for approval thereof; Councilmember Lutt seconded.

#### ORDINANCE NO. 2009-17

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, BY AMENDING SECTION 90-710(c) PARKING OR DRIVEWAY SURFACES, INTERIOR OF THE LOT, BY ADDING SUBPARAGRAPH (f) DESIGN STANDARDS FOR PARKING LOTS; 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.

Councilmember Sturm made a motion and Councilmember Chamberlain 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 Sturm seconded to move for final approval of Ordinance No. 2009-17. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Sturm introduced Ordinance 2009-13, and moved for approval of the third and final reading thereof; Councilmember Chamberlain seconded.

ORDINANCE NO. 2009-13

AN ORDINANCE AMENDING THE WAYNE MUNICIPAL CODE BY AMENDING SECTION 58-132 RELATING TO CONCEALED WEAPONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING 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.

Councilmember Sturm introduced Ordinance 2009-14, and moved for approval of the third and final reading thereof; Councilmember Frevert seconded.

ORDINANCE NO. 2009-14

AN ORDINANCE APPROVING VACATION OF AN ALLEY LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THE NORTH-SOUTH ALLEY BETWEEN WINDOM STREET, EXTENDED NORTH, AND WALNUT STREET LYING BETWEEN THE SOUTH LINE OF E. 12TH STREET AND THE NORTH LINE OF E. 14TH STREET.

Mayor Shelton 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 Chamberlain approving the request from Wayne State College to postpone the final reading on Ordinance No. 2009-15 until the College Board of Trustees has met to discuss the matter. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

No action was taken on Ordinance 2009-15.

Administrator Johnson stated the following Resolution would make a request to the Nebraska Department of Roads to reclassify South Centennial Road as a "Rural

Major Collector.” The County has also passed a Resolution requesting the same. This will allow the County to take control of this road and use their own STP Funds to pave it in conjunction with the property owners in that area.

Councilmember Chamberlain introduced Resolution 2009-69, and moved for its approval; Councilmember Lutt seconded.

#### RESOLUTION NO. 2009-69

A RESOLUTION FOR NATIONAL FUNCTIONAL CLASSIFICATION REVISION.

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 Resolution would amend the previous Resolution passed at the last meeting to increase the request for SGIG Program funds from \$500,000 to \$600,000, which will be used for the deployment of smart grid technology for meter reading equipment, etc. These funds are coming from the energy side of the federal stimulus program.

Councilmember Sturm introduced Resolution 2009-70, and moved for its approval; Councilmember Ley seconded.

#### RESOLUTION NO. 2009-70

A RESOLUTION OF THE CITY OF WAYNE AUTHORIZING PARTICIPATION IN A JOINT APPLICATION FOR SGIG PROGRAM FUNDS AND TO EXPEND SUCH FUNDS FOR THE DEPLOYMENT OF A SMART GRID TECHNOLOGY.

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

Councilmember Lutt made a motion and seconded by Councilmember Frevert appointing the City Administrator as the Building Code Official. Mayor Shelton stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Shelton requested Council consideration to the following appointments to the “Green Team”: Jay Collier, Bill Jammer, Buffany DeBoer, Marilyn Collings, Nancy Jo Powers, Dave Shelton, Lou Benscoter, Kathy Mohlfeld, Jay Snell, Joel Hansen, Edith Zahniser, Robert Zahniser, Joan Sudman, Bonnie Anderson, Tracy Bruckner, Brian Bruckner, Lowell Johnson, Lois Shelton, and Scott Brummond.

Councilmember Sturm made a motion and seconded by Councilmember Ley approving the appointments of Jay Collier, Bill Jammer, Buffany DeBoer, Marilyn Collings, Nancy Jo Powers, Dave Shelton, Lou Benscoter, Kathy Mohlfeld, Jay Snell, Joel Hansen, Edith Zahniser, Robert Zahniser, Joan Sudman, Bonnie Anderson, Tracy Bruckner, Brian Bruckner, Lowell Johnson, Lois Shelton, and Scott Brummond to the “Green Team.” 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 seconded by Councilmember Sturm 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 7:05 p.m.