

**7GENDA
CITY COUNCIL MEETING
May 15, 2012**

5:30 Call to Order

1. [Approval of Minutes – May 1, 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. [Resolution 2012-38: Approving a Request for Annexation and Setting a Public Hearing on the Proposed Annexation Area to the City of Wayne for June 5, 2012, at or about 5:30 p.m. \(NorthStar Services\)](#)

Background: NorthStar Services purchased a parcel of land from the Kardells and built their new main office on the site by the east water tower. The property was not annexed at the time. We have discussed annexation with NorthStar, and they have requested the property be annexed. The property is served by all city utility services. Annexation will avoid double water and sewer rates, and NorthStar is legally a subdivision of county government and therefore, pays no real estate taxes.

Recommendation: The recommendation of the City Administrator and City Clerk is to approve the annexation.

4. [Action on Request from the Wayne Softball Association to Build a New Shelter from Donated Funds on the north end of the Softball Complex — Alex Koch, Recreation Services Director](#)

Background: There is currently one picnic shelter with a roof located along the south access sidewalk of the Summer Sports Complex. The Association wants to add a second roofed picnic shelter along the north access sidewalk. They will pay for materials and erect the shelter with Council approval. A location map and plans for the shelter are enclosed with this packet.

Recommendation: The recommendation of Alex Koch, Recreation Services Director, is to accept the Association's offer to build this shelter.

5. [Action on Request of the Wayne Basketball Development Association to Paint Basketball Lines at the City Auditorium from Donated Funds](#)

and to Allow the Purchase of Permanent Basketball Hoops —
Alex Koch, Recreation Services Director

Background: Before the 2002 renovation project, the gym floor of the City Auditorium was striped for a regulation basketball court. When the CAC was built, the City Recreation Program was relocated out of the auditorium. In the last few years, the Wayne Basketball Association has been sponsoring more and larger tournaments and fielding more kids' teams. In addition, I have required two quarter courts of the CAC gym space to be left open for our "After School Program" and the kids coming in after school. There isn't enough gym space at the CAC to conduct all of these programs. The school gyms are also fully occupied after school. For the last two years, we have also relocated the City Recreation Wrestling Program and several of the basketball team practices to the City Auditorium. This works well, except for the inconvenience of the portable baskets and no basketball court lines. The Wayne Basketball Association has offered to pay the costs for new painted court lines. Alex will be present requesting approval to purchase the permanent baskets.

Recommendation: The City Auditorium has a high quality, regulation basketball floor, and there is very little other use of the building on weekdays. Reinstalling permanent baskets and painting basketball court lines would be a change from the desire at the time of the renovation to convert the City Auditorium to a non-basketball décor. This seems to be a matter of choices, and we have no staff recommendation.

6. [Ordinance 2012-12: Extending the Hours of Sale of Alcoholic Liquor on Friday, July 13, 2012, and Saturday, July 14, 2012, for the Wayne Chicken Days Celebration](#)

7. [Action on Job Description for Community Activity Center Director](#)

Background: In 2011, while both the Recreation Services Director position and the CAC Director position were being filled by interim staff, we changed the CAC Director's position to report to the City Administrator. The amendments to the CAC Director's position change the position to report to the Recreation Services Director and add some additional duties.

8. [Action on Payment of Invoice in Amount of \\$71,000 to Verizon for the City's share of the Tower Reinforcement Project](#)

Background: The last inspection of the 150 foot communications tower on the north side of City Hall determined that it doesn't meet newer structural code requirements and needs reinforcement of the lower legs and tower base fasteners. Verizon leases tower space for \$1,800 per month at the 100 foot level. Verizon has requested to upgrade their antennas on the tower and has offered to pay half of the cost of the \$142,000 tower reinforcement project.

Recommendation: The recommendation of the Finance Director and City Administrator is to approve the \$71,000 for the City's half of the project cost.

9. [Resolution 2012-39: Accepting Proposal and Approving Contract with JEO Consulting Group for Sludge Removal Services - \\$27,500](#)

Background: An EPA inspection of our sewer lagoon in 2010 generated a demand to the City of Wayne that we remove most of the accumulated sludge and land apply it. Last fall, we bid out the sludge removal and awarded the contract to the contractor who agreed to remove the most tons of sludge on a dry basis for \$150,000. That was the first of two sludge removal projects planned, and this fall after the crops are harvested, we have to remove another similar amount of sludge. This process requires preparation of bid specifications, NDEQ application permits, and land owner agreements. JEO did all of this for us last year and we have asked them to prepare the documents and oversee this second sludge removal project as well.

Recommendation: The recommendation of the Superintendent of Public Works & Utilities is to approve this agreement and retain JEO for this project.

10. [Resolution 2012-40: Amending Employee Personal Computer Technology Program Loan Agreement](#)

Background: This Resolution amends the technology loan agreement approved in the 1990's to limit the length of the loan period to 24 months and requires employees to have no wage garnishments or bankruptcy filings to be eligible. The same also removes digital cameras and camcorders and caps the loan amount to \$1,500 per employee.

Recommendation: This Resolution is the result of the comments from the Councilmembers at the previous Council meeting when changes to this program were discussed.

11. [Action on Contractor's Application for Payment No. 1 to Elkhorn Paving in the Amount of \\$142,480.53 – Pheasant Run Road Paving Project](#)

Recommendation: The recommendation of John Zwingman, the project engineer, is to pay this amount for work completed and inspected according to contract.

12. [Ordinance 2012-13: Amending Wayne Municipal Code Section 78-130 Prohibited Parking; Southeast Quadrant of the City](#)

Background: This is a proposal to prohibit on-street parking all the time on both sides of Windom Street between 3rd and 4th Streets. Because of the tight traffic clearance during baseball practices and games at Overin Field, it has been discussed several times and has now been requested to be on the agenda for consideration.

Recommendation: The recommendation of Joel Hansen, Street Superintendent, t and Garry Poutre, Superintendent of Public Works & Utilities, is to approve some type of on-street parking restriction for pedestrian safety and to improve traffic flow.

13. [Resolution 2012-41: Authorizing the Sale of Outlot A, Western Ridge II Addition to Kelby R. Herman](#)

Background: Outlot A was included with Lots 1 and 2 in the CDA's acceptance of the \$5,000 Herman offer to purchase and develop two town homes. We will price this parcel at \$1.00 to fulfill the packaged sale already approved.

Outlot A is not owned by the CDA, but by the City, and therefore, the sale requires Council action.

14. [Ordinance 2012-14: Directing the Sale of Outlot A, Western Ridge II Addition to Kelby R. Herman](#)
15. Appointment of Fire Chief
16. Annual Review of City Administrator
17. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

[Library Board of Trustees Meeting Minutes – March 6, 2012](#)

[Library Board of Trustees Meeting Minutes – April 3, 2012](#)

May 1, 2012

The Wayne City Council met in regular session at City Hall on Tuesday, May 1, 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, Dale Alexander, Doug Sturm, and Jill Brodersen; City Attorney Amy Miller; and City Clerk Betty McGuire. Absent: Councilmembers Kaki Ley and Kathy Berry; and City Administrator Lowell Johnson.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on April 19, 2012, 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 Van Delden, whereas the Clerk has prepared copies of the Minutes of the meeting of April 17, 2012, 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: ADVANCED CONSULTING, SE, 3595.00; AMERICAN TEST CENTER, SE, 1300.00; AMERITAS, SE, 1709.18; APPEARA, SE, 154.50; AS CENTRAL SERVICES, SE, 448.00; BACON & VINTON, SE, 1600.00; BAIRD, HOLM, McEACHEN, SE, 3750.00; BANK FIRST, FE, 140.00; CITY EMPLOYEE, RE, 33.84; BENSCOTER PLUMBING, SE, 43224.02; BIG T ENTERPRISES, SU, 199.90; BLACK HILLS ENERGY, SE, 162.86; CITY EMPLOYEE, RE, 422.90; CITY OF NORFOLK, SE, 410.91; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, PY, 58299.58; CLAUSSEN & SONS IRRIG., SU, 1701.44; COMMUNITY HEALTH, RE, 3.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DONNA TIETSORT, RE, 393.23; ECHO GROUP, SU, 37.98; CITY EMPLOYEE, RE, 361.55; ELLIS PLUMBING &

HEATING, SE, 80.50; ESRI, SE, 1065.00; FIRST CONCORD GROUP, SE, 3414.88; FLOOR MAINTENANCE, SU, 467.70; FORT DEARBORN LIFE, SE, 116.96; GALE GROUP, SU, 53.91; GEMPLER'S, SU, 200.40; GERHOLD CONCRETE, SU, 2562.00; GROSSENBURG IMPLEMENT, SU, 473.02; HD SUPPLY WATERWORKS, SU, 67.68; CITY EMPLOYEE, RE, 78.90; HELENA CHEMICAL, SU, 1000.00; CITY EMPLOYEE, RE, 8.00; HUBER TECHNOLOGY, SU, 1154.00; ICMA, RE, 5278.62; INTERSTATE ALL BATTERY, SU, 199.60; IRS, TX, 19159.56; JEO CONSULTING GROUP, SE, 2488.50; CITY EMPLOYEE, RE, 245.30; KRIZ-DAVIS, SU, 575.10; MCGUIRE & NORBY, SE, 84.84; MIDWEST OFFICE AUTOMATION, SE, 1110.17; CITY EMPLOYEE, RE, 484.15; NE DEPT OF REVENUE, TX, 3049.08; NE EMERGENCY SERVICE, FE, 45.00; N.E.NE AMERICAN RED CROSS, RE, 59.24; OLSSON ASSOCIATES, SE, 18013.56; OPTIMUM DATA, SU, 1600.00; CITY EMPLOYEE, RE, 1275.54; PIEPER & MILLER, SE, 3081.00; POLLARD PUMPING, SE, 310.00; PRESTO X, SE, 35.15; CITY EMPLOYEE, RE, 353.04; RON'S RADIO, SE, 3705.60; SMEAL FIRE APPARATUS, SU, 381197.00; STANLEY SECURITY SOLUTION, SU, 204.18; STATE NATIONAL BANK, RE, 45161.25; TELEDYNE ISCO, INC., SU, 618.15; TOM'S BODY & PAINT SHOP, SE, 52.00; TRI-CITY SIGN COMPANY, SE, 5355.00; UNITED RENTALS, FE, 50.00; UNITED WAY, RE, 10.00; VAN DIEST SUPPLY, SU, 35.00; VERIZON, SE, 224.00; VIAERO, SE, 169.20; VOSS LIGHTING, SU, 127.28; WAED, FE, 70.00; WAYNE AUTO PARTS, SU, 476.10; WAYNE CO SHERIFF, SE, 18.50; WAYNE COUNTY COURT, RE, 300.00; WESCO, SU, 174.45; AMERICAN BROADBAND, SE, 550.00; AMERICAN BROADBAND, SE, 1440.18; CITY EMPLOYEE, RE, 1606.19; BLACK HILLS ENERGY, SE, 138.24; BOMGAARS, SU, 788.84; CITY EMPLOYEE, RE, 202.32; CENTURYLINK, SE, 308.89; CITY OF PONCA, RE, 14847.07; CITY OF WAYNE, RE, 250.00; CITY OF WAYNE, RE, 150.00; CITY OF WAYNE, RE, 49750.00; CITY OF WISNER, RE, 2243.89; CITY EMPLOYEE, RE, 79.77; EASYPERMIT POSTAGE, SU, 687.96; ECHO GROUP, SU, 93.47; FLOOR MAINTENANCE, SU, 226.37; GEOCOMM INC, FE, 1800.00; GERHOLD CONCRETE, SU, 733.28; GILL HAULING, SE, 155.00; HD SUPPLY WATERWORKS, SU, 118.11; HEARTLAND FIRE PROTECTION, SE, 628.70; JASON CAROLLO, SE, 175.00; JEO CONSULTING GROUP, SE, 6715.99; CITY EMPLOYEE, RE, 548.89; LYNN PEAVEY, SU, 47.88; MAIN STREET AUTO CARE, SE, 90.00; CITY EMPLOYEE, RE, 144.02; NNPPD, SE, 3376.00; CITY OF WAYNE, RE, 5.14; PONCA RURAL FIRE BOARD, RE, 3552.82; QUILL, SU, 138.29; SGP SERVICES, SE, 459.18; SIRCHIE FINGER PRINT LAB, SU, 46.50; SIRSIDYNIX, SE, 3270.03; SKARSHAUG TESTING LAB, SE, 133.75; STATE NATIONAL BANK, RE, 200.00; STATE NATIONAL BANK, RE, 200.00; CITY EMPLOYEE, RE, 175.30; US BANK, SU, 9635.78; VERIZON, SE, 152.52; VILLAGE OF WINSIDE, RE, 4749.57; WAED, SE, 6383.33; WAYNE CO SHERIFF, SE, 18.50; WAYNE HOSPITALITY, RE, 342000.00; WIGMAN COMPANY, SU, 1016.82

Councilmember Haase made a motion and Councilmember Alexander 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.

Alyssa Bisch and Michala Remund, President and Vice-President respectively of the Wayne State College Student Senate, were present requesting Council consideration to closing Highway 15 from Fairground Avenue to Second Street from 3:00 p.m. to 2:00 a.m. on Saturday, August 25th, for Wayne State's Welcome Back Bash or the "Stay-Cation" event hosted by the Wayne State College Student Activities Board. The event will be taking place from 5:30 p.m. until midnight, but they were requesting the extra time to set up and tear down for the event.

City Clerk McGuire noted that since the original request was to close Highway 15 from First Street to Second Street from 3:00 p.m. to midnight, the Resolution would need to be amended to reflect those changes should Council approve the same.

Councilmember Berry arrived at 5:37 p.m.

Councilmember Brodersen introduced Resolution No. 2012-32 and moved for its approval as amended above; Councilmember Frevert seconded.

RESOLUTION NO. 2012-32

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF ROADS' REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

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

Joel Hansen, Street Superintendent, stated the following Ordinance would amend sections of the Wayne Municipal Code to insert a stop sign location at Pheasant Run Road, as well as some stop sign locations that had been missed through the years. In addition, the ordinance deletes some stop sign locations on the Wayne State College campus which are not enforceable by City Code. There are still stop signs at those locations; however, they would be enforceable under State Statutes.

Councilmember Sturm introduced Ordinance 2012-11, and moved for approval thereof; Councilmember Alexander seconded.

ORDINANCE NO. 2012-11

AN ODINANCE AMENDING CHAPTER 78, ARTICLE I, SECTION 78-10 STOP SIGN LOCATIONS; WEST OF MAIN STREET, NORTH OF SEVENTH STREET; SECTION 78-11 STOP SIGN LOCATIONS; EAST OF MAIN STREET, NORTH OF 7TH STREET; SECTION 78-12 STOP SIGN LOCATIONS, EAST OF MAIN STREET, SOUTH OF 7TH STREET; AND SECTION 78-13 STOP SIGN LOCATIONS, WEST OF MAIN STREET, SOUTH OF 7TH STREET; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

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

Councilmember Sturm made a motion and Councilmember Alexander seconded to move for final approval of Ordinance No. 2012-11. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Alexander made a motion, which was seconded by Councilmember Sturm, 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, Dale Alexander Ken Chamberlain, Doug Sturm, Kathy Berry and Jill Brodersen; City Attorney Amy Miller; and City Clerk Betty McGuire. Absent: Member Kaki Ley and City Administrator Lowell Johnson.

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 April 3, 2012, meeting.

Member Chamberlain made a motion and Member Brodersen seconded approving the minutes of the April 3, 2012, 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 CDA agenda was to approve the following claims:

Wayne Country Treasurer	5,394.90
City of Wayne – Attorney fees	301.00
City of Wayne – engineering lot split fees(Advanced Consulting)	895.00

Member Chamberlain made a motion and Member Brodersen seconded approving the claims. Chair Haase stated the motion, and the result of roll call being all Yeas, the Chair declared the motion carried.

Chair Haase stated the following CDA Resolution would recommend approval of Redevelopment Plan Amendment for the Bencoter Addition Planned Unit Development Project by adding Lots 12, 14, 15, 16, and 18, Bencoter Addition Planned Unit Development Replat 1 to said plan.

Lou Bencoter was present and stated his intent is to build five homes using the energy star rated program (geothermal wells). In addition, Mr. Bencoter's loan officer was present. With the TIF funding, he can either help subsidize some of the down payments or keep the lots cheaper. He has a couple of people interested at this time. The house payments will be about \$530 to \$540 per month, which does not include real estate taxes or insurance. This would be very affordable for young families.

Mr. Bencoter noted he already has 4 lots with tax increment financing in this subdivision and is now adding another 5. His goal is to build ten houses this year. He will be the one selling the TIF bonds.

Councilmember Sturm told Mr. Bencoter that this is a big undertaking to build 8 to 10 houses in a year, and he would have a hard time approving an extension for him.

Councilmember Brodersen asked how much the TIF money reduces the price of the house. Mr. Bencoter stated that at this time, he is estimating that it is reducing \$12,000 to \$15,000 per house. It will keep the prices affordable.

Kari Wren, Director of the Wayne Community Housing Development Corporation, distributed a handout of the "Housing Study Focus Group Discussions."

Some of the key issues that came out of the focus groups were:

- The lack of available housing available for sale in the \$100,000 to \$150,000 range;
- The lack of quality rental units available for young professionals and students; and
- The lack of speculative housing construction.

Member Sturm introduced CDA Resolution 2012-3 and moved for its approval;

Member Berry seconded.

CDA RESOLUTION NO. 2012-3

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT CONTRACT AND PLAN AMENDMENT FOR THE BENCOSOTER SINGLE FAMILY RESIDENTIAL DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

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

Chair Haase stated the following CDA Resolution would recommend approval of Redevelopment Plan Amendment for the Western Ridge Single-Family Residential Planned Unit Development Project by adding Lots 2 and 8, Western Ridge II Addition, being a part of Section 12, Township 26 North, Range 3, East of the 6th P.M..

Member Chamberlain explained that this action is just adding Lots 2 and 8 into the "rolling" TIF. This will now start the TIF clock on these two particular lots.

Member Alexander introduced CDA Resolution 2012-4 and moved for its approval; Member Sturm seconded.

CDA RESOLUTION NO. 2012-3

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT FOR THE WESTERN RIDGE SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

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

Member Alexander made a motion and Member Sturm seconded 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.

The Mayor stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a resolution approving a redevelopment plan amendment for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act") — Lots 12, 14, 15, 16, and 18, Benscoter Addition. The Clerk reported that notice of the public hearing had been published in the Wayne Herald on April 12, 2012, and April 19, 2012, and that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. The Mayor opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None.

All persons desiring to be heard having been heard, the Mayor closed the public hearing.

Councilmember Brodersen then introduced Resolution No. 2012-33 and moved for its passage and approval:

RESOLUTION NO. 2012-33

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS

Councilmember Van Delden seconded the motion. On roll call vote, the following Council Members voted in favor of the motion: Frevert, Van Delden, Haase, Alexander, Sturm, Berry and Brodersen. The following Councilmembers were absent or did not vote: Ley.

The passage of Resolution No. 2012-33 having been agreed upon by a majority of the Council, the Mayor declared Resolution No. 2012-33 passed and, in the presence of the Council, signed and approved Resolution No. 2012-33. The Clerk attested to the passage of Resolution No. 2012-33 by signing the same and affixing the seal of the City to Resolution No. 2012-33.

The Mayor stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a resolution approving a redevelopment plan amendment for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act") — Lots 2 and 8, Western Ridge II Addition. The Clerk reported that notice of the public hearing had been published in the Wayne Herald on April 12, 2012, and April 19, 2012, and that notice of the public hearing had been mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all

parties required by Section 18-2115 of the Act. The Mayor opened the public hearing and invited all interested persons to be heard.

The following appeared in person or by agent or attorney and were heard: None.

All persons desiring to be heard having been heard, the Mayor closed the public hearing.

Councilmember Alexander then introduced Resolution No. 2012-34 and moved for its passage and approval:

RESOLUTION NO. 2012-34

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA APPROVING A REDEVELOPMENT PLAN AMENDMENT; AND RELATED MATTERS

Councilmember Haase seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Frevert, Van Delden, Haase, Alexander, Sturm, Berry and Brodersen. The following Councilmembers were absent or did not vote: Ley.

The passage of Resolution No. 2012-34 having been agreed upon by a majority of the Council, the Mayor declared Resolution No. 2012-34 passed and, in the presence of the Council, signed and approved Resolution No. 2012-34. The Clerk attested to the passage of Resolution No. 2012-34 by signing the same and affixing the seal of the City to Resolution No. 2012-34.

The following Resolution would approve an agreement with the Nebraska Department of Roads relating to the engineering and construction services for the Highway N-15 in Wayne Logan Creek Bridge Project. This project will consist of

milling and overlaying the bridge deck over the Logan Creek Bridge beginning at the south corporate limits and extending just north of Logan Creek.

Councilmember Sturm introduced Resolution 2012-35 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2012-35

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ROADS RELATING TO THE ENGINEERING AND CONSTRUCTION SERVICES FOR THE STATE OF NEBRASKA, DEPARTMENT OF ROADS IMPROVING HIGHWAY N-15 IN WAYNE PROJECT (LOGAN CREEK BRIDGE).

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

Mayor Chamberlain stated the next agenda item is to consider allocating \$73,000 of sales tax capital project funds this year to match our communication tower structural upgrade requirements. This was going to be included in next year's budget; however, Verizon would like to upgrade the tower sooner, which means the project could be completed before October 1st of this year.

Councilmember Sturm made a motion, which was seconded by Councilmember Alexander, approving the use of \$73,000 of sales tax capital project funds to match the City's communication tower structural upgrade requirements with Verizon. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would approve Contract Amendment No. 2 to the Letter Agreement for Professional Services for the Power Plant Cooling Tower Installation Project. The scope of services is being amended so that Olsson Associates will:

- Continue to provide planning and coordination of the contractors for the City of Wayne in an effort to complete the construction by August 3, 2012;
- Provide construction field and testing services as required to assure proper construction of the proposed facilities; and
- Provide professional services, including design as necessary for the proper construction of the proposed facilities.

Councilmember Brodersen introduced Resolution 2012-36 and moved for its approval; Councilmember Van Delden seconded.

RESOLUTION NO. 2012-36

A RESOLUTION APPROVING AMENDMENT #2 TO THE LETTER AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF WAYNE AND OLSSON ASSOCIATES FOR THE WAYNE POWER PLANT COOLING TOWER INSTALLATION PROJECT.

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

Discussion took place in regard to amending the housing construction loan incentives to builders in light of the fact that the amount was reduced from \$300,000 to \$160,000 at the last meeting as recommended by the LB840 Sales Tax Advisory Committee.

Councilmember Frevert didn't think all of the incentives should be given to just one or two developers. He agreed with Councilmember Haase to limit the number of incentives at first to give everyone a chance at it. If after a year or two there is still money left, it could be opened up for a contractor to apply for all of the incentives.

Mayor Chamberlain recommended setting \$60,000 aside (two - \$30,000 incentives) for those building a house for themselves, and \$100,000 aside (five - \$20,000 incentives) for contractors building spec houses. If the Resolution is not amended, one person can come in and apply for the entire \$160,000.

Councilmember Frevert recommended limiting the number of incentives to two per developer/contractor, and when one or both incentives are paid back, that developer/contractor can reapply for an additional one or two incentives if there is still funds available.

Councilmember Frevert introduced Resolution 2012-37 and moved for its approval with the following amendments:

- Developer/Contractor is limited to two incentives; and
- Developer/Contractor may reapply for an additional incentive after they have paid back an incentive.

Councilmember Haase seconded.

RESOLUTION NO. 2012-37

A RESOLUTION AMENDING HOUSING CONSTRUCTION LOAN INCENTIVES FOR BUILDERS.

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

Mayor Chamberlain requested Council consideration to the following appointments to the ADA Accessibility Committee: Linda Carr and Joel Hansen.

Councilmember Alexander made a motion, which was seconded by Councilmember Brodersen, approving the appointment of Linda Carr and Joel Hansen to the ADA Accessibility Committee. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Alexander 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 6:21 p.m.

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CLAIMS LISTING MAY 15, 2012

ADVANTAGE TAPE	CAC RECEIPT ADVERTISING	225.00
ALL SEASON PROPERTY MAINT	LIBRARY SPRING CLEAN UP	175.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,904.04
APPEARA	LINEN/MAT SERVICE	158.40
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	140.00
BARONE SECURITY SYSTEMS	FIRE INSPECTIONS	716.04
CITY EMPLOYEE	HEALTH REIMBURSEMENT	10.54
CITY EMPLOYEE	HEALTH REIMBURSEMENT	40.23
CARHART LUMBER COMPANY	BATHROOM REPAIRS/BITS/FASTENERS ETC	1,179.26
CHARTWELLS	SENIOR CENTER MEALS	5,293.10
CITY OF WAYNE	AUDITORIUM DEPOSIT REFUND	150.00
CITY OF WAYNE	BUILDING DEPOSIT REFUND	800.00
CITY OF WAYNE	PAYROLL	76,154.00
CITY OF WAYNE	RAZING PERMIT BOND REFUND	256.00
CITY OF WAYNE	UTILITY REFUNDS	4,390.45
CLAUSSEN & SONS IRRIG.	CAC IRRIGATION TURN ON/CHECK	468.29
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
COPY WRITE PUBLISHING	SHIPPING CHARGES	141.89
COUNTRY NURSERY INC	TREE-LIBRARY/FABRIC PINS	320.00
DANKO EMERGENCY EQUIPMENT	FITTINGS	175.01
DCL AMERICA INC.	CATALYTIC CONVERTER-COOLING TOWER	15,928.00
DEMCO INC	HEADPHONES/CALCULATOR	165.49
CITY EMPLOYEE	HEALTH REIMBURSEMENT	55.74
ECHO GROUP INC JESCO	120V SQUARE HOUR METER/IEC CONTACTOR	211.15
ED M FELD EQUIPMENT INC	FUNCTION TEST/VISOR/BATTERY	825.20
FLOOR MAINTENANCE	PLATES/NAPKINS/CLEANERS	439.34
FORT DEARBORN LIFE	LIFE/DISABILITY INSURANCE	1,402.33
FREDRICKSON OIL CO	TIRE REPAIR	27.00
GERHOLD CONCRETE CO INC.	CONCRETE-HENRY VICTOR	779.40
GRAINGER, INC.	EYE WASH STATION	335.30
GROSSENBURG IMPLEMENT INC	V BELT/CYLINDAR/O RINGS	164.82
HACH COMPANY	SOLUTIONS	74.85
HAWKINS, INC	FLUORIDE FOR WELLS	1,535.94
HEIKES AUTOMOTIVE LLC	TOWING	58.58
HOBBY LOBBY STORES, INC	CRAFTS	48.02
ICMA RETIREMENT TRUST-457	ICMA RETIREMENT	5,286.05
IMLA	MEMBERSHIP RENEWAL	480.00
INGRAM BOOK COMPANY	BOOKS	95.18
IRS	FEDERAL WITHHOLDING	23,878.43
JEO CONSULTING GROUP	WELLHEAD PROTECTION	794.00
JOHN'S WELDING AND TOOL	TUBE/JACK REPAIR	262.42
KITCHEN & BATH	OFFICE CABINETS	926.00
KORY LESEBERG	LIGHTING EFFICIENCY	300.00
KRIZ-DAVIS COMPANY	SWITCH GEARS	30,380.19
KTCH AM/FM RADIO	RADIO ADS	705.00

LEAGUE OF NEBRASKA	NCMA CONFERENCE	95.00
LUMBERMEN'S BRICK & SUPPLY	STRAW BLANKET/STAPLES	930.42
MICROFILM IMAGING SYSTEMS	DIGITIZE WAYNE HERALD	495.71
MIDSTATES ERECTORS INC	COOLING TOWER	70,960.00
MIDWEST LABORATORIES, INC	BOD TESTING	1,529.85
N.E. NEB ECONOMIC DEV DIS	ENERGY GRANT	532.20
NE DEPT OF REVENUE	STATE WITHHOLDING	3,815.79
NE PUBLIC HEALTH	COLIFORM/FLUORIDE TESTING	85.00
NE SAFETY COUNCIL	SHIPPING ON SAFETY VIDEOS	310.49
NEBR PUBLIC POWER DIST	ELECTRICITY	237,296.18
NORFOLK DAILY NEWS	POLICE OFFICER ADS	218.73
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	12,180.28
O'KEEFE ELEVATOR COMPANY	CH ELEVATOR REPAIRS	732.80
PAC N SAVE	LIBRARY EASTER HUNT SNACKS	11.37
PAMIDA STORE # 165	FIRST AID/BATTERIES/COFFEE ETC	105.76
CITY EMPLOYEE	HEALTH REIMBURSEMENT	1,121.83
PEPSI-COLA	CAC POP	343.70
PLUNKETT'S PEST CONTROL	PEST CONTROL	185.12
CITY EMPLOYEE	VISION REIMBURSEMENT	27.00
PRESTO X COMPANY	PEST CONTOL	121.15
RANDOM HOUSE	CD'S	26.25
SPARKLING KLEAN	JANITORIAL SERVICE/SUPPLIES	1,680.01
STATE NATIONAL BANK	ACH FEES	56.84
VOSS LIGHTING	LIGHT BULBS	39.80
WAYNE COUNTY CLERK	FILING FEES	82.50
WAYNE GROCERY LLC	ICE	5.00
WAYNE HERALD	ADS AND NOTICES	1,778.86
WAYNE VETERINARY CLINIC	CAT & DOG IMPOUNDS	98.00
WESCO DISTRIBUTION INC	BREAKERS/CONDUIT/POLYMER	3,990.70
WESTERN AREA POWER ADMIN	ELECTRICITY	30,900.88
WIGMAN COMPANY	BATHROOM TOILET REPAIRS	144.25
ZACH HEATING & COOLING	HEAT PUMP/FURNACE-SR CENTER/LIBRARY	7,845.00
ZACH OIL COMPANY	GASOLINE	5,834.48



NorthStar Services
1202 East 14th Street
P.O. Box 330
Wayne, NE 68787-0330
PHONE: 402-375-2880
FAX: 402-375-2703

April 10, 2012

Honorable Mayor and City Council of Wayne Nebraska:

NorthStar Services and Region IV Inc. located at 1202 E. 14th Street does hereby request to be annexed by the City of Wayne.

The legal description of proposed annexed property is as follows:

A tract of land located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Seven (7), Township Twenty-six (26) North, Range Four (4), East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot Three (3), Block Three (3), Vintage Hill 1st Addition to the City of Wayne, Wayne County, Nebraska, point being on the North line of 14th Street; thence North along the East line of said Lot Three (3), 280.00 feet; thence East and parallel to the North line of said 14th Street, 280.00; thence South and parallel to the East line of said Lot Three (3), 280.00 feet to a point on the North line of said 14th Street; thence West on said North Line, 280.00 feet to the point of beginning, containing 1.80 acres, more or less.

Please accept our gratitude in advance for your thoughtful consideration of our request.

Sincerely,

Alan Zavodny
Chief Executive Officer of NorthStar Services and Region IV Inc.



RESOLUTION NO. 2012-38

A RESOLUTION ACCEPTING A PLAN TO EXTEND CITY SERVICES AND SETTING A PUBLIC HEARING ON THE PROPOSED ANNEXATION AREA TO THE CITY OF WAYNE.

WHEREAS, Section 16-177 N.R.S. 1943 (R.S. Supp. 1990) grants the authority for Cities of the First Class to annex, by ordinance, any contiguous or adjacent lands, lots, tracts, streets, or highways as are urban or suburban in character and in such direction as said City may deem proper; and

WHEREAS, the owner of certain property, contiguous and adjacent to the City, has requested the annexation of the property; and

WHEREAS, the City of Wayne, Nebraska, desires to exercise said power by annexing contiguous and adjacent land as subsequently described herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Wayne, Nebraska, that the City of Wayne is considering the annexation of land and a plan for extending City services to said land, as the same has been requested by the property owner; that a public hearing be held on the 5th day of June, 2012, at or about 5:30 P.M. in the Council Chambers of Wayne, Nebraska, located in the Municipal Building at 306 Pearl Street, Wayne, Nebraska, for the purpose of receiving testimony from interested persons; and that the legal description of the land proposed for annexation is as follows:

A tract of land located in the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Seven (7), Township Twenty-Six North (26N), Range Four (4), East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Lot Three (3), Block Three (3), Vintage Hill 1st Addition to the City of Wayne, Wayne County, Nebraska, point being on the North line of 14th Street; thence North along the East line of said Lot Three (3), 280.00 feet; thence East and parallel to the North line of said 14th Street, 280.00 feet; thence South and parallel to the East line of said Lot Three (3), 280.00 feet to the point on the North line of said 14th Street; thence West on said North line, 280.00 feet to the point of beginning, containing 1.80 acres, more or less.

BE IT FURTHER RESOLVED, that the plan of the City of Wayne, Nebraska, for the extension of City services to the aforescribed land proposed for annexation is available for public inspection during regular business hours in the office of the City Clerk at 306 Pearl Street, Wayne, Nebraska.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

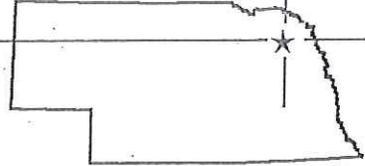
City Clerk

City of Wayne

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

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

Incorporated • February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: White Dog Pub inc.

Address: 102 North Main

Telephone No.: (402) 375-9958 (402) 375-8544 cell

Date of Request: May 15th 2012

Description of Requested Topic: Adjusting the hours of the
sale of alcohol to 2 A.m Friday July 13th
and Saturday July 14th for Chicken Days



ORDINANCE NO. 2012-12

AN ORDINANCE EXTENDING THE HOURS OF SALE OF ALCOHOLIC LIQUOR FOR THE WAYNE CHICKEN SHOW ACTIVITIES.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

That the hours of sale of alcoholic liquor shall be extended to 2:00 o'clock a.m., only, on the business days of Friday, July 13, 2012, and Saturday, July 14, 2012, in conjunction with the Wayne Chicken Show Activities.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Community Activity Center (CAC) Director

General Function The CAC Director is responsible for the overall leadership and direction of the Wayne CAC. The Director is responsible to the **Recreation Services Director** for the execution of all policies, programs, and directives established by the City of Wayne.

This **is a part-time** position based on 34-hours per week.

Primary Responsibilities The Director hires, promotes, and does all other necessary and appropriate personnel actions, in accordance with city employee rules and guidelines. This position is responsible for the management of the CAC staff. The Director supervises programs and activities of the CAC and focuses on after school, leisure and community programs. Evaluates effectiveness of recreation and leisure activities, facilities, and programs; developing and implementing CAC budgetary and fiscal management plans and programs; developing and promoting comprehensive plans for the CAC programs and facilities that meet the needs of the community; working to insure that recreation, **leisure, fitness and wellness** activities are well balanced, coordinated and integrated in the community; interpreting programs of the office to the public and maintaining cooperative planning and working relationship with the recreation director, allied public and advisory agencies including Recreation-Leisure Services Commission; performing such other duties and responsibilities as may be directed by the **Recreation Services Director**.

Job Standards / Skills Prefer Bachelor's Degree in Recreation-Leisure Services, physical education, public administration, or related field. Prefer public recreation-leisure service experience; supervisory; first aid; CPR skills are preferred.

Salary Range \$12.49 to \$16.73 per hour

RESOLUTION NO. 2012-39

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING LETTER OF UNDERSTANDING WITH JEO CONSULTING GROUP, INC., FOR PROFESSIONAL SERVICES FOR THE LAGOON SLUDGE REMOVAL PROJECT.

WHEREAS, the Wayne City Council is desirous of entering into an agreement with JEO Consulting Group, Inc., for professional services for the "Lagoon Sludge Removal Project"; and

WHEREAS, a proposal has been requested and received by staff from JEO Consulting Group, Inc. to begin preparing specifications and bidding documents to contract the removal and application of the sludge material in the fall of 2012; and

WHEREAS, the contract sum for said services is \$27,500; and

WHEREAS, staff recommendation is to accept said proposal of JEO Consulting Group, Inc.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Letter of Understanding between the City of Wayne and JEO Consulting Group, Inc., for the "Lagoon Sludge Removal Project" be accepted as recommended, and the City Administrator and/or Mayor is authorized and directed to execute an agreement, if necessary, for said professional services on behalf of the City.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



May 4, 2012

Lowell Johnson, City Administrator
City of Wayne
PO Box 8
Wayne, NE 68787

RE: Wayne, NE
Lagoon Sludge Removal Project Understanding
JEO Project No. 101111

Dear Lowell,

As a follow-up to our meeting on April 25th, 2012, JEO offers the following as our understanding of the lagoon sludge removal project.

JEO will begin preparing specifications and bidding documents to contract the removal and application of the sludge material for the fall of 2012. The bid will be based on a dry ton basis of sludge to be removed for a fixed total project cost of \$175,000.00. The specifications will be prepared to comply with SRF funding requirements and will be submitted to NDEQ for concurrence of the documents prior to the bid opening.

We will mandate in the specifications that the sludge is to be removed in liquid form. Samples will be taken daily during the removal process by City staff and submitted to a third party lab to identify the average percent solids for the day. The liquid quantity removed will be determined by flow meter each day. This quantity will be tracked by JEO staff during the construction phase of the project. JEO's subcontractor will be responsible for locating and obtaining permission of the application sites on behalf of the City. In addition, direction will be provided in the specifications for the contractor to begin sludge removal in the southwest corner.

JEO will perform the work described above on an hourly basis at our standard hourly rates. I have attached our 2012 standard hourly rate schedule as a reference. We estimate the total cost for these services to be as follows:

• Preparation of Bid Documents	\$3,750
• Survey of Lagoon (SW Corner) – Spring 2012	\$2,550
• Bidding & Negotiation	\$2,600
• Construction Services	\$3,430
• Agronomist	\$6,875
• Laboratory Testing for Solids during Land App	\$ 575
• Resident Project Representative	\$2,850
• Post Construction Survey & Mapping	<u>\$4,870</u>
TOTAL	\$27,500

City of Wayne
May 4, 2012
Page 2

Thank you for the opportunity to once again provide a service to the City of Wayne. If you have any questions or your understanding of the project varies from what is stated in this letter, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Roger S. Protzman". The signature is written in a cursive style.

Roger S. Protzman, P.E.
Senior Project Engineer

RSP:skw
Enclosures

Pc: Garry Poutre, Utility Superintendent

101111LTR050412a - City Letter of Understanding.doc

Scope of Services

The purpose of this project is to assist the City in disposing of biosolids in the storage lagoon and to remove the sludge to a volume equivalent to approximately 6" of sludge dispersed across the lagoon floor to meet NDEQ requirements to close the lagoon in the future. The City understands that working with sludge is not an exact science and that an equivalent tonnage of approximately 1060 tons of solids will be disposed to meet this objective through the use of pumping biosolids to land application sites. The measurement is based on 2011 survey data and samples collected.

Final Design Phase

- A. Complete topographic survey of the southwest quarter of the lagoon.
- B. Import survey and model sludge surface in lagoon to confirm estimates of sludge removal.
- C. Assist City in analyzing sludge analysis data for application of sludge to comply with regulations.
- D. Prepare bidding documents for the removal of sludge from the lagoon in the fall of 2012. The contract for the work is to be \$175,000 and bid for tonnage of sludge removed.
- E. JEO is to hire an agronomist, Nutrient Advisors, LLC which will complete the following:
 1. Acquisition of land application sites within reasonable range of custom applicators.
 2. Land application site approval with NDEQ.
 3. Land application site assessment, soil sampling and analysis according to NDEQ, EPA, and BMP plan requirements.
 4. Preliminary nutrient budgets outlining maximum application rates for each site.
 5. Phosphorus risk assessments completed on new application sites
 6. Education and promotion of solids product to area farm producers
 7. Land application records completed and submitted to JEO.
 8. Land application records provided to producers showing commercial value of what they received.
 9. Annual Report and BMP plan modifications submitted to NDEQ.
- F. Prepare forms for Contract Documents including proposals, advertisements for bids, construction contracts, and payment and performance bonds as required, all subject to the approval of Owner's legal counsel.
- G. Perform an internal quality assurance and quality control review of the plans and specifications.
- H. Present completed final documents (Plans, Specifications, and Contract Documents) to Owner for review, approval, and review in detail.
- I. Attend up to one (1) meeting with Owner and public, as necessary, to present Final Design Documents and Opinions of Cost.
- J. Furnish design plans, specifications, bidding documents, engineering drawings, calculations and summaries, where necessary, for application for regulatory permit required by local, state, or federal authorities. Owner to pay all permit fees.
- K. Prepare other required permit applications for project construction as necessary. Owner to pay all permit fees.
- L. Incorporate regulatory agency comments into final design plans and specifications with revised documents or addendum as appropriate.

Bidding and Negotiation Phase

- A. Furnish copies of plans, specifications, and contract documents of the project to prospective bidders, material suppliers, and other interested parties upon their request and payment of the purchase cost established for the documents.
- B. Respond to inquiries from prospective bidders and prepare any addenda required.
- C. Assist the Owner in securing construction bids for the project.
- D. Assist the Owner at the bid opening.
- E. Tabulate and analyze construction bids and report on them to the Owner, together with advice and assistance to the Owner in award of construction contract.
- F. Prepare and submit necessary information to the Owner for project award approval.
- G. Prepare Contract Documents for execution by Contractor and the Owner, and approval by Owner and Owner's legal and insurance counsel.

Construction Phase

- A. Schedule and conduct Pre-construction Conferences, on site, for the biosolids removal project.
- B. Provide interpretation of the plans and specifications, when necessary.
- C. Collect daily values of volume of biosolids land applied and daily sample for laboratory analysis.
- D. Process Contractor's monthly payment estimates and present to Owner and review.
- E. Consult with and advise Owner during construction.
- F. Conduct a final inspection of project with the Contractor and Owner.
- G. Recommend to the Owner the acceptance of the projects, and complete the necessary certificates. These recommendations will be based on the Engineer's observation of construction utilizing professional judgment and accepted tests to determine that the Contractor has completed their contracts in substantial compliance with the plans, specifications and contract documents.
- H. Prepare a final report of total biosolids removed and applied.
- I. Complete topographic survey of lagoon site to demonstrate compliance with biosolids removal requirements.

Resident Project Representation

- A. JEO will furnish a Resident Project Representative (RPR) to observe construction progress and quality of the work.
- B. The duties and responsibilities of the RPR are described as follows:
 - 1. Review of contractors work for general compliance with the plans and specifications.
 - 2. Complete Construction Observation Reports when on site.
 - 3. Coordinate pay quantities with Contractor and Engineer.
 - 4. Review of materials delivered to the site for specification compliance.
 - 5. Assist the Engineer in interpretation of the plans and specifications to the contractor.
 - 6. Review and coordinate materials testing by assigned testing firm.
 - 7. Attend progress meetings.
 - 8. Compile records for use in preparing final documents.

Additional Services

- A. Provide Davis Bacon wage rate administration for the Owner.

Estimated Time Frame

- A. Final Design Phase – 60 calendar days from authorization to proceed.
- B. Bidding & Negotiation Phase – 30 calendar days from date of advertising.
- C. Construction Phase – after construction contract award and during construction.

RESOLUTION NO. 2012-40

A RESOLUTION AMENDING EMPLOYEE COMPUTER TECHNOLOGY PURCHASE AND TRAINING ASSISTANCE PROGRAM.

WHEREAS, the City of Wayne Employee Computer Technology Purchase and Training Assistance Program was adopted by Resolution No. 96-65 on December 17, 1996; and

WHEREAS, under the Section entitled "Program Review", the same shall be reviewed at least annually by the City Council upon the report of the City Administrator; and

WHEREAS, due to the changes in technology since the inception of this program, there may be advantages to the City and to its employees if said Program is amended as recommended; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska as follows:

1. Amendments to the Employee Computer Technology Purchase and Training Assistance Program, as set out in the attached Exhibit "A", are hereby approved.
2. The effective date of the amendments set out in Exhibit "A" shall be upon the passage of this Resolution.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

CITY OF WAYNE EMPLOYEE COMPUTER TECHNOLOGY PURCHASE AND TRAINING ASSISTANCE PROGRAM

PURPOSE:

The purpose of the Employee Computer Technology Purchase and Training Assistance Program is to encourage employees to increase their computer literacy level by assisting them in the purchase of personal computers, related hardware and software.

PROGRAM OBJECTIVES:

The beneficial results of the program depend upon active participation of employees who use the program for purchase of computer equipment. The following objectives are proposed:

- To increase employee computer literacy;
- To increase employee business and personal productivity, resulting in City productivity increases; and
- To promote the sharing of data, files, and programs through use, experimentation, training, and standardization efforts.

If each participant learns one new way of completing his/her work more efficiently, effectively, or with higher quality, then the program will have been considered a success.

PARTICIPATION:

Full-time regular status employees who have successfully completed a probationary period, most commonly six (6) months of employment, will be allowed to participate in the program.

FUNDING:

A. Loan Limits — Computer Equipment and Software Purchase(s):

1. Minimum of \$400 not to exceed 20% of employee's annualized wage/salary, up to a maximum of ~~\$2,500~~ **\$1,500**.
2. Payback period — Payroll deduction: Employee choice of 26 or 52 ~~or 78~~ pay periods or installments. This is an after-tax deduction.

3. Prepayment of loan balance at any time without penalty.
4. Additional payments will be applied to balance outstanding; extra payments will not change employee pay period deduction, but will change his/her payoff date.
5. Payroll deduction must be authorized by employee through loan application, promissory note, and security interest agreement; in the case of an employee who is married, the spouse must also sign the documents.
6. Full and total payment will be due if an employee is terminated or leaves employment of the City before repayment of the items purchased under this program. If this is not possible, the City recommends that employee execute a loan through a lending institution, or otherwise the City will request PC be returned to the City as outlined under the provisions of the Security Agreement.
7. Loan application for eligible equipment and software purchases may be made any time after and within 30 days of the purchase(s). This provision shall also permit loan application of equipment and software purchase(s) within 30 days of the effective date of the program.
- 8. Any employee who has a garnishment filed against them or who files bankruptcy shall not be eligible for participating in this program for three years.**

HARDWARE:

Purchased laptops, desktop computers, ~~digital cameras/camcorders~~ and printers.

SOFTWARE:

Purchases of software are permitted that are applicable to the operations of the City and the employee's performance of their responsibilities. Software that is pre-programmed in a PC is permitted only if the programs are part of a manufacturer's PC package.

Note: This does not prevent employees from purchasing software on their own outside of this program.

PROGRAM REVIEW:

This program shall be reviewed at least annually by the City Council upon the report of the City Administrator.

Contractor's Application For Payment No. 1

Application Period: To (Owner): City of Wayne, Nebraska Project: Paving Improvement Projects 2011-01 Owner's Contract No.:	Application Date: April 30, 2012 From (Contractor): Elkhorn Paving Contract: Contractor's Project No.:
Via (Engineer) John A. Zwingman Advanced Consulting Engineering Services Engineer's Project No.: 617-001	

APPLICATION FOR PAYMENT Change Order Summary

Approved Change Orders	Additions	Deductions	
Number			
			149,979.51
			0.00
			149,979.51
			149,979.51
			7,498.98
			7,498.98
			142,480.53
			0.00
			142,480.53
			7,498.98

1. ORIGINAL CONTRACT PRICE \$ 149,979.51
2. Net change by Change Orders \$ 0.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2) \$ 149,979.51
4. TOTAL COMPLETED AND STORED TO DATE
(Column F on Progress Estimate) \$ 149,979.51
5. RETAINAGE:
 - a. 5 % x \$ _____ Work Completed \$ 7,498.98
 - b. _____ % x \$ _____ Stored Material \$ _____
 - c. Total Retainage (Line 5a + Line 5b) \$ 7,498.98
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 142,480.53
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$ 0.00
8. AMOUNT DUE THIS APPLICATION \$ 142,480.53
9. BALANCE TO FINISH, PLUS RETAINAGE
(Column G on Progress Estimate + Line 5 above) \$ 7,498.98

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (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 Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: _____ Date: _____

Payment of: \$ 142,480.53
(Line 8 or other - attach explanation of other amount)

is recommended by: _____ (Engineer) _____ (Date)

Payment of: \$ 142,480.53
(Line 8 or other - attach explanation of other amount)

is approved by: _____ (Owner) _____ (Date)

ITEM #	DESCRIPTION	ESTIMATED QUANTITY	UNITS	COMPLETED TO DATE	UNIT COST	TOTAL COST
1	9" PC CONCRETE PAVING NDOR TYPE 47B-3625	2483	SQ YDS	2483	\$37.95	\$94,229.85
2	9" PC CONCRETE DRIVEWAYS NDOR TYPE	341	SQ YDS	341	\$39.66	\$13,524.06
3	CONCRETE HEADER	110	LF	110	\$8.00	\$880.00
4	15" RCP CLASS III STORM SEWER	288	LF	288	\$32.00	\$9,216.00
5	15" RCP FLARED END SECTION	8	EACH	8	\$425.00	\$3,400.00
6	EARTHWORK	1	LUMP SUM	100%	\$14,500.00	\$14,500.00
	ESTIMATED CUT = 2900 CU YDS					
	ESTIMATED FILL = 3500 CU YDS					
7	SUBGRADE PREPARATION	2483	SQ YDS	2483	\$1.20	\$2,979.60
8	SEEDING	1	ACRES	100%	\$3,100.00	\$3,100.00
9	SWPPP & EROSION CONTROL	1	LUMP SUM	100%	\$4,000.00	\$4,000.00
10	PERMANENT PAVEMENT MARKING	1	LUMP SUM	100%	\$2,850.00	\$2,850.00
11	BARRICADING AND TRAFFIC CONTROL	1	LUMP SUM	100%	\$1,300.00	\$1,300.00
TOTAL BASE BID ITEMS 1 THRU 11 INCLUSIVE						\$149,979.51

ORIGINAL CONTRACT PRICE	\$149,979.51
NET CHANGE BY CHANGE ORDERS	\$0.00
CURRENT CONTRACT PRICE	\$149,979.51
TOTAL COMPLETED AND STORED TO DATE	\$149,979.51
RETAINAGE (5%)	\$7,498.98
AMOUNT ELGIBLE FOR PAYMENT TO DATE	\$142,480.53
LESS PREVIOUS PAYMENTS	\$0.00
AMOUNT DUE THIS APPLICATION	\$142,480.53
BALANCE TO FINISH	\$7,498.98

CHANGE ORDER

	QUANTITY	UNITS	UNIT PRICE	TOTAL COST
24" RCP CLASS III STORM SEWER	72	L.F		
24" RCP FLARED END SECTION	2	EACH		
12" RCP CLASS III STORM SEWER	85	L.F		
12" RCP FLARED END SECTION	2	EACH		
6" INLET	1	EACH		
EROSION CONTROL MAT.	1660	SQ YDS	\$3.85	\$6,391.00

ORDINANCE NO. 2012-13

AN ORDINANCE TO AMEND SECTION 78-130 OF CHAPTER 78, ARTICLE III, OF THE WAYNE MUNICIPAL CODE RELATING TO PARKING; PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska.

Section 1. That Chapter 78, Article III, Section 78-130 of the Municipal Code of Wayne, is hereby amended as follows:

§ 78-130 PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY; No person shall, at any time, park a motor vehicle upon the following described streets:

1. The south side of the centerline of East Sixth Street from the north-south alley between Main Street and Logan Street east to the west line of Tomar Drive.
2. The south side of the centerline of East Seventh Street from the east line of Main Street east to the city limits.
3. The south side of the centerline of East Fifth Street from the north-south alley between Main Street and Logan Street east to Valley Drive.
4. The south side of the centerline of Valley Drive from the east line of Fifth Street east to the point where Valley Drive turns north and then on the east side of the centerline north to the south line of East Seventh Street.
5. The east side of the centerline of Wayside Lane from the north line of Valley Drive north to the south line of East Sixth Street.
6. The east side of the centerline of Tomar Drive from the south line of East Seventh Street south 600 feet.
7. The south side of the centerline of East Fourth Street from the north-south alley between Main Street and Logan Street east to the city limits.
8. The south side of the centerline of East Third Street from the east line of Logan Street to the west line of Windom Street.
9. The south side of the centerline of Fairgrounds Avenue from the east line of South Nebraska Street east to the city limits.
10. The south side of the centerline of Folk Street from the east line of South Nebraska Street to the west line of South Windom Street.
11. The east side of the centerline of Logan Street from the north line of East Fourth Street north to the south line of East Seventh Street.
12. The east side of the centerline of Nebraska Street from the north line of East Second Street north to the south line of East Seventh Street.
13. The east side of the centerline of Windom Street from the north line of East Third Street north to the south line of East Seventh Street.

- 14. The west side of the centerline of Windom Street from the north line of East Third Street north to the south line of East Fourth Street.**
- 15. The east side of the centerline of South Windom Street from the north line of Fairgrounds Avenue north to the south line of East Third Street.
- 16. The east side of the centerline of Walnut Street from the north line of East Fourth Street north to the south line of East Seventh Street.
- 17. The east side of the centerline of Dearborn Street from the north line of East Fifth Street north to the south line of East Seventh Street.
- 18. The east side of the centerline of South Nebraska Street from the south line of Fairgrounds Avenue south to the city limits.
- 19. The east side of the centerline of South Windom Street from the south line of Fairgrounds Avenue south to the city limits.
- 20. The east side of the centerline of Main Street from the north line of Sixth Street to the south line of Seventh Street.
- 21. The west side of the centerline of Windom Street from the south line of East Seventh Street south for a distance of 25 feet.
- 22. The west side of the centerline of Tomar Drive from the south line of East Seventh Street south 600 feet.

(b) Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this ____ day of _____, 2012.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2012-41

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN PROPERTY TO KELBY R. HERMAN.

WHEREAS, the City of Wayne is the owner of the following described property, to-wit:

Outlot A, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, Kelby R. Herman is interested in purchasing said property from the City of Wayne; and

WHEREAS, there are no current delinquent real estate taxes or special assessments payable to Wayne County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the City of Wayne, Nebraska, that the City Attorney is directed to prepare an ordinance directing the sale of a tract of land described as follows:

Outlot A, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska,

to Kelby R. Herman for the sum of \$1.00 and other valuable consideration.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2012-14

AN ORDINANCE DIRECTING THE SALE OF OUTLOT A, WESTERN RIDGE II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO KELBY R. HERMAN.

BE IT ORDAINED by the Mayor and the Council of the City of Wayne, Nebraska:

Section 1. The Mayor and City Council are directed to convey by Warranty Deed to Kelby R. Herman the property owned by the City and legally described as Outlot A, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska, for the sum of \$1.00 and other valuable consideration.

Section 2. Notice of the sale and the terms contained in Section 1 shall be published for three consecutive weeks in the Wayne Herald, provided that if a remonstrance against said sale signed by legal electors thereof equal in number to 30% of the electors of the City voting at the last regular municipal election held therein, be filed with the governing body within thirty days of the passage and publication of this ordinance, said property shall not then, nor within one year thereafter, be sold.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 15th day of May, 2012.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

Wayne Public Library Board of Trustees
Tuesday, March 6, 2012 / 5 p.m., Conference Room

MINUTES

The meeting was called to order at 5:04 PM.

In attendance: Dennis Lipp, Jenny Hammer, Spring Dahl, Joel Ankeny, Mollie Spieker. Also, Library Director Lauran Lofgren.

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 Library/Senior Center Conference Room.

M. Spieker moved to approve the minutes and financial report, S. Dahl seconded.

L. Lofgren presented the directors report, which J. Hammer moved to accept, D. Lipp seconded.

- Statistics JAN 12 FEB12 FEB 11 % of Previous

Year Total

Circulation	4715	4871	4408	37
Patrons	3879	3990	4525	36
Meeting Room	15	10	9	68
Reference ?s	1150	208	214	32
Computer ?s	110	92	207	20
Phone Calls	382	370	420	37
OPACS	204	227	280	37
CD-ROMs	328	408	768	24
Internet	889	791	923	35
New Patron Cards	22	29	34	31
Items Added	152	146	160	40
Items Deleted	3	43	35	16

- Staff Activities
 - JOSnes read at Headstart for their Reading is Fundamental program.
 - Library celebrated Charles Dickens 200th birthday.
 - Library hosted a Mardi Gras party with beads and snacks.
 - APerry and AOsten have both successfully completed their 6-month probationary period.
 - LKL, RMcLean, JOSnes, HHeadley, and AJohnson attended the Northeast Library System Winter Conference in Norfolk. The library opened at 3 pm that day.
 - LKL attended city safety meeting

OLD BUSINESS

NEW BUSINESS

- Revisit budget: L. Lofgren reported that because of recent payroll increases, we need to find \$8,500 to subtract from other areas to compensate. Luran reviewed a plan for this. She will revise the budget lines next month to reflect this.
- Review of Disaster Plan: The board discussed "problem areas" in the Disaster Plan. Luran will keep the board updated on progress and answers that are gathered on the areas the board discussed.
- Schedule review of Library Policies: We'll be going through the booklet in future meetings.
- Legos: J. Hammer wondered about the possibility of obtaining a Lego table in the library. The board discussed safety and space issues. L. Lofgren will visit with Julie about this and inquire with other libraries how they handle such an addition.

The meeting adjourned at 5:55 PM

Respectfully submitted,
Mollie Spieker

Wayne Public Library Board of Trustees
Tuesday, April 3, 2012 / 5 p.m., Conference Room

MINUTES

The meeting was called to order at 5:04 pm.

In attendance: Dennis Lipp, Spring Dahl, Mollie Spieker. Absent: Joel Ankeny, Jenny Hammer.
Also in attendance: Lauran Lofgren, Library Director.

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 Library/Senior Center Conference Room.

The meeting minutes and treasurer's report were both approved as written.

DIRECTOR'S REPORT 50% of year

- Statistics
- | | FEB12 | MAR12 | MAR 11 | % of Previous Year Total |
|--|-------|-------|--------|--------------------------|
|--|-------|-------|--------|--------------------------|

	FEB12	MAR12	MAR 11	% of Previous Year Total
Circulation	5291	4871	5463	46
Patrons	3990	4125	4696	36
Meeting Room	10	9	4	81
Reference ?s	208	120	260	36
Computer ?s	92	126	172	25
Phone Calls	370	482	431	46
OPACS	227	189	277	43
CD-ROMs	408	545	768	29
Internet	791	882	1072	43
New Patron Cards	29	26	32	39
Items Added	146	123	155	46
Items Deleted	43	69	105	23

- Staff Activities
 - Great turnout for Easter Egg hunt... 44 kids and 36 adults found close to 500 eggs scattered around the library/senior center lawn
 - Library received memorials for John Addison, Faye Peck, Marie Ewing, and Lawrence Backstrom
 - LKL gave a library presentation for the Wayne Women's Club
 - JOSnes visited local schools as the Cat in the Hat
 - LKL attended OneLibrary Consortium quarterly meeting. South Sioux City is leaving the consortium sometime in the next year
 - RMcLean and JOSnes represented the library at the Health Fair held in the city auditorium
 - LKL, RMcLean and JOSnes attended a NIMS training session
 - JOSnes presented to MOPS
 - Staff has started preliminary steps for an inventory of items in the library valued at over \$100
 - Work continues on digitizing old library minutes

- There are 8 more rolls of Wayne Herald to be digitized and that step of the project is complete. Next step is to continue dividing out the month-long files into one issue per file to allow the downloading of the information to be easier for remote access
- Aaron Shear who has volunteered at the library for the past several years is moving to Colorado with his family. The library hosted a small farewell party for him as a thank you for his many hours donated.

OLD BUSINESS

- Review of Disaster Plan – The board discussed that the library has no storm shelter as well as other recommendations regarding sticky facets of the disaster plan. Glass breaking tools will be installed in the children’s room and workroom. Spring moved to sign-off on the changes made to the plan. Mollie seconded. Motion passed.
- Begin review of Library Policies – Went over changes in “Check Out and Renewals” – also “Fines and Overdue Materials,” “Hours of Service” and “Miscellaneous Fees.”

NEW BUSINESS

The meeting adjourned at 5:41 PM.

Respectfully submitted,
Mollie Spieker