

(Amended: 2/17/14)

**AGENDA
CITY COUNCIL MEETING
February 18, 2014**

1. Approval of Minutes – February 4, 2014

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.

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 2014-9: Authorizing City Administrator to Apply for Nebraska Public Transportation Act Funds for Operation of the Wayne Public Transportation System

Background: This is an annual submittal for State cost-share funding to operate the Wayne handi-vans. The City owns the vans. The Senior Center staff operates the vans and serves as the dispatchers for the van service. The State subsidy totaled about \$54,000 last year for the handi-van operation. The Senior's paid about \$8,000 in rider fees to ride the handi-van last year.

Recommendation: The recommendation of Penny Vollbracht, Senior Center Coordinator, and the Wayne Senior Center Board is to approve the Resolution to apply for State funds.

4. Action on Submission of the Senior Center's Detailed Plan of Operation and Budget for 2014 for Northeast Nebraska Area Agency on Aging

Background: This is an annual submittal for State cost-share funding to operate the Wayne Senior Center and meals program. The State subsidy for Senior Center meals totaled about \$46,000 last year. The Senior's paid us about \$35,000 for "congregate meals" eaten at the Senior Center and about \$18,000 for the home-delivered "meals on wheels" last year. The total expenditure budget for the Senior Center, including the handi-van operation for the current fiscal year is \$281,000. The remainder of the \$120,000 needed to operate the Senior Center and handi-van come from our General Fund and are approved each year in our budget process.

Recommendation: The recommendation of Penny Vollbracht, Senior Center Coordinator, and the Wayne Senior Center Board is to approve the Resolution to apply for State funds.

5. Action on the Reallocation of LB840 Tornado Relief Funds to the City of Wayne for Summer Sports Complex Restoration

Background: In the week after the October Tornado, the Mayor and Council, Wayne Business and Industries Committee, and the Wayne LB840 Citizens Advisory Committee met to discuss how to assist in the recovery process. A \$500,000 fund, using LB840 sales tax revenues, was proposed and approved by the LB840 Committee and the City Council. Of that amount, \$240,900 was loaned out to businesses affected by the tornado. This proposal would approve the remaining \$259,100 to be used to assist with uninsured costs and facility improvements at the Summer Sports Complex to be repaid over time through rental of the facilities.

6. Public Hearing: One and Six Year Street Improvement Program (Advertised Time: 5:30 p.m.)

Background: The City of Wayne receives an annual Highway Allocation of about \$430,000 from the Nebraska Department of Roads to be used for maintenance and construction of city streets. To be eligible to receive these funds, each City and County must provide a One and Six Year Street Improvement Plan each year for future street projects. The Plan must be reviewed by the public at a hearing before approval by the City Council. The Plan is updated each year by Joel Hansen, Street Superintendent, and Garry Poutre, Superintendent of Public Works and Utilities. The Plan can be amended by the City Council after the public hearing.

7. Resolution 2014-10: Approving One and Six Year Street Improvement Program

Background: A copy of the Plan is attached for your review.

8. Public Hearing: To Consider the Planning Commission's Recommendation in Regard to approving the Preliminary and Final Plat for the Giese Second Addition (Advertised Time: 5:30 p.m.)

Background: This action is required to provide a legal description for a separate 4.73 acre parcel of City owned property south of Hank Overin Field to be sold to Mid Plains Grain to expand the grain elevator operation at that site. The proposed plat and the land use meet the current I-1 zoning requirements. This parcel is needed as part of a larger project using Tax Increment Financing to demolish and remove buildings and equipment from this site and several other grain elevator sites and consolidate grain storage and operations into one modern location.

9. Resolution 2014-11: Approving the Giese Second Addition Preliminary and Final Plat

Recommendation: The Recommendation of the Planning Commission is to approve both the Preliminary and Final Plats.

10. Public Hearing: To Consider the Planning Commission's Recommendation in Regard to approving the Preliminary and Final Plat for Angel Estates (Advertised Time: 5:30 p.m.)

Background: This 10.24 acre parcel of land is zoned A-2 and was purchased to subdivide for residential development. The subdivision will create four equal sized lots. The proposed plat and the land use meet the current I-1 zoning requirements.

11. Resolution 2014-12: Approving the Angel Estates' Preliminary and Final Plat

Recommendation: The Recommendation of the Planning Commission is to approve both the Preliminary and Final Plats.

12. **Public Hearing:** To Consider the Planning Commission's Recommendation in Regard to approving the Preliminary and Final Plat for the Herman Commercial Subdivision (Advertised Time: 5:30 p.m.)

Background: This subdivision is part of the reorganization of properties that is occurring after the October 4th tornado. It will subdivide the former CVA site at the corner of North Centennial and Highway 35 into separate parcels for commercial use. The proposed plat and the land use meet the current I-2 zoning requirements.

13. Resolution 2014-13: Approving the Herman Commercial Subdivision Preliminary and Final Plat and Authorizing the Execution of the Subdivision Agreement

Background: This is a normal and usual subdivision proposal except that extending the usual sanitary sewer service design will be difficult and too costly. The attached Subdivision Agreement provides the following sanitary sewer solution to use mini-lift stations agreeable to the Subdivider and the City:

“The small area of the Subdivision, the elevation of the lots in relation to the flow line of the accessible existing sewer main, and the location of this subdivision, combined with the minimal volume of sewerage projected, present a unique situation. The conflicting location of the existing Centennial Road storm sewer line with the shallow flow line of the existing sanitary sewer accessible to this subdivision combine to make the cost of a traditional gravity flow design unreasonably high in relation to the minimal sewer flow projected, making the subdivision impractical to serve with traditional design options. In order to provide permanent sanitary sewer service to all lots in the subdivision at the lowest reasonable cost, the Subdivider and the City agree that the Subdivider will, in lieu of a standard gravity flow and main hole sanitary sewer extension, install, at his own cost, a small mini-lift stations type sewer pump and force main service line from each lot requiring sewer service to the existing sewer main manhole identified as #40-03 in the City's existing utility easement on the west side of Centennial Road North.”

Recommendation: The recommendation of the Planning Commission is to approve the Preliminary and Final Plats. The recommendation of Lowell Johnson, City Administrator, and Garry Poutre, Superintendent of Public Works and Utilities, is to approve the Subdivision Agreement.

14. Public Hearing: Land Acquisition from Community Development Agency – 939 Main Street and 109 E. 10th Street (Advertised Time: 5:30 p.m.)

Background: These properties were purchased and cleared to provide room to widen 10th Street where it approaches Highway 15 and to widen Highway 15 to provide a third deceleration and right turn lane as it approaches 10th Street. This action will transfer title of the property to the City to be used for additional 10th Street and highway right-of-way.

15. Resolution 2014-14: Approving the Acquisition of 939 Main Street and 109 E. 10th Street (\$112,000)

Recommendation: The recommendation of Joel Hansen, Street Superintendent, is to transfer title to the City of Wayne for public right-of-way use.

16. Ordinance 2013-50: Annexing Certain Real Estate to the City of Wayne and Extending the Corporate Limits in the Northeast Quadrant of the City of Wayne to Include said Real Estate (Third and Final Reading which was Tabled from Last Meeting)

17. Resolution 2013-129: Making Findings and Declaring Portions of the City of Wayne to be Blighted and Substandard Pursuant to the Nebraska Community Development Act — Industrial Drive East Area

18. Resolution 2014-5: Approving Memorandum of Understanding with Robert Woehler & Sons, Inc., to Enter into a Tax Increment Financing Agreement for Site Preparation and New Construction

19. Ordinance 2014-4: Amending Wayne Municipal Code, Section 90-710 Parking (a) Parking, Storage or use of Recreational Equipment, to include Trailers (Second Reading)

20. Ordinance 2014-5: Restructuring the Community Development Agency to a Community Redevelopment Agency and Appointment of Board Members

Background: This is a housekeeping action to provide for the appointment of members as individuals and not by reference to positions on related boards or with other entities. The Ordinance is being prepared by the City Attorney's office and will be distributed at the meeting.

Recommendation: The recommendation of the Wayne City Attorney's office and of special legal counsel, Mike Bacon, is to approve the changes as presented in the Ordinance.

21. Resolution 2014-15: Accepting Bid and Awarding contract on Commercial Deck Mower

Background: Three bids were received, and a summary of the same and the recommendation of the Public Works Department is included in this packet. \$13,000 was allocated for this purchase or trade in the current budget.

22. Ordinance 2014-2: Amending Section 78-126 Prohibited Parking; Northeast Quadrant of the City; Section 78-128 Prohibited Parking; Northwest Quadrant of the City; Section 78-130 Prohibited Parking; Southeast Quadrant of the City; and Section 78-132; Prohibited Parking; Southwest Quadrant of the City

Background: This action will only correct those areas of street where the signage is inconsistent with the existing code. As written, it will not change any other parking designations on city streets. At the request of the Councilmembers, we will segment the City into smaller areas for review and changes by the Council at future City Council meetings.

Recommendation: The recommendation of Joel Hansen, Street Superintendent, and Marlen Chinn, Chief of Police, is to approve the Ordinance to correct the inconsistencies between the current code and street signage.

23. Resolution 2014-16: Adopting the Nebraska Department of Economic Development Citizen Participation Plan

Recommendation: Wayne is a regular applicant for Nebraska Community Development Block Grant funds. This action is a new requirement of the Nebraska Department of Economic Development for all future Community Development Block Grant Applications.

24. Resolution 2014-17: Adopting the Nebraska Department of Economic Development Statement of Assurances and Certifications

Recommendation: Wayne is a regular applicant for Nebraska Community Development Block Grant funds. This action is a new requirement of the Nebraska Department of Economic Development for all future Community Development Block Grant Applications.

25. Resolution 2014-18: Setting the Board of Equalization Hearing on the Milo Drive Street Improvement Project for March 4, 2014 at or about 5:30 p.m.

Background: The City Council created a paving district to finance the intersection and short extension of Milo Drive. The costs of street intersections

are the general obligation of the City and the streets are assessed to the abutting property owners. The engineer is completing the allocation of street construction costs. These must be presented to the public at a public hearing before final assessment of costs to the City and to each property owner.

26. Resolution 2014-19: Approving Memorandum of Understanding between the City of Wayne and the Wayne Basketball Development Association

27. Adjourn

APPROVED AS TO FORM AND CONTENT:

Mayor

City Administrator

February 4, 2014

The Wayne City Council met in regular session at City Hall on Tuesday, February 4, 2014, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Nick Muir, Kaki Ley, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 23, 2014, 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 Sievers made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of January 21, 2014, 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: AMERICAN BROADBAND, SE, 2429.69; AMERITAS, SE, 1895.56; APPEARA, SE, 213.01; ARNIE'S FORD-MERCURY, SU, 804.57; AS CENTRAL SERVICES, SE, 448.00; AWWA, FE, 295.00; CITY EMPLOYEE, RE, 132.57; BANK FIRST, FE, 120.00; BARNES DISTRIBUTION, SU, 36.16; BLACK HILLS ENERGY, SE, 1972.20; BOMGAARS, SU, 367.40; BROWN SUPPLY, SU, 55.42; BSN SPORTS, S;U, 1264.49; CHARGEPOINT, SU, 170.00; CHILD SUPPORT, RE, 100.00; CITY OF NORFOLK, SE, 165.36; CITY OF WAYNE, RE, 226.86; CLAUSSEN, HEATHER, SE, 70.00; CLEAN TO A T, SE, 1300.00; COMMUNITY HEALTH, RE, 4.00; CITY EMPLOYEE, RE, 37.77; CUMMING CENTRAL POWER, SE, 739.77; CITY EMPLOYEE, RE, 5.95; DE LAGE LANDEN FINANCIAL, SE, 77.00; ECHO GROUP, SU, 134.00; EMBASSY SUITE, SE, 372.00; FIRST CONCORD GROUP, SE, 3463.94; FISHER NORTHWEST, SE, 580.50; FLOOR MAINTENANCE,

SU, 335.81; FREDRICKSON OIL, SU, 1051.60; CITY EMPLOYEE, RE, 4113.92; HD SUPPLY WATERWORKS, SU, 2718.98; HEWLETT-PACKARD, SU, 8762.47; HILLYARD/SIOUX FALLS, SU, 118.34; HOLIDAY INN OF KEARNEY, SE, 171.90; HOMETOWN LEASING, SE, 73.51; ICMA, SE, 6869.71; IRS, TX, 21948.15; JACK'S UNIFORM, SU, 13.25; JEO CONSULTING GROUP, SE, 1159.75; KRIZ-DAVIS, SU, 276.90; LOUIS BENSCOTER, RE, 3500.00; LUTT OIL, RE, 50000.00; MAIN STREET AUTO, SE, 90.00; MARK EVETOVICH, SE, 80.00; MAXIMUM SOLUTIONS, SE, 1614.00; MURPHY TRACTOR & EQUIPMENT, SU, 33.98; NE COLORADO CELLULAR, SE, 246.44; NE DEPT OF REVENUE, TX, 3098.16; NE HARVESTORE, SU, 336.15; NE LIBRARY COMMISSION, FE, 980.00; NE PLANNING & ZONING, FE, 40.00; NE RURAL WATER, FE, 275.00; NMPP ENERGY, FE, 110.00; NORTHEAST LIBRARY SYSTEM, FE, 25.00; NNPPD, SE, 4560.00; NWOD, FE, 10.00; OFFICE SYSTEMS COMPANY, SE, 238.56; OLIVER PACKAGING, SU, 1860.00; OLSSON ASSOCIATES, SE, 4757.13; CITY EMPLOYEE, RE, 1458.25; QUILL, SU, 60.97; CITY EMPLOYEE, RE, 5.01; STEVE LAMOUREX, SU, 165.00; TYLER TECHNOLOGIES, SE, 200.00; US BANK, SU, 1932.89; UTILITIES SECTION, FE, 1027.00; VERIZON, SE, 102.14; VOSS LIGHTING, SU, 79.80; WAED, RE, 50.00; WESCO, SU, 48.99; WESTERN OFFICE PRODUCTS, SE, 68.99; ZAC BRAUN, SE, 40.00; CITY EMPLOYEE, RE, 27.31; BROWN SUPPLY, SU, 315.00; CARHART LUMBER CO, SU, 1176.53; CHEMQUEST, SE, 595.00; COPY WRITE, SE, 193.56; DANKO EMERGENCY EQUIPMENT, SU, 244.07; DUTTON-LAINSON, SU, 995.78; EASYPERMIT POSTAGE, SU, 1735.84; ED. M FELD EQUIPMENT, SU, 434.30; ELECTRIC FIXTURE & SUPPLY, SU, 294.93; FLOOR MAINTENANCE, SU, 32.44; CITY EMPLOYEE, RE, 75.51; GILL HAULING, SE, 155.00; HEIKES AUTOMOTIVE, SE, 1664.74; HILLYARD/SIOUX FALLS, SU, 98.44; KEPCO ENGRAVING, SU, 39.66; KLEIN ELECTRIC, SE, 3558.75; KRIZ-DAVIS, SU, 2022.55; CITY EMPLOYEE, RE, 385.98; MARCO, SE, 1511.72; NE HARVESTORE, SU, 24.13; NO SWEET FENCING, SE, 1820.00; NORFOLK DAILY NEWS, SU, 149.00; ONE CALL CONCEPTS, SE, 11.15; PAC N SAVE, SU, 169.51; PIEPER & MILLER, SE, 2639.00; QUILL, SU, 847.10; REHAB SYSTEMS, SE, 1500.00; SKARSHAUG TESTING LAB, SE, 139.90; T & R SERVICE, SE, 15.00; VAKOC BUILDER'S RESOURCE, SU, 27.49; VOSS LIGHTING, SU, 131.83; WAED, RE, 7216.66; WAYNE COUNTY COURT, RE, 950.50; WAYNE HERALD, SE, 932.58; WESCO, SU, 1576.21; WISNER WEST, SU, 119.23

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, 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.

Terry Galloway of Almquist, Maltzahn, Galloway, & Luth, P.C., presented the FY 12-13 Audit. He provided Council with a spreadsheet that identifies "benchmarks" of how Wayne compares with other communities its size.

The business type activities (electric, water and sewer) are excellent. Wayne is about 50.75%; anything above 35% is considered excellent. Governmental Activities is at 8.97%, which is low and indicates the need to increase the cash reserves. The recommended is 30%.

The outstanding general obligation debt/valuation is used a lot in the bonding world to see how much taxpayer pressure is going to be needed to meet obligations as you go forward. Wayne is at 1.5%. Anything less than 3% is excellent in Nebraska. Wayne does not have a lot of general obligation debt outstanding.

In regard to debt coverage ratio (water, sewer and electric), it shows that consideration should be given to increasing the electric and sewer rates. It was noted that the electric rates were increased in 2013. Ideally, you should have 1.5 to 2 times debt service ratio. Wayne is getting less than one times the coverage in electric and just a little over one times the coverage in sewer.

In regard to the City's top six revenue sources, their recommendation, again, was that Wayne needs more retail trade. Sales tax runs at \$200 per capita or per person, and Wayne is at \$107. \$200 represents a 1.5% sales tax. Wayne has a 1% sales tax. Property taxes are actually good for the taxpayers in Wayne. The per capita basis is \$200

per person. Wayne is asking \$131 per person. Wayne is way under what they call best practice for a City its size.

In lieu of tax payments (franchise fees) is \$90 per capita; Wayne is at \$120. State Allocation is at \$130 per capita; Wayne is at \$151. Charges for services are \$140 per capita and Wayne is at \$100. Grants are low this year. The per capita is at \$115; Wayne is at \$40.

Wayne has very good cash reserves in the business type activities. Best practice is \$5.7 million; Wayne has \$8.6 million.

In regard to the tax levy rates, Wayne is, again, under what the recommended or state-wide average is. This is very good for the taxpayers in Wayne. In the general fund, the per capita is \$160 per person; Wayne is at \$115 per person. In debt service, Wayne is about half of what it would be in another city Wayne's size.

In regard to the State Allocations, the Highway Allocation went up from \$69 per capita to \$71 per capita, and Municipal Equalization went up from \$66 per capita to \$73 per capita.

Mr. Galloway then reviewed the per capita costs of departments compared to the state-wide average. The administrative costs to run the City of Wayne is very low compared to the other cities. The per capita cost is \$80; Wayne is at \$49.

In Public Buildings, Wayne is about \$12 per capita; the average is \$10. In Public Safety, Wayne is at about \$183 per capita; the average is \$230. Public Works is \$76 per capita; the average is \$100. The Library is about \$45 per capita, with the average being \$35 per capita. Recreation is at \$48 per capita; the average is \$50. The Community Activity Center is at \$41 per capita, with the average being \$30 per capita. Overall,

Wayne has done an excellent job in keeping the costs and expenses down in the various departments and still being able to continue the level of service that everyone is used to.

In regard to building a new pool, Mr. Galloway stated if the City would build on the lower end, Wayne would basically double up the tax asking for its debt service. Instead of asking for a nickel for our debt service, we would be asking for a dime. This would amount to approximately \$16 per person more each year in the community if we would have a \$2.5 million pool project. Under the general obligation debt, as far as the percent of valuation, Wayne would still be in the excellent range (3%), but we would be right at the maximum for that range. If we went with the \$8 million project, the percentage would be about 7.5%. Wayne would be outside of what he would call a “good” range. It was noted that debt service does not include operating costs.

Mr. Galloway noted that his firm did not encounter any difficulties in performing the audit. He ended his presentation by stating the City has done a very good job at being good stewards with the money that is here; the amount in cash reserves is very good; and commending the City staff on a job well done.

Irene Fletcher of Wayne Area Economic Development provided the Council with the six-month LB 840 activity update.

Alex Koch, Recreation Services Director, updated the Council on indoor pool budgets and then presented the “Master Plan” for the summer sports complex.

Mayor Chamberlain 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 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”) for the following real estate:

A Tract of land located in the Northwest Quarter of Section 18, Township 26 North, Range 4 East of the Sixth P.M., Wayne County, Nebraska more particularly described as follows:

Beginning at the Northwest corner of the Fletcher and Feeder’s Subdivision to the City of Wayne; thence N02°28’24”W (Assumed Bearing), a distance of 23.76 feet; thence N30°54’38”W, a distance of 203.87 feet; thence N16°52’34”W, a distance of 44.67 feet; thence N57°26’41”E, a distance of 635.09 feet; thence S02°21’32”E, a distance of 551.38 feet to the Northeast corner of Block 2 of Fletcher and Feeder’s Subdivision; Thence S85°48’12”W on the North Line of said Subdivision, a distance of 440.46 feet to the Point of Beginning, containing 4.73 acres, more or less; and

Block 2, Fletcher and Feeder’s Subdivision to the City of Wayne, Wayne County, Nebraska.

The notice of the public hearing was published in the Wayne Herald on January 16th and 23rd, 2014, and was also 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: Cale Giese.

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

Councilmember Muir then introduced Resolution No. 2014-4 and moved for its passage and approval.

RESOLUTION NO. 2014-4

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, APPROVING A REDEVELOPMENT PLAN AS CONTAINED IN A REDEVELOPMENT CONTRACT; MAKING FINDINGS WITH REGARD TO

SUCH PLAN AND APPROVING OTHER ACTION THEREON (MID PLAINS GRAIN, LLC (BRECK GIESE).

Councilmember Greve seconded the motion. On roll call vote, the following Councilmembers voted in favor of the motion: Greve, Haase, Sievers, Muir, Ley, Eischeid and Brodersen. Councilmember Giese abstained due to a conflict of interest.

The passage of Resolution No. 2014-4 having been agreed upon by a majority of the Council, the Mayor declared Resolution No. 2014-4 passed and approved.

Discussion took place regarding the ordinance which would annex Pacific Coast, Woehler property, airport property, etc.

Councilmember Sievers stated she had visited with Wes Blecke, Executive Director of WAED, and he advised her that as far as marketing and selling a piece of property, it doesn't matter whether it is annexed or not.

Mayor Chamberlain stated the opportunity doesn't come along very often to annex property where there is no opposition. This expands the base to reduce property taxes.

Councilmember Eischeid opined he is still against some of the annexation. He did not have any problem with those businesses that want to be annexed. At this time, there are no potential buyers for the Pacific Coast property. If the City would annex the whole area, this limits those businesses for places to build if they truly want to be outside city limits. This would at least give a proposed business two options.

In regard to the airport, he did not think there were that many airports around that are inside city limits, and he truly thinks one of the reasons why the city wants to annex the airport is to increase the acres to allow TIF funding. If we annex the airport, that means TIF funds are more readily available and if we don't annex it, then there is very

little area left to allow TIF funding. He does not agree with the idea of annexing a bunch of land so it can increase the percentage for blight and substandard.

Councilmember Eischeid then pointed out sections of a letter from Matt Ley that had been distributed to the Council regarding tax increment financing. In Mr. Ley's opinion, TIF funds are for the "redevelopment" of property, not strictly development. He thinks the Council has skewed the whole TIF process into what these funds should be used for.

Councilmember Sievers' opinion was that if a business is receiving city utilities, etc., they should be annexed.

Mayor Chamberlain stated that as far as TIF is concerned, there are procedures for that, and the matters have to come before Council for approval. As far as annexing a piece of property that will someday be inhabited by another business and letting them have that choice to be annexed or not, the Council is not representing some future company that is going to move into this area. The Council is representing the taxpayers of Wayne. It was noted that other properties that might be available can be discussed at retreat.

Councilmember Eischeid introduced Ordinance 2013-50, and moved for approval of the third and final reading thereof, excluding the Pacific Coast Feather property; Councilmember Brodersen seconded.

ORDINANCE NO. 2013-50

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.

Mayor Chamberlain stated the motion, and the result of roll call being all Nays, with the exception of Councilmembers Ley, Eischeid and Brodersen voting Yea, the Mayor declared the motion failed.

A motion was then made by Councilmember Giese, and seconded by Councilmember Haase, to table action on Ordinance 2013-50 until the Council meeting after the Council Retreat. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who voted Nay, the Mayor declared the motion carried.

Because the third and final reading of Ordinance No. 2013-50 was not passed, no action was taken on Resolution 2013-129 – making findings and declaring portions of the City of Wayne to be blighted and substandard pursuant to the Nebraska Community Development Act – Industrial Drive East Area, or Resolution 2014-5 approving Memorandum of Understanding with Robert Woehler & Sons, Inc., to enter into a tax increment financing agreement for site preparation and new construction.

The following Resolution would authorize the transfer of electric reserve economic development funds to the Community Development Agency to be used to purchase property. The amount to be transferred is \$114,759.00. This is the remainder of the 1.85% of the gross revenues from the sale of electricity that has been set aside each year to be used for economic development. The annual request from WAED is less than the amount collected each year. The difference goes into a reserve fund.

The funds would most likely be used to purchase property. The City Council does not have final approval over the CDA's actions regarding the purchase of property.

Councilmember Sievers introduced Resolution No. 2014-6 and moved for its approval; Councilmember Giese seconded.

RESOLUTION NO. 2014-6

A RESOLUTION AUTHORIZING THE TRANSFER OF ELECTRIC RESERVE ECONOMIC DEVELOPMENT FUNDS TO THE WAYNE COMMUNITY DEVELOPMENT AGENCY TO BE USED FOR THE PURCHASE OF PROPERTY/REAL ESTATE.

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

Mayor Chamberlain declared the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to Amending the Wayne Municipal Code, Section 90-710 Parking, specifically item (a) Parking, storage or use of recreational equipment, to include trailers. The applicant is the City of Wayne.

Joel Hansen, Zoning Administrator, stated the Planning Commission met and forwarded a recommendation to amend Section 90-710 Parking, specifically item (a) Parking, storage or use of recreational equipment, to include trailers, with the "Finding of Fact" being staff's recommendation.

This amendment was generated because of some complaints received in the past couple of years from citizens being upset with neighbors parking trailers in their driveways or in front of their house. This essentially would be treated the same as RV's where they would have 72 hours to load or unload their trailers. There is also an exception for construction trailers.

Councilmember Sievers did not think the City should be telling people what they can or cannot park in their driveway if there is room.

It was noted the Council can consider granting waivers upon applications being submitted.

Mr. Hansen stated the word "trailer" is not listed under the waiver portion of the ordinance, so if Council would like to add that, it just needs to be stated in the motion.

Councilmember Eischeid recommended amending the ordinance to give it more teeth. Attorney Miller wasn't quite sure you could put more teeth into the ordinance, but suggested maybe being harsher on the fines.

Councilmember Giese stated it's like we're micromanaging being good neighbors.

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 Chamberlain closed the public hearing.

Councilmember Giese introduced Ordinance No. 2014-4 and moved for approval thereof, including the waiver (add the words "and trailer" therein); Councilmember Eischeid seconded.

ORDINANCE NO. 2014-4

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 90-710 PARKING REGULATIONS; 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, with the exception of Councilmember Sievers who voted Nay, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Administrator Johnson presented the wage and salary schedule Resolution for City employees. The same proposes a 2% cost of living increase effective January 1st. This was tabled at the last meeting.

Finance Director, Nancy Braden, explained how she calculates comparability. State Law requires municipalities to pay comparable wages for comparable jobs.

Discussion again took place regarding the Labor Grade for lifeguards.

Councilmember Ley introduced Resolution 2014-2 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2014-2

A RESOLUTION APPROVING WAGE AND SALARY SCHEDULE.

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

Administrator Johnson stated the following wage and salary Resolution pertains to the Police Department. This also includes a 2% cost of living increase, which is within the range of 0% to 2% that was agreed to in the FOP Labor Contract with the City. This was also tabled from the last meeting.

Councilmember Eischeid introduced Resolution 2014-3 and moved for its approval; Councilmember Ley seconded.

RESOLUTION NO. 2014-3

A RESOLUTION APPROVING WAGE AND SALARY SCHEDULE FOR POLICE DEPARTMENT PERSONNEL.

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 the plans and specifications and estimate of cost, which is \$70,000.00, for the "Highway 15 and 10th Street Intersection Project", and authorize the City Clerk to begin advertising for bids.

Councilmember Brodersen introduced Resolution 2014-7 and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2014-7

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE "HIGHWAY 15 & 10TH STREET INTERSECTION PROJECT," AS PREPARED BY THE CITY'S ENGINEER AND DIRECTING ADVERTISEMENT FOR BIDS.

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

Administrator Johnson stated the following Resolution would approve the "Multi-Jurisdictional Hazard Mitigation Plan." This must be approved in order to receive FEMA funding. This is a renewal of the original plan that was approved several years ago.

Councilmember Sievers introduced Resolution 2014-8 and moved for its approval; Councilmember Giese seconded.

RESOLUTION NO. 2014-8

A RESOLUTION APPROVING LOWER ELKHORN NRD MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

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

Councilmember Eischeid introduced Ordinance 2014-1, and moved for approval of the third and final reading thereof; Councilmember Giese seconded.

ORDINANCE NO. 2014-1

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

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

Councilmember Eischeid requested that the parking ordinance be brought back for further discussion. He suggested staff bring back an ordinance to address amendments that apply to the police and street departments and their enforcement of the same. The remainder (cul de sac parking, etc.) can be addressed separately.

Councilmember Sievers introduced Ordinance 2014-1, amending the sections only for what needs to be enforced at this point and time, including the Street Superintendent's proposal, which should also include Donner Pass south to Nathan Drive, and to bring each section of town (north, south east and west) back separately, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2014-2

AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF CHAPTER 78, ARTICLE III OF THE WAYNE MUNICIPAL CODE: SECTION 78-126 RELATING TO PARKING; PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY; SECTION 78-128 RELATING TO PARKING; PROHIBITED PARKING; NORTHWEST QUADRANT OF THE CITY; SECTION 78-130 PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY; AND SECTION 78-132 PROHIBITED PARKING, SOUTHWEST QUADRANT OF THE CITY; 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 Brodersen made a motion, which was seconded by Councilmember Sievers, 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 7:50 p.m.

CLAIMS LISTING FEBRUARY 18, 2014

CITY EMPLOYEE	HEALTH REIMBURSEMENT	12.39
AMAZON.COM, LLC	CD'S/CAMERA	238.91
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	1,887.59
APPEARA	LINEN/MAT SERVICE	158.35
BAKER & TAYLOR BOOKS	BOOKS	567.01
BANK FIRST	FRATERNAL ORDER OF POLICE DUES	120.00
BERT GURNEY & ASSOCIATES	UV CONTROLLER	4,659.10
BIG T ENTERPRISES, INC	BATTERIES	610.75
CENTURYLINK	TELEPHONE CHARGES	443.30
CHARTWELLS	SENIOR CENTER MEALS	6,313.28
CHILD SUPPORT	PAYROLL DEDUCTIONS	100.00
CITY OF NORFOLK	INSPECTIONS	41.34
CITY OF WAYNE	CAT TRAP REFUNDS	40.00
CITY OF WAYNE	PAYROLL	58,103.03
CITY OF WAYNE	UTILITY REFUNDS	1,128.30
COMMUNITY DEVELOPMENT	FUNDS TRANSFER	114,759.00
COMMUNITY HEALTH	HEALTH CHARITIES	4.00
COPY WRITE PUBLISHING	CANNED AIR/FASTENER/INDEX CARD	38.50
DAKOTA BUSINESS SYSTEMS	COPIER EQUIPMENT LEASE	104.50
DANKO EMERGENCY EQUIPMENT	EXTINGUISHER/RESCUE COATS	589.53
DE LAGE LANDEN FINANCIAL	COPIER EQUIPMENT LEASE	394.00
DEMCO INC	DVD ALBUMS	86.19
CITY EMPLOYEE	HEALTH REIMBURSEMENT	135.93
DUTTON-LAINSON COMPANY	QUICK PATCH/FLASHLIGHT	47.40
EMPLOYERS MUTUAL CASUALTY	WORK COMP	357.87
FIRST SOURCE TITLE&ESCROW	TITLE SEARCH LB 840	200.00
FLOOR MAINTENANCE	CLEANING SUPPLIES	115.44
FREDRICKSON OIL CO	SKID LOADER TIRE REPAIR	14.00
GEMPLER'S INC	VESTS/MASKS	129.65
GROSSENBURG IMPLEMENT INC	FILTER ELEMENTS	159.72
HANSEN, THOMAS T.	ACCOUNTING SERVICES-TORNADO	2,800.00
HARDING & SHULTZ P.C.	ATTORNEY FEE	79.50
HD DIRECT	POSTER GUARD	649.90
HERITAGE MFG	TRUCK GUARD	32.80
ICMA RETIREMENT TRUST-457	RETIREMENT	6,837.93
INGRAM BOOK COMPANY	BOOKS	577.90
INTERSTATE ALL BATTERY	BATTERY	108.00
IRS	FEDERAL WITHHOLDING	21,665.40
CITY EMPLOYEE	HEALTH REIMBURSEMENT	143.42
JOHNSON HARDWARE	HINGES	54.82
JOSEPH BALDWIN	ENERGY INCENTIVE	475.83
KIRKHAM MICHAEL	WINDOM STREET	3,680.00
KNOEPFLER CHEVROLET CO	FREIGHT ON RETURNED PART	9.95
KTCH AM/FM RADIO	CAC RADIO ADS	817.00
LUTT OIL	GASOLINE	5,214.06
MANDY BENSCOTER - OLSON	LB840 LOAN	25,000.00
MARCO INC	SENIOR CENTER COPY CONTRACT	1,025.00
MARK EVETOVICH	REF	120.00
MATHESON TRI-GAS, INC.	WELDING WIRE/NOZZLE	218.89

MIDWEST LABORATORIES, INC	BOD TESTING	241.40
MILO MEYER CONSTRUCTION	DEMO 939 MAIN/109 E 10TH	16,020.00
MSC INDUSTRIAL	DRILL BITS	467.99
N.E. NEB ECONOMIC DEV DIS	WRLF ADMIN	180.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,055.39
NE HARVESTORE	BOBCAT DISC	169.07
NE SAFETY COUNCIL	SHIPPING ON SAFETY VIDEOS	8.89
NE SALT & GRAIN CO	DEICER	1,633.17
NEMAHA LANDSCAPE CONST.	WATER DEPOSIT MINUS USAGE	1,451.07
N.E. NE AMERICAN RED CROSS	PAYROLL DEDUCTIONS	59.24
NORTHEAST NE PUBLIC POWER	WHEELING CHARGES	13,185.52
NORTHWEST ELECTRIC LLC	BEARINGS/SLEEVE/NAMEPLATE	1,093.54
ORIENTAL TRADING CO INC	PROGRAM SUPPLIES	69.74
QUALITY 1 GRAPHICS	DECALS	80.00
RANDOM HOUSE	AUDIO BOOKS	131.25
RANSOM G. ROMAN	APPRAISAL ON 4 COMMERCIAL LOTS	3,000.00
ROBERTSON IMPLEMENT CO	TRIMMER PARTS	484.52
SHOPKO	BATTERIES/MICROWAVE/KLEENEX	151.53
SOLOMON CORP	RECONDITIONED TRANSFORMERS	11,029.16
SOOLAND BOBCAT	DRIVE/SNAP RING	99.00
S DAKOTA MUNICIPAL LEAGUE	AD FOR STREET SWEEPER	50.00
SPARKLING KLEAN	JANITORIAL SERVICES	1,430.57
STADIUM SPORTING GOODS	FIRE DEPT COATS/CAPS	907.00
STATE NEBRASKA BANK	ACH FEES	59.92
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	69.00
TRI AIR TESTING	AIR ANALYSIS	474.00
UNITED RENTALS	OXYGEN SENSOR	199.15
UNITED WAY	PAYROLL DEDUCTION	12.40
VAKOC CONSTRUCTION CO	PAINT	18.99
WAYNE AUTO PARTS	FILTERS/WRENCHES/BATTERY CHARGER ETC	708.33
WAYNE BASEBALL ASSOCIATION	REGISTRATION-FINANCIAL ASSISTANCE	270.00
WAYNE COUNTY CLERK	FILING FEES	190.00
WAYNE COUNTY COURT	BONDS	1,019.06
WAYNE GROCERY LLC	WATER/ICE	8.40
WAYNE HERALD	CAC ADS	359.00
WAYNE VETERINARY CLINIC	DOG IMPOUNDS	98.00
WBDA	REGISTRATION-FINANCIAL ASSISTANCE	240.00
WESTERN AREA POWER ADMIN	ELECTRICITY	33,269.84
WESTERN IOWA TECH	EMT TRAINING	525.00
WIGMAN COMPANY	TOILET BOWL REPAIRS	236.25
ZAC BRAUN	REF	40.00
ZACH HEATING & COOLING	FILTER	27.50
GRAND TOTAL		294,661.04

RESOLUTION NO. 2014-9

**A RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO APPLY
FOR NEBRASKA PUBLIC TRANSPORTATION ACT FUNDS.**

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program; and

WHEREAS, the City of Wayne desires to apply for said funds to provide public transportation in the City of Wayne.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City Administrator is authorized to apply for the above-mentioned funds and that said funds will be used for the City of Wayne's transportation operations in the FY 2014-2015 Application for Public Transportation Assistance.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Service provider's Board of Directors approval is needed for each of the following:

1. The **submission of the service provider's Detailed Plan of Operation (DPO) & Budget for a new fiscal year.**

A Detailed Plan of Operation (DPO) & Budget for III-B, III-C and/or III-E operations (depending on what services are provided at your site) is prepared in January for the new fiscal year to begin July 1.

This funding application and budget along with its accompanying narratives, projected units of service, outcomes, etc. is prepared and submitted to the area agency office in mid-February.

The service provider's Board of Directors needs to approve the submission of this application. The board meeting minutes must reflect a motion was made, seconded, and a vote taken that indicates the motion carried.

The board minutes may include something similar to the following:

A motion was made by _____ and seconded by _____ to approve the submission of the Fiscal Year _____ Detailed Plan of Operation & Budget to the Northeast Nebraska Area Agency on Aging. Motion carried.

2. The **acceptance of new fiscal year contracts and grants that have been awarded by the Area Agency. The newly issued contracts &/or grants are the Area Agency's affirmative response to your request for funding.**

Once the funding application has been received by the area agency and been approved for funding, the agency will send the appropriate contracts or award notices to the subcontractor or subgrantee.

- a) A III-B Services Contract will be sent for III-B programs
- b) A III-C Nutrition Contract will be sent for III-C(1) and III-C(2) programs
- c) A Notification of Grant Awarded, and Acceptance of Grant Awarded for III-E programs.

The new Fiscal Year contracts and award notices are usually sent in late May or early June.

The service provider's acceptance of these new contracts and/or funding awards must be approved by their Board of Directors. Here again, the board minutes must reflect a motion made, a second, and a majority voting to accept the newly awarded contracts and grant funds.

The various contracts and any Acceptance of Award Forms must be signed by the service provider's Board Chairperson, with the appropriate copies returned to the Area Agency office.

The board minutes may include something similar to the following:

A motion was made by _____ and seconded by _____ to accept the Contracts &/or Grants* awarded by NENAAA for Fiscal Year _____. Motion carried.

**NOTE: The motion should include specifically the contracts &/or grant funds that pertain to your center.*

ITEMIZATION OF FUNDING SOURCES -- Title III-B / III-C / III-E

Section A: OTHER (Non-Match)			Title III-B	Title III-C	Title III-E	Total
Experience Works/AARP:	\$0	=	\$0	\$0	\$0	\$0
			50%	50%	0%	
Experience Works/AARP:	\$0	=	\$0	\$0	\$0	\$0
			50%	50%	0%	
TOTAL OTHER (Non-Match)			\$0	\$0	\$0	\$0

Section B: (Non-Match)			Title III-B	Title III-C	Title III-E	Total
		=	XXXXXXX			
		=	XXXXXXX			
		Total =	\$0	XXXXXXX		\$0
				100%		
TOTAL OTHER (Non-Match)			XXXXXXXX	XXXXXXX	XXXXXXXX	\$0

Section C: FEDERAL NSIP (USDA) (Non-Match)			Title III-B	Title III-C	Title III-E	Total
11,684	Total C-1 meals x	\$0.5700 USDA rate =	\$6,660			
3,810	Total C-2 meals x	\$0.5700 USDA rate =	\$2,172			
		Total =	\$8,832	\$8,832		\$8,832
				100%		
TOTAL FEDERAL NSIP (USDA) (Non-Match)			XXXXXXXX	\$8,832	XXXXXXXX	\$8,832

Section D: INCOME CONTRIBUTIONS (Non-Match)			Title III-B	Title III-C	Title III-E	Total
III-B Income Contributions (for III-B services such as health clinics, supportive services, etc)			\$0			\$0
			100%			
11,684	Total C-1 meals x	\$3.02 Avg contribution	=	\$35,286		
3,810	Total C-2 meals x	\$4.41 Avg contribution	=	\$16,802		
		Total =	\$52,088	\$52,088		\$52,088
				100%		
III-E Income Contributions (for III-E services such as caregiver speakers, trainings, etc)			=	\$0	\$0	\$0
					100%	
TOTAL INCOME CONTRIBUTIONS (Non-Match)			\$0	\$52,088	\$0	\$52,088

Section E: LOCAL PUBLIC CASH (Matching)			Title III-B	Title III-C	Title III-E	Total
City Funds	\$64,142 /year	=	\$64,142	\$41,615	\$22,527	\$0
			65%	35%	0%	
County Funds	\$0 /year	=	\$0	\$0	\$0	\$0
			50%	50%	0%	
TOTAL LOCAL PUBLIC CASH (Matching)			\$41,615	\$22,527	\$0	\$64,142

Section F: LOCAL OTHER CASH (Matching)			Title III-B	Title III-C	Title III-E	Total
III-B Local Other Cash	\$0 /year	=	\$0			\$0
(This number is not accurate until the III-B Units of Service page is complete.)			100%			
III-C Local Other Cash	\$7,600 /year	=	\$7,600	\$7,600		\$7,600
(This number is not accurate until the III-C Summary page is complete.)				100%		
III-E Local Other Cash	\$0 /year	=	\$0		\$0	\$0
(This number is not accurate until the III-E Summary page is complete.)					100%	
TOTAL OTHER CASH (Matching)			\$0	\$7,600	\$0	\$7,600

City of Wayne submits herewith the Service Component Plan of Operation for a component of the Northeast Nebraska Area Agency on Aging's Plan and hereby agrees to administer such Detailed Plan of Operation in accordance with the regulations, policies and procedures prescribed by the Administration on Aging, the Nebraska Health & Human Services – Division of Aging, the Area Agency on Aging including, but not necessarily limited to the following conditions and contracts:

1. To ensure that all published material and news releases conspicuously acknowledge the Nebraska Health & Human Services – Division of Aging and the Area Agency on Aging's support of this project.
2. To report promptly and accurately to the Nebraska HHS – Division of Aging and the Area Agency on Aging when requested to do so and to supply such data and information as may be requested.
3. To make the financial and program records of the project supported by this award or contract available to representatives of the Nebraska HHS – Division of Aging and the Area Agency on Aging when requested to do so.
4. To ensure that the federal share of this III-B project year shall meet any amount less than \$11,707 but in no case shall the federal share exceed \$11,707 of the total project costs.
5. To ensure that the federal share of this III-C project year shall meet any amount less than \$30,911 but in no case shall the federal share exceed \$30,911 of the total project costs.
6. To ensure that the federal share of this III-E project year shall meet any amount less than \$0 but in no case shall the federal share exceed \$0 of the total project costs.
7. To have, and to furnish assurance thereof that it has in force, third party blanket liability coverage sufficient to protect it and the Area Agency on Aging in case of accident on the project premises.
8. To comply with Title VI of the Civil Rights Act of 1964, (P.L. 88-352), and the regulations issued pursuant thereto. An assurance of compliance with such regulations (Form AoA-441) is attached.
9. To maintain methods of personnel administration consistent with the State of Nebraska Merit System, where applicable and with a written EEO Affirmative Action Manual on file with the Nebraska HHS—Division of Aging.
10. To assure that all expenditures incurred by the sponsor will be in accordance with the cost policies of the Nebraska HHS – Division of Aging and the Department of Health, Education and Welfare as set forth in Federal Regulations Title 45, Part 74.
11. To operate in accordance with the Older Americans Act of 1965, as amended, and the regulations and instructions issued thereunder.

The Contractor is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a known as the E-Verify Program or an equivalent federal program designated by the United States Department of Homeland Security or other federal program authorized to verify the work eligibility status of a newly hired employee.

It is understood and agreed by the undersigned that: 1) Funds granted as a result of this request are to be expected for the purpose set forth herein and in accordance with all applicable laws, regulations, policies, procedures and instructions of the Area Agency on Aging, the State, the Nebraska HHS – Division of Aging and Administration on Aging of the U.S. Department of Health & Human Services; 2) Any proposed changes in the proposal as approved will be submitted in writing by the applicant and upon notification of approval by the Area Agency on Aging and the State Agency, shall be deemed incorporated into and become a part of this agreement; 3) The attached Assurance of Compliance which the Department of Health & Human Services regulations issued pursuant to Title VI of the Civil Rights Act of 1964 applies to this proposal as approved; and 4) Funds awarded by the Area Agency on Aging and the Department may be terminated at any time for violations of any terms and requirements of this Agreement.

Date _____

Signature _____

Name (please print) _____

Title _____

III-B / III-C / III-E ASSURANCE OF COMPLIANCE
With the Department of Health, Education, and Welfare Regulations
Under Title VI of the Civil Rights Act of 1964

FY 2014

City of Wayne (hereinafter called the "Subgrantee") **HEREBY AGREES**

THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Subgrantee receives federal financial assistance from the Northeast Nebraska Area Agency on Aging, a recipient of federal financial assistance from the Department (hereinafter called "Grantor"); and **HEREBY GIVES ASSURANCE THAT** it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of federal financial assistance extended to the Subgrantee by the Grantor, this assurance shall obligate the Subgrantee, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose of which the federal financial assistance is expended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Subgrantee for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Subgrantee for the period during which the federal financial assistance is expended to it by the Grantor.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Subgrantee by the Grantor, including installment payments after such date on account of applications for federal financial assistance which were approved before such date. The Subgrantee recognizes and agrees that such federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the Grantor or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Subgrantee, its successors, transferees, and assignees, and the person or persons whose signatures appear below who are authorized to sign this assurance on behalf of the Subgrantee.

Date _____

Signature _____

Name (please print) _____

Title _____

BOARD OF DIRECTORS REVIEW STATEMENT

FY 2014

The Board of Directors for the City of Wayne has received, reviewed, and approved for submission this Center's Budget Application to the Northeast Nebraska Area Agency on Aging.

Attach a copy of the minutes of this Board meeting.

Board of Directors Signatures:

- | | |
|----------|-----------|
| 1. _____ | 9. _____ |
| 2. _____ | 10. _____ |
| 3. _____ | 11. _____ |
| 4. _____ | 12. _____ |
| 5. _____ | 13. _____ |
| 6. _____ | 14. _____ |
| 7. _____ | 15. _____ |
| 8. _____ | 16. _____ |

This review and action was made at a _____
(check one) ☒ regular meeting
☐ special meeting

City of Wayne
Senior Center Name

Date of Meeting (Month / Day / Year)

Chairman's Name (please print)

Chairman's Signature

Date Signed

RESOLUTION NO. 2014-10

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

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

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

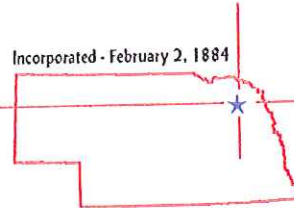
City Clerk

City of Wayne

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

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

Incorporated - February 2, 1884



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

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>

M - 617(92)	2014	Windom Street from 645' N of Fairground Ave to E. 7 th - 1,750' Reconstruct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$590,000
M - 617(110)	2014	Hillside Drive from East 7 th St. to 70' S of E. 7 th St. - 70' Construct Concrete Paving, Curb & Gutter, Storm Drainage, Sidewalks	\$ 80,000
M - 617(111)	2014	East 10 th Street & Main St. Intersection Install turn lanes and ADA sidewalk	\$ 70,000
M - 617(105)	2014	Tomar Drive & E. 4 th St. to the Summer Sports Complex - 1,800' Construct Concrete Paving	\$400,000
M - 617(91)	2014	Trail & Pedestrian Underpass on W. 7 th Street Located between CAC and Oak Drive	\$566,000

M - 617(107)	2015	Clark Street & S. Pearl Street - 745' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$180,000

M - 617(89)	2016	Lage Subdivision - South of Fairgrounds Avenue - 900' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 175,000

M - 617(104)	2017	S. Lincoln Street from W. 1 st St. to 300' S. of W. 1 st St. Construct Concrete Paving, Curb & Gutter	\$ 80,000

M - 617(98)	2018	Sherman Street from W. 5 th St. to W. 6 th St. - 300' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 80,000

M - 617(112)	2019	Lagoon Streets - 2,500' Construct Concrete Paving	\$550,000

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



Home of Wayne State College

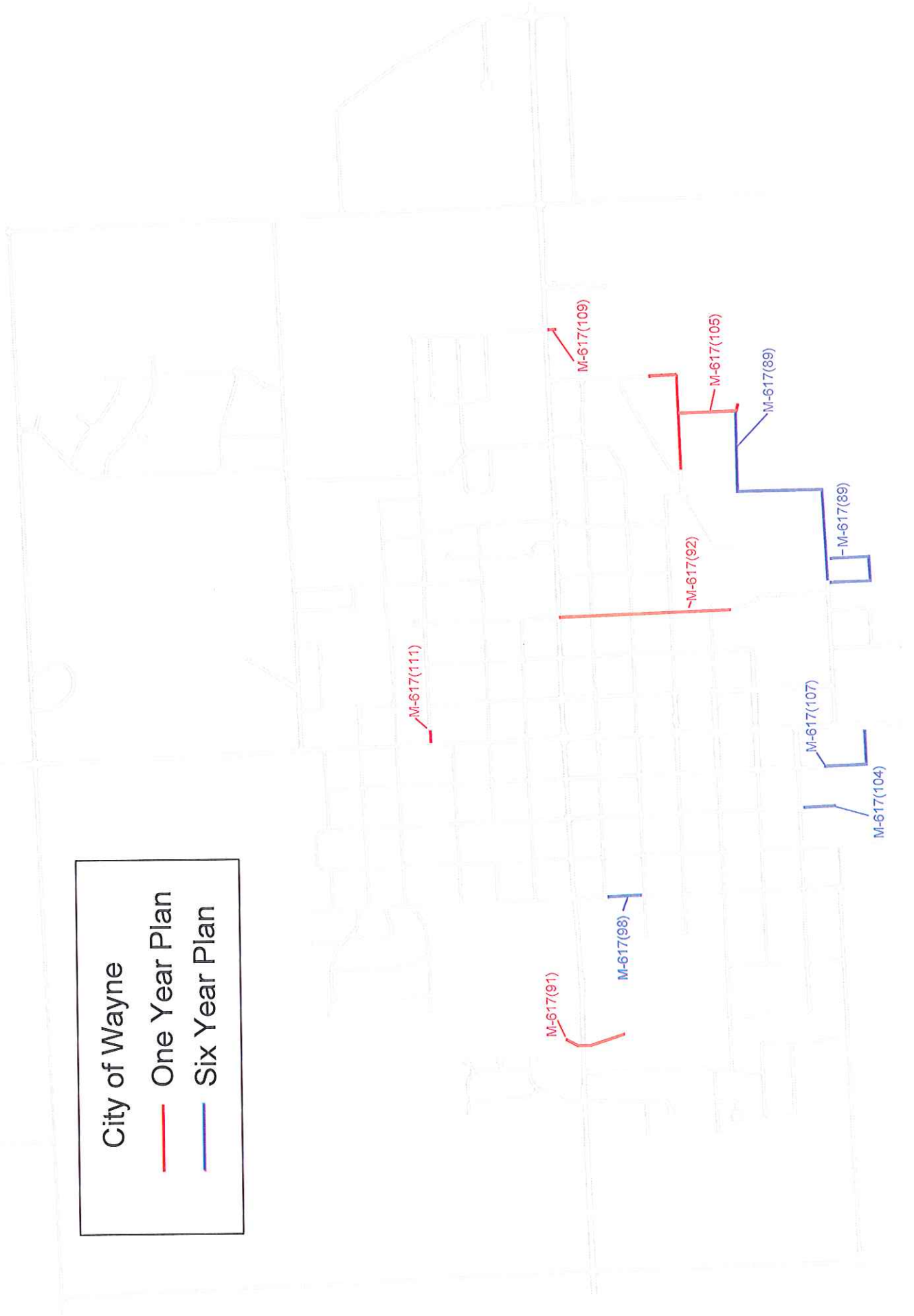


Equal Housing Opportunity

City of Wayne

— One Year Plan

— Six Year Plan



**CITY OF WAYNE
INTEROFFICE MEMORANDUM**

DATE: February 4, 2014

TO: Mayor Chamberlain
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison



At their meeting held on February 3, 2014 the Wayne Planning Commission made a recommendation on the following public hearings and discussion item; the results of those recommendations are as follows:

Public Hearing: Giese Second Addition Preliminary and Final Plat

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, motion was made by Commissioner Sorenson and seconded by Commissioner Sweetland to forward a recommendation of approval to the City Council for the preliminary and final plat for the Giese Second Addition, with the findings of fact being: consistency with the comprehensive plan, the current and future land use map, and staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

Public Hearing: Angel Estates Subdivision Preliminary and Final Plat

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, motion was made by Commissioner Braun and seconded by Commissioner Rogers-Spann to forward a recommendation of approval to the City Council for the preliminary and final plat for the Angel Estates Subdivision, with the findings of fact being: consistency with the comprehensive plan, the current and future land use map, and staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

Public Hearing: Herman Commercial Subdivision Preliminary and Final Plat

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, motion was made by Commissioner Sorenson and seconded by Commissioner Braun to forward a recommendation of approval to the City Council for the preliminary and final plat for the Herman Commercial Subdivision, with the findings of fact being: consistency with the comprehensive plan, the current and future land use map, and staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

Discussion and Recommendation: Redevelopment Plan for Mid Plains Grain LLC

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, motion was made by Commissioner Braun and seconded by Commissioner Sweetland to forward a recommendation of approval to the City Council for the Redevelopment Plan for Mid Plains Grain LLC, with the findings of fact being: consistency with the comprehensive plan and staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

JJH:cb

RESOLUTION NO. 2014-11

**A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT
FOR "GIESE SECOND ADDITION."**

WHEREAS, the Planning Commission, upon review of the Preliminary and Final Plat of Giese Second Addition, legally described as:

A tract of land located in the Northwest Quarter of Section 18, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows: Beginning at the northwest corner of Block 2 of Fletcher and Feeder's Subdivision to the City of Wayne; thence N02°28'24"W (assumed bearing) a distance of 23.76 feet; thence N30°54'38"W, a distance of 203.87 feet; thence N16°52'34"W, a distance of 44.67 feet; thence N57°26'41"E, a distance of 635.09 feet; thence S02°21'32"E, a distance of 551.38 feet to the northeast corner of Block 2 of Fletcher and Feeder's Subdivision; thence S85°48'12"W on the north line of said subdivision, a distance of 440.46 feet to the point of beginning, containing 4.73 acres, more or less; and

on February 3, 2014, recommended approval thereof, based upon the following "Findings of Fact": Consistency with the Comprehensive Plan and the current and future land use map and staff's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Preliminary and Final Plat of Giese Second Addition be approved subject to the recommendations of the Planning Commission and the foregoing "Findings of Fact."

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

GIESE SECOND ADDITION
LOCATED IN THE NW1/4 OF SECTION 18,
T26N, R4E OF THE SIXTH P.M.,
IN THE CITY OF WAYNE,
WAYNE COUNTY, NEBRASKA



JEO CONSULTING GROUP INC.

Ph: 402.371.6416
PO Box 1424
Norfolk, NE 68702

GIESE SECOND ADDITION
LOCATED IN THE NW1/4 OF SECTION 18,
T26N, R4E OF THE SIXTH P.M.,
IN THE CITY OF WAYNE, WAYNE CO., NE

FINAL PLAT

CITY ZONING

THE ABOVE PLAT APPROVED BY THE CITY ZONING ADMINISTRATOR OF THE CITY OF WAYNE,
NEBRASKA, ON THE _____ DAY OF _____, 2014.

ZONING ADMINISTRATOR, CITY OF WAYNE

ABSTRACTOR'S CERTIFICATE

I, _____, A REGISTERED LAND ABSTRACTOR, HEREBY STATE
THAT ON THE _____ DAY OF _____, 2014, THE CITY OF WAYNE,
APPEARED AS TITLE HOLDERS OF RECORD OF THE LAND DESCRIBED IN THE SURVEYORS
CERTIFICATE.

REGISTERED LAND ABSTRACTOR

CONSENT AND DEDICATION OF OWNER:

KNOWN ALL MEN BY THESE PRESENT THAT THE CITY OF WAYNE, NEBRASKA, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED THE LAND DESCRIBED
IN THE LEGAL DESCRIPTION, TO BE SURVEYED, PLATED AND DESIGNATED AS GIESE SECOND ADDITION LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP
26 NORTH, RANGE 4 EAST OF THE SIXTH P.M., IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, AND DO HEREBY
FREELY AND VOLUNTARILY DEDICATE THE STREETS AS SHOWN HEREON TO THE PUBLIC FOR THEIR USE FOREVER, AND DO HEREBY DEDICATE THE EASEMENTS AS SHOWN
THEREON FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE OF PUBLIC SERVICE UTILITIES FOREVER, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS THEREON
AND THAT THE FOREGOING SUBDIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

MAYOR

ATTEST: _____
CITY CLERK

ACKNOWLEDGEMENT OF NOTARY:

STATE OF NEBRASKA }
COUNTY OF WAYNE }

BEFORE ME, A NOTARY PUBLIC, QUALIFIED FOR SAID COUNTY, PERSONALLY CAME _____, THE MAYOR OF THE CITY OF WAYNE, NEBRASKA, KNOWN
TO BE THE IDENTICAL PERSON WHO SIGNED THE FOREGOING DEDICATION AND ACKNOWLEDGE THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.
WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2014.

NOTARY

MY COMMISSION EXPIRES: _____

SURVEYOR'S REPORT:

EXISTING MONUMENTS OF RECORD WERE FOUND AT LOCATIONS SHOWN ON THIS PLAT. ALL MONUMENTS
FOUND ARE DESCRIBED ON THIS PLAT, UNLESS NOTED OTHERWISE. ALL MONUMENTS SET ARE A 5/8" BY
24" REBAR WITH A PLASTIC CAP STAMPED "L.S. 541", UNLESS NOTED OTHERWISE.

ALL LINES WERE PRODUCED AND ANGLES AND DISTANCES MEASURED WITH A TRIMBLE GPS R8 AND A 100
FOOT STEEL TAPE.

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4 EAST OF
THE SIXTH P.M., WAYNE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF BLOCK 2 OF FLETCHER AND FEEDER'S SUBDIVISION TO THE CITY
OF WAYNE; THENCE N02°28'24"W (ASSUMED BEARING) A DISTANCE OF 23.76 FEET; THENCE N30°54'38"W, A
DISTANCE OF 203.87 FEET; THENCE N16°52'34"W, A DISTANCE OF 44.67 FEET; THENCE N57°25'41"E, A DISTANCE OF
635.09 FEET; THENCE S02°21'32"E, A DISTANCE OF 551.38 FEET TO THE NORTHEAST CORNER OF BLOCK 2 OF
FLETCHER AND FEEDER'S SUBDIVISION; THENCE S85°45'12"W ON THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE
OF 440.46 FEET TO THE POINT OF BEGINNING, CONTAINING 4.73 ACRES, MORE OR LESS.

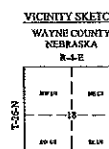
SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME
OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE
BEST OF MY KNOWLEDGE, AND THAT I AM A DULY REGISTERED LAND
SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

JEFFREY S. RYAN, LS 541



LEGEND
● MONUMENT FOUND
○ MONUMENT SET
○ CALCULATED POINT
B DEEDED DISTANCE
G GOVERNMENT DISTANCE
M MEASURED DISTANCE
P PLATTED DISTANCE
R RECORDED DISTANCE
GRAPHIC SCALE
1" = 100'



NOTE: ALL BEARINGS ARE ASSUMED.

PROJECT NO. R140031

DATE 1-9-2014

DRAWN BY KSL

FILE NAME SV-140031.dwg

FIELD BOOK WAYNE N-5

FIELD CREW BJB

SURVEY FILE NO.

REVIEW BY

REVIEW DATE

REVISIONS

1 OF 1

Platting and Recording of this plat is subject to the provisions of the Nebraska Uniform Land Use Review Procedure Act, Chapter 21-121, R.S., as amended.

RESOLUTION NO. 2014-12

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT FOR "ANGEL ESTATES SUBDIVISION."

WHEREAS, the Planning Commission, upon review of the Preliminary and Final Plat of "Angel Estates Subdivision", legally described as:

A tract of land located in the East Half of the Southeast Quarter of Section 6, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows: Beginning at the Southeast Quarter a distance of 425.50 feet; thence northerly and parallel to the east line of said Southeast Quarter a distance of 1049.10 feet; thence easterly and parallel to the south line of said Southeast Quarter a distance of 425.50 feet; thence southerly along said east line of the Southeast Quarter a distance of 1049.10 feet to the point of beginning, containing 10.25 acres, more or less; and

on February 3, 2014, recommended approval thereof, based upon the following "Findings of Fact": Consistency with the Comprehensive Plan and the current and future land use map and staff's recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Preliminary and Final Plat of the Angel Estates Subdivision be approved subject to the recommendations of the Planning Commission and the foregoing "Findings of Fact."

PASSED AND APPROVED this 18th day of February, 2014.

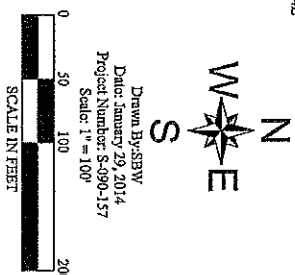
THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ANGEL ESTATES SUBDIVISION
Of Part of Southeast 1/4 of the Southeast 1/4 of Section 6, T26N, R4E
of the 6th P.M., to the County of Wayne, Nebraska.



This survey was prepared at the request of Louis Bensinger, Wayne County, Nebraska.

LEGAL DESCRIPTION

A tract of land located in the East 1/2 of the Southeast 1/4 of Section 6, T26N, R4E of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Beginning at the Southeast corner of Section 6, T26N, R4E of the 6th P.M., Wayne County, Nebraska; thence West along the South line of said Southeast 1/4 a distance of 425.50 feet, thence North and parallel to the East line of said Southeast 1/4 a distance of 1099.10 feet, thence East and parallel to the South line of said Southeast 1/4 a distance of 425.50 feet, thence South along said East line of the Southeast 1/4 a distance of 1099.10 feet to the Point of Beginning, containing 10.25 acres, more or less.

CONSENT AND DEDICATION OF OWNER

KNOWN ALL MEN BY THESE PRESENTS THAT: I, Windom Ridge, Inc., a Nebraska Corporation, being the owner of the land described herein, have caused this tract of land located in the Southeast 1/4 of the Southeast 1/4 of Section 6, T26N, R4E, Wayne County, Nebraska, to be surveyed, platted, and designated as Lot 1, Lot 2, Lot 3 and Lot 4 of Angel Estates Subdivision, Wayne County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate ownership as shown thereon for the location, construction and maintenance of public service utilities forever, together with the right of ingress and egress thereto, and that the foregoing subdivision is made with the free consent and in accordance with the desire of the undersigned owners and proprietors.

OWNER

Windom Ridge, Inc.
A Nebraska Corporation
NOTARY
STATE OF NEBRASKA) ss
COUNTY OF WAYNE)

Before me, a Notary Public, qualified for said county, personally came _____, representing Windom Ridge, Inc., known to be the identical person who signed the foregoing Dedication and acknowledge the execution thereof to be their voluntary act and deed.

Witness by my hand and notarial seal.

This _____ day of _____, 2014, Notary Public _____

LIENHOLDER

Citizens State Bank
Leland, Nebraska

NOTARY

STATE OF NEBRASKA) ss
COUNTY OF WAYNE)

Before me, a Notary Public, qualified for said county, personally came _____, representing Citizens State Bank, known to be the identical person who signed the foregoing Dedication and acknowledge the execution thereof to be their voluntary act and deed.

Witness by my hand and notarial seal.

This _____ day of _____, 2014, Notary Public _____

ABSTRACTER'S CERTIFICATE

I, _____, a Registered Land Abstractor, hereby state that on the _____ day of _____, 2014, Windom Ridge, Inc., represented by _____, owner, appeared as title holder(s) of record of the land described in the surveys certificate.

CITY COUNCIL APPROVAL

The above plat approved by the City of Wayne, Nebraska, by resolution Number _____ duly passed by the City Council on this _____ day of _____, 2014.

Mayor, City of Wayne _____ City Clerk _____

PLANNING COMMISSION APPROVAL

The foregoing was heard at Public Hearing by the Planning Commission at a regular meeting after proper notice on _____ day of _____, 2014.

Chairman _____ Secretary _____

COUNTY BOARD OF COMMISSIONERS APPROVAL

The foregoing was approved by the Wayne County Board of Commissioners, Wayne County, Wayne, Nebraska on this _____ day of _____, 2014.

Chairman _____ Secretary _____

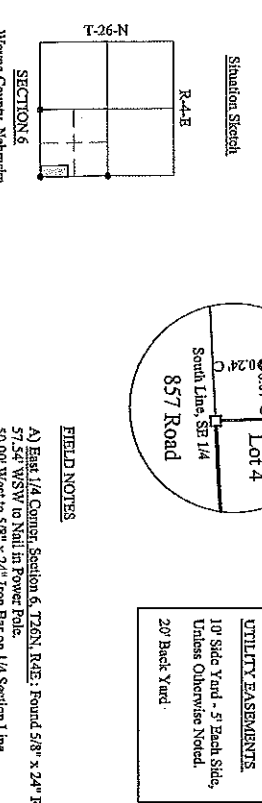
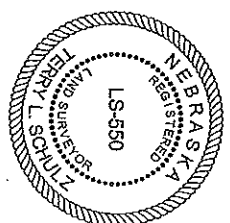
ZONING ADMINISTRATOR APPROVAL

The above plat approved by the City Zoning Administrator of the City of Wayne, Wayne County, Wayne, Nebraska, on this _____ day of _____, 2014.

SURVEYOR'S CERTIFICATE

I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me on January 29, 2014, also that all dimensions are in feet and are correct to the best of my knowledge and belief.

Terry L. Schulz, State of Nebraska, R.L.S. #550 _____ Date 1-29-2014



FIELD NOTES
A) East 1/4 Corner, Section 6, T26N, R4E: Found 5/8\"/>

RESOLUTION NO. 2014-13

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT AND SUBDIVISION AGREEMENT FOR “HERMAN COMMERCIAL SUBDIVISION” AND AUTHORIZING THE EXECUTION OF THE SUBDIVISION AGREEMENT.

WHEREAS, the Planning Commission, upon review of the Preliminary and Final Plat of “Herman Commercial Subdivision”, legally described as:

A tract of land located in the Southwest Quarter of the Southwest Quarter of Section 8, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska; thence N02°33’52”W on an assumed bearing on the West line of said Southwest Quarter, 100.00 feet to a point on the North right-of-way line of State of Nebraska Highway #35, said point being the Southwest corner of a tract of land surveyed by LaVern F. Schroeder, R.L.S. #312, dated October 13, 2000, and the Point of Beginning; thence N02°33’52”W on the West line of said surveyed tract, 309.63 feet (recorded as 310.60 feet – Deed) to the Northwest Corner of said surveyed tract, said point being on the South right-of-way line of the Chicago Northwestern Railway Company (now removed); thence N59°02’53”E on said South right-of-way line, 529.63 feet; thence S02°31’40”E on the East line of said surveyed tract, 569.62 feet to a point on said North right-of-way line of State of Nebraska Highway #35; thence S89°01’09”W on said right-of-way line, 237.27 feet; thence S87°50’28”W on said right-of-way line, 228.41 feet to the point of beginning, containing 4.70 acres, more or less, hereafter known as Lot 1, Lot 2, Lot 3, Lot 4, and Lot 5 of the Herman Commercial Subdivision.

on February 3, 2014, recommended approval thereof, based upon the following “Findings of Fact”: Consistency with the Comprehensive Plan and the current and future land use map, and staff’s recommendation; and

WHEREAS, the same is also conditioned upon the execution of a Subdivision Agreement, as required in Section 404.05 of the Wayne Subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Preliminary and Final Plat of “Herman Commercial Subdivision” be approved subject to the recommendations of the Planning Commission and the foregoing “Findings of Fact”, and that the Mayor is hereby authorized to sign the Subdivision Agreement on behalf of the City of Wayne.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

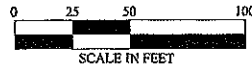
City Clerk

LEGEND

- Section Corner Found
- Property Corner Found
- Property Corner Set (5/8" x 24" I.B. w/Cap)
- Mag Nail Set
- Calculated Point
- Measured Distance
- Recorded Distance (Dd) Warranty Deed File No. 131629, Dated November 22, 2013 & Book 48, Page 383, Dated August 14, 1968.
- (B.R.K.) Brett R. Kennedy, R.L.S.# 512, Dated May 27, 2009.
- (L.F.S.) LaVern F. Schroeder, R.L.S.# 312, Dated October 13, 2000.
- Easement - Microfilm No. 031473, Filed August 5, 2003.
- Calculated Distance



Drawn By: LRR/SBW
Date: January 28, 2014
Project Number: S-090-155
Scale: 1" = 50'



HERMAN COMMERCIAL SUBDIVISION

Of Part of Southwest 1/4 of the Southwest 1/4 of Section 8, T26N, R4E
of the 6th P.M., to the County of Wayne, Nebraska.

This survey was prepared at the request of Kelby Herman, Wayne County, Nebraska.

FIELD NOTES

A) Southwest Corner, Section 8, T26N, R4E: Found Brass Cap at Surface of Highway #35. 70.37' NE to Drill Hole in Head Wall. 101.45' SSW to Nail and Disc in Power Pole. 121.15' SW to GPS Monument (Cent. 35). 93.00' NW to Center Brass Cap in Headwall.

B) South 1/4 Corner, Section 8, T26N, R4E: Found 1" Survey Spike at Surface of Highway #35. 93.74' NNE to Southwest Leg of Swing Set at Base. 70.17' NW to Nail in Top of Guard Rail Post. 139.67' SW to Nail in Top of Guard Rail Post.

LEGAL DESCRIPTION

A tract of land located in the Southwest 1/4 of the Southwest 1/4 of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the Southwest 1/4 of Section 8, T26N, R4E of the 6th P.M., Wayne County, Nebraska; thence N 02°33'52" W on an assumed bearing on the West line of said Southwest 1/4, 100.00 feet to a point on the North Right-of-Way line of State of Nebraska Highway #35, said point being the Southwest corner of a tract of land surveyed by LaVern F. Schroeder, R.L.S. #312, dated October 13, 2000, and the Point of Beginning; thence N 02°33'52" W on the West line of said surveyed tract, 309.63 feet (Recorded as 310.60 feet - Deed) to the Northwest Corner of said surveyed tract, said point being on the South Right-of-Way line of the Chicago Northwestern Railway Company (Now Removed); thence N 59°02'53" E on said South Right-of-Way line, 529.63 feet; thence S 02°31'40" E on the East line of said surveyed tract, 569.62 feet to a point on said North Right-of-Way line of State of Nebraska Highway #35; thence S 89°01'09" W on said Right-of-Way line, 237.27 feet; thence S 87°50'28" W on said Right-of-Way line, 228.41 feet to the Point of Beginning, containing 4.70 acres, more or less, hereafter known as Lot 1, Lot 2, Lot 3, Lot 4, and Lot 5 of the Herman Commercial Subdivision.

CONSENT AND DEDICATION OF OWNER

KNOWN ALL MEN BY THESE PRESENT THAT: I, Progressive Property Inspections, LLC, being the owner of the land described herein, have caused this part of the Southwest 1/4 of Section 8, T26N, R4E of the 6th P.M. to the County of Wayne, Nebraska, to be surveyed, platted, and designated as Lot 1, Lot 2, Lot 3, Lot 4 & Lot 5 of Herman Commercial Subdivision as shown on the accompanying plat thereof, and do freely dedicate the streets and easements as shown thereon for the location, construction and maintenance of public service utilities forever, together with the right of ingress and egress thereto, and that the foregoing subdivision is made with the free consent and in accordance with the desire of the undersigned owners and proprietors.

Kelby Herman

Joelle Herman

NOTARY
STATE OF NEBRASKA) ss
COUNTY OF WAYNE)

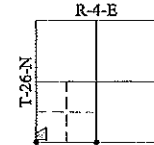
Before me, a Notary Public, qualified for said county, personally came, Kelby Herman and Joelle Herman, representing Progressive Property Inspections, LLC, known to be the identical persons who signed the foregoing Dedication and acknowledge the execution thereof to be their voluntary act and deed.

Witness by my hand and notarial seal.

This ___ day of ___, 2014.

Notary Public

Situation Sketch



SECTION 8
Wayne County, Nebraska

B) South 1/4 Corner, Section 8, T26N, R4E

CONSENT OF LIEN HOLDERS

The adjacent plat is submitted at with the consent of the undersigned lien holder(s) against said property as described hereon.

Representing: First Nebraska Bank of Wayne

NOTARY
STATE OF NEBRASKA) ss
COUNTY OF WAYNE)

Before me, a Notary Public, qualified for said county, personally came, _____, representing First National Bank of Wayne; known to be the identical persons who signed the foregoing Consent of Lien Holders.

Witness by my hand and notarial seal.

This ___ day of ___, 2014. Notary Public

ABSTRACTER'S CERTIFICATE

I, _____, a Registered Land Abstracter, hereby state that on the ___ day of ___, 2014, Progressive Property Inspections, LLC, represented by Kelby Herman and Joelle Herman, owners, appeared as title holder(s) of record of the land described in the surveyor's certificate.

ZONING ADMINISTRATOR APPROVAL

The adjacent plat approved by the City Zoning Administrator of the City of Wayne, Nebraska, on the ___ day of ___, 2014.

Zoning Administrator, City of Wayne

PLANNING COMMISSION

The adjacent plat is approved by the Planning Commission, City of Wayne, Nebraska, on this ___ day of ___, 2014.

Chairman

Secretary

CITY COUNCIL APPROVAL

The adjacent plat approved by the City of Wayne, Nebraska, by resolution Number ___ duly passed by the City Council on this ___ day of ___, 2014.

Mayor, City of Wayne

City Clerk

COUNTY BOARD OF COMMISSIONERS APPROVAL

The adjacent plat approved by the Wayne County Board of Commissioners, Wayne County, Nebraska, on this ___ day of ___, 2014.

Chairman

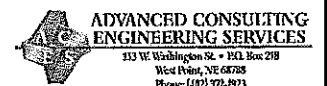
Secretary

SURVEYOR'S CERTIFICATE

I, Terry L. Schulz, a Registered Land Surveyor of the State of Nebraska, do hereby certify that the survey described above was made by me on January 29, 2014; also that all dimensions are in feet and are correct to the best of my knowledge and belief.

Terry L. Schulz, State of Nebraska, R.L.S. #550

1-29-2014
Date



SUBDIVISION AGREEMENT
HERMAN COMMERCIAL SUBDIVISION

THIS AGREEMENT, made and entered into this _____ day of February, 2014, by and between Progressive Property Inspections, LLC (hereinafter referred to as the "Subdivider"), and the CITY OF WAYNE, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City").

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as Herman Commercial Subdivision, (hereinafter referred to as the "Area to be Developed"), which is within the City's zoning and platting jurisdiction; and

WHEREAS, the Subdivider requires public improvements in the area to be developed; and

WHEREAS, the Subdivider desires to have the area to be developed within the City's corporate limits; and

WHEREAS, the Subdivider wishes to connect the water system, the system of sanitary sewers and electrical system constructed within, the area to be developed, to the utilities of the City; and

WHEREAS, the parties wish to agree upon the manner and the extent to which public funds may be expended in connection with public improvements to be constructed within the area to be developed and the extent to which the contemplated public improvements specially benefit property in the area to be developed and to what extent the cost of same shall be specially assessed.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

For the purpose of this Agreement, the following words and phrases shall have the following meanings:

- A. The "cost" or "entire cost" of a type of improvement shall be deemed to include all construction costs, engineering fees, attorneys' fees, testing expenses, publication costs, financing costs, and miscellaneous costs. The Subdivider shall have the option to install water, sewer, storm water system, and street improvements in accordance with city standards or establish extension districts with the City to have the work completed. In the use of improvement districts, financing costs shall include all financing fees and bond fees and financing to date of levy of special assessments. The date of levy of special

assessments shall mean within six (6) months after acceptance of the improvement by the City.

- B. "Property benefited" shall mean property within the Subdivider's subdivision (Exhibit "A") which constitutes building sites.
- C. "District" shall mean an improvement district formed by action of the Wayne City Council for the purposes of designing, financing and constructing public improvements for the subdivision.

SECTION 1

Subdivider and City covenant that public improvements shall be installed and provided as set forth herein.

- A. Concrete paving of streets dedicated, per the plat (Exhibit "A"), shall be twenty-eight (28) feet in width and constructed according to city standards. The entire cost of paving and storm drain system improvements, except for intersections, shall be paid by the Subdivider or specially assessed to the property benefited.
- B. All sanitary sewer mains, manholes, and related appurtenances shall be constructed according to city standards in dedicated street right-of-ways and easements, per plat (Exhibit "A"), to be located on a sanitary sewer plan prepared by a Nebraska licensed engineer. The entire cost of sanitary sewer improvements shall be paid by the Subdivider or specially assessed to the property benefited.
- C. Storm water system, inlets, manholes, and related appurtenances shall be constructed according to city standards in street right-of-ways and easements, per plat (Exhibit "A"), to be located on a storm water system plan prepared by a Nebraska licensed engineer. The Subdivider or the District will be responsible for the design, financing and construction of said storm sewer improvements. The entire cost of storm sewer improvements shall be paid by the Subdivider or specially assessed to the property benefited.
- E. Water distribution mains, hydrants, and valves shall be constructed according to city standards within street right-of ways and easement per plat (Exhibit "A"), to be located on a water plan prepared by a Nebraska licensed engineer. The Subdivider or District will be responsible for the design, financing and construction of said water distribution improvements. The entire cost of the water distribution improvements shall be paid by the Subdivider or specially assessed to the property benefited.
- F. Natural gas distribution mains located within dedicated street right-of-ways dedicated per plat (Exhibit "A") shall be installed by the local gas franchisee. Any additional cost participation required by the local gas franchisee for the installation of gas mains, if any, shall be borne by the Subdivider.

- G. Underground electrical service to each buildable lot within the subdivision shall be provided by the City of Wayne at no cost to the Subdivider
- H. Street lighting for public streets dedicated per plat (Exhibit "A") shall be provided by the Subdivider.
- I. The sidewalk on each lot within the area to be developed shall be constructed at the cost of the builder at the time of construction of the building improvements.
- J. Grading for the subdivision shall be completed by the Subdivider at the Subdivider's expense.
- K. Prior to planting any trees within public street right-of-ways, approval for such planting shall be approved by the City of Wayne Street Department.
- L. The building line setback lines shall be established by the zoning for the subdivision.

SECTION II

Subdivider and City covenant and agree that any utility extension district created by the City shall:

- A. Abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City pertaining to the construction of public improvements in subdivisions and testing procedures therefore, except as otherwise provided in this agreement.
 - a. Except as may otherwise be mutually agreed to by the City and the Subdivider, all of said Districts' levy of special assessments shall be made in such a manner so as to assure that the entire burden of the levy is borne, on an equitable basis, by lots or parcels which are truly building sites.
- B. If any lot, parcel or other area within the area to be developed is not a building site by reason of insufficient size of dimensions, or by reason of easements or similar burdens, or for any other reason, then no portion of the total amount shall be levied against said unbuildable lot, parcel or other area.
- C. The district's engineer shall provide the following information to the City at least 20 days prior to the meeting of the City Council held to propose the levy of special assessments:
 - (1) A detailed schedule of the proposed special assessment and/or the amount of general obligation costs of any improvement or acquisition.
 - (2) A plat of the area to be assessed.

(3) A full and detailed statement of the entire cost of each type of improvement, which statement or statements shall separately show:

(a) The amount paid to the contractor.

(b) A special itemization of all other costs of the project, including but not limited to, all engineering fees, attorneys' fees, testing expenses, publication costs, financing costs, including, but not limited to, interest on all warrants to date of levy of special assessments, estimated fiscal agent's fees, and bond fees.

(c) A special itemization of all costs of the District not itemized in (a) and (b) above.

D. The City agrees that it shall not unreasonably delay acceptance of an improvement, and that City shall levy special assessments within six (6) months after acceptance of the improvement.

SECTION III

- A. Subject to the conditions and provisions hereinafter specified, the City hereby grants permission to the Subdivider to connect its water and sewer system to the sewer system of the City in such manner and at such place or places approved by the City. The small area of the Subdivision, the elevation of the lots in relation to the flow line of the accessible existing sewer main, and the location of this Subdivision, combined with the minimal volume of sewerage projected present a unique situation. The conflicting location of the existing Centennial Road storm sewer line with the shallow flow line of the existing sanitary sewer accessible to this Subdivision combine to make the cost of a traditional gravity flow design unreasonably high in relation to the minimal sewer flow projected, making the Subdivision impractical to serve with traditional design options. In order to provide permanent sanitary sewer service to all lots in the subdivision at the lowest reasonable cost, the Subdivider and the City agree that the Subdivider shall, in lieu of a standard gravity flow and main hole sanitary sewer extension, install at his own cost, a small mini-lift stations type sewer pump and force main service line from each lot requiring sewer service, to the existing sewer main manhole identified as #40-03 in the City's existing utility easement on the west side of Centennial Road North.
- B. Without prior written approval by the City, the Subdivider shall not permit any sewer lines or sewers outside the presently described boundaries to be connected to: the sewer or sewer lines of the subdivision, any sewers of the City, any outfall sewer of the City, or any sewage treatment plant of the City. The City shall have exclusive control over connections to its sewers whether inside or outside the subdivision boundaries.

- C. At all times, all sewage from and through said subdivision into the City sewer system shall be in conformity with the ordinances, regulations, and conditions applicable to sewers and sewage within the City, as now existing and as from time to time may be amended.
- D. Before any connection from any premises to the sewer system of the subdivision may be made, a permit shall be obtained for said premises, and its connection from the City, it being expressly understood that the City reserves the right to collect all connection charges and fees as required by city ordinances or rules now or hereafter in force; all such connections shall comply with minimum standards prescribed by the City.
- E. Notwithstanding any other provisions of this Agreement, the City retains the right to disconnect the sewer of any industry or other sewer user within the area to be developed which is discharging into the sewer system in violation of any applicable ordinance, statute, rule or regulation.

SECTION IV

- A. All buildings built in the Subdivision shall be constructed in compliance with the most recent National Energy Code requirements at the time of application for the building permit.
- B. A permanent soak away stormwater detention area with the holding capacity of 1/2" of runoff from the impermeable surfaces on each lot shall be required within the boundaries of each lot at the cost of the Subdivider unless mitigated with the written approval of the City.
- C. Stormwater retention mitigation costs in lieu of the permanent detention area. The fee will be set at \$0.10 per square feet of impermeable surface built on each lot and payable at the time of approval of the building permit.

SECTION V

Additional Platting.

If the Subdivider desires to final plat additional lots that are a part of an approved preliminary plat that he wishes to connect to the city sewer system, then this Agreement shall be amended by the parties to provide for payment of the current fee for the additional lots before any building permits are issued by the City.

SECTION VI

- A. Installation of entrance signs or related fixtures and any median landscaping and related fixtures shall be paid for by the Subdivider. Plans for such proposed improvements that are to be located in public right-of-ways and a proposed maintenance agreement for the improvements must be submitted to the City for review and approval prior to the installation of improvements.
- B. No separate administrative entity or joint venture among the parties shall be deemed created by virtue of this Subdivision Agreement.
- C. The administration of this Subdivision Agreement shall be through the offices of the undersigned officers for their respective entities.
- D. Binding Effect. This Subdivision Agreement shall be binding upon the parties and their respective successors and assigns.

IN WITNESS WHEREOF, we, the executing parties by our respective duly authorized agents, hereby enter into this Agreement effective on the day and year first above written.

ATTEST:

CITY OF WAYNE

CITY CLERK

MAYOR

Date

Progressive Property Inspections, LLC

ATTEST:

President

Date

STATE OF NEBRASKA)
) ss.
COUNTY OF WAYNE)

On this _____ day of February, 2014, before me a Notary Public, duly commissioned and qualified in and for said County, appeared _____, President of Progressive Property Inspections, LLC, who is personally known by me to be the identical person whose name is affixed to the Subdivision Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public

RESOLUTION NO. 2014-14

A RESOLUTION APPROVING THE ACQUISITION OF THE WEST 75' OF LOT 5 AND THE WEST 75' OF THE NORTH 5' OF LOT 4, BLOCK 1, SPAHR'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (939 MAIN STREET), AND THE EAST 75' OF LOT 5 AND THE EAST 75' OF THE NORTH 5' OF LOT 4, BLOCK 1, SPAHR'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (109 E. 9TH STREET).

WHEREAS, the Mayor and/or City Administrator have concluded negotiations for the acquisition of both 939 Main Street and 109 E. 10th Street, legally described as follows:

The West 75' of Lot 5 and the West 75' of the North 5' of Lot 4, Block 1, Spahr's Addition to the City of Wayne, Wayne County, Nebraska (939 Main Street)

The East 75' of Lot 5 and the East 75' of the North 5' of Lot 4, Block 1, Spahr's Addition to the City of Wayne, Wayne County, Nebraska (109 E. 10th Street);
and

WHEREAS, the owner of said properties, the Wayne Community Development Agency, is willing to receive the sum of \$112,000 and other good and valuable consideration as offered by the City of Wayne.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City of Wayne shall purchase the properties, legally described as:

The West 75' of Lot 5 and the West 75' of the North 5' of Lot 4, Block 1, Spahr's Addition to the City of Wayne, Wayne County, Nebraska (939 Main Street)

The East 75' of Lot 5 and the East 75' of the North 5' of Lot 4, Block 1, Spahr's Addition to the City of Wayne, Wayne County, Nebraska (109 E. 10th Street),

for the sum of \$112,000.00, and that the Mayor is hereby authorized to execute the necessary documents to carry out the acquisition.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2013-50

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.

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

Section 1. The City of Wayne does hereby find and declare that the following described real estate:

The boundary for land proposed for annexation is described as: Commencing at the southwest corner of Lot 1 of Kardell Industrial Park No. 2 Subdivision; thence northerly along the west line of Lot 1 of Kardell Industrial Park No. 2 Subdivision to the north side of Summerfield Drive; thence easterly along the north side of Summerfield Drive to the northwest corner of Lot 2 of Kardell Industrial Park No. 2 Subdivision; thence easterly along the north line of Lot 2 of Kardell Industrial Park No. 2 Subdivision to the west line of Lot 3 of Kardell Industrial Park No. 2 Subdivision; thence northerly along the west line of Lot 3 of Kardell Industrial Park No. 2 Subdivision to the northwest corner of Lot 3 of Kardell Industrial Park No. 2 Subdivision; thence easterly along the north line of Lot 3 of Kardell Industrial Park No. 2 Subdivision to the centerline of the Logan Creek; thence northerly and easterly along the centerline of the Logan Creek to the north line of Section 8, T26N, R4E; thence easterly along the north line of Section 8, T26N, R4E, to the northeast corner of Section 8, T26N, R4E; thence southerly along the east line of Section 8, T26N, R4E to the northeast corner of Section 17, T26N, R4E; thence southerly along the east line of Section 17, T26N, R4E, to the south side of State Highway 35; thence westerly along the south side of State Highway 35 to a point perpendicular to the centerline of Highway 35 that is adjacent to the southeast corner of Tax Lot 14 in the SW¼ of Section 8, T26N, R4E; thence northerly along the east side of Tax Lot 14 in the SW¼ of Section 8, T26N, R4E, to the northeast corner of Tax Lot 14 in the SW¼ of Section 8, T26N, R4E; thence northerly to the southeast corner of Tax Lot 11 in the SW¼ of Section 8, T26N, R4E; thence northerly along the east side of Tax Lot 11 in the SW¼ of Section 8, T26N, R4E to the northeast corner of Tax Lot 11 in the SW¼ of Section 8, T26N, R4E; thence northerly and westerly along the west side of Industrial Drive to the southeast corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence westerly along the south line of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision to the southwest corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence northerly along the west line of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision to the northwest corner of Lot 1 of 2nd Replat of Tompkins Industrial Tract #1 Subdivision; thence southerly along the east side of Lot 1 of Kardell Industrial Park No. 2 Subdivision to the southeast corner of Lot 1 of Kardell Industrial Park No. 2 Subdivision; thence westerly to the point of

beginning at the southwest corner of Lot 1 of Kardell Industrial Park No. 2
Subdivision.

is immediately adjoining and contiguous to the corporate limits of the City of Wayne, Nebraska.

Section 2. The above described real estate is annexed to the City of Wayne, Nebraska, and is declared to be within the corporate limits of the City of Wayne, Nebraska, pursuant to Section 19-916 (R.R.S. 1943).

Section 3. The corporate limits of the City of Wayne, Nebraska, are hereby extended to include said real estate.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2013-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW; ORDERING PUBLICATION OF NOTICE AND OTHER MATTERS.

WHEREAS, it is desirable and in the public interest that the City of Wayne, Nebraska, a Municipal Corporation and City of the First Class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes, as amended, known as the Community Development Law (the "Act"), is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning implementation of urban redevelopment projects; and

WHEREAS, the City, in accordance with the Laws of the State of Nebraska applicable to cities, has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110 of the Act; and

WHEREAS, the Planning and Zoning Commission of the City has recommended that the area described in Attachment "A" (the "Study") be declared blighted and substandard and in need of redevelopment; and

WHEREAS, this Council has held a public hearing, after notice as required by Sections 18-2109 and 18-2115 of the Act and has received and duly considered evidence relating to the present condition of the areas as shown and described in the Study; and

WHEREAS, Section 18-2109 of the Act required that, prior to the preparation by the City of a redevelopment plan for a redevelopment project, this Council as governing body of the City, by Resolution, finds and determines that the area is a substandard and blighted area as defined in the Act and in need of redevelopment; and

WHEREAS, the evidence demonstrates that said area, as shown and described in the Study, constitutes a substandard and blighted area as defined in the Act, which area is in need of redevelopment.

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

1. That it is hereby found and determined that the area shown and described on Attachment "A" constitutes a substandard and blighted area as defined by Section 18-2103 of the Act and that said area is in need of redevelopment.
2. That it is hereby found and determined that a substandard and blighted condition exists as set forth and discussed in the Study.
3. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Community Development Law. The elimination of said substandard and blighted condition under the authority of the Community Development Law is found to be a public purpose and in the public interest.
4. That it is hereby found and determined that said area is an eligible site for an urban redevelopment project under the provisions of Chapter 18, Article 21, Nebraska Revised Statutes of 2013, as amended.
5. That the City Clerk is directed to publish notice, according to law, inviting proposals from developers for the redevelopment of the area described on Attachment "A".

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By: _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2014-5

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND WOEHLE & SONS, LLC, TO COMPLETE A TAX INCREMENT FINANCING AGREEMENT.

WHEREAS, the Wayne City Council is desirous of entering into a Memorandum of Understanding with Woehler & Sons, LLC, a Limited Liability Corporation, to complete a tax increment financing agreement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Memorandum of Understanding between the City of Wayne and Woehler & Sons, LLC, be accepted as recommended, and the Mayor is authorized and directed to execute said Memorandum of Understanding on behalf of the City.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

MEMORANDUM OF UNDERSTANDING

This **MEMORANDUM OF UNDERSTANDING** (the “**MOU**”) is made and entered into this ____ day of February, 2014, among the City of Wayne, Nebraska (the “**City**”), the Community Development Agency (the “**Agency**”) of the City, and Robert Woehler & Sons, Inc. (the “**Developer**”).

WHEREAS, the Developer has indicated an interest in developing certain real property to be annexed to the City legally described on Exhibit A (the “**Property**”) by purchasing land and constructing a phased commercial development and operating a business thereon (the “**Project**”);

WHEREAS, upon completion, the Developer intends to operate the Project and will do business on the Property;

WHEREAS, prior to making additional financial commitments and continuing due diligence, the Developer desires to have an indication of interest from the City and the Agency with regard to certain financing and other assistance necessary to redevelop the Project pursuant to the Nebraska Community Development Law (the “**Act**”);

WHEREAS, the City and the Agency find it in the public interest to cooperate with the Developer to promote the development of business activity in the City and development of the Project on the Property; and

WHEREAS, the parties desire to set forth their understandings and obligations to bring about the accomplishment of the foregoing recitals, all in accordance with the terms set forth in this MOU.

NOW, THEREFORE, in consideration of the foregoing recitals (which are specifically incorporated herein by this reference), the mutual covenants and agreements contained herein, and other good and valuable consideration, the parties hereby agree as follows:

1. *Definitions.* Capitalized terms used in this MOU shall have the meanings assigned herein.
2. *Developer's Obligations.* Upon execution of this MOU, the Developer may proceed with the following actions:
 - a. *Development of Project.* The Developer agrees to use its best efforts to acquire the Property and commence construction of the Project no later than May 1, 2015.
 - b. *Creation of Jobs.* The Developer intends to purchase land and construct a phased commercial development on the Property and create jobs as a result thereof.
 - c. *Indemnification.* The Developer agrees to indemnify and hold the Agency and the City, their employees, agents, independent contractors and consultants harmless from and against any and all suits, claims, costs of defense, damages, injuries, liabilities, costs and/or expenses, including court costs and attorney's fees, resulting from, arising out of, or in any way connected with this MOU or the Project.
3. *City and Agency's Obligations.* In order to induce the Developer to construct and operate the Project on the Property, the Agency shall use its best reasonable efforts consistent with applicable law to work in good faith to consider any application for tax increment financing, community development

debt or grants, or other financial incentives which might be available to promote the Developer's economic development of the Project in the City. Specifically, the Agency and City shall consider the following:

a. *Annexation of Property.* The City will consider, pursuant to law, an application for annexation and the adoption of an ordinance of annexation of the Property.

b. *Blight and Substandard Declaration.* The City will consider, after notice and hearing pursuant to the Act, adopting a resolution declaring the Property as blighted and substandard.

c. *TIF Revenue Funds.* The Agency shall consider a grant in the maximum amount Tax Increment Revenue Funds to pay costs eligible for reimbursement as redevelopment project costs as defined by Neb. Rev. Stat. 18-2103(12). Such grant shall be payable only from Agency funds generated by the Property pursuant to Neb. Rev. Stat. 18-2147(1)(b).

4. *Economic Feasibility.* Neb. Rev. Stat. 18-2116(1) requires the City to make findings as follows if a TIF application requests the use of funds as described in Section 3 above: (i) the Project would not be economically feasible without the use of tax-increment financing, (ii) the Project would not occur in the City without the use of tax-increment financing. Due to the proposed construction schedule of the Project and the impact of weather concerns on such schedule, the Developer desires to begin construction of the Project immediately. If the Developer does begin construction, the Agency and the City will analyze the economic feasibility of the Project and the likelihood the Project would occur in the City as of the time prior to the commencement of construction.

5. *Redevelopment Contract.* The Agency and the Developer shall use their best reasonable efforts to negotiate and enter into a redevelopment contract in accordance with any timelines required by applicable law, subject to Section 3. The redevelopment contract shall outline the obligations and agreements with regard to the financing matters set forth in Section 3 above, including, without limitation, the amount of any tax increment revenue financing proceeds to be granted to the Developer, along with any other agreements deemed necessary. Upon execution of the redevelopment contract, this MOU shall be deemed superseded and of no further force and effect.

6. *Intent of MOU.* The undersigned parties each acknowledge and agree that the Developer would be unwilling to pursue any further discussions with regard to rehabilitating the Project in the City without execution of this MOU. The Developer acknowledges and agrees that, until the Agency and the City act in accordance with law with regard to each parties' obligations as outlined in this MOU (i.e., following all notice and hearing requirements, etc.), any obligations set forth in this MOU for the Agency and the City are nonbinding. This MOU does not approve or create an obligation to approve any subsequent TIF application submitted by the Developer. The Agency and the City retain full legislative Agency to approve or deny any TIF application submitted by the Developer.

7. *Counterparts.* This MOU may be executed in two or more counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument. The parties may execute this MOU and all other agreements, certificates, instruments and other documents contemplated by this MOU and exchange the counterparts of such documents by means of facsimile transmission. The parties agree that the receipt of such executed counterpart shall be binding on such parties and shall be construed as originals.

8. *Time.* This MOU and all obligations contained herein shall terminate March 1, 2016.

9. *Governing Law.* This MOU shall be governed by the laws of the State of Nebraska.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WAYNE, NEBRASKA**

By: _____
Chair

CITY OF WAYNE, NEBRASKA

By: _____
Mayor

ROBERT WOehler & SONS, INC.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

ORDINANCE NO. 2014-4

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 90-710 PARKING REGULATIONS; 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. The Planning Commission held a public hearing on January 6, 2014, and recommended amending Section 90-710 Parking Regulations of the Wayne Municipal Code, with the "Findings of Fact" being staff recommendation.

Section 2. That Chapter 90, Article VIII, Section 90-710 of the Wayne Municipal Code is amended as follows:

Sec. 90-710 Parking Regulations.

Parking, storage or use of recreational equipment **and trailers on residential lots**. All recreational equipment **and trailers** shall be parked behind the building line except for a period not to exceed seventy-two (72) consecutive hours for purposes of loading and unloading. The building line of a residential dwelling on a corner lot fronts the street that the dwelling is addressed to. No recreational equipment shall be used for living, sleeping, or housekeeping purposes in excess of 30 days in a 60-day period when parked or stored on a residential lot **that is not within a mobile home park** or on any location not approved for such use. **Trailer is defined as any platform or box with wheels that is capable of being towed behind a vehicle. Trailers owned by an individual or company engaged in construction activities may be parked in front of the building line at an active construction site for a period not to exceed 60 days. A construction site will be considered inactive if no work has been performed within the past 14 days.**

Council may consider granting a waiver upon individual application for recreational equipment **or trailers** in parking spaces existing prior to the passage and approval of this ordinance and based upon the parking surface and the distance from the street **and any sidewalk** in connection with traffic **and pedestrian** hazards.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law

PASSED AND APPROVED this ____ day of _____, 2014.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

Street/Parks Mower

A total of \$13,000 has been budgeted to purchase a new mower for the Street and Parks Departments. \$6,500 budgeted in from each department. The mower will be used for parks, ball fields and other City property. We will be trading in a 2003 Gravely mower with 2297 hours on it.

Bids were received from Grossenburg Implement of Wayne, Norfolk Implement of Norfolk and Robertson Implement of South Sioux City.

Below is a summary of bids:

Grossenburg Implement, Wayne

John Deere, ZTrac, Model Z950R, 72" mower deck, 27 HP Kawasaki engine,
Price \$11,000, with trade-in allowance of \$2,250, **Net Total \$8,750**
Includes suspension seat with armrests

Norfolk Implement, Norfolk

Gravely, Model Pro-Turn 472, 72" mower deck, 31 HP Kawasaki engine
Price \$10,894, with trade-in allowance of \$2,500, **Net Total \$8,394**
Includes air ride seat

Robertson Implement, South Sioux City

Gravely, Model Pro-Turn 472, 72" mower deck, 31 HP Kawasaki engine
Price \$11,038, with trade-in allowance of \$1,986 **Net Total \$9,052**
Includes air ride seat

Summary:

We have a Gravely and compared to the John Deere mowers we use, they require more maintenance. Getting parts for the Gravely mowers requires us to go to Norfolk or wait for shipping. The Gravely mower doesn't provide the auto shut down safety feature that was specified.

Although the John Deere mower from Grossenburg is \$356 more, we recommend that this be the mower we purchase. We have a great deal of experience with these mowers and know they are a quality commercial mower. This mower has the safety features that were specified, including auto shut down if engine over heats and hand control mounted kill switches for the operator. The deck on this mower is a one piece stamped 7 gauge steel. The others are welded section that we've needed to re-weld. Our being able to get parts and assistance locally will more then cover the extra purchase price while we own the machine.

Our recommendation is to purchase the John Deere Mower for \$ 8,750.00

Todd Hoeman, Public Works Foreman

Lowell Heggemeyer, Public Works Asst. Foreman

RESOLUTION NO. 2014-15

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON
THE PURCHASE OF A COMMERCIAL DECK MOWER FOR THE
PARKS AND PUBLIC WORKS DEPARTMENTS.**

WHEREAS, three bids were received for a commercial deck mower for the Parks and Public Works Departments; and

WHEREAS, staff has reviewed the bids and recommends that the bid, as submitted by the following bidder/vendor, is the most responsible and best bid/price received as follows:

<u>Name and Address</u>	<u>Amount of Bid</u>
Grossenburg Implement	\$8,750
Wayne, NE	(with trade)

BE IT RESOLVED that the bid, as above set forth, filed with the City Clerk in accordance with the terms of the published notice calling for the proposal of a commercial deck mower for the Parks and Public Works Departments be, and the same is hereby accepted.

BE IT FURTHER RESOLVED that any documents by and between the City and the bidder/vendor necessary to order and procure the said mower be executed within fifteen (15) days of the Notice of Award.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2014-2

AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF CHAPTER 78, ARTICLE III OF THE WAYNE MUNICIPAL CODE: SECTION 78-126 RELATING TO PARKING; PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY; SECTION 78-128 RELATING TO PARKING; PROHIBITED PARKING; NORTHWEST QUADRANT OF THE CITY; SECTION 78-130 PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY; AND SECTION 78-132 PROHIBITED PARKING, SOUTHWEST 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 78-126 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-126 PARKING; PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY OF WAYNE.

(a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

~~1. The south side of the center line of east 14th Street from the west line of Walnut Street west to the College campus.~~

~~2. The north side of the center line of east 13th Street from the west line of Walnut Street west to the College campus.~~

~~3. The south side of the center line of east 13th Street from the west line of Walnut Street west to the College campus.~~

~~4. The north side of the center line of east 12th Street from the west line of Walnut Street to the College campus.~~

~~5. The south side of the center line of east 12th Street from the west line of Walnut Street to the College campus.~~

1. The south side of the centerline of Hillcrest Road from the east line of Walnut Street east to the point where Hillcrest Road turns south and then on the east side of the centerline to the north line of east 10th Street.
2. The north side of the centerline of East 10th Street from the east line of Main Street east to the west line of Logan Street.
3. The north side of the centerline of East 10th Street from the **east-line** north-south alley between Walnut Street **of** and Windom Street to the west line of Walnut Street.

4. The south side of the centerline of East 10th Street from the east line of Main Street east to the west line of Hillside Drive.
5. The south side of the centerline of East 9th Street from the east line of Main Street east to the west line of Pine Heights Road.
6. The south side of the centerline of East 8th Street from the east line of Main Street to the north-south alley east of Windom Street.
7. The east side of the centerline of Logan Street from the north line of East 7th Street north to the south line of East 10th Street.
8. The east side of the centerline of Nebraska Street from the north line of East 7th Street north to the south line of East 10th Street.
9. The east side of the centerline of Windom Street from the north line of East 7th Street north to the south line of East 10th Street.
10. The east side of the centerline of Walnut Drive from the north line of East 7th Street north to the south line of East 9th Street.
11. **The west side of the centerline of Walnut Drive from the north line of East 7th Street north for a distance of 190 feet.**
12. The east side of the centerline of Walnut Street from the north line of east 9th Street north to the south line of Lindahl Drive.
13. The east side of the centerline of the north-south alley ~~between west of Walnut Street and the College campus~~ from the north line of East 10th Street north ~~to the south line of east 14th Street~~ a distance of 150 feet.
14. **The west side of the centerline of the north-south alley west of Walnut Street from the north line of East 10th Street north for a distance of 150 feet.**
15. The west side of the centerline of Circle Drive from the north line of East 9th Street north to the circle and the entire circle.
16. The east side of the centerline of Pine Heights Road from the north line of East 7th Street north to the south line of East 10th Street.
17. The east side of the centerline of Lilac Lane from the north line of East 10th Street north to the south line of Hillcrest Road.
18. The east side of the centerline of Providence Road from the north line of East 7th Street north to the south line of East 14th Street.
19. The west side of the centerline of Providence Road from the north line of East 7th Street north to the south line of east 14th Street.
20. The south side of the centerline of East 14th Street from the east line of Providence Road east to the City limits.

21. The east side of the centerline of Claycomb Road from the north line of East 14th Street north to the south line of East 21st Street.
22. The east side of the centerline of Linden Street from the north line of East 14th Street north to the south line of Aspen Street.
23. The south side of the centerline of Aspen Street from the east line of Claycomb R Road east to the City limits.

~~27. The north side of the centerline of east 14th Street from the west line of Walnut Street west to the College campus.~~

24. The west side of the centerline of Logan Street from the north line of East 7th Street north for a distance of 150 feet.
25. The north side of the centerline of East 7th Street from the east line of Main Street east to the City limits.
26. The east side of the centerline of Main Street from the north line of East 7th Street north to the south line of East 14th Street.
27. The east side of the centerline of Hillside Drive from the north line of East 7th Street north to the City limits.
28. The south side of the centerline of Poplar Street from the west line of Hillside Drive to the east line of Eastview Drive.
29. The south side of the centerline of Sunnyview Drive from the west line of Hillside Drive west to the east line of Providence Road.

~~34. The east side of the centerline of Providence Road from the north line of east 7th Street north to the south line of east 10th Street.~~

~~35. The west side of the centerline of Providence Road from the north line of east 7th Street north to the south line of east 10th Street.~~

30. The east side of the centerline of Eastview Drive from the north line of Poplar Street north to the south line of Sycamore Street.
31. The west side of the centerline of Pine Heights Road from the north line of East 7th Street north for a distance of 25 feet.
32. The south side of the centerline of Sycamore Street from the west line of Hillside Drive west to the east line of Eastview Drive.
33. The east side of the centerline of Vintage Hill Drive from the north line of East 14th Street north ~~of the City limits~~ to a point 125 feet north of the north line of Adam Drive.
34. The south side of the centerline of Brooke Drive from the east line of Claycomb Road east to the City limits.

35. All of Lloyd Court from the southerly line of Brooke Drive south to and including the entire circle.
36. The south side of the centerline of Sunnyview Drive from the west line of Providence Road west to the east line of Ada Drive.
37. The east side of the centerline of Ada Drive from the south line of Sunnyview Drive south to the north line of Poplar Street.
38. The south side of the centerline of Poplar Street from the west line of Ada Drive east to the west line of Providence Road.
39. The west side of the centerline of Walnut Street from the north line of East 10th Street north to the south line of J. G. Lewis Drive.
40. The north side of the centerline of East 14th Street between the east boundary of the Wayne State College Technology Building Lot on the quarter section line east to Claycomb Road.

~~49. The south side of the centerline of 14th Street from Providence Road east to Claycomb Road.~~

41. The west side of Claycomb Road from the north line of East 14th Street going north a distance of 104 feet.

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

Section 2. That Chapter 78, Article III, Section 78-128 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-128 PARKING; PROHIBITED PARKING; NORTHWEST QUADRANT OF THE CITY.

- (a) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:
 1. The south side of the centerline of Westwood Road from the west line of Sherman Street west to the city limits.
 2. The north side of the centerline of Crescent Drive from the west line of Sherman Street west to the point where Crescent Drive turns north and then on the east side of the centerline north to the south line of Westwood Road.
 3. The south side of the centerline of Fairacres Road from the west line of Sherman Street west to the city limits.
 4. The east side of the centerline of Meadow Lane from the north line of Westwood Road north to the city limits.

5. The east side of the centerline of Lawndale Drive from the north line of Fairacres Road north to the south line of Westwood Road.
6. The east side of the centerline of Sunset Drive from the north line of Fairacres Road north to the south line of Westwood Road.
7. The north side of the centerline of West 13th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
8. The south side of the centerline of West 13th Street from the west line of Main Street west to the east line of Lincoln Street.
9. The north side of the centerline of West 12th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
10. The south side of the centerline of West 12th Street from the west line of Main Street west to the east line of Sherman Street.
11. The north side of the centerline of West 11th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
12. The south side of the centerline of West 11th Street from the west line of Main Street to the east line of Sherman Street.
13. The south side of the centerline of West 10th Street from the west line of Main Street west to the east line of Sherman Street.
14. The south side of the centerline of West 9th Street from the west line of Main Street west to the east line of Lincoln Street; thence from the west line of Douglas Street west to the east line of Sherman Street.
15. The south side of the centerline of West 8th Street from the west line of Main Street to the east line of Sherman Street.
16. The north side of the centerline of West 7th Street from the west line of Main Street west to the city limits.
17. The east side of the centerline of Sherman Street from the north line of West 7th Street north to the ~~south line of West 13th Street~~ city limits.
18. The east side of the centerline of Douglas Street from the north line of West 7th Street north to the south line of ~~West 13th Street~~ Park Street.
19. **The west side of the centerline of Douglas Street from the north line of Park Street south to the north line of West 13th Street.**
20. The east side of the centerline of Lincoln Street from the north line of West 7th Street to the ~~south~~ north line of ~~West 13th~~ Park Street.

21. The west side of the centerline of Lincoln Street from the south line of ~~West 13th~~ Park Street south to a ~~distance of~~ point 150 feet south of the south line of West 13th Street.
22. The east side of the centerline of Pearl Street from the north line of West 7th Street north to the south line of West 13th Street.
23. The north side of the centerline of Park Street from the ~~west~~ east line of Lincoln Street west to the ~~east~~ west line of Douglas Street.
24. The south side of the centerline of Park Street from the west line of Lincoln Street west to the east line of Douglas Street.
25. The south side of the centerline of West 13th Street from the west line of Douglas Street west to the east line of Sherman Street.
26. The west side of the centerline of Main Street from the north line of East 7th Street north to the south line of East 14th Street.
27. The west side of the centerline of Sherman Street from the north line of West 7th Street north for a distance of 100 feet.
- ~~28. The north side of the centerline of West 13th Street from the west line of Main Street to the East line of Lincoln Street.~~
- ~~29. The south side of the centerline of West 13th Street from the west line of Main Street to the East line of Lincoln Street.~~

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

Section 3. That Chapter 78, Article III, Section 78-130 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-130 PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY.

(a) No person shall, at any time, park a motor vehicle upon the following described streets:

1. The south side of the centerline of East 6th 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 7th Street from the east line of Main Street east to the city limits.
3. The south side of the centerline of East 5th 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 Wayside Lane 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 7th 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 6th Street.

6. The east side of the centerline of Tomar Drive from the south line of East 7th Street south 600 feet.
7. The south side of the centerline of East 4th 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 3rd Street from the east line of Logan Street east 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 east line of Windom Street.
10. The south side of the centerline of Folk Street from the east line of South Nebraska Street east to the west line of South Windom Street.
11. The east side of the centerline of Logan Street from the north line of East 4th Street north to the south line of East 7th Street.
12. **The west side of the centerline of Logan Street from the north line of East 5th Street north to the south line of East 7th Street.**
13. The east side of the centerline of Nebraska Street from the north line of East 2nd Street north to the south line of East 7th Street.
14. The east side of the centerline of Windom Street from the north line of East 3rd Street north to the south line of East 7th Street.
15. The west side of the centerline of Windom Street from the north line of East 3rd Street north ~~to the south line of East Fourth Street~~ **a distance of 150 feet.**
16. The east side of the centerline of South Windom Street from the north line of Fairgrounds Avenue north to the south line of East 3rd Street.
17. The east side of the centerline of Walnut Street from the north line of East 4th Street north to the south line of East 7th Street.
18. The east side of the centerline of Dearborn Street from the north line of East 5th Street north to the south line of East 7th Street.
19. **The east side of the centerline of Dearborn Street from the north line of East 4th Street south to the north line of East 4th Street.**
20. The east side of the centerline of South Nebraska Street from the south line of Fairgrounds Avenue south to the city limits.
21. The east side of the centerline of South Windom Street from the south line of Fairgrounds Avenue south to the city limits.
22. The east side of the centerline of Main Street from **75' north of** the north line of ~~Sixth~~ **4th** Street to the south line of 7th Street.
23. The west side of the centerline of Windom Street from the south line of East 7th Street south for a distance of 25 feet.
24. The west side of the centerline of Tomar Drive from the south line of East 7th Street south 600 feet.

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

Section 4. That Chapter 78, Article III, Section 78-132 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY.

(a) No person shall, at any time, park a motor vehicle upon the following described streets:

1. The south side of the centerline of West 7th Street from the west line of Main Street west to the city limits.
2. The south side of the centerline of West 6th Street from the **north-south alley between ~~west-line-of~~ Main Street and Pearl Street** west to the east line of Sherman Street.
3. The south side of the centerline of West 5th Street from the west line of **Pearl ~~Main~~** Street west to the east line of Schoolview Drive.
4. The south side of the centerline of West 4th Street from the west line of Pearl Street west to the east line of Schoolview Drive.
5. The south side of the centerline of West 3rd Street from the **north-south alley between ~~west-line-of~~ Pearl Street and Lincoln Street** west to the east line of Oak Drive.
6. The south side of the centerline of West 2nd Street from the north-south alley between Pearl Street and Lincoln Street west to the east line of Blaine Street.
7. The south side of the centerline of West 1st Street from the **north-south alley between ~~west-line-of~~ Pearl Street and Lincoln Street** west to the east line of Wilcliff Drive.
8. The south side of the centerline of 1st Avenue from the west line of Maple Street west to the east line of Birch Street.
9. The north side of the centerline of 2nd Avenue from the west line of Maple Street west to the east line of Birch Street.
10. The south side of the centerline of Grainland Road from the west line of Sherman Street west to the city limits.
11. The west side of the centerline of Birch Street from the north line of 1st Avenue north to the south line of 2nd Avenue.
12. The south side of the centerline of 3rd Avenue from the west line of Oak Drive west to the city limits.
13. The east side of the centerline of Oak Drive from the north line of 2nd Avenue north to the south line of West 7th Street.
14. The east side of the centerline of Maple Street from the north line of Grainland Road north to the south line of 2nd Avenue.
15. The east side of the centerline of Wilcliff Drive from the north line of West 1st Street north to the south line of West 3rd Street.
16. The east side of the centerline of Blaine Street from the north line of Grainland Road north to the south line of West 3rd Street.
17. The east side of the centerline of Sherman Street from the south line of West 7th Street south to the north line of West 4th Street and from the south line of West 3rd Street south to the north line of Grainland Road.
18. The east side of the centerline of Douglas Street from the south line of West 7th Street south to the city limits.

19. The east side of the centerline of Lincoln Street from the south line of West 7th Street south to the city limits.
20. The east side of the centerline of Pearl Street from the north line of West 5th Street north to the south line of West 7th Street.
21. The west side of the centerline of Pearl Street from the north line of 6th Street north to the south line of West 7th Street.
22. The south side of the centerline of Clark Street from the west line of Main Street west to the east line of Pearl Street.
23. The west side of the centerline of Main Street from the north line of 4th West 6th Street north to the south line of 7th Street.
24. The north side of the centerline of West 6th Street from the west line of Main Street west to the north-south alley between Main Street and Pearl Street.
25. The east side of the center line of Donner Pass from the south line of West 7th Street south to the south line end of Nathan Drive Donner Pass..
26. The south side of the center line of Nathan Drive from the west line of Donner Pass west to the city limits.
- ~~27. West of the centerline of Main Street beginning 65' north of the centerline of the 100 block of West 1st Street, south to the intersection of Main and West 1st Street. Said curb shall be painted yellow to clearly designate this restricted parking area.~~
28. The west side of the centerline of Sherman Street from the south line of West 4th Street south to the north line of West 3rd Street.

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

Section 5. Any and all provisions of the Wayne Municipal Code in conflict with this Ordinance are hereby repealed.

Section 6. 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 18th day of February, 2014.

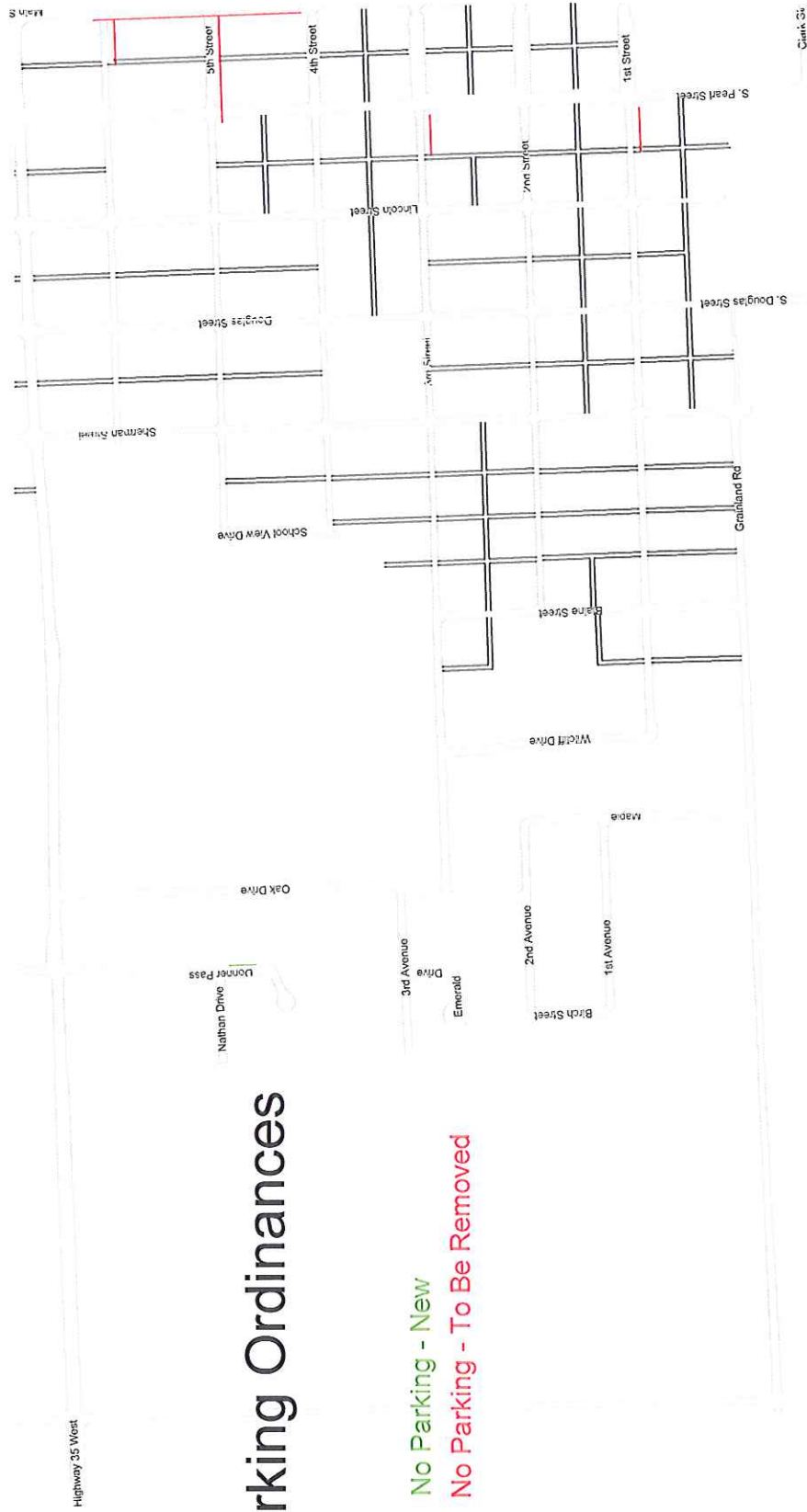
THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

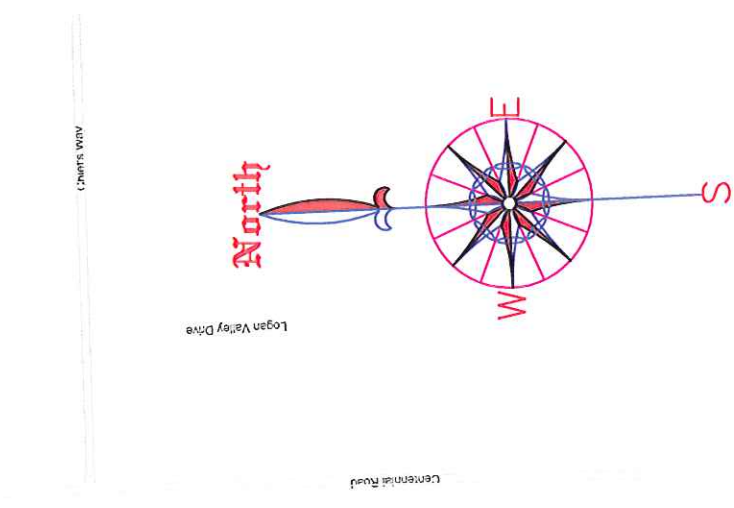
No Parking - New
No Parking - To Be Removed





Proposed Parking Ordinances

- No Parking - New
- No Parking - To Be Removed



C I T Y
O F
M I L F O R D

21st Street

White Hill Drive

Chickadee

Acorn Drive

Black Drive

Black Drive

Claycomb Road

Veneta Hill Drive

Albion Street

Lincoln Street

14th Street

Lindahl Drive

Lindahl Drive

Anderson Drive

Stadium Drive

Lincoln Street

Symmesfield Drive

Industrial Drive

Industrial Way

Highway 15 East

Proposed Parking Ordinances

No Parking - New

No Parking - To Be Removed

Highway 15 North

Quiver Drive

Hillcrest Road

Hillcrest Road

Providence Road

Liac Lane

Walnut Street

10th Street

Madison Street

9th Street

Sycamore Street

Sunnyview Drive

Poplar Street

Kalvin Drive

Poplar Street

Ada Drive

Pine Heights Road

Walnut Drive

Hessia Drive

_____ No Parking - New

_____ No Parking - To Be Removed



RESOLUTION NO. 2014-16

**A RESOLUTION ADOPTING THE NEBRASKA DEPARTMENT OF
ECONOMIC DEVELOPMENT CITIZEN PARTICIPATION PLAN.**

WHEREAS, due to Community Development Block Grant guidelines, it is necessary to adopt a "Citizen Participation Plan", pursuant to Federal Regulation 24 C.F.R or current Statute Statutes, for the City of Wayne, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the "Citizen Participation Plan", a copy of which is attached hereto and incorporated herein by reference, is adopted by the City of Wayne, and the Mayor is hereby authorized to sign the same on behalf of the City of Wayne.

APPROVED AND ADOPTED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

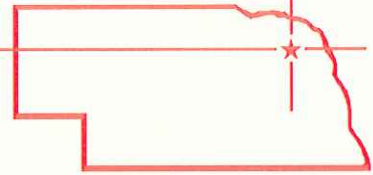
City Clerk

City of Wayne

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

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

Incorporated - February 2, 1884



Citizen Participation Plan City of Wayne, Nebraska

A. Participation by Citizens

All citizens, including low- and moderate-income citizens, shall be requested and encouraged to participate in the assessment of community issues, problems and needs; the identification of potential solutions; and priority to such issues, problems and needs, as follows:

1. All citizens shall be periodically requested to complete a community needs survey to identify community and neighborhood issues, problems and needs.
2. All citizens shall be notified by publication and posting of all meetings to discuss the identified needs, potential solutions and solution priorities.
3. All citizens, particularly low and moderate-income citizens, shall be afforded the opportunity to serve on various community improvement task forces established by the City of Wayne.

B. Access to Meetings, Information and Records

Notice of public meetings conducted by the City of Wayne shall be published and posted not later than six days prior to such meetings.

Agendas of all such meetings shall be available at City Hall, 306 Pearl Street, Wayne, NE, for public inspection.

All meetings where CDBG projects or applications are to be discussed shall be published and posted at least six days prior to such meetings and all information and records concerning such CDBG projects or applications shall be available for public inspection at the office of the City Clerk.

All meetings will be held at a time and at City Hall convenient to potential or actual beneficiaries which will be accessible to all citizens. The building and site will also be accessible to persons with disabilities.

C. Specific CDBG Project Information

All citizens shall be provided with information regarding specific CDBG projects through public meetings and publication of notices which provide all pertinent information regarding any CDBG project including, but not limited to:

1. The amount of CDBG funds expected to be made available to the City of Wayne for the current fiscal year, including CDBG funds and anticipated program income;
2. The specific range of activities that may be undertaken with CDBG funds;
3. The estimated amount of CDBG funds to be used for activities that will meet the national objective of benefit to low-and moderate-income persons, and;
4. A description of any proposed CDBG funded activities that are likely to result in displacement of persons along with the City of Wayne's anti-displacement and relocation plans.

D. Provisions for Technical Assistance to Citizens

The City Clerk shall maintain current information of available resources for community improvement efforts and CDBG programs available and provide such information upon request by any citizen or group representing any citizen or group of citizens and the City Clerk shall provide assistance in developing proposals to address issues, problems and needs identified by such citizen or citizens.



Home of Wayne State College



Equal Housing Opportunity

E. Public Hearing on CDBG Activities

The City of Wayne shall enact a minimum of two (2) public meetings or hearings to be conducted with regard to any CDBG application. At least one meeting or hearing shall be conducted prior to the submission of any such application and a second public hearing shall be held near the completion of any CDBG funded activity to obtain citizen input, comments or opinions with regard to such application(s) and to program or project performance.

The City Clerk shall act as the contact person for all questions, comments or concerns expressed by any citizen with regard to any CDBG program or project and shall forward any such questions, comments or concerns to the City Council at the next regular meeting of the City Council immediately following expression of such questions, comments or concerns. The City Clerk shall also be responsible for transmitting the City Council's response to any such question, comment or concerns to the citizen or citizens expressing the same.

F. Needs of Non-English Speaking Citizens

The City shall conduct the public hearings in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate, the City Clerk shall arrange for oral or written translation of information regarding any CDBG program, application or project upon request by such non-English speaking persons or representatives of such persons.

G. Compliance/Grievance Procedures

The City Clerk shall post a notice at the City Office that provides name, telephone number, address and office hours of the City Clerk for citizens who wish to file a complaint or grievance regarding any CDBG program, project or application.

Individuals wishing to submit a complaint or file a grievance concerning activities, of or application for, CDBG funds may submit a written complaint or grievance to the City Clerk.

The City Clerk shall present such complaint or grievance to the City Council at the next regular meeting of the City of Wayne where it be reviewed by the Councilmembers. The individual submitting such complaint or grievance shall be notified of such meeting and shall be given the opportunity to make further comments at such meeting. The City Council shall issue a written response to any complaint or grievance within fifteen (15) days following the meeting at which a response is formulated. Such response shall be mailed to the individual citizen(s) submitting the complaint or grievance by the City Clerk to the last known address of said citizen(s).

In the event that the nature of the complaint or grievance is determined to be a matter requiring immediate action, a special meeting of the City Council shall be called to review the matter within ten (10) days of receipt of such complaint or grievance.

H. Adoption

This Citizen Participation Plan is hereby adopted by action of the City Council of the City of Wayne, Nebraska.

Ken Chamberlain , Mayor

Attest: Betty A. McGuire, City Clerk

Date

EXHIBIT C-2

RESOLUTION NO. 2014-17

A RESOLUTION ADOPTING THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT STATEMENT OF ASSURANCES AND CERTIFICATIONS.

WHEREAS, due to Community Development Block Grant guidelines, it is necessary to adopt a document entitled "Statement of Assurances and Certifications", pursuant to Federal Regulation 24 C.F.R or current Statute Statutes, for the City of Wayne, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the "Statement of Assurances and Certifications", a copy of which is attached hereto and incorporated herein by reference, is adopted by the City of Wayne, and the Mayor is hereby authorized to sign the same on behalf of the City of Wayne.

APPROVED AND ADOPTED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

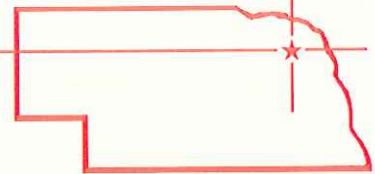
City Clerk

City of Wayne

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

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

Incorporated - February 2, 1884



APPLICANT'S STATEMENT OF ASSURANCES AND CERTIFICATIONS

The City of Wayne (Applicant) hereby assures and certifies to the Nebraska Department of Economic Development regarding an application for Community Development Block Grant (CDBG) funds, the following:

THRESHOLD CERTIFICATIONS

1. There are no significant unresolved audit findings relating to any prior grant award from the federal and/or state government that would adversely affect the administration of this grant.
2. No legal actions are underway or being contemplated that would significantly impact the Applicant's capacity to effectively administer the program, and to fulfill the CDBG program; and
3. No project costs have been incurred that have not been approved in writing by the Department.

FEDERAL COMPLIANCE CERTIFICATIONS

4. It will adopt and follow a residential anti-displacement and relocation assistance plan that will minimize displacement as a result of activities assisted with CDBG funds.
5. It will conduct and administer its programs in conformance with:
 - a. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1).
 - b. Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing, and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.
 - c. The Fair Housing Act of 1988 (42 USC 3601-20) and will affirmatively further fair housing.
6. It will not attempt to recover any capital costs of public improvements assisted in whole or part by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (1) grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than grant funds, or (2) for purposes of assessing any amount against properties owned and occupied by persons of LMI who are not persons of very-low income, the recipient certifies to the state that it lacks sufficient grant funds to comply with the requirements of clause (1).
7. It will comply with all provisions of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

CITIZEN PARTICIPATION PLAN CERTIFICATION

8. It certifies that a detailed citizen participation plan is on file which includes:
 - a. Providing and encouraging citizen participation with particular emphasis on participation by lower income persons who are residents of slum and blight areas in which funds are proposed to be used to include target areas as identified in the application.
 - b. Providing citizens with reasonable and timely access to local meetings, information, and records relating to the Applicant's proposed and actual use of CDBG funds.



Home of Wayne State College



Equal Housing Opportunity

- c. Furnishing citizens with information, including but not limited to, the amount of CDBG funds expected to be made available for the current fiscal year, including CDBG funds and anticipated program income; the range of activities that may be undertaken with CDBG funds; the estimated amount of CDBG funds to be used for activities that will meet national objective of benefit to low- and moderate-income people, and the proposed CDBG activities likely to result in displacement and the grantee's anti-displacement and relocation plans.
- d. Providing technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals. The level and type of assistance is to be identified within the plan.
- e. Providing for public hearings at different stages of the program, for the purpose of obtaining citizen's views and responding to proposals and questions. The hearings must cover community development and housing needs, development of proposed activities and review of program performance. The hearing to cover community development needs must be held before submission of an application to the state. The hearing on program performance must be held during the implementation of the CDBG awarded grant. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings are to be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate.
- f. Providing citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in the application to the state and for grants already made, activities that are added to, deleted or substantially changed from the application to the state. Substantially changed is defined in terms of purpose, scope, location or beneficiaries defined by the state established criteria.
- g. Providing citizens the address, phone number and acceptable hours for submitting complaints and grievances and providing timely written responses to written complaints and grievances within 15 working days where practicable.

SPECIAL REQUIREMENTS AND ASSURANCES.

9. The Applicant will comply with the administrative requirements of the program, those applicable items in the 1995 Consolidated Plan, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, and 24 CFR Part 570 (including parts not specifically cited below), and the following laws, regulations and requirements, both federal and state, as the pertain to the design, implementation and administration of the local project, if approved:

CIVIL RIGHTS AND EQUAL OPPORTUNITY PROVISIONS

- Public Law 88-352, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d), et. seq.) (24 CFR Part 1)
- Section 109 of the Housing and Community Development Act of 1974, As Amended
- Age-Discrimination Act of 1975, As Amended (42 U.S.C. 6101, et. seq.)
- Section 504 of the Rehabilitation Act of 1973, As Amended (29 U.S.C. 794) and the Americans with Disability Act
- Executive Order 11246, As Amended
- Executive Order 11063, As Amended by Executive Order 12259 (24 CFR Part 107)

ENVIRONMENTAL STANDARDS AND PROVISIONS

- Section 104(f) of the Housing and Community Development Act of 1974, As Amended
- Title IV of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4831) and the Implementing Regulations found at 24 CFR Part 35
- The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321, et. seq., and 24 CFR Part 58)
- The Clean Air Act, As Amended (42 U.S.C. 7401, et. seq.)
- Farmland Protection Policy Act of 1981, (U.S.C. 4201, et. seq.)
- The Endangered Species Act of 1973, As Amended (16 U.S.C. 1531, et. seq.)
- The Reservoir Salvage Act of 1960 (16 U.S.C. 469, et. seq.), Section 3 (16 U.S.C. 469 a-1), As Amended by the Archaeological and Historic Preservation Act of 1974
- The Safe Drinking Water Act of 1974 [42 U.S.C. Section 201, 300(f), et. seq., and U.S.C. Section 349 as Amended, particularly Section 1424(e) (42 U.S.C. Section 300H-303(e)]
- The Federal Water Pollution Control Act of 1972, As Amended, including the Clean Water Act of 1977, Public Law 92-212 (33 U.S.C. Section 1251, et. seq.)
- The Solid Waste Disposal Act, As Amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et. seq.)
- The Fish and Wildlife Coordination Act of 1958, As Amended, (16 U.S.C. Section 661, et. seq.)
- EPA List of Violating Facilities
- HUD Environmental Standards (24 CFR, Part 51, Environmental Criteria and Standards and 44 F.R. 40860-40866, July 12, 1979)
- The Wild and Scenic Rivers Act of 1968, As Amended (16 U.S.C. 1271, et. seq.)

- Flood Insurance
- Executive Order 11988, May 24, 1978: Floodplain Management (42 F.R. 26951, et. seq.)
- Executive Order 11990, May 24, 1977: Protection of Wetlands (42 F.R. 26961, et. seq.)
- Environmental Protection Act, NEB. REV. STAT. 81-1501 to 81-1532 (R.R.S. 1943)
- Historic Preservation

LABOR STANDARDS AND PROVISIONS

- Section 110 of the Housing and Community Development Act of 1974, As Amended
- Fair Labor Standards Act of 1938, As Amended, (29 U.S.C. 102, et. seq.)
- Davis-Bacon Act, As Amended (40 U.S.C. 276-a - 276a-5); and Section 2; of the June 13, 1934 Act., As Amended (48 Stat. 948.40 U.S.C. 276(c), popularly known as The Copeland Act
- Contract Work Hours and Safety Standards Act (40 U.S.C. 327, et. seq.)
- Section 3 of the Housing and Urban Development Act of 1968 [12 U.S.C. 1701(u)]

FAIR HOUSING STANDARDS AND PROVISIONS

- Section 104(a)(2) of the Housing and Community Development Act of 1974, As Amended Public Law 90-284, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601, et. seq.). As Amended by the Fair Housing Amendments Act of 1988
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended (42 U.S.C. 4630) and the Implementing Regulations Found at 49 CFR Part 24
- Relocation Assistance Act, NEB. REV. STAT. 76-1214 to 76-1242 (R.S. Supp. 1989)
- Nebraska Civil Rights Act of 1969 20-105 to 20-125, 48-1102 and 48-1116
- Uniform Procedures for Acquiring Private Property for Public Use, NEB. REV. STAT. 25-2501 to 25-2506 (R.R.S. 1943)

ADMINISTRATIVE AND FINANCIAL PROVISIONS

- U.S. Office of Management and Budget Circular A-87 "Cost Principles for State and Local Governments"
- U.S. Office of Management and Budget Circular A-102 "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments"
- 24 CFR 570.503 - Grant Administration Requirements for Use of Escrow Accounts for Property Rehabilitation Loans and Grants
- 24 CFR 570.488 to 570.499a - States Program: State Administration of CDBG Nonentitlement Funds
- Community Development Law, NEB. REV. STAT. 18-2101 to 18-2144 (R.S. Supp. 1982)
- Public Meetings Law, NEB. REV. STAT. 18-1401 to 18-1407 (R.R.S. 1943)
- 24 CFR Subtitle A (4-1-98 Edition) – 85 Administrative requirements for grants and cooperative agreements to State, local and federally recognized Indian tribal governments

MISCELLANEOUS.

- Hatch Act of 1938, As Amended (5 U.S.C. 1501, et. seq.)

The Applicant hereby certifies that it will comply with the above stated assurances.

Signed _____

Ken Chamberlain, Mayor

Subscribed in my presence and sworn to before me.

Date

Notary Public (Not required if on letterhead)

January 2014 Revised

EXHIBIT C-1

RESOLUTION NO. 2014-18

**A RESOLUTION ORDERING PUBLICATION AND SETTING
THE BOARD OF EQUALIZATION HEARING DATE
REGARDING STREET IMPROVEMENT DISTRICT NO. 2013-1
(MILO DRIVE).**

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

Section 1. The Mayor and City Council will meet as a Board of Equalization at 5:30 o'clock p.m. on the 4th day of March, 2014, in the Council Chambers in the Municipal Building in Wayne, Nebraska, for the purposes of hearing objections to and for equalizing assessments proposed to be levied in Street Improvement District No. 2013-1.

Section 2. The notice of said meeting and hearing shall be published in the Wayne Herald on the following dates:

February 20, 2014

February 27, 2014

Section 3. The City Clerk be and hereby is instructed to mail a copy of said notice to all known resident and non-resident owners of property in said Street Improvement District No. 2013-1 and to any other party appearing to have a direct interest in such action or proceedings.

Section 4. At said time and place, the Mayor and City Council of the City of Wayne, Nebraska, will sit as a Board of Equalization and will grant a hearing to all persons interested and will pass a resolution making said special assessments as provided by law.

PASSED AND APPROVED this 18th day of February, 2014.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

WAYNE MUNICIPAL AIRPORT AUTHORITY

January 13, 2014

7:00 P.M.

The regular meeting of the Airport Authority of the City of Wayne was called to order at the City Council Chambers on the above date and time by Chairman Mitchell Nissen. The following members were present: Mitchell Nissen, Jerome Conradt, Todd Luedeke, Carl Rump and David Ley. Also, attending the meeting were Nancy Braden Treasurer, Dawn Navrkal, Kyle Dahl Airport Authority Attorney, Tom Becker FBO & Airport Manager, Karma Schulte, Jim Hoffman, Sandy Hoffman, Keith Moji OCC Builders, Dana Tompkins Heritage and Homestead Homes, Tom Schmitz, and David Zach.

Sonya Tompkins's Lego Group presented their project concerning the natural disaster tornado that occurred at the Wayne Municipal Airport. The group had designed and built using Lego's buildings and equipment that would have lessened the tornados damage on the airport. The group gave a reenactment of the tornado with and without the improvements. The presentation was enjoyed by all.

Conradt moved and Luedeke 2nd to accept the Minutes of the December 23, 2013 Meeting. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Luedeke 2nd to accept all the Claims presented as of January 13, 2014. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Ley moved and Rump 2nd that we select the same officers for 2014 as in 2013 namely Mitchell Nissen Chairman, Carl Rump Vice Chairman, David Ley Secretary and Nancy Braden Treasurer. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried. .

Nancy Braden brought us up to date on activities relating to tornado reconstruction efforts.

Ley moved and Conradt 2nd to table consideration of placing concrete between hangers & west drive & hanger until two bids on the cost could be obtained. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Luedeke moved and Ley 2nd to approve hanger leases and airport rules as amended and presented. Roll was called with the following results: Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Conradt moved and Luedeke 2nd that we officially designate the terminal building by airport authority action the Nancy Braden Airport Terminal in recognition of her continuing exemplary service and dedication to the Airport Authority. Roll was called with the following results:

Yeas: Nissen, Luedeke, Conradt, Rump and Ley. Nays: None. The Chairman declared the motion carried.

Other matters requiring the attention of the Authority were discussed and it was determined that no further formal actions on these matters were needed.

There being no further business Conradt moved and Luedeke 2nd that the meeting be adjourned. All voting in the affirmative the meeting was adjourned.

David R. Ley
Secretary

**Wayne Planning Commission Meeting Minutes
Monday, January 6, 2014**

Chair Pat Melena called the regular meeting of the Wayne Planning Commission to order at 7:00 P.M., on Monday, January 6, 2014, in the Council Chambers of the Municipal Building. Roll call was taken with the following members present: Lee Brogie, Mark Sorenson, Jessie Piper, Rachelle Rogers-Spann, Sharon Braun, Jill Sweetland, Chair Pat Melena, and Inspector/Planner Joel Hansen. Absent: Jeff Carstens and Breck Giese.

Motion was made by Commissioner Brogie and seconded by Commissioner Sweetland to approve the minutes for December 2, 2013 as presented. Chair Melena stated the motion and second. All were in favor; motion carried unanimously.

Chair Melena read the Open Meetings Act and advised that anyone desiring to speak should limit themselves to three minutes and wait until being recognized by the Chair.

Motion was made by Commissioner Sweetland and seconded by Commissioner Sorenson to forward a recommendation of approval to the City Council to approve amending Section 90-710 Parking, specifically (a) Parking, Storage or Use of Recreational Equipment, to reflect the changes in Exhibit A (attached), with the findings of fact being, staff's recommendation. Chair Melena stated the motion and second, and the result of roll call being all ayes, Chair Melena declared the motion carried.

No formal action was taken by the Planning Commission regarding the agenda item to discuss and review the current residential zoning map.

There being no further discussion, motion was made by Commissioner Sorenson and seconded by Commissioner Braun to adjourn the meeting. All were in favor; motion carried unanimously; meeting was adjourned.