

**MINUTES  
CITY COUNCIL MEETING  
February 7, 2017**

The Wayne City Council met in regular session at the Wayne Senior Center on Tuesday, February 7, 2017, 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, Jason Karsky, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmember Nick Muir.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 26, 2017, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of January 17, 2017, 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, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** AMAZON.COM, LLC, SU, 288.32; AMERICAN BROADBAND, SE, 2469.20; AMERITAS, SE, 2339.44; AMERITAS, SE, 102.34; AMERITAS, SE, 68.07; AMERITAS, SE, 100.86; AMERITAS, SE, 72.00; AMERITAS, SE, 2506.66; AMERITAS, SE, 72.00; AMERITAS, SE, 55.33; APPEARA, SE, 339.37; ARBOR DAY FOUNDATION, FE, 100.00; AWWA, FE, 300.00; BINSWANGER GLASS, SE, 586.93; BLACK HILLS ENERGY, SE, 1702.86; BLUE CROSS BLUE SHIELD, SE, 40082.53; C. H. GUERNSEY & CO, SE, 10195.09; CENTURYLINK, SE, 415.81; CITY EMPLOYEE, RE, 562.63; CITY EMPLOYEE, RE, 207.71; CITY EMPLOYEE, RE, 1310.70; CITY EMPLOYEE, RE, 93.42; CITY EMPLOYEE, RE, 247.70; CITY EMPLOYEE, RE, 139.25; CITY EMPLOYEE, RE, 769.23; CITY EMPLOYEE, SE, 445.52; CITY EMPLOYEE, RE, 307.30; CITY EMPLOYEE, RE, 357.34; CITY EMPLOYEE, RE, 476.08; CITY OF WAYNE, PY, 67496.23; CITY OF WAYNE, PY, 66729.66; COLABELLO, JACQUIN, RE, 21.05; COMMUNITY HEALTH, RE, 3.00; COMMUNITY HEALTH, RE, 3.00; DANIEL GESY, RE, 250.00; DAS STATE ACCTG-

CENTRAL FINANCE, SE, 448.00; DAVID DREDGE, RE, 500.00; DAVID ROMANS, RE, 100.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 106.64; DEMCO INC, SU, 102.13; DGR & ASSOCIATES, SE, 16807.20; DUTTON-LAINSON, SU, 536.77P; ECHO GROUP, SU, 495.57; EDSTROM, DANIEL, RE, 121.13; ELECTRONIC ENGINEERING, SE, 142.50; EMBASSY SUITE, SE, 74.00; FIRST CONCORD GROUP, SE, 2848.44; FLOOR MAINTENANCE, SU, 425.96; FOUTCH, HALEY, RE, 84.38; GALE GROUP, SU, 50.03; GENO'S STEAKHOUSE, SE, 2269.35; GOVERNMENTAL ACCOUNTING, SU, 252.00; GROSSENBURG IMPLEMENT, SU, 243.25; H.K. SCHOLZ CO, SE, 975.00; HAUFF MID-AMERICAN SPORTS, SU, 76.00; HAWKINS, INC, SU, 1565.56; HOLIDAY INN EXPRESS-KEARNEY, SE, 182.00; HOLIDAY INN OF KEARNEY, SE, 379.80; HOMETOWN LEASING, SE, 412.86; HORIZON CONSTRUCTION, RE, 100.00; HR DIRECT, SU, 749.90; HTM SALES, SU, 821.50; ICMA, SE, 8791.31; ICMA, SE, 8828.55; IRS, TX, 2781.56; IRS, TX, 11968.58; IRS, TX, 10781.27; IRS, TX, 2799.18; IRS, TX, 11127.47; IRS, TX, 11893.66; JEO CONSULTING GROUP, SE, 17190.25; JERRY F & LINDA K DORCEY, RE, 1000.00; JOHN'S WELDING AND TOOL, SU, 4.93; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KRIZ-DAVIS, SU, 654.63; LAQUINTA INNS & SUITES, SE, 388.00; LAWSON PRODUCTS, SU, 134.59; LAYNE CHRISTENSEN, SE, 16151.52; LOWER ELKHORN NRD, SU, 176.00; MAIN STREET AUTO CARE, SE, 200.00; MATT SALTZMAN, SU, 250.00; MAXIMUM SOLUTIONS, SU, 465.00; MIDWEST PARTITIONS, RE, 90.30; MIDWEST SERVICE & SALES, SU, 824.80; MILLER LAW, SE, 4726.74; MINDY HAASE, SE, 396.00; NNEDD, SE, 723.81; NE DEPT OF REVENUE, TX, 3575.02; NE DEPT OF REVENUE, TX, 3659.58; NE NEB INS AGENCY, SE, 73390.00; NE NOTARY ASSOC, SU, 104.27; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 392.00; NE RURAL WATER, FE, 275.00; NE SAFETY COUNCIL, SE, 131.21; NPPD, SE, 309948.87; NELSEN, CLARK, RE, 88.02; NeRPA, FE, 60.00; NORFOLK DAILY NEWS, SU, 156.00; NNPPD, SE, 4488.00; NNPPD, SE, 12579.22; NWOD, FE, 15.00; OCC BUILDERS, RE, 250.00; OFFICE SYSTEMS CO, SE, 316.72; ONE CALL CONCEPTS, SE, 14.34; OTTE CONSTRUCTION, SU, 710.00; OVERDRIVE, INC, 397.87; PARTS ENGINEERING, SU, 151.95; PAUL, COURTNEY, RE, 96.52; PETERS, COREY, RE, 55.76; POLICE OFFICERS' ASSOCIATION OF NE, FE, 120.00; PROGRESSIVE PROPERTIES, RE, 3809.22; PROGRESSIVE PROPERTIES, RE, 1263.15; PROGRESSIVE PROPERTIES, RE, 112.40; PSYCHOLOGICAL RESOURCES, SE, 540.00; QUALITY 1 GRAPHIC, SE, 60.00; RAINTREE DRIVE, SE, 726.00; RESCO, SU, 987.47; RICK GATHJE, RE, 100.00; SEBADE HOUSING, RE, 3881.26; STAPLES ADVANTAGE, SU, 62.97; STATE NEBRASKA BANK-PETTY CASH, RE, 442.23; STEFFEN INC, SU, 9.74; THRASHER, RE, 100.00; TOM'S BODY & PAINT SHOP, SE, 268.73; TYLER TECHNOLOGIES, SE, 200.00; UNITED WAY, RE, 10.00; VERIZON, SE, 92.85; VIAERO, SE, 221.06; WAED, SE, 7286.66; WAYNE COUNTY COURT, RE, 400.00; WAYNE COUNTY COURT, RE, 150.00; WAYNE COUNTY TREASURER, SE, 1298.20; WAYNE KIWANIS, RE, 200.00; WESCO, SU, 1543.80; WESTERN RIDGE III, RE, 1895.26; WIGMAN CO, SU, 706.53; WISNER WEST, SU, 110.50; AHERN CO, SE, 330.00; APPEARA, SE, 71.45; ARNIE'S FORD, SU, 38963.00; BAKER & TAYLOR BOOKS, SU, 389.65; BOK FINANCIAL, RE, 43530.63; BOMGAARS, SU, 1631.63; CALLAHAN, SHELBY, RE, 127.92; CARHART LUMBER CO, SU, 1256.36; CARROT-TOP INDUSTRIES, SU, 173.19; CHARTWELLS, SE, 3316.55; CHEMQUEST, SE, 595.00; CITY EMPLOYEE, RE, 274.05; COPY WRITE, SE, 95.75; DOMINGUEZ, CONNIE, RE, 331.16; DUTTON-LAINSON, SU, 315.66; EASYPERMIT POSTAGE, SU, 1805.88; ECHO GROUP, SU, 2566.80; EISCHEID, MATT, SE, 100.00; ENVIROTECH SERVICES, SU, 5482.24; EVETOVICH, MARK, SE, 150.00; FREDRICKSON OIL, SU, 597.00; GFOA, FE, 575.00; GROSSENBURG IMPLEMENT, SE, 7670.67; HATTIG CONSTRUCTION, SE, 11910.00; HEIKES AUTOMOTIVE, SE, 192.60; INGRAM BOOK CO, SU, 722.77; JAMES RUSK, FE, 100.00; JONAH SCHEFFLER, FE, 200.00; KELLY SUPPLY, SU, 64.92; KTCH, SE, 644.00; LARRY MITCHELL, RE, 250.00; LOPEZ, MADAY, RE, 18.42;

LUTT OIL, SE, 4238.60; LYNN PEAVEY CO, SU, 64.10; MAIN STREET AUTO CARE, SE, 100.00; MARCO INC, SE, 126.36; MATHESON-LINWELD, SU, 18.60; MATT SCHAUB, RE, 200.00; MICHAEL VARLEY, RE, 250.00; MIDWEST LABORATORIES, SE, 161.50; NAPA OF WAYNE, SU, 88.13; NE SALT & GRAIN CO, SU, 1747.36; NNPPD, SE, 1534.56; OSBORN, ZACHARY, RE, 50.00; PAC N SAVE, SU, 11.68; PAC N SAVE, SU, 79.50; PENGUIN RANDOM HOUSE, SU, 180.00; PITNEY BOWES, SE, 253.85; POLICE OFFICERS' ASSOCIATION OF NE, FE, 105.00; QUALITY FOOD, SU, 226.47; SHOPKO, SU, 480.94; SKARSHAUG TESTING LAB, SE, 203.04; STADIUM SPORTING GOODS, SU, 93.00; SUPERCIRCUITS, SU, 775.29; UTILITIES SECTION, FE, 160.00; UTILITIES SECTION, FE, 1910.00; VIAERO, SE, 132.19; WAYNE COUNTY CLERK, SE, 42.00; WAYNE HERALD, SE, 472.00; WAPA, SE, 22996.45; WISNER WEST, SU, 19.77

Councilmember Haase made a motion, which was seconded by Councilmember Sievers, to approve the claims. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, 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 Wayne Senior Center 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.

Mayor Chamberlain requested Council consideration to the following appointment: Kim Schultz to the Board of Health.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving the appointment of Kim Schultz to the Board of Health. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to the following appointment: Tony Carollo to the Library Board.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving the appointment of Tony Carollo to the Library Board. Mayor

Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Diane Bertrand, Senior Center Director, presented a proposal to convert to in-house prepared meals beginning July 1, 2017. She is already preparing in-house meals on Monday. Additional equipment will need to be purchased, and Ms. Bertrand has negotiated \$6,500 worth of mostly used commercial kitchen equipment. There is \$10,000 in the current budget to use for this proposal. There are only 2-3 other senior centers in the State that have their meals catered. In addition, only one vendor bids on the catered meals.

Administrator Johnson stated that he and staff have prepared a budget proposal to convert to all in-house meal preparation, beginning July 1, 2017. Based on a year's experience, the cost of food ingredients and supplies purchased, and the cost of 29 hours of additional part-time labor at \$16/hr per week will be at or below the cost of the catered meals.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, approving the proposal of the Wayne Senior Center staff to convert to in-house prepared meals beginning July 1, 2017. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Terry Galloway of Almquist, Maltzahn, Galloway & Luth, presented the FY15-16 audit.

Mr. Galloway noted that the business type activities (electric, water and sewer) are excellent. Wayne is about 49.23%; anything above 30% is considered excellent. Governmental Activities is at 13.23%, 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 2.8%, which is very good. Anything less than 3% is excellent in Nebraska.

In regard to the City's top six revenue sources, it shows in the past three years that Wayne has had nice increases. Sales tax runs at \$235 per capita or per person, and Wayne is at \$185. This now takes into account the 1.5% sales tax. Property taxes are good for the taxpayers in Wayne. The per capita basis is \$210 per person. Wayne is asking \$141 per person. Wayne is way under what they call best practice for a City its size.

In lieu of tax payments (franchise fees) is \$120 per capita; Wayne is at \$156. State Allocation is at \$145 per capita; Wayne is at \$183. Charges for services are \$125 per capita and Wayne is at \$115. The per capita for grants is \$300; Wayne is at \$252.

Under operating income, the Electric Fund is at 3.34%; best practice is 15%. The electric rates were increased in May, 2016. The water rates were increased in 2015, which have helped the Water Fund, which is at 25.78%; best practice is 15%. In addition, the sewer rates were increased in April, 2016. The Sewer Fund is at 6.96%; best practice is 15%.

In regard to the tax levy rates, Wayne is, again, under what the recommended or statewide average is. This is very good for the taxpayers in Wayne. In the general fund, the per capita is \$180 per person; Wayne is at \$124 per person.

In regard to the State Allocations, the Highway Allocation stayed the same as last year at \$81 per capita, and Municipal Equalization went down some from \$78 per capita to \$76 per capita. Normally, cities Wayne's size get \$100 per capita and \$30 per capita respectively. Wayne is getting state revenue back to help the taxpayers of Wayne.

Mr. Galloway then reviewed the per capita costs of departments compared to the statewide average. The administrative costs to run the City of Wayne are very low compared to the other cities. The per capita cost is \$85; Wayne is at \$40.

In Public Buildings, Wayne is about \$14 per capita; the average is \$20. In Public Safety, Wayne is at about \$184 per capita; the average is \$200. Public Works is \$97 per capita; the average is \$70. The Library is about \$44 per capita, with the average being \$55 per capita. Recreation is at \$52 per capita; the average is \$60. The Community Activity Center is at \$52 per

capita, with the average being \$40 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 operating income, with the exception of the water fund, the others are below best practices. However, next year will reflect better on how those rate increases in electric and sewer affect those funds.

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 and commended City staff on a job well done.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to the "Benscoter Addition Planned Unit Development Replat 3." The applicant for the plat is Lou Benscoter.

Rob Woodling, developer of the Crown Homes rent-to-own project in Western Ridge, was present to talk about the project and the need for the replat of the property. They will be building 15 single-family units in the development area. This will be similar to what they did in Western Ridge. Construction would not start until the fall, with completion in the Spring of 2018. They will work with Wayne Community Housing in regard to managing the property.

The Planning Commission reviewed the matter at their public hearing on January 23, 2017, and forwarded a recommendation to approve the same subject to the following "Findings of Fact:"

- Staff's recommendation; and
- Consistency with the Comprehensive Plan and the current and future land use maps.

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 Brodersen introduced Resolution 2017-6, and moved for its approval;  
Councilmember Eischeid seconded.

RESOLUTION NO. 2017-6

A RESOLUTION APPROVING THE FINAL PLAT FOR THE “BENSCOTER ADDITION PLANNED UNIT DEVELOPMENT REPLAT 3” TO THE CITY OF WAYNE.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Andrew Ross, Director of the Nebraska Municipal Power Pool, was present to review their proposal to prepare a financial plan and undertake a cost of service and rate design study for electric rates for the sum of \$10,185.

Councilmember Sievers introduced Resolution 2017-8, and moved for its approval;  
Councilmember Brodersen seconded.

RESOLUTION NO. 2017-8

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AN AGREEMENT WITH THE NEBRASKA MUNICIPAL POWER POOL FOR A FINANCIAL PLAN AND COST OF SERVICE AND RATE DESIGN STUDY FOR ELECTRIC RATES - \$10,185.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Wes Blecke, Director of Wayne Area Economic Development, presented the semi-annual report of the LB840 activity.

Mayor Chamberlain declared the time was at hand for the public hearing on the One and Six Year Street Improvement Program.

Joel Hansen, Street Superintendent, presented the One and Six Year Street Improvement Program. This is a yearly requirement to receive Highway Allocation Funds from the Nebraska Department of Roads. He noted that just because a project is in the One and Six Year Street Improvement Plan does not mean the project has to be done that year.

However, if the City would want to do a project that is not in the One and Six Year Street Improvement Plan, another public hearing would have to be held to amend the plan.

Upcoming projects, which include some carry-over projects from previous year(s), include the following:

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>
*****			
M – 617(105)	2017	Tomar Drive, Mando Drive, Rugby Road & E. 4 <sup>th</sup> St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Drainage	\$450,000
M – 617(116)	2017	W. 7 <sup>th</sup> Street from Haas Avenue to Pheasant Run – 1,650’ Storm Drainage & Sidewalk	\$110,000
M – 617(118)	2017	E. 4 <sup>th</sup> Street from Thorman St. to Centennial Rd. – 785’ Construct Gravel Paving & Storm Drainage	\$50,000
M – 617(119)	2017	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000
M – 617(120)	2017	Northern Ridge Drive from Highway 15 to W. 21 <sup>st</sup> St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Drainage	\$400,000
M – 617(121)	2017	Beaumont Drive from Highway 15 East for 425’ – 425’ Construct Concrete Paving, Curb & Gutter, & Storm Drainage	\$90,000
M – 617(122)	2017	E. 4 <sup>th</sup> Street from Windom St. East for 150’ – 150’ Reconstruct Concrete Paving	\$20,000
M – 617(123)	2017	E. 2 <sup>nd</sup> Street from Logan St. to Nebraska St. – 260’ Reconstruct Concrete Paving, Curb & Gutter	\$45,000
M – 617(124)	2017	Dearborn Street from E. 4 <sup>th</sup> Street North for 135’ – 135’ Reconstruct Concrete Paving, Curb & Gutter	\$20,000
M – 617(125)	2017	E. 5 <sup>th</sup> Street from Dearborn St. East for 70’ – 70’ Reconstruct Concrete Paving, Curb & Gutter	\$15,000
*****			
M – 617(91)	2018	Trail & Pedestrian Underpass on W. 7 <sup>th</sup> Street Located between CAC and Oak Drive	\$1,672,738
M – 617(107)	2018	Clark Street & S. Pearl Street – 745’ Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$566,000
M – 617(126)	2018	West Downtown Alley from W. 1 <sup>st</sup> to W. 4 <sup>th</sup> Street – 950’ Reconstruct Concrete Paving & Storm Sewer	\$566,000
*****			
M – 617(98)	2019	Sherman Street from W. 5 <sup>th</sup> St. to W. 6 <sup>th</sup> St. – 300’ Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$ 90,000
M – 617(113)	2019	Sherman Street from W. 3 <sup>rd</sup> St. to W. 4 <sup>th</sup> St. – 300’ Construct Concrete Paving, Curb & Gutter	\$ 80,000
*****			

M – 617(104)	2020	S. Lincoln Street from W. 1 <sup>st</sup> St. to 300' S. of W. 1 <sup>st</sup> St. 300' Construct Concrete Paving, Curb & Gutter	\$ 90,000
M – 617(114)	2020	W. 2 <sup>nd</sup> Street from Blaine St. to 360' E of Blaine St. – 380' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$105,000
*****			
M – 617(115)	2021	W. 3 <sup>rd</sup> Street from Oak Dr. to 250' E. of Oak Dr. – 250' Construct Concrete Paving, Curb & Gutter	\$ 70,000
M – 617(117)	2021	Nebraska Street & E. 2 <sup>nd</sup> Street from E. 7 <sup>th</sup> to Logan – 2,275' Construct Concrete Paving, Curb & Gutter, Storm Drainage and Sidewalks	\$850,000
*****			
M – 617(112)	2022	Lagoon Streets – 2,500' Construct Concrete Paving	\$700,000
M – 617(89)	2022	Lage Subdivision – South of Fairgrounds Avenue – 900' Construct Concrete Paving, Curb & Gutter, Storm Drainage	\$175,000

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 Sievers introduced Resolution 2017-5 and moved for its approval, with the amendment to include the entire length of 4<sup>th</sup> Street; Councilmember Haase seconded.

RESOLUTION NO. 2017-5

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

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Mayor Chamberlain declared the time was at hand for the public hearing on the land acquisition from Jason and Vickie Schulz. The purchase price is \$22,000. The property is legally described as follows:

**North-South Alley:**

Commencing at the Northwest corner of Lot 8, Block 28, Original Town of Wayne, Wayne County, Nebraska; thence S 02°03'54" E on West line of lots 7 and 8, said Block 28, 119.99 feet to a point on the Northwesterly Right-of-Way line of the (abandoned) Chicago and Northwestern Transportation Company, said point being the Point of Beginning; thence S 02°08'35" E, 187.85 feet to a point on the Southeasterly Right-of-Way line of said (abandoned) Chicago and Northwestern Transportation Company; thence S 59°30'32" W, 18.30 feet;

thence N 02°05'35" W, 187.61 feet to a point on said Northwesterly Right-of-Way line; thence N 59°05'26" E on said Northwesterly Right-of-Way line, 18.19 feet to the Point of Beginning, containing 0.07 acres, more or less.

**East-West Alley:**

Commencing at a point on the North Right-of-Way line of Clark Street and the East Right-of-Way line of Pearl Street; thence N 02°02'44" W on said East Right-of-Way line, 256.82 feet to the Point of Beginning; thence N 02°02'44" W on said East Right-of-Way line, 21.00 feet; thence N 87°49'07" E, 150.12 feet; thence S 02°05'35" E, 21.00 feet; thence S 87°49'07" W, 149.97 feet to the Point of Beginning, containing 0.07 acres, more or less.

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 Brodersen introduced Resolution 2017-7, and moved for its approval to purchase said property for the sum of \$22,000; Councilmember Giese seconded.

RESOLUTION NO. 2017-7

A RESOLUTION APPROVING THE ACQUISITION OF PROPERTY LOCATED IN THE ORIGINAL TOWN OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving the Purchase Agreement between the City of Wayne and Jason and Vickie Schulz, Husband and Wife, for the sum of \$22,000. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-1, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-1

AN ORDINANCE APPROVING THE VACATION OF AN ALLEY LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THE NORTH-SOUTH ALLEY ADJACENT TO LOTS 1-12, BLOCK 5, COLLEGE HILL FIRST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Eischeid introduced Ordinance 2017-2, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-2

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 78, ARTICLE VI. SNOW PLOW ALERT BY AMENDING SECTION 78-282 PARKING ON CITY STREETS.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

The following ordinance would adopt the new code for the City of Wayne.

Councilmember Giese introduced Ordinance 2017-3, and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2017-3

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF WAYNE, NEBRASKA; TO REPEAL PRIOR ORDINANCES; TO REQUIRE FILING; 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 Muir who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Councilmember Giese 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, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried and the meeting adjourned at 6:46 p.m.