

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

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

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on February 23, 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 Giese, whereas, the Clerk has prepared copies of the Minutes of the meeting of February 21, 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 Sievers 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: AMERICAN BROADBAND, SE, 2466.80; AMERICAN PUBLIC POWER ASSOCIATION, FE, 1493.97; AMERITAS, SE, 48.83; AMERITAS, SE, 93.71; AMERITAS, SE, 2405.42; AMERITAS, SE, 72.00; APPEARA, SE, 105.35; ARNIE'S FORD, SE, 441.79; B & B PAINTING, SE, 2460.00; BENSCOTER INC, RE, 250.00; BLACK HILLS ENERGY, SE, 1551.66; BLUE CROSS BLUE SHIELD, SE, 38278.62; CAMPOS, CHRISTIAN, RE, 5.44; CARLSON, ALEXIS, RE, 200.00; CENTURYLINK, SE, 416.48; CHRISTIANSEN, JILL, RE, 35.24; CITY EMPLOYEE, RE, 2898.61; CITY EMPLOYEE, RE, 1895.83; CITY OF WAYNE, PY, 70204.49; CITY OF WISNER, FE, 90.00; CLARITUS, INC., SU, 157.03; COMMUNITY HEALTH, RE, 3.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DE LAGE LANDEN FINANCIAL, SE, 77.00; DEARBORN NATIONAL LIFE, SE, 147.92; EAKES OFFICE PLUS, SE, 1211.18; ELLIS HOME SERVICES, SE, 169.99; EVETOVICH, MARK, SE, 100.00; FAITH REGIONAL PHYSICAN SERV., SE, 30.00; FASTENAL CO, SU, 374.49; FLOOR MAINTENANCE, SU, 499.60; FORNEY, CHRISTIAN, RE, 52.05; FREDRICKSON OIL, SE, 20.00; GERALD OTTE, RE, 390.30; GROSSENBURG IMPLEMENT, SE, 1084.42; HOMETOWN LEASING, SE, 259.98; HTM SALES, SE, 5970.60;

ICMA, SE, 9924.91; IRS, TX, 12805.04; IRS, TX, 2994.66; IRS, TX, 12310.99; JACK'S UNIFORMS, SU, 466.30; JAMES RUSK, SE, 250.00; JONAH SCHEFFLER, SE, 200.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; L.G. EVERIST, SU, 694.61; LAYNE CHRISTENSEN, SE, 26441.04; LEE STEGEMANN, RE, 100.00; LOWELL JOHNSON, RE, 2051.83; MAGIC WOK – ORTMEIER, RE, 162.83; MAIN STREET AUTO CARE, SE, 100.00; MATT SCHAUB, SE, 200.00; MIDWEST SERVICE & SALES, SU, 69.15; MILLER LAW, SE, 5048.70; NNEDD, SE, 1429.62; NAPA OF WAYNE, SU, 133.67; NE DEPT OF REVENUE, TX, 4061.59; NE NEB INS AGENCY, SE, 388.00; NEBRASKA NEON SIGN COMPANY, SU, 698.63; NORFOLK GM AUTO CENTER, SE, 4193.78; NNPPD, SE, 4882.61; ONE CALL CONCEPTS, SE, 21.18; OSBORN, ZACHARY, SE, 50.00; PEERLESS WIPING CLOTH, SU, 240.00; QUALITY FOOD, SU, 15.93; RON'S RADIO, SE, 50.00; SKARSHAUG TESTING LAB, SE, 203.21; STAPLES ADVANTAGE, SU, 35.15; STATE NEBRASKA BANK-PETTY CASH, RE, 110.88; TOM'S BODY & PAINT SHOP, SE, 985.26; UNITED COMMUNICATIONS GROUP, SE, 2549.30; UNITED WAY, RE, 5.00; US BANK, SU, 5156.49; VIAERO, SE, 222.67; WAED, SE, 7216.66; WAYNE COUNTRY CLUB, RE, 11855.00; APPEARA, SE, 118.12; AUTO ANATOMY ALTERNATIVES, SE, 466.33; BARONE SECURITY SYSTEMS, SE, 138.00; BOMGAARS, SU, 1535.32; CDW GOVERNMENT, SU, 1264.00; CHARTWELLS, SE, 3254.40; CITY EMPLOYEE, RE, 166.31; COPY WRITE, SU, 141.27; DAVE'S DRY CLEANING, SE, 69.00; EASYPERMIT POSTAGE, SU, 1798.64; ECHO GROUP, SU, 56.94; ELLIS HOME SERVICES, SE, 1090.34; ERICKSON, BRUCE, RE, 35.95; ESRI, SE, 1424.66; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 57.19; HERMAN, KELBY, RE, 100.00; INGRAM BOOK CO, SU, 411.87; JOHN'S WELDING AND TOOL, SU, 652.48; JOHNSON'S PLUMBING & HEATING, SE, 2040.34; KELLY SUPPLY, SU, 70.86; KRIZ-DAVIS, SU, 850.65; KTCH, SE, 644.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 695.00; LUTT OIL, SU, 4661.84; MARCO INC, SE, 126.36; MIDWEST LABORATORIES, INC, SE, 161.50; MIDWEST TAPE, SU, 96.96; NAPA OF WAYNE, SU, 115.87; NATL LEAGUE OF CITIES, FE, 1117.00; NUNEZ, DUNIA, RE, 92.28; OMAHA TRUCK CENTER, SU, 85.05; O'REILLY AUTOMOTIVE STORES, SU, 16.17; PAC N SAVE, SU, 18.55; PAC N SAVE, RE, 4800.00; PROGRESSIVE PROPERTIES, RE, 250.00; PROVIDENCE MEDICAL CENTER, RE, 200.00; QUALITY FOOD, SU, 287.71; REEDER, SEAN, RE, 68.71; SHOPKO, SU, 61.49; SOUTH DAKOTA MUNICIPAL LEAGUE, SE, 50.00; STADIUM SPORTING GOODS, SE, 12.00; STAPLES ADVANTAGE, SU, 1422.96; STEFFEN INC, SE, 871.62; VAKOC CONSTRUCT, SE, 672.15; WAED, RE, 6000.00; WAYNE AUTO PARTS, SU, 278.11; WAYNE COUNTY CLERK, SE, 206.00; WAYNE HERALD, SE, 290.00; WAYNE HERALD, SE, 1905.21; WAYNE HERALD, SE, 647.00; WAPA, SE, 22745.63; WISNER WEST, SU, 131.16

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

Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), was present requesting Council consideration to closing off a portion of East 10th Street from Angel Avenue to Hillside Drive for an electric vehicle power drive rally on Saturday, April 8th, from 8:00 a.m. until 5:00 p.m.

Councilmember Giese made a motion, which was seconded by Councilmember Muir, approving the request of Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), to close off a part of East 10th Street from Angel Avenue to Hillside Drive for an electric vehicle power drive rally on Saturday, April 8th, from 8:00 a.m. until 5:00 p.m. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Mayor declared the motion carried.

Administrator Johnson presented the job description for a “Cook” at the Senior Center.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the job description for a “Cook” at the Senior Center. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Mayor declared the motion carried.

Tim Sutton, Electric Distribution Line Superintendent, was present and stated that 4 bids were received on March 1, 2017, for the “West Inner and East Inner Conversion Project,” ranging in price from \$690,290.43 to \$1,399,196.95. DGR Engineering has reviewed the same and is recommending that the project be awarded to the low bidder, Karian Peterson Powerline Contracting, LLC, of Montevideo, MN, for \$690,290.43. Starting date will be in April or early May.

Councilmember Brodersen introduced Resolution 2017-19, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2017-19

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “ELECTRIC DISTRIBUTION — WEST INNER AND EAST INNER CONVERSION PROJECT” TO KARIAN PETERSON POWERLINE CONTRACTING, LLC, FOR \$690,290.43.

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

Bryce Meyer, Recreation Director, was present and recommended amending the schedule of fees pertaining to the Key FOB access fees and 2017 swimming pool fees as follows:

Key FOB –New (one-time fee effective 5/1/17)	\$10.00
One-Time renewal fee (for those that already have a key FOB and would renew membership	\$ 5.00

Pool

Family Ticket	\$125.00
Individual Ticket	\$85.00
Daily Admissions –	
Ages 13 – over	\$5.00
Ages 6 – 12	\$4.00
Ages 3 – 5	\$3.00
Ages 2 & Under	Free

Councilmember Eischeid introduced Resolution 2017-20, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2017-20

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES.

Councilmember Giese suggested increasing the CAC membership fees. He will email his recommendations to staff for Council action at the next meeting.

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

Administrator Johnson stated he did not have a power purchase agreement for the purchase of wind turbine from a Nebraska wind turbine project yet, so he recommended this agenda item be tabled.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to table action on Resolution 2017-21 – approving Power Purchase Agreement for the purchase of wind turbine power from a Nebraska wind turbine project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-3, and moved for approval of the third and final reading thereof; Councilmember Brodersen 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 Sievers who was absent, the Mayor declared the motion carried.

Councilmember Muir introduced Ordinance No. 2017-4, and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2017-4

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY LOCATED IN THE TUFFERN BLUE ESTATES SUBDIVISION, WAYNE COUNTY, NEBRASKA, FROM A-2 AGRICULTURAL RESIDENTIAL DISTRICT TO A-1 AGRICULTURAL DISTRICT.

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

The third and final reading will take place at the next meeting.

Joel Hansen, Building Inspector/Planner, stated that the following Ordinance will vacate the streets and alleys within the school's property where the existing track sits. This will legally

complete the vacation started with the Community Schools Addition plat that was approved by the Council back in December. This will be part of the land swap that results in the pool being on City property and the long jump area on School property.

Councilmember Muir introduced Ordinance No. 2017-5, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-5

AN ORDINANCE APPROVING THE VACATION OF AN ALLEY AND TWO STREETS LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS:

- THE NORTH-SOUTH ALLEY ADJACENT TO LOTS 9 & 10, SKEEN'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA;
- BLAINE STREET ADJACENT TO LOTS 12 & 13, SKEEN'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA; AND
- WEST 4TH STREET ALONG THE NORTH EDGE OF SKEEN'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA WHICH LIES BETWEEN THE WEST LINE OF SCHOOL VIEW DRIVE AND THE WEST LINE OF LOT 16, SKEEN'S 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 Sievers who was absent, the Mayor declared the motion carried.

The second reading will take place at the next meeting.

Discussion took place on the City's group health care premiums and incentives, which includes getting annual checkups or physicals and non-tobacco use. Staff provided the following recommendation:

“To continue the health incentive with a 7.5% decrease in an employee and family's share of the premium upon proof of an annual physical, and an additional 7.5% decrease in an employee and family's share of the premium for non-use of tobacco products, including e cigarettes.”

Councilmember Giese liked what was proposed.

Mayor Chamberlain stated he would like to see 5% decreases in the premiums for (1) an annual physical, (2) non-tobacco use, and then (3) being healthy or making an effort or

continuing to make an improvement from year to year to become healthy. No. 3 would be measured by an annual checkup. This would probably cost more, but healthy employees cost less. There are a lot of unhealthy practices in addition to smoking. He would like to try to find a way to incentivize employees to be or become healthy.

Attorney Miller cautioned the Council on HIPAA regulations.

Councilmember Greve stated he would forward to city staff information that Great Dane offers to its employees.

After discussion, a motion was made by Councilmember Giese and seconded by Councilmember Haase to table action to amend/adjust the City's share of group health care premium and incentives for annual checkup and against tobacco use until the City Attorney can look into the legalities or possibilities of other ways to incentivize. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Sievers who was absent, the Mayor declared the motion carried and the meeting adjourned at 6:04 p.m.