

**MINUTES  
CITY COUNCIL MEETING  
March 21, 2017**

The Wayne City Council met in regular session at City Hall on Tuesday, March 21, 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, Nick Muir, Jason Karsky, 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 March 9, 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 March 7, 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**CORRECTION TO CLAIMS LISTING OF 3-7-17:** CITY OF WAYNE, PY, 1412.03; KEN JORGENSEN, RE, 55000.00

**VARIOUS FUNDS:** ALTONA FINISHING INC, SE, 6372.08; AMERITAS, SE, 87.45; AMERITAS, SE, 56.54; AMERITAS, SE, 2231.46; AMERITAS, SE, 72.00; APPEARA, SE, 169.70; AUTO ANATOMY ALTERNATIVES, SU, 125.00; BAKER & TAYLOR BOOKS, SU, 774.56; BSN SPORTS, SU, 583.65; C. H. GUERNSEY & CO, SE, 13126.94; CARHART LUMBER, SU, 474.20; CASTANEDA, GEORGINA, SE, 20.00; CDW GOVERNMENT, SU, 1264.00; CITY EMPLOYEE, RE, 37.44; CITY EMPLOYEE, RE, 47.89; CITY EMPLOYEE, RE, 983.33; CITY EMPLOYEE, RE, 1442.77; CITY OF WAYNE, PY, 68802.59; COMMUNITY HEALTH, RE, 3.00; DAKTRONICS, SU, 18867.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 71.16; DEARBORN NATIONAL LIFE, SE, 2184.13; DEMCO, SU, 90.72; ECHO GROUP, SU, 14.79; FIRE STATION SOFTWARE, SE, 347.00; FLOOR MAINTENANCE, SU, 197.10; FREDRICKSON OIL, SU, 316.00; GLIDDEN, ZACHARY, RE, 300.00; GROSSENBURG IMPLEMENT, SU, 343.78; HAUFF MID-AMERICAN SPORTS, SU, 384.50; HOMETOWN LEASING, SE, 152.88; ICMA, SE, 8973.88; IRS, TX, 2832.30; IRS, TX,

11017.93; IRS, TX, 12110.66; IVES, ELIJAH, RE, 131.56; JOHNSON HARDWARE, SU, 2388.62; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KEEP NEBRASKA BEAUTIFUL, FE, 50.00; KELLY SUPPLY, SU, 413.15; KRIZ-DAVIS, SU, 1722.70; L.G. EVERIST, SU, 695.61; LUNDAHL, EARL, FE, 350.00; LUTT, STEVE, SU, 345.88; LYNN PEAVEY, SU, 217.00; MAIN STREET AUTO CARE, SE, 2866.34; MATHESON-LINWELD, SU, 16.80; MILO MEYER CONSTRUCTION, SE, 340.00; NNEDD, SE, 1320.00; NAPA OF WAYNE, SU, 106.87; NE DEPT OF REVENUE, TX, 3688.16; NE DEPT OF ROAD, SE, 3717.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 142.00; NPPD, SE, 279831.42; NORFOLK WINNELSON, SU, 256.36; NNPPD, SE, 12579.22; PENGUIN RANDOM HOUSE, SU, 150.00; PING TREE SERVICE, SE, 220.00; PITNEY BOWES, SE, 1497.56; REALLY GOOD STUFF, SU, 133.47; ROB SWEETLAND, RE, 500.00; SIOUX CITY WINNELSON, SU, 181.02; SOOLAND BOBCAT, SU, 107.00; SPARKLING KLEAN, SE, 2880.57; STATE NEBRASKA BANK & TRUST, SE, 1700.00; STEFFEN INC, SU, 1063.94; T & S TRUCKING, SE, 445.76; TYLER TECHNOLOGIES, SE, 900.00; UNITED WAY, RE, 5.00; VERMEER EQUIPMENT OF NEBRASKA, SU, 167.88; VIAERO, SE, 132.95; WELLS CONSTRUCTION, RE, 100.00; WESCO, SU, 161913.15; WINTER EQUIPMENT CO, SU, 2880.00; WISNER WEST, SU, 34.62; AMAZON.COM, SU, 316.34; APPEARA, SE, 62.42; BOMGAARS, SU, 93.56; BRINER, WAYNE, RE, 600.00; CENTURYLINK, SE, 415.81; CITY EMPLOYEE, RE, 73.90; CITY EMPLOYEE, RE, 29.46; CITY EMPLOYEE, RE, 1904.61; DGR & ASSOCIATES, SE, 26417.26; FASTENAL, SU, 31.28; GROSSENBURG IMPLEMENT, SU, 26.86; HATTIG CONSTRUCTION, SE, 1659.00; HD SUPPLY WATERWORKS, SU, 213.22; HENN, BRIDGET, RE, 300.00; INDUSTRIAL CHEM LABS & SERVICES, SU, 1156.16; JEO CONSULTING GROUP, SE, 3022.34; MARRIOTT HOTELS, SE, 218.00; MCCROMETER INC, SU, 1547.17; MERIT MECHANICAL, SE, 2001.00; NNEDD, SE, 510.00; O'REILLY AUTOMOTIVE STORES, SU, 8.99; PELLA PRODUCTS, SE, 911.46; ROBERT WOehler & SONS, SE, 750.00; STAPLES ADVANTAGE, SU, 164.55; VERIZON, SE, 92.85; WAYNE BASEBALL ASSOCIATION, RE, 4350.00; WAYNE COUNTY COURT, RE, 400.00; WESCO, SU, 861.35

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

Bernie Cevera of Guernsey, an architectural and engineering consulting company, gave a presentation on options for the purchase of alternative energy. In addition, Adam Rickel, Project Director with NextEra Energy Resources, LLC, a firm developing a wind farm known as the "Cottonwood Project" gave a presentation on that project.

The following Resolution would approve the Mayor and City Council's goals established at their retreat in February.

Councilmember Giese introduced Resolution No. 2017-22 and moved for its approval; Councilmember Haase seconded.

#### RESOLUTION NO. 2017-22

##### A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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

Administrator Johnson stated that one bid was received on March 16, 2017, for the "Water/Wastewater Metal Storage Building Project." Said bid was submitted by Otte Construction. The base bid amount was \$289,900, Alternate 1 - \$16,650, Alternate 2 - \$12,920, and Alternate 3 - \$1,460, for a total of \$308,010. Johnson noted that \$250,000 was placed in the budget for this building (\$125,000 Water and \$125,000 Sewer). The overage will come out of the reserves. This building is 150'x150.'

Staff recommendation was to accept the base bid of Otte Construction, along with Alternates 1 and 3.

Discussion took place on whether or not to reduce the size of the building or leave it as is and whether or not to rebid it or renegotiate it with the contractor.

After discussion, Councilmember Giese introduced Resolution 2017-23, and moved for its approval; Councilmember Brodersen seconded.

#### RESOLUTION NO. 2017-23

A RESOLUTION ACCEPTING BID AND AWARDED CONTRACT ON THE "WATER/WASTEWATER METAL STORAGE BUILDING PROJECT" TO OTTE CONSTRUCTION COMPANY – BASE BID OF \$289,900, PLUS ALTERNATE 1 - \$16,650 AND ALTERNATE 3 - \$1,460.

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

Discussion took place on the membership fees for the Community Activity Center.

Bryce Meyer, Recreation Director, was present to answer questions.

Councilmembers Eischeid and Sievers did not see the need to raise rates at this time, especially since the same were increased last year. In addition, he was concerned that raising the rates to match the competition would not help, and that we may lose memberships.

Mayor Chamberlain agreed and thought there were some areas where we could make up some differences, but he did not think membership rates was it. Every time we raise rates, we risk losing family memberships and senior members. He thought non-member rates should be at least double of what a member's rate is.

Councilmember Giese noted that between the recreation department and the CAC, the City lost approximately \$320,000 last year. He thought the Council needed to do something to make up for the \$25-30,000 lost by increasing the minimum wage from \$7.25 to \$9.00.

Mayor Chamberlain thought there could be fewer staff hours to help reduce some of the expenses, as well as some of the hours the CAC is open. In addition, he thought the fees for the recreation programs needed to be reviewed.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Jennifer, to table action on Resolution 2017-24 amending schedule of fees. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Giese left the meeting at 6:45 p.m.

Lowell Heggemeyer, Street Foreman, stated he received a proposal for a new power rake for the Park Department — Van-Wall Equipment, Inc., for \$29,947. This will replace a 30+ year old power rake; however, they will still keep the old one. \$30,000 was budgeted for this replacement.

Councilmember Brodersen introduced Resolution 2017-25 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2017-25

A RESOLUTION ACCEPTING PROPOSAL AND AWARDED CONTRACT ON THE PURCHASE OF A NEW 4X4 POWER RAKE FOR THE PARK DEPARTMENT — VAN-WALL EQUIPMENT, INC. FOR \$29,947.00.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who left the meeting, the Mayor declared the motion carried.

The following Resolution will approve an agreement with Northeast Nebraska Economic Development District to conduct a blight study, which includes the old west side elevator site, the City's pole yard, and an early part of Wayne that has potential for future revitalization and development. A request for TIF financing to clean up the old elevator site and construct new tax credit retirement housing initiated this blight determination study. The cost to do this blight study is \$2,250.

Administrator Johnson stated he will subtract this cost out of the TIF benefit to the developers.

Joel Hansen stated with this development, the City would be at 30.3% - we can go up to 35% of the City as a whole being declared blighted and substandard.

Councilmember Sievers introduced Resolution 2017-26 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2017-26

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) TO CONDUCT A BLIGHT STUDY IN THE CITY OF WAYNE — \$2,250.00.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who left the meeting, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2017-4, and moved for approval of the third and final reading thereof; Councilmember Greve 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 Giese who left the meeting, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2017-5, and moved for approval of the second reading thereof; Councilmember Greve 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 4<sup>TH</sup> 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 Giese who left the meeting, the Mayor declared the motion carried.

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

Discussion took place again 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.”

Mayor Chamberlain also recommended reimbursing the employees for any part of the physical that is not covered by health insurance, since it is the City that is requiring the employees to get one.

The honor system would continue being used for the non-tobacco use policy, but may change for 2018.

After discussion, a motion was made by Councilmember Sievers and seconded by Councilmember Brodersen approving the following:

“To amend/adjust 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” and reimbursing the employee and/or spouse for any part of the physical that is not covered by the health insurance, effective May 1, 2017.”

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who left the meeting, the Mayor declared the motion carried.

Councilmember Sievers made a motion, which was seconded by Councilmember Greve, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Giese who left the meeting, the Mayor declared the motion carried and the meeting adjourned at 7:07 p.m.