

AGENDA  
CITY COUNCIL MEETING  
May 16, 2017

1. [Approval of Minutes – May 2, 2017](#)

2. [Approval of Claims](#)

The City Council will be hearing public comments on the following agenda items: \_\_\_\_\_

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 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. [Presentation by Wayne Elementary School students for a public thank you to the Wayne Police Department](#)

4. [A request by Wayne Community Housing Development Corporation and Mesner Development for a sense of the Council for tax increment financing for a 20-unit project — Cliff Mesner](#)

**Background:** Mesner Development has a number of successful tax credit housing projects in Nebraska. Cliff Mesner is proposing a 10-duplex tax credit housing project with Brent Pick and Kelby Herman at the current site of the old West Side Elevator at the south end of Sherman Street. There are a number of old buildings to clear. Mesner will request TIF funding to clear the site and prepare to build. The project investors do not want to be involved in assessments or TIF incentives, so the TIF applicant will be the current property owners.

Kelby Herman and Megan Weaver of Wayne Community Housing Development Corporation (WCHDC) will be at the meeting to discuss this project. WCHDC will manage the project after it is completed and will have the first option to buy ownership of the project after 15 years.

Mesner Development has asked to get a sense of the Council for approving a TIF incentive for this project before they retain an attorney to prepare the agreement. No action is required or requested at this time.

5. [Public Hearing: Blighted and Substandard Area Determination — South Sherman-Douglas Street Redevelopment Area \(Advertised Time: 5:30 p.m.\)](#)

**Background:** This blight determination has required by the City Council before any projects like the Mesner project are eligible for TIF in this area.

6. [Resolution 2017-44: Making Findings and Declaring Portions of the City of Wayne to be Blighted and Substandard Pursuant to the Nebraska](#)

Community Development Act — South Sherman-Douglas Street Redevelopment Area

7. Public Hearing: To consider the Planning Commission's recommendation regarding a Request to Rezone for 319 South Main, 323 South Main and 325 South Main, from B-1 Highway Business to R-3 Residential. The applicant for the rezoning request is the City of Wayne. (Advertised Time: 5:30 p.m.)
8. Ordinance 2017-15: Rezoning Property from B-1 Highway Business to R-3 Residential — 319 South Main, 323 South Main and 325 South Main Street
9. Public Hearing: To consider the Planning Commission's recommendation regarding a Request to Rezone from I-1 Light Industrial and Manufacturing to B-2 Central Business District for Lot 1 and Lot 9 of the Schulz Railyard Addition. The applicant for the request is the City of Wayne. The City seeks the request to clean up the zoning lines. (Advertised Time: 5:30 p.m.)
10. Ordinance 2017-16: Rezoning Property from I-1 Light Industrial and Manufacturing to B-2 Central Business District — Lot 1 and Lot 9, Schulz Railyard Addition
11. Public Hearing: To consider the Planning Commission's recommendation regarding a Use by Exception Request for the Wayne Municipal Code B-2 Central Business District, specifically Section 152.081 (D) Exceptions (7) Storage Garages and Mini-warehouses. The applicant for the request is Jason Schulz who seeks to construct a storage facility at Lot 1 of the Schulz Railyard Addition. (Advertised Time: 5:30 p.m.)
12. Resolution 2017-45: Use by Exception Permit for Jason Schulz who seeks to construct a storage facility at Lot 1 of the Schulz Railyard Addition
13. Public Hearing: To consider the Planning Commission's recommendation regarding a request to Rezone from I-1 Light Industrial and Manufacturing to R-2 Residential for Lot 1 of the Giese Addition and Tax Lots 31 & 39 in Part of the N ½ of the SE ¼ of Section 13, Township 26N, Range 3E. The applicants, Kelby Herman and Brendon Pick, are seeking the request to allow for residential development. (Advertised Time: 5:30 p.m.)
14. Ordinance 2017-17: Rezoning Property from I-1 Light Industrial and Manufacturing to R-2 Residential — Lot 1 of the Giese Addition and Tax Lots 31 & 39 in Part of the N ½ of the SE ¼ of Section 13, Township 26N, Range 3E
15. Public Hearing: To consider the Planning Commission's recommendation in regard to amending the Wayne Municipal Code Section 152.082 (I) Maximum height, specifically to increase the

maximum from 25 feet to 35 feet. The applicant, State Nebraska Bank, seeks the request to build a new drive-thru bank and office facility. (Advertised Time: 5:30 p.m.)

16. Ordinance 2017-18: Amending Wayne Municipal Code, Section 152.082 Maximum Height
17. Ordinance 2017-7: Directing the sale of a tract of land located in Section 13, Township 26N, Range 3E of the 6th P.M., City of Wayne, Wayne County, Nebraska, to Wayne Community School District #17 (Third and Final Reading)
18. Ordinance 2017-10: Annexing 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 (Beaumont Event Center) (Second Reading)
19. Ordinance 2017-11: Creating Street Improvement District No. 2017-01 – Wayne Crown II Project (Second Reading)
20. Ordinance 2017-12: Creating Sewer Extension District No. 2017-01 – Wayne Crown II Project (Second Reading)
21. Ordinance 2017-13: Amending Wayne Municipal Code Sec. 78-13 Stop Sign Locations; West of Main Street, South of 7th Street (Second Reading)
22. Ordinance 2017-14: Amending Wayne Municipal Code Sec. 78-212 Speed; Maximum (Second Reading)
23. Resolution 2017-46: Accepting Bid and Awarding Contract on the “Meter Cutover West Inner and East Inner Conversion Project”

**Background:** The first phase of this conversion from the old overhead lines to underground will be the installation of all the underground primary lines and connection to new transformers on the ground. The second phase will be to cut over each of the meters on 150 homes from the overhead lines and reconnect them to the underground line in the alley. Many of these meter sockets will need to be replaced in the process. Phase three will be to take down all of the old overhead lines, transformers and poles.

**Recommendation:** We received one bid of \$107,912.80 to do this electric meter cutover project. After review, the recommendation of the project engineer is to approve the bid and award the contract to Klein Electric for \$107,912.80

24. Resolution 2017-47: Approving Interlocal Agreement to Share Law Enforcement Resources between the City of Wayne and Wayne State College

**Background:** This is an annual renewal of our interlocal agreement with Wayne State College (WSC) to provide a certified officer part-time on campus. We asked Attorney

Amy Miller to review the same, and she suggested some changes that were accepted by WSC.

**Recommendation:** The recommendation of Marlen Chin, Chief of Police, and Lowell Johnson, City Administrator, is to approve the revised agreement in the packet.

25. [Resolution 2017-48: Approving the hiring of a special engineer and approving the plans, specifications, and estimate of cost for the construction of certain water improvements to be constructed by the City of Wayne, Nebraska](#)

**Background:** This action begins the process of creating a water utility extension district to serve the area around the Beaumont Event Center north of the golf course.

**Recommendation:** The recommendation of Lowell Johnson, City Administrator, is to retain McLaury Engineering to design and construct the project. McLaury has already done much of the engineering for the project developer and will already have the site information and design plans.

26. [Ordinance 2017-19: Creating Water Extension District No. 2017-01 – Beaumont Event Center Project](#)

**Background:** This action establishes a water utility extension district to serve the area around the Event Center. The utility district is established as an independent entity that funds its own design and construction outside the city utility budget and assesses the project costs to the abutting property owners.

27. [Action on Contractor’s Application for Payment No. 3 \(Final\) for the “Nebraska Street Water Main Replacement 2016 Project” in the amount of \\$18,341.96 to Penro Construction Co., Inc.](#)

28. [Action on the appointment of Tim Sutton as Electric Distribution Superintendent](#)

**Background:** Since 2004, we have reduced the number of full-time city employee positions from 52 to 44. A part of this reorganization involved not refilling the department head positions in the Electric Distribution Department, Public Works Department and the Water/Wastewater Departments, as they came open. In 2005, Garry Poutre took over management of those departments as Superintendent of Public Works and Utilities. When Garry left several years ago, his position as Superintendent of Public Works and Utilities was merged with the City Administrator.

That has left the position of Electric Distribution Superintendent open for the last 12 years. During this time, I have delegated most of the responsibility over the Electric Distribution Department to Tim Sutton who is the Electric Line Supervisor. Our City Code requires the City Administrator to recommend, the Mayor to appoint, and the Council to approve persons to fill Department Head positions.

**Recommendation:** Tim is now doing the work of the Electric Distribution Superintendent, plus I have tasked him with cross training up to four of his electric distribution staff to also operate the power plant. I recommend the Mayor appoint and the Council approve Tim Sutton as Electric Distribution Superintendent, and I

recommend the Wage Resolution 2017-12 be amended to change the top of the pay range for this position from \$35.37 to \$38. If approved, I plan to start Tim at \$36.95.

29. Resolution 2017-49: Amending Wage and Salary Schedule (Electric Superintendent - Distribution)
30. Consideration on request to keep the old pool tank and fill with gravel for water park area  
— BJ Woehler
31. Adjourn

**MINUTES  
CITY COUNCIL MEETING  
May 2, 2017**

The Wayne City Council met in regular session at City Hall on Tuesday, May 2, 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 April 20, 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 Giese made a motion, which was seconded by Councilmember Haase, whereas, the Clerk has prepared copies of the Minutes of the meeting of April 18, 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:** 4IMPRINT, INC., SE, 819.86; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 1055.00; ALL-AMERICAN PUBLISHING, SE, 240.00; AMERICAN RED CROSS, RE, 10.00; AMERITAS, SE, 56.54; AMERITAS, SE, 72.00; AMERITAS, SE, 2188.88; AMERITAS, SE, 90.47; APPEARA, SE, 124.75; BLACK HILLS ENERGY, SE, 64.32; BLACK HILLS ENERGY, SE, 417.25; BOMGAARS, SU, 3.99; C. H. GUERNSEY & COMPANY, SE, 17524.91; CENTURYLINK, SE, 418.31; CITY EMPLOYEE, RE, 256.76; CITY EMPLOYEE, RE, 588.40; CITY OF PONCA, RE, 15016.25; CITY OF WAYNE, PY, 69395.38; CITY OF WEST POINT, RE, 21796.80; CITY OF WISNER, RE, 2269.50; CLAUSSEN, HEIDI, SE, 200.00; COMMUNITY HEALTH, RE, 3.00; DEARBORN NATIONAL LIFE, SE, 113.52; DUNCAN & ALLEN, SE, 5417.50; DUTTON-LAINSON, SU, 1036.73; ECHO GROUP, SU, 213.70; GERHOLD CONCRETE, SU, 958.50; GROSSENBURG IMPLEMENT, SU, 47.40; HTM SALES, SE, 2801.79; ICMA, SE, 8980.52; IRS, TX, 2855.54; IRS, TX, 10912.28; IRS, TX, 12210.18; J.H. HESPE CO, RE, 250.00; J.P. COOKE CO, SU, 160.60; JEO CONSULTING GROUP, SE, 2093.75; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KELLY SUPPLY CO, SU, 103.40; KRIZ-DAVIS, SE, 4419.10;

LAWLER FIXTURE CO, SU, 6162.64; LIBERAL GASKET MFG, SU, 358.14; LOUIS BENSCOTER, RE, 5576.14; METERING & TECHNOLOGY SOLUTIONS, SU, 432.19; MICHAEL TODD & CO, SU, 843.39; MIDWEST SERVICE & SALES, SU, 453.39; MIKE & KAYLA VARLEY, RE, 35.00; MUNICIPAL SUPPLY, SU, 1134.04; NNEDD, SE, 2267.66; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 150.00; NE DEPT OF REVENUE, TX, 3610.12; NE DEPT OF ROAD, SE, 25169.67; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 363.00; NED, INC., RE, 70000.00; NORFOLK WINNELSON CO, SU, 30.91; NORTHWEST ELECTRIC, SU, 433.85; NWEA, FE, 350.00; NWOD, FE, 15.00; O'KEEFE ELEVATOR CO, SE, 257.60; OTTE CONSTRUCTION CO, SE, 24760.00; PONCA RURAL FIRE BOARD, RE, 3593.38; QUALITY 1 GRAPHIC, SE, 250.00; QUALITY FOOD, SU, 13.79; SHARER, MATT, RE, 35.00; ST OF NE-CHARITABLE GAMING DIVISION, TX, 1811.00; STAPLES ADVANTAGE, SU, 165.36; STATE NEBRASKA BANK & TRUST, FE, 53300.00; T & S TRUCKING, SE, 873.92; TITAN MACHINERY, SU, 286.20; TRAUTMAN, ANDREA, RE, 25.00; UNITED WAY, RE, 5.00; US BANK, SU, 6417.29; VILLAGE OF WINSIDE, RE, 4803.48; WAYNE COUNTY COURT, RE, 150.00; WESCO, SU, 3424.00; ZEE MEDICAL SERVICE, SU, 67.09; AMERICAN BROADBAND, SE, 2468.35; APPEARA, SE, 49.18; BLUE CROSS BLUE SHIELD, SE, 36892.75; BOMGAARS, SU, 1866.94; BROWN SUPPLY, SU, 793.29; BSN SPORTS, SU, 243.40; CASEY CASKEY, RE, 150.00; CHEMQUEST, SE, 595.00; CITY EMPLOYEE, RE, 303.70; CONRAD, CHRISTA, RE, 208.15; COPY WRITE PUBLISHING, SU, 228.15; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DUGAN BUSINESS FORMS, SU, 1156.86; DUTTON-LAINSON, SU, 746.01; ECHO GROUP, SU, 186.73; ED. M FELD EQUIPMENT CO, SU, 8625.00; ELLIS HOME SERVICES, SE, 829.98; FASTENAL, SU, 374.49; FIRST CONCORD GROUP, SE, 2848.44; GILL HAULING, SE, 170.50; GROSSENBURG IMPLEMENT, SU, 22.05; HD SUPPLY WATERWORKS, SU, 2033.84; HELENA CHEMICAL, SU, 47.50; HOMETOWN LEASING, SE, 412.86; KATHY MOHLFELD, RE, 35.00; KRIZ-DAVIS, SU, 75.92; MILLER LAW, SE, 5048.70; MOTOROLA SOLUTIONS, SU, 173811.96; MULLER, KRISTYNA, RE, 181.49; NNPPD, SE, 3933.00; PETERSEN, MILAH, RE, 82.70; PLUNKETT'S PEST CONTROL, SE, 1062.45; POLLARD PUMPING, SE, 265.00; STADIUM SPORTING GOODS, SU, 312.00; STAPLES ADVANTAGE, SU, 7.17; THE COFFEE SHOPPE ON MAIN, SE, 80.00; TYLER TECHNOLOGIES, SE, 200.00; UNITED RENTALS, SU, 795.00; VIAERO, SE, 223.03; WAED, SE, 7216.66; WAYNE HERALD, SE, 172.50; WAYNE STATER, SE, 60.00; WSC MEN'S SOCCER CLUB, SE, 500.00; WSC SOCCER FOUNDATION, SE, 700.00

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 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 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.

Under the current tax code, if a City advances monies from another fund without having a reimbursement resolution in place within sixty days of said advancement, then it is impossible to refund that borrowed fund using tax-exempt bond proceeds. This will allow the City to roll the project into a bond issue, if it so desires.

Phil Lorenzen of D.A. Davidson, the City's Bond Underwriter, was present to answer questions.

Councilmember Sievers introduced Resolution No. 2017-43 and moved for its approval; Councilmember Brodersen seconded.

#### RESOLUTION NO. 2017-43

#### A RESOLUTION AUTHORIZING REIMBURSEMENT RELATING TO RECOVERY OF FUNDS TEMPORARILY ADVANCED FOR ELECTRIC SYSTEM DISTRIBUTION PROJECT COSTS.

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.

Discussion took place again regarding the Interlocal Agreement between the City and Wayne State College for support towards a state-of-the-art facility in Wayne (Center for Applied Technology). The support is for four monetary payments to the College of \$250,000 each on 7/1/17, 12/1/17, 5/1/18 and 10/1/18. This is prepayment for 10 years of services (e.g. internet services, opportunity to use WSC facilities and the possibility of city staff taking classes to enhance their job skills).

Marysz Rames, President of Wayne State College, was present to answer questions.

Councilmember Giese, while in support of this, shared concerns and would like to see if the timeframe for payment of the prepaid services could be spread out over more time. In addition, he wanted to see the list of entities or donors supporting the project.

Dr. Rames stated to spread the payments out over more time would be problematic because they owe as they go on the facility, so those funds would be used for the construction of the facility. She would provide the list of donors as requested.

There being no further discussion, Councilmember Sievers introduced Resolution No. 2017-34 and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2017-34

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF WAYNE AND WAYNE STATE COLLEGE.

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, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Friday, July 7<sup>th</sup>, the Committee is requesting the closure of the following streets from 2:30 p.m. until 2:00 a.m. for the Annual Henoween Celebration: Main Street from 1st Street to the alley between 3<sup>rd</sup> and 4<sup>th</sup> Streets; 2<sup>nd</sup> and 3<sup>rd</sup> Streets from Pearl to the alley east of Main Street; and that 3<sup>rd</sup> Street from the alley west of Main Street to Pearl Street be dedicated to handicap parking.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the request of the Chicken Show Committee to close the following streets on Friday, July 7<sup>th</sup> from 2:30 p.m. until 2:00 a.m. for the Annual Henoween Celebration: Main Street from 1st Street to the alley between 3<sup>rd</sup> and 4<sup>th</sup> Streets; 2<sup>nd</sup> and 3<sup>rd</sup> Streets from Pearl to the alley east of Main Street; and that 3<sup>rd</sup> Street from the alley west of Main Street to Pearl Street be dedicated to handicap parking. 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, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Saturday, July 8<sup>th</sup>, the Committee is requesting the closure of the following streets from 6:00 a.m. until 5:00 p.m., for the Annual Chicken Show Celebration in Bressler Park: 10<sup>th</sup> Street from Lincoln Street to Douglas Street; Lincoln and Douglas Streets

from 10<sup>th</sup> Street to 8<sup>th</sup> Street. The intersections at 10<sup>th</sup> and Douglas and 10<sup>th</sup> and Lincoln Streets and 9<sup>th</sup> and Lincoln Streets are also requested to be closed.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the request of the Chicken Show Committee to close the following streets on Saturday, July 8<sup>th</sup> from 6:00 a.m. until 5:00 p.m. for the annual Chicken Show celebration in Bressler Park: 10<sup>th</sup> Street from Lincoln Street to Douglas Street; Lincoln and Douglas Streets from 10<sup>th</sup> Street to 8<sup>th</sup> Street; and the intersections at 10<sup>th</sup> and Douglas and 10<sup>th</sup> and Lincoln Streets, and 9<sup>th</sup> and Lincoln 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.

Wes Blecke, representing Wayne Area Economic Development, Inc., and on behalf of the Chicken Show Committee, was requesting the following streets be closed during the Chicken Show activities:

- ❖ On Saturday, July 8<sup>th</sup> for the Annual Chicken Show Parade from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10<sup>th</sup> Street to 7<sup>th</sup> Street will also be used for the parade.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the request of the Chicken Show Committee to close the following streets on Saturday, July 8<sup>th</sup> for the Annual Chicken Show Parade from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. 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 Brodersen introduced Resolution No. 2017-35 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2017-35

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

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, 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 annexation of certain real estate – the Beaumont Event Center property.

Josie Broders was present to answer questions.

The Planning Commission discussed this annexation on May 1, 2017, and forwarded a recommendation of approval subject to the following "Findings of Fact:"

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

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. 2017-10, and moved for approval thereof; Councilmember Haase seconded.

ORDINANCE NO. 2017-10

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 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.

Rob Woodling of Woodling Development Corp. was present asking for a sense of the Council on a project that they would like to seek tax increment financing for. This 15-single family home development would be on lots they would purchase from Benscoter Development

located down by the rugby fields. These will be rent-to-own homes. This project, from start to finish, will take about 14 months. The ten homes constructed in Western Ridge were done in 10 months. The homes, when completed, will be owned by Wayne Crown II, LLC, that Mr. Woodling will be a managing member of. Investors buy the tax credit financing. Council consensus was that they were agreeable to tax increment financing for this project.

Administrator Johnson stated the following two Resolutions and two Ordinances pertain to the Wayne Crown II Project. McLaury Engineering is the engineer on the project who will design and construct the paving and sewer extension projects.

Councilmember Sievers introduced Resolution No. 2017-36 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2017-36

A RESOLUTION APPROVING THE HIRING OF A SPECIAL ENGINEER AND APPROVING THE PLANS AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE CONSTRUCTION OF CERTAIN PAVING IMPROVEMENTS TO BE CONSTRUCTED IN THE CITY OF WAYNE, NEBRASKA (WAYNE CROWN II PROJECT).

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 following Ordinance will create Street Improvement District No. 2017-01 (Wayne Crown II Project).

Councilmember Sievers introduced Ordinance 2017-11 and moved for approval thereof; Councilmember Eischeid seconded.

#### ORDINANCE NO. 2017-11

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2017-01; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.

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 Sievers introduced Resolution No. 2017-37 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2017-37

A RESOLUTION APPROVING THE HIRING OF A SPECIAL ENGINEER AND APPROVING THE PLANS AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE CONSTRUCTION OF CERTAIN SEWER IMPROVEMENTS TO BE CONSTRUCTED IN THE CITY OF WAYNE, NEBRASKA (WAYNE CROWN II PROJECT).

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 following Ordinance will create Sewer Extension District No. 2017-01 (Wayne Crown II Project).

Councilmember Sievers introduced Ordinance 2017-12 and moved for approval thereof; Councilmember Eischeid seconded.

#### ORDINANCE NO. 2017-12

AN ORDINANCE CREATING SANITARY SEWER EXTENSION DISTRICT NO. 2017-01 OF THE CITY OF WAYNE, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF SEWER MAINS AND SEWER LINES WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATES AS PREPARED BY THE ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK.

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 Sievers introduced Ordinance No. 2017-7, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-7

AN ORDINANCE DIRECTING THE SALE OF A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO WAYNE COMMUNITY SCHOOL DISTRICT #17.

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.

Administrator Johnson stated the following Ordinance would approve the Power Purchase Agreement with Cottonwood Wind Project, LLC. Administrator Johnson requested that the requirement for three readings be waived.

Councilmember Eischeid introduced Ordinance No. 2017-8, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-8

AN ORDINANCE APPROVING POWER PURCHASE AGREEMENT BETWEEN THE CITY OF WAYNE AND COTTONWOOD WIND PROJECT, LLC.

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent and Councilmember Sievers who voted Nay, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to move for final approval of Ordinance No. 2017-8. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir

who was absent and Councilmember Sievers who voted Nay, the Mayor declared the motion carried.

Bernie Cevera of C. H. Guernsey & Company was present to explain the changes in the amendment to the Big Rivers Contract. It allows for 15% renewable energy to be brought into Wayne from outside the system. Wayne will save 44% on the summer energy rate per megawatt hour and 37% during the winter per megawatt hour. This is a significant savings dollar wise for the City of Wayne. Big Rivers has also agreed to allow a different source of renewable energy called qualified facilities, which is in addition to the 15% allowed. It allows for a differentiation between the capacity payment for the existing plant and the capacity payment for any new generation that Wayne would build in the City. So pricing for the old plant and pricing for the new plant do not have to be the same. Big Rivers is acknowledging that new technology would have more value than 1950's technology. That price would be negotiated in the future if and when Wayne builds new generation. They have also agreed to the sale of energy and ancillary services into the SPP without markup. Therefore, the potential for Wayne to produce revenue in the future from existing or future resources is now in place. They are going to do that without markup as well. Finally, Guernsey has worked with Big Rivers quite a bit on improving their market participant services they are providing to Wayne.

Councilmember Brodersen introduced Ordinance No. 2017-9, and moved for approval of the second reading thereof; Councilmember Giese seconded.

#### ORDINANCE NO. 2017-9

#### AN ORDINANCE APPROVING AN AMENDMENT TO THE CONTRACT WITH BIG RIVERS ELECTRIC CORPORATION.

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.

Administrator Johnson requested that the requirement for three readings be waived.

Councilmember Brodersen made a motion, which was seconded by Councilmember Giese to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Giese, to move for final approval of Ordinance No. 2017-9. 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.

Bernie Cevera of C. H. Guernsey & Company, along with Tom Lutz of Lutz, Daily & Brain, gave a presentation on a proposal to research and present options for considering a long-range replacement program for some of the older power plant engines. The cost for said services or feasibility analysis is \$39,500.

Councilmember Giese introduced Resolution No. 2017-40 and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2017-40

#### A RESOLUTION ACCEPTING PROPOSAL AND APPROVING SCOPE OF CONSULTING SERVICES AGREEMENT WITH C. H. GUERNSEY & COMPANY FOR A 9MW GENERATION RESOURCE FEASIBILITY STUDY.

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.

Administrator Johnson stated three proposals were received for the design and construction of a paving and storm sewer project on 2<sup>nd</sup> Street. This will be a 2018 project. Staff has reviewed the proposals, and are recommending the project be awarded to Advanced Consulting Engineering Services for \$36,000. The other two firms that submitted proposals were JEO Consulting Group, Inc., for \$59,990, and McLaury Engineering, Inc., for \$92,500.

Councilmember Sievers introduced Resolution No. 2017-41 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2017-41

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AN AGREEMENT BETWEEN THE CITY OF WAYNE AND ADVANCED CONSULTING ENGINEERING SERVICES FOR ENGINEERING SERVICES FOR THE "2<sup>ND</sup> STREET PAVING AND STORM SEWER PROJECTS."

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 Brodersen left the meeting at 6:46 p.m.

Lowell Heggemeyer, Street Foreman, stated he received two proposals for a concrete breaker. His recommendation is to accept the bid and award the contract to Sooland Bobcat, Sioux City, IA, for \$6,474.

Councilmember Haase was not in favor of the purchase and had concerns on whether or not this piece of equipment could do what they needed it to do on some of the projects they were going to use it on. He thought the matter should be tabled. He discussed this with Steve Meyer and Bob Woehler.

Mr. Heggemeyer did not know if the dealer would honor this purchase price after this meeting (the purchase price changed/increased to \$7,200 once Sooland Bobcat got the State contract/bid).

Councilmember Eischeid argued that this equipment would get used on sidewalks, breaking up street intersections, etc., and if the matter is tabled, it could cost an additional \$800 for the equipment.

Councilmember Eischeid introduced Resolution No. 2017-42 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2017-42

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE PURCHASE OF A NEW HYDRAULIC BREAKER WITH NAIL POINT FOR THE PUBLIC WORKS DEPARTMENT.

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

The following ordinance would amend Sec. 78-13 Stop Sign Locations to place stop signs for eastbound and westbound traffic at the intersection of Pheasant Run Road and Grainland Road, but not for northbound traffic through the intersection. There is already a stop sign for southbound traffic through the intersection.

Councilmember Giese introduced Ordinance 2017-13 and moved for approval thereof; Councilmember Sievers seconded.

ORDINANCE NO. 2017-13

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-13 STOP SIGN LOCATIONS; WEST OF MAIN STREET, SOUTH OF SEVENTH STREET; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

The following Ordinance would amend Sec. 78-212 Speed; Maximum to reduce the speed to 25mph on Grainland Road from the Pheasant Run Road intersection through the residential area.

Councilmember Giese introduced Ordinance 2017-14 and moved for approval thereof; Councilmember Haase seconded.

ORDINANCE NO. 2017-14

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-212 SPEED; MAXIMUM; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

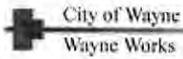
Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent and Councilmember Brodersen who left the meeting, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Brian Kesting, Information Technology Specialist, was present to request Council consideration to participate and contribute \$10,000 for the Aerial Imagery Contract – Spring 2018 Project with Wayne County. The County, back in 2015, entered into a pictometry contract to take aerial images of the whole county. At the time, the City did not contribute anything to that project. The County let us use the imagery from that project as an in kind or goodwill gesture. The contract called for two flights. The initial flight was in 2015, and the second one was scheduled three years later or in 2018. It is time to start planning for that flight. The County has started working on their budget and have asked if the City would like to participate with them. The total cost of the project is \$64,000. He noted the City gets a lot of use from this imagery. If the City does not participate, he did not know if the County would go forward with the project or not. If the City were to do this project on their own (city imagery only), the cost would probably be around \$20,000. They are trying to get Cedar and Thurston Counties to participate, which would lower the cost.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers to approve participating and contributing the sum of up to \$10,000 for the Aerial Imagery Contract – Spring of 2018 project. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent and Councilmember Brodersen who left the meeting, the Mayor declared the motion carried.

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 and Councilmember

Brodersen who left the meeting, the Mayor declared the motion carried and the meeting adjourned at 7:07 p.m.



Vendor	Payable Description	Payment Total
ALTEC INDUSTRIES, INC.	OUTRIGGER PADS	394.00
ALVARADO, GABRIELLE	UTILITY REFUND	40.47
AMERITAS LIFE INSURANCE	POLICE RETIREMENT EMPL DON	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT PERCENT	98.01
AMERITAS LIFE INSURANCE	Police Retirement	2,504.62
AMERITAS LIFE INSURANCE	AMERITAS ROTH	56.54
ARNIE'S FORD INC	Kit - Floor con	119.19
BACKHAUS, KELSEY	UTILITY REFUND	60.44
BAKER & TAYLOR BOOKS	library books	895.60
BARONE SECURITY SYSTEMS	ANNUAL INSPECTION	766.16
BATENHORST, RYAN	UTILITY REFUND	120.58
BENSCOTER CONSTRUCTION	Deposit refund 1602 Claycomb	100.00
BROWN SUPPLY CO	BRASS TEES, COPR. INSTA-TITES	968.51
BROWNING, TIMOTHY	UTILITY REFUND	117.93
BSN SPORTS, INC	Lifeguard swim ware	738.95
BURKLUND, DILLON	UTILITY REFUND	102.62
CAPSTONE	LIBRARY BOOKS	19.49
CHARTWELLS	SENIOR MEALS APRIL 2017	4,277.05
CITY EMPLOYEE	medical reimbursement	88.00
CITY EMPLOYEE	DEPOSIT REFUND	100.00
CITY EMPLOYEE	Medical Reimbursement	158.53
COFFMAN, CHRISTINA	UTILITY REFUND	73.62
COMMUNITY HEALTH	HEALTH CHARITIES	3.00
COWELL, BRIANNA	UTILITY REFUND	103.51
CUSIP SERVICE BUREAU	CUSIP MAINTENANCE FEE	119.00
DANIELSON, SARALOU	TREE INCENTIVE	109.11
DEMCO INC	LIBRARY SUPPLIES	582.69
DUTTON-LAINSON COMPANY	LUMINAIRES	1,500.57
EASYPERMIT POSTAGE	POSTAGE ON UTILITY BILLS	1,015.56
EATON, MICHAEL	UTILITY REFUND	196.41
ESCOBAR, NANCY	UTILITY REFUND	108.01
Foote, Tyler	Deposit refund 1009 2nd Ave	100.00
GALE/CENGAGE LEARNING	LIBRARY BOOKS	222.86
GARCIA PENA, ZULEMA	UTILITY REFUND	82.44
GEOCOMM INC	MAINTENANCE CONTRACT	2,188.00
GERHOLD CONCRETE CO INC.	9TH & PINE HEIGHTS CONCRETE	192.50
GROSSENBURG IMPLEMENT INC	TERRAIN CUT FRONT MOWER	9,774.55
H.K. SCHOLZ COMPANY	INVESTIGATE METER DISCREPANCIES	2,597.66
Hahn, Lacey	Auditorium Deposit Refund	150.00
HAMMER, MICHELLE	UTILITY REFUND	82.43

Vendor	Payable Description	Payment Total
HAUFF MID-AMERICAN SPORTS	FIELD MARKING PAINT	82.00
HEGEMANN, KAYLA	UTILITY REFUND	243.80
HELENA CHEMICAL CO.	CHEMICALS	2,620.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	8,960.52
INGRAM LIBRARY SERVICES	BOOKS	593.84
IRS	MEDICARE WITHHOLDING	3,050.82
IRS	Federal withholding	12,092.14
IRS	FICA WITHHOLDING	13,044.58
J.H. HESPE CO, INC	Deposit refund 1200 Centennial	250.00
JESSICA BOLLES	NATURE CAMP REFUND	10.00
JOHNSON, HOLLY	UTILITY REFUND	80.36
JOSHUA PIERSANTI	Tree Incentive	79.16
KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE	CS 16-81101-TLS	243.00
KOHL, COLTON	UTILITY REFUND	236.26
KTCH AM/FM RADIO	RADIO ADS	769.00
LEAGUE OF NEBRASKA MUNICIPALITIES	Registration NCMA conference L. Johnson	105.00
LIEBENTRITT, JORDIN	UTILITY REFUND	212.52
LUBBERSTEDT, VICTORIA	UTILITY REFUND	19.79
LUTT OIL	DIESEL & GASOLINE	3,467.64
MARCO INC	SR CENTER COPIER LEASE	-218.97
MARCO INC	LIBRARY COPIER LEASE PAYMENT	126.36
MARCO INC	Library copier lease payment	218.97
MARCO TECHNOLOGIES LLC	SR CENTER COPIER LEASE	92.61
MATHESON-LINWELD	OXYGEN	18.00
METZ, BRADY	UTILITY REFUND	15.73
MIDWEST LABORATORIES, INC	TESTING AMMONIA, NITROGEN, PHOS, SOLIDS	246.50
MITCHELL, HALEY	UTILITY REFUND	82.40
MOLT, TERRI	UTILITY REFUND	60.73
N.E. NEB ECONOMIC DEV DIST	MEMBERSHIP	7,135.38
NATP	Managers workshop registration	20.00
NATP	Membership Renewal	85.00
NE DEPT OF REVENUE	STATE WITHHOLDING	3,972.06
NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN	MEMBERSHIP DUES	50.00
NORFOLK DAILY NEWS	ADVERTISE CITY ADMIN & LIBRARY DIR	268.45
OVERDRIVE, INC.	AUDIO & EBOOKS	392.30
PAC N SAVE	LIBRARY SUPPLIES	168.83
PEERLESS WIPING CLOTH CO	CAR WASH TOWELS	240.00
PENGUIN RANDOM HOUSE LLC	LIBRARY MATERIALS	168.75
PENRO CONSTRUCTION CO, INC.	STUMP REMOVAL 3RD & NEBR.	1,300.00
PITNEY BOWES INC	POSTAGE METER LEASE	253.85
POLLARD PUMPING	PORTABLE TOILETS - SOCCER/RUGBY	300.00
QUALITY FOOD	SR CENTER NOON MEALS	326.11
RECREONICS	LIFEGUARD UMBRELLAS	191.95
REHAB SYSTEMS	Rebuild 3 sewer manhole floors	2,500.00
RESCO	NORDIC CBP BOX PAD W/21X12 OPENING	8,185.50
SCHMIT, ALISON	UTILITY REFUND	201.23

Vendor	Payable Description	Payment Total
SCHROTBERGER, SEAN	UTILITY REFUND	109.11
SHOPKO	SUPPLIES	28.93
SIOUX CITY JOURNAL	ADVERTISE POLICE OFFICERS	807.60
SKARSHAUG TESTING LAB INC	Sleeve & glove testing	203.21
SPARKLING KLEAN	MAY 2017 CAC JANITORIAL SERVICES	1,200.00
SPARKLING KLEAN	Janitorial services	1,536.17
STATE NEBRASKA BANK & TRUST	POOL PETTY CASH	100.00
STERNBERG, PAXTON	UTILITY REFUND	86.11
SYDOW, SUZANNE	UTILITY REFUND	49.58
THE WALLING COMPANY, INC	DIAPHRAGM	49.68
TITAN MACHINERY	3 POINT MOWER REPAIRS	286.20
TOELLE, RILEY	UTILITY REFUND	115.83
TOTAL FILTRATION SERVICES, INC	FILTERS	217.23
UNITED WAY	UNITED WAY DEDUCTION	5.00
UTILITIES SECTION	ELECTRIC UNDERGROUND DIST WORKSHOP	600.00
VIAERO WIRELESS	POLICE - CELL PHONES	133.17
VIAERO WIRELESS	cell phone	223.03
VIAERO WIRELESS	cell phone	-223.03
VINKAVICH, BENJAMIN	UTILITY REFUND	32.11
VOGT, ALLIE	UTILITY REFUND	24.53
WAKELEY, BRENNAN	UTILITY REFUND	127.17
WAYNE AUTO PARTS	SUPPLIES	690.79
WAYNE COUNTY CLERK	FILINGS	474.00
WAYNE COUNTY CLERK	FILING FEES	224.00
WAYNE COUNTY COURT	BOND - J. F. MOORE	142.50
WAYNE HERALD	CAC PROMOTIONS	267.00
WAYNE HERALD	GO GREEN AD	274.50
WAYNE VETERINARY CLINIC	IMPOUND CATS & DOGS	168.00
WIGMAN COMPANY	SLOAN CLOSET KIT & BUBBLER	669.98
WILMES, CATHERINE	UTILITY REFUND	134.41
ZACH HEATING & COOLING	SERVICE CALL POLICE DEPT	87.30
	<b>Grand Total:</b>	<b>112,406.89</b>

PAYROLL	APRIL TO MAY 7	74,092.88
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**Betty McGuire - Re: Fwd: Southview Estates Project request**

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**From:** Betty McGuire  
**To:** Lowell Johnson  
**Date:** 5/5/2017 12:17 PM  
**Subject:** Re: Fwd: Southview Estates Project request

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>>> kelby herman <kelbyherman@live.com> 5/2/2017 4:10 PM >>>

Can you put this project on the next council agenda so we can have the preliminary discussion about TIF. This is a Tax Credit project that "may" be approved the first of June. The Wayne Community Housing group and Mesner Development wants to ensure TIF will happen. The WCHDC will be the owner and manager of the 20 unit project.

Thanks,

Kelby

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**CITY OF WAYNE  
INTEROFFICE MEMORANDUM**

**DATE:** May 2, 2017

**TO:** Mayor Chamberlain  
Wayne City Council

**FROM:** Wayne Planning Commission  
Joel Hansen, Staff Liaison 

At their meeting held on May 1, 2017 the Wayne Planning Commission made a recommendation on the following public hearings and discussion items; the result of those recommendations are as following:

**Public Hearing: Rezoning Request from B-1 Highway Business to R-3 Residential; Applicant – City of Wayne**

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 Carstens and seconded by Commissioner Piper to approve and forward a recommendation of approval to the City Council for the rezoning request from the City of Wayne from B-1 Highway Business to R-3 Residential, the areas known as 319 South Main, 323 South Main, and 325 South Main, with the findings of fact being consistency with the Comprehensive Plan, the current and future land use maps and staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, motion carried to approve.

**Public Hearing: Rezoning Request from I-1 Light Industrial and Manufacturing to B-2 Central Business District; Applicant – City of Wayne**

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 Carstens and seconded by Commissioner Loggins to approve and forward a recommendation of approval to the City Council for the rezoning request from the City of Wayne from I-1 Light Industrial and Manufacturing to B-2 Central Business District, the areas known as 116 South Main Street, with the findings of fact being consistency with the Comprehensive Plan, the current and future land use maps and staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, motion carried to approve.

**Public Hearing: Use by Exception Request Wayne Municipal Code B-2 Central Business District Section 152.081 (D) Exceptions (7) Storage Garages and Mini-Warehouses; Applicant – Jason Schulz**

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 Loggins and seconded by Commissioner Sandoz to approve and forward a recommendation of approval to the City Council for the Use by Exception request for the B-2 Central Business District, Section 152.081 (D) Exceptions and (7) Storage and Mini-Warehouses for Jason Schulz at 116 South Main Street, with the findings of fact being consistency with the Comprehensive Plan, the current and future land use maps and staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, motion carried to approve.

**Public Hearing: Rezoning Request from I-1 Light Industrial and Manufacturing to R-2 Residential; Applicant – Kelby Herman and Brent Pick**

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 Carstens and seconded by Commissioner Sandoz to approve and forward a recommendation of approval to the City Council for the Request to Rezone from I-1 Light Industrial and Manufacturing to R-2 Residential for the following described area: Lot 1 of the Giese Addition and Tax Lots 31 in Part of the N1/2 of the SE1/4 of Section 13, Township 26 Range 3E., with the findings of fact being consistency with the Comprehensive Plan, the current and future land use maps and staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, with the exception of Commissioner Giese who abstained, motion carried to approve.

**Public Hearing: Amending the Wayne Municipal Code Section 152.082 (I) Maximum Height; Applicant: State Nebraska Bank**

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 Carstens and seconded by Commissioner Giese to approve and forward a recommendation of approval to the City Council to amend the Wayne Municipal Code, Section 152.082 (I) Maximum Height, specifically to increase the maximum from 25 feet to 35 feet, as written in the attached, with the findings of fact being staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, motion carried to approve.

**Discussion and Recommendation: Blight and Substandard Determination Study for the South Sherman-Douglas Street Redevelopment Area**

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 Carstens and seconded by Commissioner Sandoz to approve and forward a recommendation of approval to the City Council for the Blight and Substandard study for the area referenced to as Blight and Substandard Determination Study for the South Sherman-Douglas Street Redevelopment Area, with the findings of fact being as stated in Resolution No. 2017-02. Vice-Chair Sorensen stated the motion and second. All were in favor, with Commissioner Giese abstaining, motion carried to approve.

**Discussion and Recommendation: Annexation of the Beaumont Event Center**

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 Carstens and seconded by Commissioner Giese to forward a recommendation of approval to the City Council for the annexation of the Beaumont Event Center, with the findings of fact being consistency with the Comprehensive Plan, the current and future land use maps and staff's recommendation. Vice-Chair Sorensen stated the motion and second. All were in favor, motion carried to approve.

# City of Wayne

Blight and Substandard Determination Study prepared by Northeast Nebraska Economic Development District on April 3, 2017

South Sherman-Douglas Street Redevelopment Area  
Adopted by Wayne City Council on: ????????, 2017



## **Executive Summary**

The purpose of this study is to determine if all or part of the designated “**South Sherman-Douglas Redevelopment Area**” which is more or less 11 acres, has deteriorated and become substandard and blighted according to the Community Development Law established in Nebraska Statute 18-2102. The study area meets the substandard and blighted criteria as defined by section 18-2103(10) and 18-2103(11) of the Nebraska Community Development Law; therefore, the area has been determined to be blighted and substandard.

## **Community Development Law**

### **18-2102. Legislative findings and declarations.**

It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, unsanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable lands uses. Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist, needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of municipalities, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general community-wide values. The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire, and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination.

It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue.

It is further found and declared that certain substandard and blighted areas, or portions thereof, may require acquisition, clearance, and disposition, subject to use restrictions, as provided in the Community Development Law, since the prevailing conditions of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in the Community Development Law, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils, hereinbefore enumerated, may be eliminated, remedied, or prevented; and that salvageable substandard and blighted areas can be conserved and rehabilitated through appropriate public action and the cooperation and voluntary action of the owners and tenants of property in such areas.

**18-2103(10).** Substandard areas shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and over-crowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals, or welfare.

**18-2103(11).** Blighted area shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe condition, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or contributes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use, and (b) in which there is at least one of the following conditions; (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) that the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred per cent of the village as blighted.

## Objective Criteria

State statute establishes a series of five quantitative or “objective” criteria. An area must meet at least one of these initial criteria.

- **Underemployment.** The qualifying condition is an unemployment rate in the designated area that is at least 120% of the state or national average. Block group data from the 2010 Census, as well as subsequent geographic area studies available through the Nebraska Department of Labor, were utilized to determine qualifying areas under this standard.
- **Average age of residential or commercial units in the area.** The qualifying condition is an average age that is at least forty (40) years old.
- **Per capita income.** The qualifying condition is a per capita income for the area that is lower than the average per capita income of the municipality in which the area is designated. Block group data from the 2010 Census was utilized to indicate the presence of this criterion.
- **Population.** The qualifying condition is that the area has had either stable or decreasing population based on the last two decennial censuses. Block group data from 1990, 2000, and 2010 was examined to indicate the presence of this criterion.
- **Unimproved land.** Compliance with this standard involved examining the corporate limits and defining areas within those limits which remain unimproved. The qualification is if more than half of the plotted and subdivided property in the area has been within the city for forty years and has remained unimproved during that time.

## Subjective Criteria

If an area met one of the objective qualifying requirements, it would then be subject to further review under the “Subjective Criteria” section of the statute. If one or more of these qualifiers was met, the area in question was determined to be “blighted and substandard.” The subjective criteria include the following:

- A substantial number of deteriorated or deteriorating structures,
- The existence of defective or inadequate street layout,
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
- Unsanitary or unsafe conditions,
- Deterioration of site or other improvements,
- Diversity of ownership,
- Tax or special delinquency exceeding the fair value of the land,
- Defective or unusual conditions of title,
- Improper subdivision or obsolete platting,
- The existence of conditions which endanger life or property by fire and other causes, or
- Any combination of such factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.

**The Study Area:**

The South Sherman-Douglas Street Redevelopment Area contains 11 acres located the City of Wayne, Nebraska and shall be described as follows: Beginning at the northwest corner of parcel number 000428005 in tract 13-26-3 of Wayne county; Thence continuing southerly along the western line to the southeast corner of said parcel; Thence continuing southeasterly along the southeast line of said parcel; Thence continuing southeasterly along the southeast line of parcel number 000508500 in tract 13-26-3 of Wayne county and of parcel number 00802150 in tract 13-26-3 of Wayne county to the southeast corner of parcel number 00802100 in tract 13-26-3 of Wayne county; Thence continuing northerly to the northeast corner of said parcel; Thence continuing westerly along the northern line of said parcel and the northern line of parcel number 008021400 in track 13-26-3 in Wayne county; Thence continuing westerly to the northwest corner of parcel number 000508800 in tract 13-26-3 of Wayne county; Thence continuing southerly 25 feet along the western line of said parcel; Thence continuing northerly to the point of beginning at the northwest corner of parcel number 000428005 in tract 13-26-3 of Wayne county.

(Exhibit 1, page 10, map; Exhibit 2, page 11-12, properties legal descriptions)

**Findings****Substandard Area Criteria-Documentation of Qualifying Conditions****1. Dilapidation or Deterioration**

The results of the field survey conducted on April 4, 2017 determined that of the total structures assessed, 23 of the 26 were given ratings of fair, poor or dilapidated based upon signs of deterioration to the structure. This accounts for 88.46% of the total properties in the redevelopment area. (Exhibit 3, pages 13-19 pictures of study area)

*The Dilapidation and Deterioration factors are so pervasive as to predominate the redevelopment area, and such factors are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare.*

**2. Age or Obsolescence**

An analysis of property records available from the Wayne County Assessor's office and online at <http://www.nebraskaassessoronline.us/search.aspx?county=Wayne> was conducted to document the age of each structure within the study area. There were 20 structures with an age listed. The average age of construction was estimated to be 60.80 years, with 16 or 80% of the structures over 40 years of age. There are 6 structures in the study area that had no documentation of actual construction dates. During the field survey conducted on April 4, 2017 it was determined that those structures were consistent with other structures in the area and would have been constructed more than 40 years ago. (Exhibit 2, pages, 11-12, age of properties)

*The Age or Obsolescence factor is so pervasive as to predominate the redevelopment area, and such factor is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare.*

**3. Inadequate provision for ventilation, light, air, sanitation, or open spaces.**

*The study area does not meet the inadequate provision for ventilation, light, air, sanitation, or open spaces.*

**4. Other conditions.**

- a. **High density of population or overcrowding;**
- b. **The existence of conditions which endanger life or property by fire and other causes;**
- c. **Any combination of such factors (other than dilapidation, deterioration, or age or obsolescence) which is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals, or welfare.**

The results of the field survey conducted on April 4, 2017 determined that there is the existence of conditions which could endanger life or property by fire and other causes with the presence of two 30,000 gallon LPG tanks located in the study area. There is also the presence of debris within the study area which creates safety concerns. (Exhibit 4, pages 21-25 pictures of study area)

*The study area met the existence of a combination of other factors (other than those factors identified above) the existence of conditions which endanger life or property by fire and other causes; and which are detrimental to the public health, safety, morals, or welfare in its present condition and use.*

**Blighted Criteria-Documentation of Qualifying Conditions**

**1. A substantial number of deteriorated or deteriorating structures.**

A field analysis was conducted on April 4, 2017 to determine if parcels within the redevelopment area have significant combination of deteriorating factors present. The field survey included a detailed evaluation of the exteriors of the structures.

During analysis, the buildings were given a condition rating. The building condition rating is based on the following criteria:

**Dilapidated:** In need of more than one major repair, for example, to the roof, foundation, windows, and/or siding, etc. Severe visible damage to the foundation automatically leads to a classification of dilapidated. These structures are usually considered to be beyond rehabilitation.

**Poor:** Had multiple visible signs of deterioration, especially to the windows, siding, roof, and porch. Asbestos shingles/siding automatically leads to a classification of poor. Could be rehabilitated, but substantial cost would be involved.

**Fair:** Usually had at least one or more visible signs of deterioration to the windows, siding, roof, etc. Not a significant amount of damage, but some work would be required to list the building for top dollar.

**Average:** Structure had no substantial signs of building deterioration. However, cosmetic flaws were visible, such as outdated fixtures or very minor paint damage. This would require very little to no cost to sell the building for top dollar.

**Excellent:** Structure shows absolutely no signs of deterioration. No cosmetic flaws were visible. Only a very small percentage of structures will fall into this category.

Total	Excellent	Average	Fair	Poor	Dilapidated
26	0	3	8	10	5

Of the total structures assessed, 23 of the 26 were given ratings of fair, poor or dilapidated based upon signs of deterioration to the structure. This accounts for 88.46% of the total properties in the redevelopment area. (Exhibit 3, pages 13-19 pictures of study area)

*The study area meets the criteria of a substantial number of deteriorated or deteriorating structures, which criteria substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.*

**2. The existence of defective or inadequate street layout.**

Inadequate streets, sidewalks, curbs and gutters exist in the area. Development of vacant land within this study area has been inhibited by the lack of established public streets and sidewalk system.

*The study area meets the criteria of a substantial number of defective or inadequate street layout, which criteria substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.*

**3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness.**

*The study area does not meet the faulty lot layout in relation to size, adequacy, accessibility or usefulness criteria of blighted.*

**4. Unsanitary or unsafe conditions.**

The results of the field survey conducted on April 4, 2017 determined that there is a predominance of conditions that are unsanitary or unsafe. There is the presence of debris within the study area which creates unsafe and unsanitary conditions. (Exhibit 3, pages 13-19 pictures of study area)

*The study area meets the criteria of a substantial number of unsanitary or unsafe conditions, which criteria substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.*

**5. Deterioration of site or other improvements.**

*The study area does not meet the deterioration of site or other improvements.*

**6. Diversity of ownership.**

*The study area does not meet the diversity of ownership criteria.*

**7. Tax or special assessment delinquency exceeding the fair value of the land.**

*The study area does not meet the tax or special delinquency criteria.*

**8. Defective or unusual conditions of title.**

*The study area does not meet the defective or unusual conditions of title criteria.*

**9. Improper subdivision or obsolete platting.**

*The study area does not meet the improper subdivision or obsolete platting criteria.*

**10. The existence of conditions that endanger life or property by fire and other causes.**

The results of the field survey conducted on April 4, 2017 determined that there is the existence of conditions which could endanger life or property by fire and other causes with the presence of two 30,000 gallon LPG tanks located in the study area.

*The study area does meet the existence of conditions that endanger life or property by fire and other causes criteria.*

**11. Any combination of such factors (other than deteriorated or deteriorating structures, defective or inadequate street layout, unsanitary or unsafe conditions, or deterioration of site or other improvements), which substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use**

*The study area does not meet the existence of a combination of other factors (other than those factors identified above) which are detrimental to the public health, safety, morals, or welfare in its present condition and use.*

**12. In addition to the above-described factors, at least one or more of the following conditions exist:**

**i) Unemployment.**

*The study area does not meet the criteria of at least 120% of the state or national average.*

**ii) Average age of residential or commercial units in the area. The qualifying condition is an average age that is at least 40 years old.**

An analysis of property records available from the Wayne County Assessor's office and online at <http://www.nebraskaassessoronline.us/search.aspx?county=Wayne> was conducted to document the age of each structure within the study area. There were 20 structures with an age listed. The average age of construction was estimated to be 60.80 years, with 16 or 80% of the structures over 40 years of age. There are 6 structures in the study area that had no documentation of actual construction dates. During the field survey conducted on April 4, 2017 it was determined that those structures were consistent with other structures in the area and would have been constructed more than 40 years ago. (Exhibit 2, page 11-12, age of properties)

*The study area does meet the qualifying condition for average age.*

**iii) Unimproved land.**

*The study area does not meet the criteria of more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time.*

**iv) Per capita income.**

*The study area does not meet the per capita income qualification that that the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.*

**v) Population.**

*The study area does not meet the criteria of either stable or decreasing population based on the last two decennial censuses.*

## Conclusion

The purpose of this study is to determine if all or part of the designated study area is substandard and blighted. In order to make the determination of substandard and blighted, state statute establishes a series of criteria.

The Nebraska Community Development law identifies six substandard factors. A review of Wayne County Assessor's office property data and site inspection of the "**South Sherman-Douglas Redevelopment Area**" by Northeast Nebraska Economic Development District staff identified a presence of three substandard factors which have been met:

- 1) Dilapidation/deterioration
- 2) Age or obsolescence
- 4) Other conditions.
  - b. The existence of conditions which endanger life or property by fire and other causes;
  - c. Any combination of such factors (other than dilapidation, deterioration, or age or obsolescence) which is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals, or welfare.

The Nebraska Community Development law identifies sixteen blight factors. A review of Wayne County Assessor property data and site inspection of the "**South Sherman-Douglas Redevelopment Area**" by NENEDD staff identified a presence of two blight factors. If the area met at least one of the first eleven qualifying requirements, it would then be subject to review of item twelve in order to determine if the area meets at least one of the other five conditions required within the statute. In this instance, it has been determined that the following blighted criteria have been met:

- 1) A substantial number of deteriorated or deteriorating structures,
- 2) The existence of defective or inadequate street layout
- 4) Unsanitary or unsafe conditions,
- 10) The existence of conditions that endanger life or property by fire and other causes.
- 12) (ii) Average age of residential or commercial units in the area. The qualifying condition is an average age that is at least forty (40) years old.

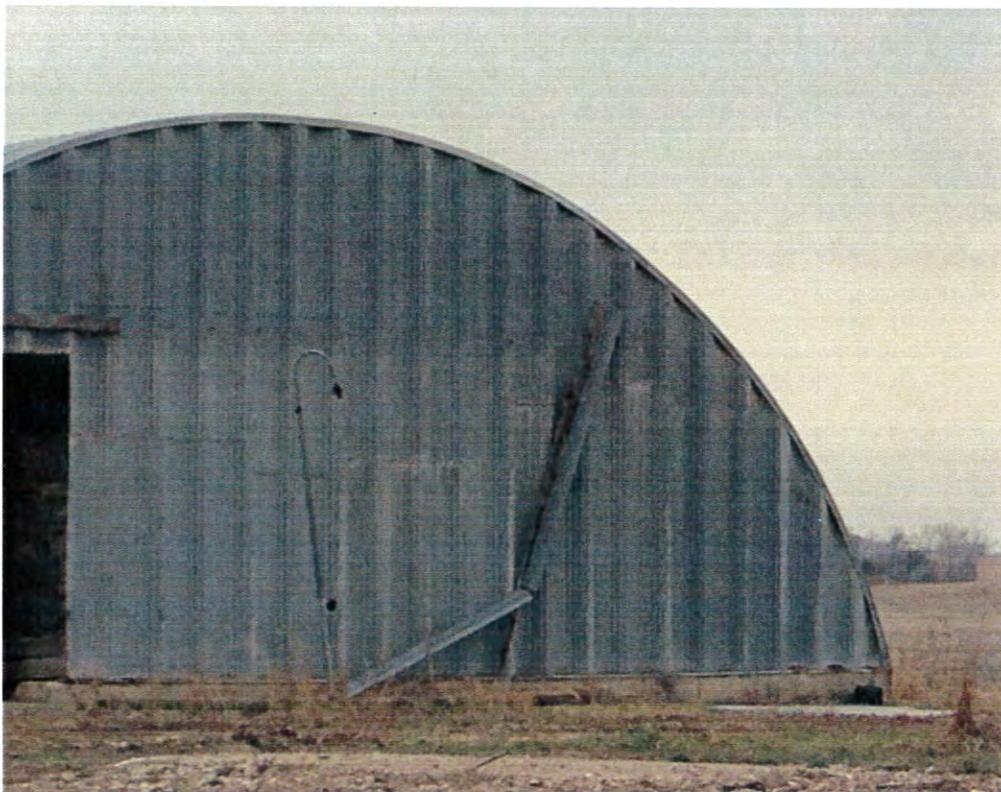
Having met the substandard and blighted criteria as defined by section 18-2103 (10) and 18-2103 (11) of the Nebraska Community Development Law, **this study has determined that the South Sherman-Douglas Street Redevelopment Area is both substandard and blighted under the provisions identified and the general plan as required.**



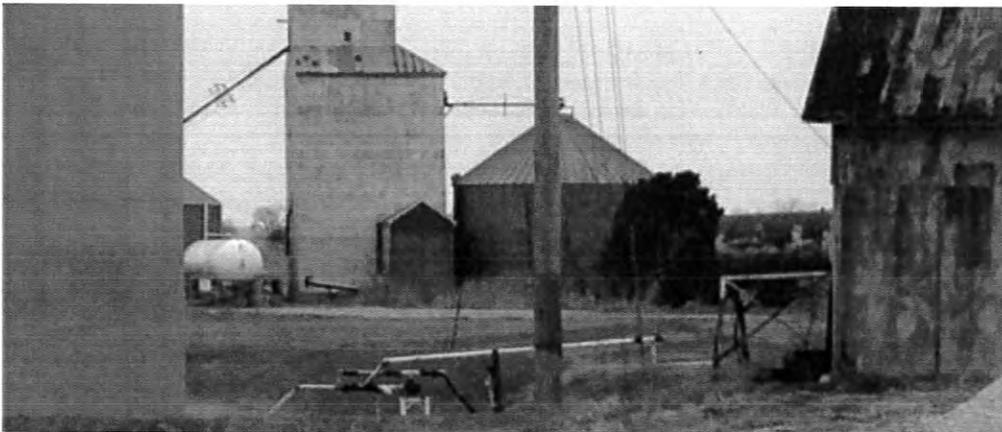
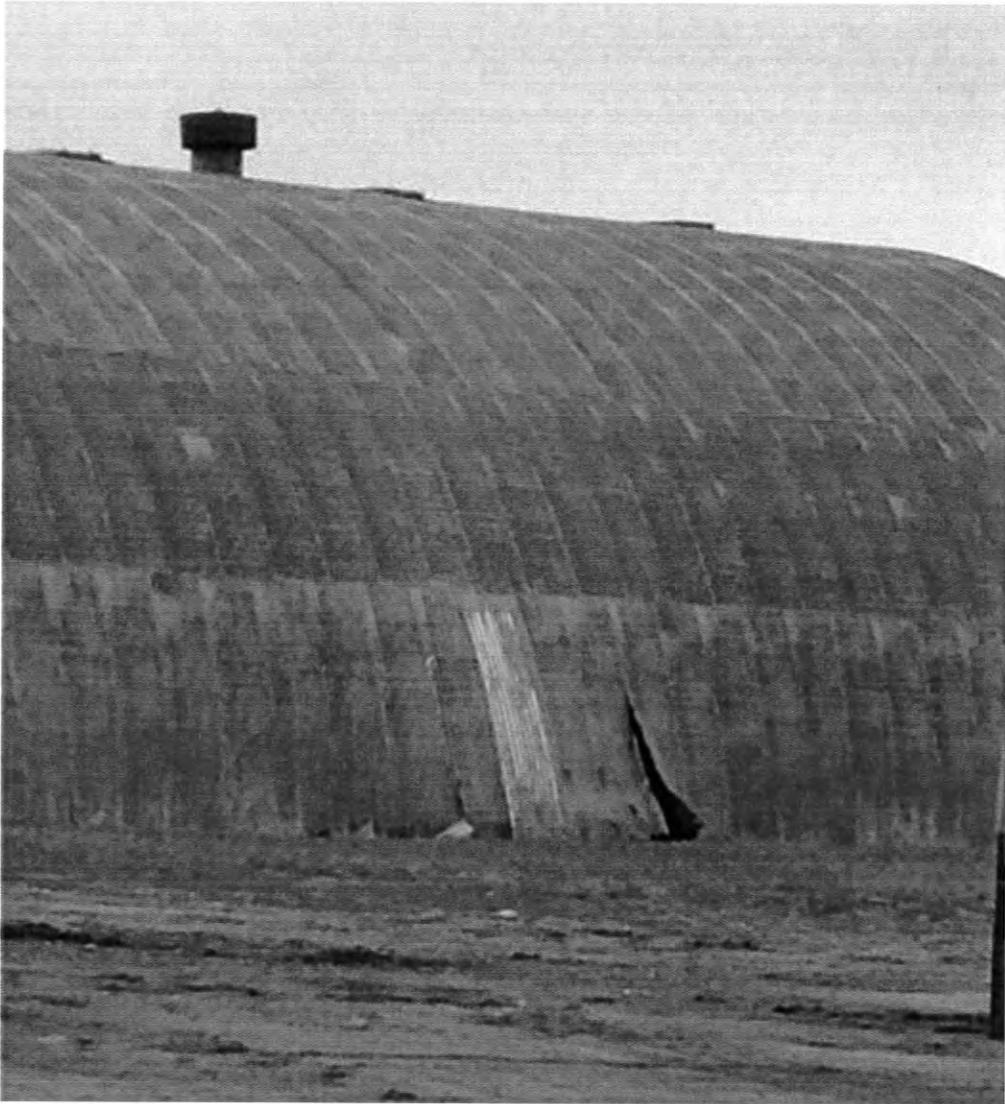
Parcel #	Legal Description	Type	Structure Rating	Age of Buildings	Years
008021400 City	TL 32 PT NE 1/4 SE 1/4 Wayne Tract 13-26-3	Building	Poor		
008020100 City	TL 33,34, & 107 PT SE 1/4 Wayne Tract 13-26-3	Metal Quonset	Fair		
008020100 City	TL 33,34, & 107 PT SE 1/4 Wayne Tract 13-26-3	Metal Quonset	Poor		
008021500	TL 106 PT SE 1/4 Wayne Tract 13-26-3	Unimproved			
000508500	TLS 31 & 93 PT N 1/2 SE 1/4 Wayne Tract 13-26-3	LPG Tanks			
000428007	Lot 3 Giese Addition	House	Average	1904	113
000428007	Lot 3 Giese Addition	Chicken House	Dilapidated	1904	113
000428007	Lot 3 Giese Addition	Tool shed	Average	1904	113
000428005	Lot 1 Giese Addition	Metal Quonset	Poor	1957	60
000428005	Lot 1 Giese Addition	Metal Quonset	Poor	1979	38
000428005	Lot 1 Giese Addition	Grain Bens	Fair	1973	44
000428005	Lot 1 Giese Addition	Grain Bens	Poor	1975	42
000428005	Lot 1 Giese Addition	Elevator	Poor	1959	58
000428005	Lot 1 Giese Addition	Grain Bens	Fair	1984	33
000428005	Lot 1 Giese Addition	Metal Storage	Fair	1959	58
000428005	Lot 1 Giese Addition	Brick Building	Dilapidated	1959	58
000507405	TL 30 PT NE 1/4 SE 1/4 Wayne tract 13-26-3	House	Fair	1948	69
000507405	TL 30 PT NE 1/4 SE 1/4 Wayne tract 13-26-3	Garage	Poor	1948	69
000428006	Lot 2 Geise Addition	House	Dilapidated	1940	77
000428006	Lot 2 Geise Addition	Garage	Average	2010	7
000428006	Lot 2 Geise Addition	Shed	Dilapidated		
000428006	Lot 2 Geise Addition	Shed	Poor		
000428006	Lot 2 Geise Addition	Shed	Dilapidated		
000508800	TL 28 PT NE 1/4 SE 1/4 Wayne Tract 13-26-3	House	Fair	1900	117

000508800	TL 28 PT NE 1/4 SE 1/4 Wayne Tract 13-26-3	Garage	Fair	2001	16
000508800	TL 28 PT NE 1/4 SE 1/4 Wayne Tract 13-26-3	Shed	Poor	1975	42
000508800	TL 28 PT NE 1/4 SE 1/4 Wayne Tract 13-26-3	Shed	Poor	1980	37
00508600	TL 29 PT E 1/2 SE 1/4 Wayne Tract 13-62-3	House	Fair	1966	51
					1215
<b>Average Age</b>				<b>1215/20=</b>	<b>60.75</b>

## Dilapidation and Deterioration











Unsanitary or Unsafe Conditions



## Endanger Life or Property by Fire and Other Causes



**RESOLUTION NO. 2017-44**

**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 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## EXHIBIT "A"

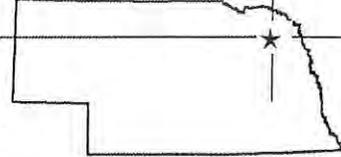
The South Sherman-Douglas Street Redevelopment Area contains 11 acres located the City of Wayne, Nebraska and shall be described as follows: Beginning at the northwest corner of parcel number 000428005 in tract 13-26-3 of Wayne county; Thence continuing southerly along the western line to the southeast corner of said parcel; Thence continuing southeasterly along the southeast line of said parcel; Thence continuing southeasterly along the southeast line of parcel number 000508500 in tract 13-26-3 of Wayne county and of parcel number 00802150 in tract 13-26-3 of Wayne county to the southeast corner of parcel number 00802100 in tract 13-26-3 of Wayne county; Thence continuing northerly to the northeast corner of said parcel; Thence continuing westerly along the northern line of said parcel and the northern line of parcel number 008021400 in track 13-26-3 in Wayne county; Thence continuing westerly to the northwest corner of parcel number 000508800 in tract 13-26-3 of Wayne county; Thence continuing southerly 25 feet along the western line of said parcel; Thence continuing northerly to the point of beginning at the northwest corner of parcel number 000428005 in tract 13-26-3 of Wayne county.

# City of Wayne

Incorporated - February 2, 1884

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

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



## REQUEST FOR REZONING PROPERTY

Applicant Jerry + Linda Dorsey Date 4.12.17

Address 325 S. main St Wayne

Legal Description \_\_\_\_\_

Rezoning Change From Commercial To Residential

Reason for Rezoning House + property improvement  
(addition and new construction)

*Linda Dorsey*  
\_\_\_\_\_  
Applicant's Signature

\*\*\*\*\*

### Summary of Chapter 90, Article 13 – Wayne Zoning Regulations

From time to time changes in the boundaries of the existing Zoning Districts may be made. The changes can be initiated by the City Council, Planning Commission, or by the owner of the property involved in the change. A Request for Rezoing is first submitted to the Planning Commission for consideration and their recommendation is submitted to the City Council for final action. If passed, the zoning change becomes an Ordinance and is recorded n the public records.

Rezoning procedures begin with the property owner submitting an application to the City Planner. This Rezoning Request gives the legal description of the property, the zoning change, and reasons for the rezoning. In addition to the Rezoning Request, a list of property owners with 300 feet of the proposed rezoning must be submitted. The list must include the property owner and a mailing address.

The Rezoning Request and list must be filed with the City Planner at least 15 days prior to the Planning Commission meeting along with a filing fee, currently \$200 per hearing. The Rezoning Request is then placed on the agenda. At least 10 days prior to the Planning Commission meeting the adjacent property owners are notified of the proposed rezoning along with the School District. A public notice is published in the local newspaper.

The Planning Commission may rule on the Rezoning Request immediately following the Public Hearing or table the item until the next meeting. The recommendation by the Planning Commission is then presented to the City Council at their next meeting for final action. The City Council shall approve or disapprove the Rezoning Request or return it to the Planning Commission.

\*\*\*\*\*

Date Rezoning Request Approved/Denied by Planning Commission \_\_\_\_\_

Date Rezoning Request Approved/Denied by City Council \_\_\_\_\_

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)



Date: February 9, 2017

To: Planning Commission

From: Jerry and Linda Dorcey

To Whom It May Concern:

At this time we would like to request that the property 325 S. Main St. be zoned Residential to accommodate the single family home existing on the property. At this time home improvement or new construction on this property is limited due to the Commercial zoning.

The following statements reflect the consideration in rezoning the property:

- Southern edge of town has six family homes established with longevity
- Business trends show that commercial zoning would be necessary east on 7<sup>th</sup> St. Business development has not occurred in recent years on the southern edge of Wayne.
- Wayne has more commercial property assigned than other comparable communities with vacant lots available
- Lying adjacent to Logan Creek the south bridge causes issues for accessing the property; making the back 2 acres of the property inaccessible
- The property has sewer in place and is an option for a new home(s) to be built

Please take these considerations into mind when discussing the option to rezone the property at 325 S. Main St.

Sincerely,

Jerry and Linda Dorcey

**ORDINANCE NO. 2017-15**

**AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY ADDRESSED AS 319 SOUTH MAIN, 323 SOUTH MAIN AND 325 SOUTH MAIN STREET, WAYNE, NEBRASKA, FROM B-1 HIGHWAY BUSINESS DISTRICT TO R-3 RESIDENTIAL DISTRICT.**

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

Section 1. That the real estate area shown on the attached map be changed and rezoned from B-1 (Highway Business) to R-3 (Residential). The area being rezoned is described as:

319 South Main Street, 323 South Main Street and 325 South Main Street.

Section 2. That the Planning Commission held a public hearing on May 1, 2017, regarding this rezoning request, and have recommended approval thereof subject to the following "Findings of Fact:"

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

Section 3. The official zoning map shall be forthwith changed by the zoning officials to properly show the real estate hereinabove described as now in an R-3 (Residential District) zone.

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

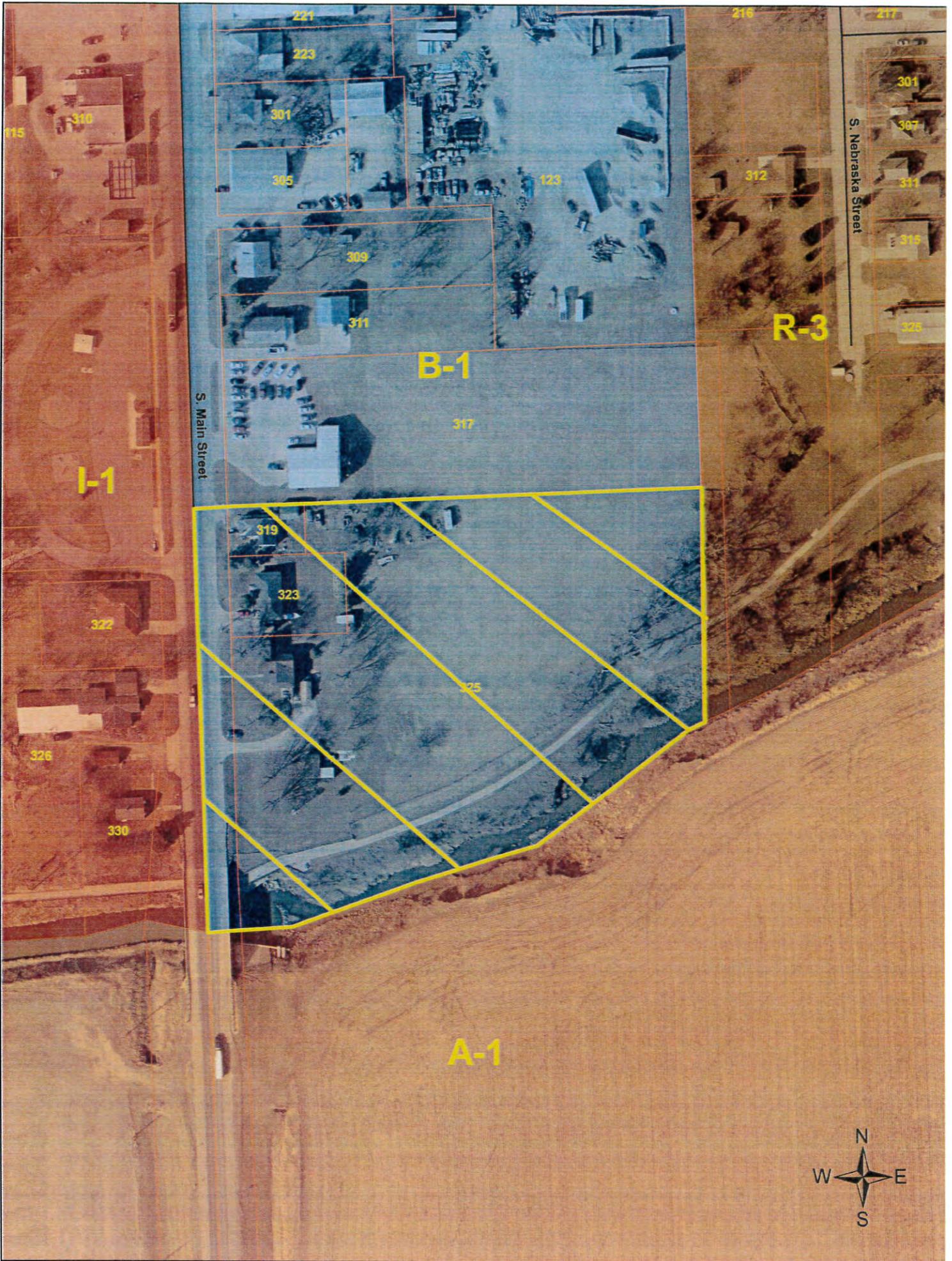
PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

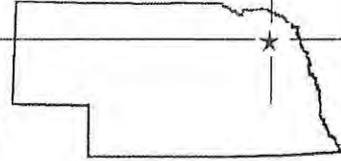


# City of Wayne

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

Incorporated - February 2, 1884



## REQUEST FOR REZONING PROPERTY

Applicant City of Wayne Jason Schatz Date 3-1-2017  
 Address 116 S. Main Street  
 Legal Description Lot 1 & Lot 9  
 Rezoning Change From I-1 To B-2  
 Reason for Rezoning Part of these lots is currently  
I-1 while the other part is B-2. The City is  
unable to determine where that line exists.

Joel J. Hansen  
 Applicant's Signature

\*\*\*\*\*

### Summary of Chapter 90, Article 13 – Wayne Zoning Regulations

From time to time changes in the boundaries of the existing Zoning Districts may be made. The changes can be initiated by the City Council, Planning Commission, or by the owner of the property involved in the change. A Request for Rezoing is first submitted to the Planning Commission for consideration and their recommendation is submitted to the City Council for final action. If passed, the zoning change becomes an Ordinance and is recorded n the public records.

Rezoning procedures begin with the property owner submitting an application to the City Planner. This Rezoning Request gives the legal description of the property, the zoning change, and reasons for the rezoning. In addition to the Rezoning Request, a list of property owners with 300 feet of the proposed rezoning must be submitted. The list must include the property owner and a mailing address.

The Rezoning Request and list must be filed with the City Planner at least 15 days prior to the Planning Commission meeting along with a filing fee, currently \$200 per hearing. The Rezoning Request is then placed on the agenda. At least 10 days prior to the Planning Commission meeting the adjacent property owners are notified of the proposed rezoning along with the School District. A public notice is published in the local newspaper.

The Planning Commission may rule on the Rezoning Request immediately following the Public Hearing or table the item until the next meeting. The recommendation by the Planning Commission is then presented to the City Council at their next meeting for final action. The City Council shall approve or disapprove the Rezoning Request or return it to the Planning Commission.

\*\*\*\*\*

Date Rezoning Request Approved/Denied by Planning Commission \_\_\_\_\_

Date Rezoning Request Approved/Denied by City Council \_\_\_\_\_

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)



**ORDINANCE NO. 2017-16**

**AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY LEGALLY DESCRIBED AS LOT 1 AND LOT 9, SCHULZ RAILYARD ADDITION OF THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM I-1 LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT TO B-2 CENTRAL BUSINESS DISTRICT.**

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

Section 1. That the real estate area shown on the attached map be changed and rezoned from I-1 (Light Industrial and Manufacturing) to B-2 (Central Business). The area being rezoned is described as:

Lot 1 and Lot 9, Schulz Railyard Addition of the City of Wayne, Wayne County, Nebraska.

Section 2. That the Planning Commission held a public hearing on May 1, 2017, regarding this rezoning request, and have recommended approval thereof subject to the following "Findings of Fact:"

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

Section 3. The official zoning map shall be forthwith changed by the zoning officials to properly show the real estate hereinabove described as now in a B-2 (Central Business District) zone.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby amended and 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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**B-2**

**B-3**

**B-1**

**I-1**

**A-1**



Pearl Street

Main Street

W. 1st Street

S. Main Street

S. Pearl Street

Clark Street

Fairground Avenue

221 215

130

110

108

106

105

117

122

114

114

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108

106

121

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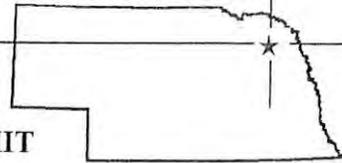
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# City of Wayne

Incorporated - February 2, 1884

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

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



## REQUEST FOR USE BY EXCEPTION PERMIT

Applicant Jason H. Schatz Date 3-13-17

Address 211 Maple St Exceptions

Section of Ordinance for Exception ~~90-394~~ 152.081(D)(7) Storage Garages +

Reason for Use by Exception To build a storage facility. Miniware-houses

Jason H. Schatz  
Applicant's Signature

\*\*\*\*\*

### Municipal Code Section 90-833 Public Hearing by Planning Commission

(1) The Planning Commission shall hold public hearings upon all applications for exception use permits. Upon receipt of a complete application, the Zoning Administrator shall file a public notice in the legal newspaper of the city at least ten days prior to the Planning Commission's scheduled public hearing. Such notice shall fix the time and place for such hearing and contain a statement describing the request. A copy of such notice shall be mailed to each party in interest and to the Planning Commission.

(2) If such proposed request will affect specific property, it shall be designated by legal description and general street location; and in addition to such publication notice, written notice of such application shall be mailed to all owners of lands located within 300 feet of the area proposed to be altered and an opportunity granted to interested parties to be heard.

### Municipal Code Section 90-836 Expiration of Exception Use Permits

(1) Within one year of the approved, construction of the proposed site shall have commenced or the approval is void. However, the applicant may file a letter requesting an extension prior to the expiration of the approval to the Planning Commission or the Council, whichever granted the original permit. The Planning Commission or the Council shall review all requests for extensions. They may approve for a specified period up to 12 months or disapprove, indicating their reasons for such an action. The Planning Commission's or the Council's reasons for disapproval shall be forwarded to the applicant.

(2) After expiration, a new application is required if construction has not started and processed according to the provisions outlined in this chapter.

\*\*\*\*\*

Date Use By Exception Request Approved/Denied by Planning Commission \_\_\_\_\_

Date Use By Exception Request Approved/Denied by City Council \_\_\_\_\_

Conditions Placed On Use By Exception (see attached sheet, if any)

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)



Home of Wayne State College



Equal Housing Opportunity

## Zoning

- 17. Taxidermists;
- 18. Tobacco stores; and
- 19. Toy stores.

(vv) Sporting good stores;

(ww) Stores or shops for the sale of goods at retail;

(xx) Tailor and dressmaker shops;

(yy) Telemarketing service and other telecommunication service;

(zz) Telephone answering/paging services;

(aaa) Theaters and auditoriums; and

(bbb) Upholstery shops.

(2002 Code, § 90-392)

(C) *Permitted accessory uses and structures.* Accessory uses and structures normally appurtenant to the permitted uses and structures and to uses and structures permitted as exceptions are permitted in the B-2 District; provided that, they shall be in conformance with the provisions of § 152.132 of this chapter.

(2002 Code, § 90-393)

**(D) Exceptions.** In accordance with §§ 152.195 through 152.202 of this chapter, the following exceptions are allowed in the B-2 District:

- (1) Child care homes and centers;
- (2) Cleaning and laundry on premises;
- (3) Commercial recreation facilities (bowling alleys, miniature golf courses, dancehalls and similar uses);
- (4) Electric distribution substations and gas regulator stations;
- (5) Private clubs and lodges;
- (6) Service stations (gasolines), excluding automotive repair services not included in the definition of a service station<sup>o</sup> as provided by this chapter; provided that, all operations, except the sale of gasoline and oil, shall be conducted in a building enclosed on at least two sides;

## Wayne - Land Usage

**(7) Storage garages and miniwarehouses;**

(8) Public and quasi-public uses of an educational, recreational or religious type, including preschools, public and parochial elementary schools and junior high schools, high schools, private non-profit schools, churches, parsonages and other religious institutions; parks and playgrounds;

(9) Public uses of an administrative, public service or cultural type, including city, county, state or federal post offices, administrative centers and courts, libraries, police and fire stations, and other public buildings, structures and facilities;

(10) Public utility facilities;

(11) Sports arenas within buildings;

(12) Temporary shelter for homeless; and

(13) Manufactured homes for residential purposes; provided, the home complies with all provisions of § 152.140 of this chapter.  
(2002 Code, § 90-394)

(E) *Special conditions and conditions for granting exceptions.* Notwithstanding the requirements of §§ 152.195 through 152.202 of this chapter, the following regulations shall apply as minimum requirements for all uses in the B-2 District.

(1) Where a site adjoins or is located across an alley from any residential district, a solid wall or fence, vine-covered open fence or compact evergreen fence six feet in height shall be located on the property line common to such districts, except in a required front yard.

(2) Open storage of materials attendant to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence six feet in height; provided that, no materials or equipment shall be stored to a height greater than that of the wall or fence.

(3) All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline service stations, garden shops, bus depot and transit stations, electric distribution substations and automobile sales.

(4) Proposed use which is otherwise permitted in the B-2 Zone which requires, uses or proposes to construct or use a drive-up, drive-through or drive-in intended to provide customers in-vehicle access to a product or service shall be considered a use by exception. Together with the provisions of §§ 152.195 through 152.202 of this chapter, the Planning Commission shall consider whether sufficient vehicle stack or queue space is provided on site. In addition to the space at which the product or service is dispensed, at least three stack or queue spaces will be provided, as a minimum. No stack or queue is permitted to occupy public right-of-way.

(2002 Code, § 90-395)

**RESOLUTION NO. 2017-45**

**A RESOLUTION APPROVING THE APPLICATION OF JASON SCHULZ FOR A ZONING USE BY EXCEPTION PERMIT TO BUILD A STORAGE FACILITY AT 116 SOUTH MAIN STREET.**

WHEREAS, the Planning Commission has considered an application for a zoning use by exception permit submitted by Jason Schulz to build a storage facility at 116 South Main Street; and

WHEREAS, the Planning Commission, subsequent to a public hearing held on May 1, 2017, recommended approval of the use by exception permit request under Section 152.081 (D) Exceptions and (7) Storage Garages and Mini-Warehouses at 116 South Main Street, subject to the following "Findings of Fact:"

- Consistency with the comprehensive plan, the current and future land use maps; and
- Staff's recommendation; and

WHEREAS, the City Council considered the aforesaid application to allow for a storage facility at 116 South Main Street subsequent to a public hearing held on May 16, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Council accepts the recommendation of the Planning Commission and approves the application, subject to the above-stated "Findings of Fact."

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



221 215  
120 110  
108 106  
107 216  
215

Pearl Street  
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114 110  
108 106  
104 102  
100 100  
W. 1st Street

Main Street  
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115 113 112  
111 109  
105

221 213  
207 100  
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109  
115 113 112  
113

S. Pearl Street  
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115 106  
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Clark Street

S. Main Street  
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Fairground Avenue

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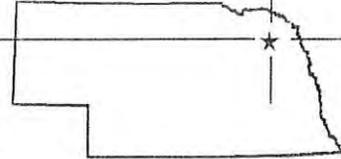


# City of Wayne

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Incorporated - February 2, 1884



## REQUEST FOR REZONING PROPERTY

Applicant Kelby Herman + Brent Pick Date 4-25-17

Address S. Sherman + Bramland Road

Legal Description \_\_\_\_\_

Rezoning Change From I-1 light Indus. + Manu. To R-2 Residential

Reason for Rezoning \_\_\_\_\_

Residential Subdivision

Kelby Herman  
Applicant's Signature

\*\*\*\*\*

### Summary of Chapter 90, Article 13 – Wayne Zoning Regulations

From time to time changes in the boundaries of the existing Zoning Districts may be made. The changes can be initiated by the City Council, Planning Commission, or by the owner of the property involved in the change. A Request for Rezoing is first submitted to the Planning Commission for consideration and their recommendation is submitted to the City Council for final action. If passed, the zoning change becomes an Ordinance and is recorded n the public records.

Rezoning procedures begin with the property owner submitting an application to the City Planner. This Rezoning Request gives the legal description of the property, the zoning change, and reasons for the rezoning. In addition to the Rezoning Request, a list of property owners with 300 feet of the proposed rezoning must be submitted. The list must include the property owner and a mailing address.

The Rezoning Request and list must be filed with the City Planner at least 15 days prior to the Planning Commission meeting along with a filing fee, currently \$200 per hearing. The Rezoning Request is then placed on the agenda. At least 10 days prior to the Planning Commission meeting the adjacent property owners are notified of the proposed rezoning along with the School District. A public notice is published in the local newspaper.

The Planning Commission may rule on the Rezoning Request immediately following the Public Hearing or table the item until the next meeting. The recommendation by the Planning Commission is then presented to the City Council at their next meeting for final action. The City Council shall approve or disapprove the Rezoning Request or return it to the Planning Commission.

\*\*\*\*\*

Date Rezoning Request Approved/Denied by Planning Commission \_\_\_\_\_

Date Rezoning Request Approved/Denied by City Council \_\_\_\_\_

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)



**ORDINANCE NO. 2017-17**

**AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY LEGALLY DESCRIBED AS LOT 1 OF THE GIESE ADDITION AND TAX LOT 31 IN PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., WAYNE COUNTY, NEBRASKA, FROM I-1 LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT TO R-2 RESIDENTIAL DISTRICT.**

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

Section 1. That the real estate area shown on the attached map be changed and rezoned from I-1 (Light Industrial and Manufacturing) to R-2 (Residential). The area being rezoned is described as:

Lot 1 of the Giese Addition and Tax Lot 31 in part of the North Half of the Southeast Quarter of Section 13, Township 26 North, Range 3, East of the 6<sup>th</sup> P.M., Wayne County, Nebraska.

Section 2. That the Planning Commission held a public hearing on May 1, 2017, regarding this rezoning request, and have recommended approval thereof subject to the following "Findings of Fact:"

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

Section 3. The official zoning map shall be forthwith changed by the zoning officials to properly show the real estate hereinabove described as now in an R-2 (Residential District) zone.

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

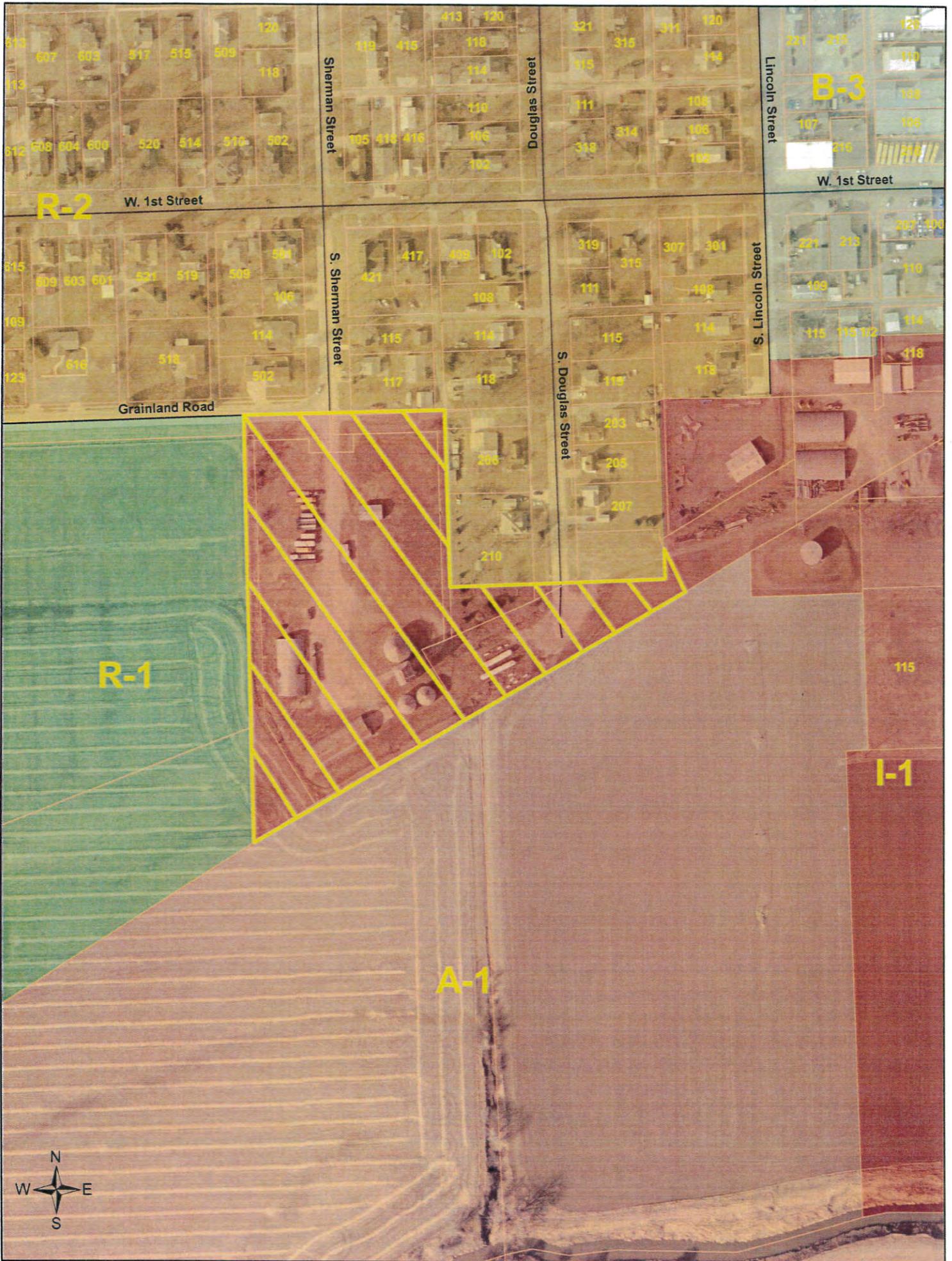
PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



R-2

W. 1st Street

W. 1st Street

Grainland Road

R-1

A-1

I-1

B-3

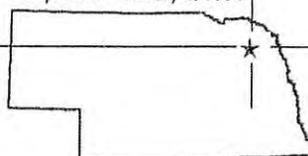


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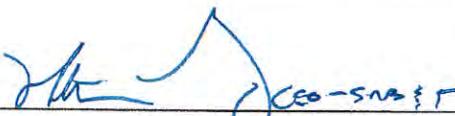


## REQUEST FOR AMENDING ZONING TEXT

Applicant State Nebraska Bank Date 4-20-2017

Section of Ordinance to be Amended 152.082 (I)

Reason for Amending Text is to match the maximum  
height to R-districts in the same  
neighborhoods.

  
Applicant's Signature

\*\*\*\*\*

### Application Process:

1. An application requesting the amendment of the zoning ordinance and the reason for such amendment.
2. An application fee must be included with the request – current fee is \$200, which would cover the Planning Commission public hearing and the City Council public hearing.
3. Request for amendment of zoning language will be placed on the agenda of the Planning Commission for their next available meeting date and then a recommendation of approval or denial forwarded onto the City Council for their approval or denial of the same.

\*\*\*\*\*

Public Hearing by: Planning Commission \_\_\_\_\_ City Council \_\_\_\_\_

Request Approved / Denied by Planning Commission \_\_\_\_\_

Request Approved / Denied by City Council \_\_\_\_\_

Date Fee Paid: \_\_\_\_\_



**§ 152.082 B-3 NEIGHBORHOOD COMMERCIAL DISTRICT.**

(I) *Maximum height.* No structure in a B-3 District shall exceed ~~25~~35 feet in height, subject to the provisions and in conformance with airport zoning regulations.  
(2002 Code, § 90-429)

**ORDINANCE NO. 2017-18**

**AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.082 B-3 NEIGHBORHOOD COMMERCIAL DISTRICT (I) MAXIMUM HEIGHT; 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 Title XV, Chapter 152, Section 152.082 of the Wayne Municipal Code is hereby amended to read as follows:

**152.082 Maximum Height.** No structure in a B-3 District shall exceed ~~25~~ 35 feet in height, subject to the provisions and in conformance with airport zoning regulations. (2002 Code, Sec. 90-429)

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2017-7**

**AN ORDINANCE DIRECTING THE SALE OF A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO WAYNE COMMUNITY SCHOOL DISTRICT #17.**

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

Section 1. The Mayor and City Council are directed to convey by Quitclaim Deed to the Wayne Community School District #17 a tract of land legally described as:

THAT PART OF THE NORTH HALF OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 3, EAST OF THE 6<sup>TH</sup> P.M., CITY OF WAYNE, COUNTY OF WAYNE, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION; THENCE S01°38'27"E, ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION, A DISTANCE OF 58.90 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 35; THENCE N88°13'10"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 85.05 FEET TO THE NORTHEAST CORNER OF A PARCEL OF DESCRIBED IN DOCUMENT 31394, FILED ON OCTOBER 9, 2013, IN THE WAYNE COUNTY RECORDER'S OFFICE; THENCE S01°37'43"W, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 189.87 FEET TO THE SOUTHEAST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE ADMINISTRATIVE REPLAT OF LOTS 1 THROUGH 6 OF TAYLOR'S ADDITION TO THE CITY OF WAYNE; THENCE S01°38'27"E, ALONG THE EAST LINE OF SAID ADMINISTRATIVE REPLAT, A DISTANCE OF 504.43 FEET TO THE POINT OF BEGINNING; THENCE S01°38'27"E, ALONG THE SAID EAST LINE, A DISTANCE OF 82.46 FEET; THENCE S88°14'09"W, ALONG THE SOUTH LINE OF SAID ADMINISTRATIVE REPLAT, A DISTANCE OF 192.76 FEET; THENCE N65°05'42"E, A DISTANCE OF 209.83 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 7,948 SQUARE FEET OR 0.18 ACRES MORE OR LESS,

for the sum of \$1.00 and other valuable consideration.

Section 2. Notice of the sale and the terms contained in Section 1 shall be published for three consecutive weeks in the Wayne Herald, provided that if a remonstrance against said sale signed by legal electors thereof equal in number to 30% of the electors of the City voting at the last regular municipal election held therein, be filed with the governing body within thirty days of

the passage and publication of this ordinance, said property shall not then, nor within one year thereafter, be sold.

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

PASSED AND APPROVED this 16<sup>th</sup> day of day of May, 2017.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2017-10**

**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:

THAT PART OF THE NORTH-HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, 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 SAID NORTH-HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N88°04'43"E, ALONG THE SOUTH LINE OF SAID NORTH-HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 54.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY #15 AND THE POINT OF BEGINNING; THENCE N02°44'25"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 349.72 FEET; THENCE N01°51'17"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 90.17 FEET TO THE SOUTHWEST CORNER OF A PARCEL FILED ON MARCH 16, 1998, BY LS #488, IN THE WAYNE COUNTY REGISTER OF DEEDS OFFICE, SAID PARCEL ALSO FILED WITH THE STATE RECORD REPOSITORY ON FEBRUARY 17, 1998; THENCE N85°50'01"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 649.80 FEET; THENCE S02°33'31"E, A DISTANCE OF 465.34 FEET TO THE SOUTH LINE OF SAID NORTH-HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE S88°04'43"W, ALONG SAID SOUTH LINE, A DISTANCE OF 649.58 FEET TO THE POINT OF BEGINNING, CONTAINING 6.75 ACRES MORE OR LESS,

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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



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2314

2312

Highway 15



1702

Fairway Circle

E. 21st Street

303

306

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302

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**ORDINANCE NO. 2017-11**

**AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2017-01; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN (WAYNE CROWN II PROJECT).**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The Mayor and City Council of the City of Wayne, Wayne County, Nebraska, hereby find and determine that it is in the best interests of the City that certain streets, including intersections with all streets, avenues and alleys, be improved as hereinafter described; and that it is in the best interests of the City of Wayne to create a street improvement district for the construction of the said improvements.

Section 2. There is hereby created within the City of Wayne, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2017-01, the outer boundaries of which shall contain the following property:

A tract of land in the Northeast Quarter of Sec. 18 Township 26 North, Range 4 East of the 6th PM further described as:

Commencing at the North Quarter Corner of said Section; Thence, S 01° 54' 29" E a distance of 1228.06 feet to the Point of Beginning; Thence N 88° 03' 16" E a distance of 177.75 feet to the Southwest corner of Lot 15 of Benscoter Addition Planned Unit Development Replat 2 to the City of Wayne, Nebraska; Thence N 02° 25' 25" W a distance of 66.87 feet to the Northwest corner of Lot 15 of said Addition; Thence N 74° 25' 18" E a distance of 247.27 feet to the Northeast corner of Lot 21 of Said Addition; Thence, N 81° 26' 20" E a distance of 84.63 feet to the Northeast corner of Lot 20 of Said Addition; Thence, N 17° 54' 49" E a distance of 57.48 feet to the Northwest corner of Lot 8 of Benscoter Addition Planned Unit Development Replat 3 to the City of Wayne, Nebraska; Thence, N 59° 09' 09" E 289.89 feet to the Northeast corner of Lot 7 of said Addition; Thence, N 02° 24' 39" W a distance of 30.94 feet to the Northwest corner of Lot 5 of said Addition; Thence N 88° 03' 56" E a distance of 100.87 feet to the Northeast corner of Lot 5 of said Addition; Thence, N 73° 03' 44" E a distance of 62.00 feet to the Northwest corner of Lot 2 of Benscoter Addition Planned Unit Development Replat 2 to the City of Wayne, Nebraska; Thence, N 88° 03' 50" E a distance of 388.56 feet to the Northeast corner of said Lot 2; Thence S 01° 49' 40" E a distance of 1022.41 to a point; Thence S 88° 28' 14" W a distance of 1322.29 feet to a point on the on the North Quarter Line; Thence, N 01° 54' 28" W a distance of 636.84 feet along the Quarter Line to the Point of Beginning; Containing 26.5336 Acres more or less

Within said District, said streets, including intersections with all streets, avenues and alleys, shall be improved by grading and construction of concrete paving, storm sewer, sidewalk and other necessary improvements and appurtenances.

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinances of the City of Wayne, and shall be constructed in accordance with plans and specifications to be prepared by the City's engineer, McLaury Engineering, Inc., which plans shall be approved by the Mayor and City Council. The improvements shall be made at public cost, but special assessments shall be levied to reimburse the City for the cost of the improvements as provided by law.

Section 4. Notice of the creation of said Street Improvement District No. 2017-01 shall be published in The Wayne Herald newspaper, a legal newspaper published in and of general circulation within the City of Wayne, for three weeks after the publication of this Ordinance.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

PASSED AND APPROVED this \_\_\_\_\_ day of May, 2017.

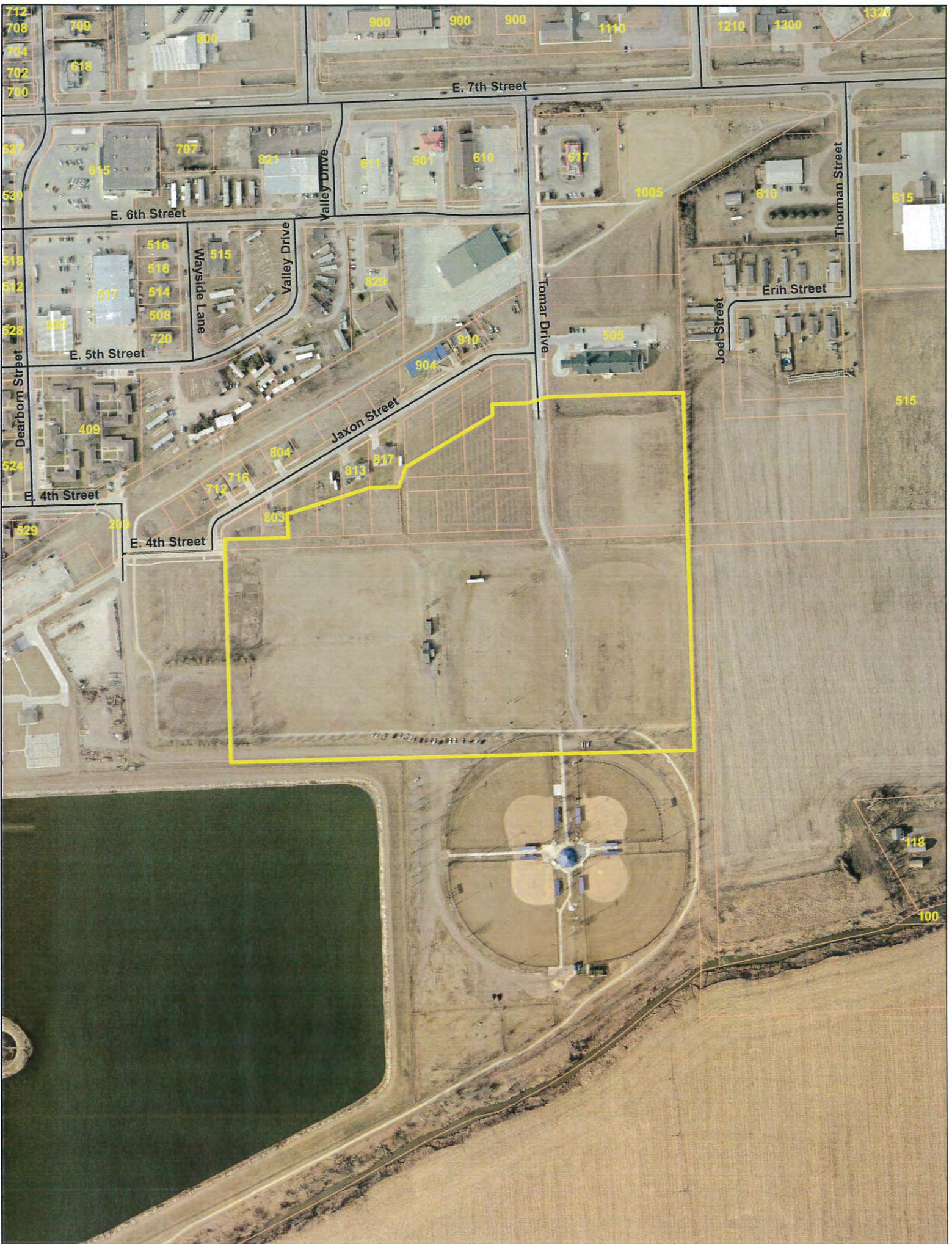
THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)



ORDINANCE NO. 2017-12

**AN ORDINANCE CREATING SANITARY SEWER EXTENSION DISTRICT NO. 2017-02 OF THE CITY OF WAYNE, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF SEWER MAINS AND SEWER LINES WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATES AS PREPARED BY THE ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK (WAYNE CROWN II PROJECT).**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The Mayor and Council of the City of Wayne, Nebraska, hereby find and determine that it is necessary and advisable to extend the municipal sanitary sewer system beyond the existing system by the construction of sanitary sewer mains and appurtenant improvements and that for the purpose of constructing said sanitary sewer mains and related improvements, there is hereby created Sanitary Sewer Extension District No. 2017-02 of the City of Wayne, pursuant to authority granted in Section 19-2402, R.R.S. Neb. 2012.

Section 2. The outer boundaries of Sanitary Sewer Extension District No. 2017-01 shall consist of a tract of land located in Wayne County, Nebraska, being described as follows:

**Limits of District:**

Beginning at the Northeast corner of Lot 3, Benscoter Addition Planned Unit Development Replat 3, Wayne, Nebraska thence S 02° 26' 55" E a distance of 312.84 feet to the Northeast corner of Lot 10 of said Addition, thence N 88° 03' 16" E a distance of 101.02 feet to the Northeast corner of lot 9 of said Addition, thence S 02° 28' 08" E a distance of 180.01 feet, thence S 88° 03' 16" W a distance of 396.06 feet, thence N 02° 26' 55" W a distance of 372.60 feet, thence N 59° 09' 09" E a distance of 23.73 feet to the Northwest corner of Lot 1 of said Addition, thence N 59° 09' 09" E a distance of 289.89 feet to the Point of Beginning.

**Properties to be Assessed:**

Benscoter Addition Planned Unit Development Replat 3 to the City of Wayne, Nebraska

Lots 1 thru 3 and Lots 7 thru 12

The size, location and terminal points of the sanitary sewer mains and other appurtenances in said

District shall consist of the following:

**Description of Sewer Extension:**

Construction of Sanitary Sewer mains to be constructed in 4<sup>th</sup> Street R-O-W beginning at an existing manhole located approximately 560 feet east of the intersection of 4<sup>th</sup> Street and Jaxon Street and extending east 287 feet; and in utility easements beginning at an existing manhole in an alleyway approximately 220 feet north of the centerline of 4<sup>th</sup> Street at alignment Station 408+35 of the plans and extending northeast along several lot lines 246 feet. Work shall include the construction of an 8-inch PVC SDR 26 sanitary sewer main, concrete manholes, service line connections, cleanouts and other miscellaneous work as shown on the plans prepared by McLaury Engineering Inc.

Section 3. Reference is hereby made to the plans and specifications for said sewer extensions, which have been prepared by McLaury Engineering, Inc., special engineers for the City, and which, together with said engineers' estimate of the total cost for the proposed sewer extensions, have heretofore been filed with the City Clerk.

Section 4. The engineers' estimate of total cost for the proposed sewer extension improvements in said District is \$ 45,984.00 .

Section 5. The Mayor and Council hereby find and determine that none of the properties located within said District are presently served by the City's existing system of sanitary sewer service and that said District constitutes an area of land located apart and outside the area served and benefited by said system and all of the property in said District is located within the City of Wayne, Nebraska or within two miles of the corporate limits of the City of Wayne, Nebraska.

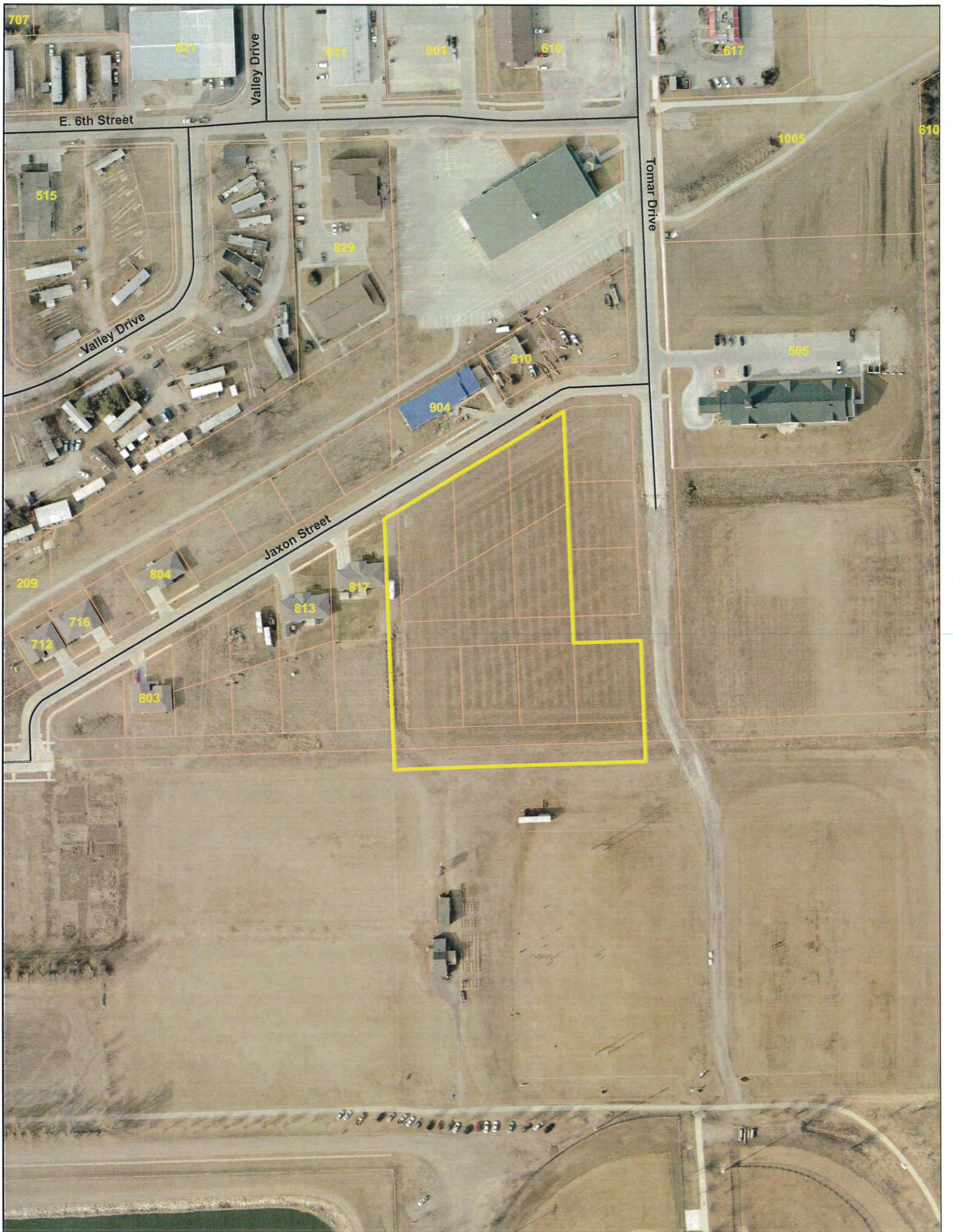
PASSED AND APPROVED this 2<sup>nd</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



707

321

Valley Drive

611

901

610

617

E. 6th Street

515

629

Valley Drive

910

904

Tomar Drive

1005

610

505

Jaxon Street

209

804

817

813

716

712

803

505

1005

610

1005

**ORDINANCE NO. 2017-13**

**AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-13 STOP SIGN LOCATIONS; WEST OF MAIN STREET, SOUTH OF SEVENTH STREET; 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 Title VII Traffic Code, Prohibitions and Enforcement, Section 78-13 of the Wayne Municipal Code is amended to read as follows:

**Sec. 78-13. Stop sign locations; west of Main Street, south of 7<sup>th</sup> Street.**

(A) Stop signs are established at the following locations in the city:

Donner Pass at the west approach of Nathan Drive
Grainland Road at the north approach of South Maple Street
Grainland Road at the north approach of South Blaine Street
Grainland Road at the north approach of Pheasant Run Road
Main Street at the west approach of West 4th Street
Main Street at the west approach of West 5th Street
Main Street at the west approach of West 6th Street
Main Street at the west approach of West 1st Street
Oak Drive at the west approach of 3rd Avenue
Oak Drive at the east approach of West 3rd Street
Pearl Street at the east and west approaches of West 6th Street
Pearl Street at the east and west approaches of West 5th Street
Pearl Street at the east and west approaches of West 2nd Street
Pearl Street at the east and west approaches of West 3rd Street
Pearl Street at the east and west approaches of West 4th Street
<b>Pheasant Run at the east and west approaches of Grainland Road</b>
Sherman Street at the east and west approaches of West 6th Street
South Main Street at the west approach of Clark Street
West 1st Street at the north and south approaches of Douglas Street

West 1st Street at the north and south approaches of Lincoln Street
West 1st Street at the north and south approaches of Pearl Street
West 1st Street at the north and south approaches of Sherman Street
West 1st Street at the north approach of Blaine Street
West 3rd Street at the north and south approaches of Douglas Street
West 3rd Street at the north and south approaches of Sherman Street
West 3rd Street at the south approach of Blaine Street
West 3rd Street at the south approach of Wilcliff Drive
West 3rd Street at the north and south approaches of Lincoln Street
West 4th Street at the north and south approaches of Sherman Street
West 5th Street at the north and south approaches of Sherman Street
West 7th Street at the south approach of Pearl Street
West 7th Street at the south approach of Lincoln Street
West 7th Street at the south approach of Douglas Street
West 7th Street at the south approach of Sherman Street
West 7th Street at the south approach of Oak Drive
West 7th Street at the south approach of Donner Pass
West 7th Street at the south approach of Pheasant Run

(B) Except where directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching an intersection where a stop is indicated by a stop sign shall stop, which, for the purpose of this section, shall be a completed cessation or movement, at a clearly marked stop line, but if there is no such line, then before entering the crosswalk on the near side of the intersection or, if no crosswalk as indicated, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic from the intersecting roadway before entering the intersection. After having stopped, such driver shall yield the right-of-way to any vehicle which has entered the intersection from another street or which is approaching so closely on such street as to constitute an immediate hazard if such driver moved across or into such intersection.

(C) It shall be unlawful for any person to violate the provisions of this section.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after the passage, approval, and publication or posting as provided by law.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2017-14**

**AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-212 SPEED; MAXIMUM; 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 Title VII Traffic Code, Prohibitions and Enforcement, Section 78-212 of the Wayne Municipal Code is amended to read as follows:

Sec. 78-212 Speed; maximum.

(A) No person shall operate a motor vehicle on the streets of the city at a rate of speed greater than is reasonable and proper, having regard to the traffic, the use of the road and the condition of the road, nor at a rate of speed such as to endanger the life and limb of any person, nor in any case in excess of 25 mph on any street within the corporate limits of the city, except on the following streets:

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>
City access road	Extending from 4th Street to the City Summer Sports Complex parking lot	20 mph
East Seventh Street	From a point 800 feet east of the east line of Pine Heights Road (as extended south) east to the east line of Centennial Road	45 mph
<del>Grainland Road</del>	<del>From the west line of Blaine Street (as extended south), west to the corporate limits</del>	<del>30 mph</del>
Main Street	From the south line of 14th Street north to a point 2,100 feet north of Country Club Road	45 mph
Main Street	From the south line of 7 <sup>th</sup> Street north to the south line of 14th Street	30 mph
7 <sup>th</sup> Street	From a point 700 feet west of the west line of Oak Drive (as extended north) west to the north-south county road which is 1 mile west of the intersection of Seventh and Main Streets	45 mph
7 <sup>th</sup> Street	From 800 feet west of the west line of Sherman Street to a point 800 feet east of the east line of Pine Heights Road (as extended south)	30 mph
South Main Street	From the north line of Clark Street (as extended east) south to the corporate limits at Logan Creek	30 mph

West Seventh Street	From 800 feet west of the west line of Sherman Street to a point 700 feet west of the west line of Oak Drive (as extended north)	35 mph
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(B) Speed limits shall be plainly indicated by appropriate signs. Unless otherwise posted, the speed limit within the corporate limits of the city shall be 25 mph.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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May 10, 2017 (Via E-mail)

Electric Line Supervisor  
Attn: Tim Sutton  
City of Wayne

**Re: Construction Contract – Award Recommendations  
Electric Meter Cutover West Inner and East Inner Conversion  
DGR Project No. 412305**

Dear Tim:

We have completed our review of the bid that was received on May 9, 2017 for the Electric Meter Cutover for the West Inner and East Inner Conversion Project. A total of one responsive bid was received for this work, with a price of \$107,912.80. The bidder was Klein Electric, Inc. of Wakefield, NE. A bid summary form and detailed bid tabulation are included with this letter. We have sent a copy of the bid tabulation to the bidders, and bid summary to the plan holders.

It is common on meter cutover projects to only receive one or two bids due to the nature of the work. This type of work usually only appeals to local electrician contractors. Klein's bid was slightly higher than our Engineer's estimate, however the overall project is still within the original budget. We feel their number is reasonable and recommend that Klein Electric, Inc. be awarded the contract in the amount of \$107,912.80 for this project.

We ask that you pass on our recommendations to the Council, and let us know when the contract award has been made. Please feel free to contact us with any questions you may have.

Sincerely yours,  
DGR Engineering

Paul A. Davis, P.E.

PAD:dsm

**BID SUMMARY**

**WEST INNER AND EAST INNER CONVERSION - ELECTRIC METER CUTOVER  
CITY OF WAYNE  
WAYNE, NEBRASKA**



DGR Project No. 412305  
Bid Letting: May 9, 2017 - 1:00 p.m.  
City Office

Bidder and Address	Bid Security	Total Base Bid	Comments
Klein Electric Inc. 58211 Hwy 35 Wakefield, NE 68784	10% Bid Bond	\$107,912.80	

\*CORRECTED AMOUNT

**BID TABULATION**  
 WEST INNER AND EAST INNER CONVERSION - ELECTRIC METER CUTOVER  
 WAYNE, NEBRASKA

DGR Project No. 412305

Bid Letting: May 9, 2017 - 1:00 p.m.



**Klein Electric Inc.**

Unit No.	Name and Description of Construction Unit	No. of Units	Bid Security: 10%			Ext. Price L & M
			Labor	Material	L & M	
UD-1Ø	Conductor Installation, 1Ø (ea.)	158	\$40.00	\$0.00	\$40.00	\$6,320.00
UD-3Ø	Conductor Installation, 3Ø (ea.)	4	60.00	0.00	60.00	240.00
UM6-6	Ground Rod Installation (ea.)	129	40.00	20.00	60.00	7,740.00
UM6-Ex	Existing Ground Wire Connection (ea.)	17	20.00	0.00	20.00	340.00
UM8-MS-DIS-100	Meter Socket w/ Main Disconnect - 1Ø, 100 amp (ea.)	7	200.00	214.00	414.00	2,898.00
UM8-MS-3Ø	Meter Socket Installation, 3Ø (ea.)	2	240.00	177.00	417.00	834.00
UM8-MS	Meter Socket Installation, 1Ø (ea.)	107	200.00	100.00	300.00	32,100.00
UM8-TAP	Load Tap Kit, 1Ø (ea.)	3	10.00	35.00	45.00	135.00
UM8-MPMS(2)	Meter Socket Installation, 2 position, 1Ø (ea.)	2	320.00	270.00	590.00	1,180.00
BRK-100	100 Amp Breaker 240V (ea.)	1	8.00	60.00	68.00	68.00
BRK-40	40 Amp Breaker 240V (ea.)	2	8.00	20.00	28.00	56.00
BRK-20	20 Amp Breaker 120V (ea.)	2	8.00	10.00	18.00	36.00
UM8-PW	Plywood Meter Backing (ea.)	7	40.00	15.00	55.00	385.00
UM8-RM	Remove and Reinstall Existing Meter (ea.)	156	10.00	0.00	10.00	1,560.00
UM8-REL	Relocate Existing Meter and Meter Socket (ea.)	2	160.00	50.00	210.00	420.00
UR8	Concrete Removal & Replacement (ea.)	38	320.00	40.00	360.00	13,680.00
UR-WD	Wood Deck Repair (ea.)	4	80.00	25.00	105.00	420.00
UR12-2P	Conduit to Service Point, 2 in. diameter, Plastic (Mft.)	0.936	13,340.00	2,500.00	15,840.00	14,826.24
UR12-3P	Conduit to Service Point, 3 in. diameter, Plastic (Mft.)	0.034	15,340.00	4,500.00	19,840.00	674.56
UR-LDS	Lawn Damage Seeding (sq. ft.)	86.0	40.00	15.00	55.00	4,730.00
ID-OHS	Removal of Existing Overhead Service (ea.)	147	20.00	0.00	20.00	2,940.00
IUD-UGS	Removal of Existing Underground Service (ea.)	13	20.00	0.00	20.00	260.00
IUM8-MS	Removal of Existing Meter Socket (ea.)	121	20.00	0.00	20.00	2,420.00
USW	Special Service Entrance Work (hr.)	64	50.00	0.00	50.00	3,200.00
IF(NE)	Inspection Fee (ea.)	18	35.00	40.00	75.00	1,350.00
MOB	Mobilization (as req'd)	1	9,100.00	0.00	9,100.00	9,100.00
<b>TOTAL BASE BID:</b>						<b>\$107,912.80</b>

**RESOLUTION NO. 2017-46**

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE  
“ELECTRIC DISTRIBUTION PROJECT — METER CUTOVER FOR THE WEST  
INNER AND EAST INNER CONVERSION PROJECT.”**

WHEREAS, one bid was received on May 9, 2017, for the furnishing of labor and materials associated with the “Meter Cutover for the West Inner and East Inner Conversion Project;” and

WHEREAS, said bid has been reviewed by the City’s Engineer on the project, DGR Engineering; and

WHEREAS, DGR Engineering is recommending that the bid outlined below be accepted as recommended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid for the furnishing of labor and materials associated with the “Meter Cutover for the West Inner and East Inner Conversion Project,” as submitted by the following contractor:

<u>Bidder</u>	<u>Amount</u>
Klein Electric, Inc. 58211 Hwy 35 Wakefield NE 68784	\$107,912.80

and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same is hereby accepted.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2017-47**

**A RESOLUTION APPROVING INTERLOCAL AGREEMENT TO SHARE LAW ENFORCEMENT RESOURCES BETWEEN THE CITY OF WAYNE AND THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES, D/B/A WAYNE STATE COLLEGE.**

WHEREAS, the City of Wayne is desirous to enter into an Interlocal Agreement with the Board of Trustees of the Nebraska State Colleges, d/b/a Wayne State College, to share law enforcement resources; and

WHEREAS, a copy of the proposed Interlocal Agreement is attached hereto and incorporated herein by reference.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Interlocal Agreement to Share Law Enforcement Resources between the City of Wayne and the Board of Trustees of the Nebraska State Colleges, d/b/a Wayne State College, is hereby approved and the Mayor and City Clerk are hereby authorized to execute the same.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**AN INTERLOCAL AGREEMENT  
TO SHARE LAW ENFORCEMENT RESOURCES  
BETWEEN THE CITY OF WAYNE AND  
THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES  
dba WAYNE STATE COLLEGE**

THIS AGREEMENT (“Agreement”) is made and entered into by and between the governmental entities which are The City of Wayne, hereinafter called the “City” and the Board of Trustees of the Nebraska State Colleges dba Wayne State College, hereinafter called the “College” which on its effective date are, or become signatories hereto:

WITNESSETH THAT:

WHEREAS, it is the recognized responsibility of general purpose political subdivisions to provide and maintain a certain basic level of public services for their residents, including the areas of health and public safety; and

WHEREAS, it is the recognized responsibility of the College to provide and maintain a certain basic level of public services for its student population, including the areas of health and public safety, and

WHEREAS, it is recognized that the provisions of said basic services are sometimes best accomplished jointly because of certain hardships which might be experienced if undertaken singularly, and

WHEREAS, it is recognized that certified, sworn law enforcement officers can enhance the level of protection provided to the students by civilian security officers, and

WHEREAS, it is the desire of the parties hereto signed to participate in the joint use of the city’s law enforcement personnel and resources.

NOW, THEREFORE, BE IT RESOLVED, that the City of Wayne and the College do hereby agree to the following:

**1. Authority and Purpose**

- a. Article XV, Section 18 of the Constitution of the State of Nebraska and the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev. Stat. 13-801 et *et seq.*, (the “Act”), authorize any two or more public agencies to enter into agreements for joint or cooperative exercise of any power, privilege or authority exercised or capable of exercise individually by such public agencies. College and the City are public agencies within the meaning of the Act.

- b. The City has the authority to provide law enforcement services and the College has the authority to ensure safety services on the Wayne State College campus (the “Campus”), and to enter into any contracts to effectuate this authority and responsibility.
- c. It is the purpose of this Agreement for the College and the City to make the most efficient use of their powers by cooperating with each other on the basis of mutual advantage and timely providing services as identified in this Agreement and in any addendum to this Agreement.

## **2. Administration of Agreement**

- a. The City and the College will jointly administer and monitor all aspects, terms, and conditions of this Agreement. The Dean of Students of the College, or his identified designee, will be the College’s contact person for the purpose of this Agreement.
- b. Any personal property shall be acquired, held, and disposed as set forth in this Agreement; or any amendment hereto.
- c. No separate legal or administrative entity is created under this Agreement.

## **3. Law Enforcement Services To Be Provided By The City**

The City will provide on the Campus the following law enforcement services:

- a. City will assign a certified police officer, hereafter called the “School Resource Officer,” to the Campus for twenty-two (22) hours per week when regular classes are in session and beginning two (2) weeks prior to the start of the fall semester and ending the day before graduation of the spring semester. The City will be allowed to schedule the School Resource Officer to two (2) non-consecutive weeks per school year for Police Department specific training without backfilling the position. Training specific to or on behalf of the College will not be counted against the above described two training weeks. The College will be notified as soon as possible prior to any training to allow them to adjust their normal staffing schedules. The Police Department will respond to calls for service on Campus with their regularly scheduled officers during these periods;
- b. The City will be allowed to provide the School Resource Officer with two (2) sick days per semester without backfilling the position. The Police Department will respond to calls for service on Campus with their regularly scheduled officers during these periods;

- c. The School Resource Officer will patrol the Campus, in a Police vehicle, on foot, or on a patrol bicycle; enforce traffic and criminal laws of the State of Nebraska and/or the City of Wayne; conduct criminal investigations; respond to calls for service, perform community policing duties, and be a positive presence on Campus. The School Resource Officer will respond to Police calls off-campus for emergencies, backup assistance for other City Police officers and to handle calls for service if an on-duty City Police officer has two (2) or more calls for service backed up or is unable to respond to a crime in progress report, or a traffic accident. The College recognizes that the City's ability to respond to police calls off-campus, as needed, will maximize the Police Department's ability to respond to citizen calls for service received while maintaining the spirit of this inter-local agreement. The Wayne Police Department will make efforts to make up missed hours if the School Resource Officer is called off-campus. When the School Resource Officer responds to Police calls for service off-campus the Police dispatcher will notify Campus Security of this change in status in a timely manner;
- d. The Wayne Police Department will run requests for vehicle registration information as long as that information is requested through and in conjunction with a Wayne Police Officer's involvement on campus.

#### **4. Criminal Investigation**

- a. The City will investigate all property crimes reported on the Campus where the loss value is \$100 or greater or involves the theft of any identification or financial transaction device. All property crime reports will be communicated to the School Resource Officer. If the loss value of any reported property crime is less than \$100 the School Resource Officer may refer the case to Campus Security for follow up.
- b. The City will investigate all crimes against persons reported on the Campus, except for reports of sexual violence or sex harassment which may be investigated by the College or by the College and the City.
  - i. Individuals who report an incident of sexual violence or sex harassment to the College will be advised to report the incident to law enforcement, however, students are not required to notify law enforcement authorities regarding a report of sexual violence or sex harassment.
- c. Investigations by the City will be conducted independent of Campus Security unless their assistance is required or requested by the City. If the Police Department does not have an officer immediately available to respond to a crime reported on Campus, Campus Security will gather preliminary information, e.g. victim's name, witnesses' names, date, time and location of offense, for the School Resource Officer. For the purpose

of this agreement preliminary information does not include obtaining written statements, conducting any type of crime scene investigation, taking photographs, etc.

- d. The Police Department will provide Campus Security with reports of all crimes investigated on Campus containing sufficient information for the completion of legally mandated reporting requirements. To prevent duplication of work the School Resource Officer will complete only the Police Department's investigative report. A copy of these investigative reports will be provided to Campus Security for data entry purposes. Except that the Police Department will use its discretion, on a case by case basis, as to when to provide full or partial investigative reports to Campus Security, depending on the case.
- e. When any criminal investigation conducted by the Police Department involves a College residence hall or includes an apparent conflict between students, the Director of Residence Life and/or the Dean of Students will also be provided investigatory reports. The Police Department will use its discretion, on a case by case basis, as to when to provide full or partial investigative reports to Campus Security, depending on the case.
- f. The Police Department will refer all property crimes reported on the Campus, and which they investigate, to the College judicial process, however;
  - (1) Any crime victim, including the College, may request criminal charges;
  - (2) Crimes may be referred for prosecution before the College judicial process begins;
  - (3) Both the College disciplinary process and criminal prosecution may happen concurrently;
  - (4) Police Officers will appear for College disciplinary hearings as needed.
- g. The Police Department will refer all crimes against persons to the Wayne County Attorney's Office for prosecution.
- h. To facilitate investigative follow up the School Resource Officer will be provided access to any Campus surveillance camera recordings and/or allowable student information currently maintained in hard copy or electronically in the Campus Security Office.

## **5. Community Policing & Crime Prevention**

- a. The College and the City recognize that positive interaction between the School Resource Officer, students, faculty and staff is beneficial to both

parties. It is further recognized that crime prevention efforts on Campus should reflect those of the community as well.

- b. The School Resource Officer will be given an opportunity to co-present at crime prevention and/or education programs given by Campus Security, or upon the request of other Campus entities. To ensure adequate planning for any presentation, the School Resource Officer will be provided a minimum of five (5) days written notice. Said notice shall include the topic, date, time, and location of the presentation. The decision to participate in any on-campus crime prevention and/or education presentation will be left to the discretion of the School Resource Officer and/or the Dean of Students. If an officer participates he or she will be given a minimum of 15 minutes participation per hour of scheduled presentation.
- c. To provide a community policing presence, the School Resource Officer will attend College meetings and activities as part of his/her assigned duties, as requested by the College and as he/she is available.
- d. The City will not provide overtime pay for the School Resource Officer to attend these meetings. Any extra shift time spent at these or similar meetings will be taken off before or after the officer's regularly assigned Campus shift.
- e. The School Resource Officer will meet regularly with the Residence Life Staff in each housing unit.
- f. The School Resource Officer will respond to fire alarms on Campus and, in the absence of Campus Security personnel, will reset the fire alarm panels.
- g. The Campus Security Director will provide training specific to the fire alarm systems to the School Resource Officer before the start of the school year. A laminated flip chart of alarm procedures for each building will be placed in each alarm box as a ready reference.

## **6. Security Responsibilities**

- a. The following duties will be performed solely by College Campus Security personnel and not by the City:
  - (1) Fueling vehicles for the College motor pool
- b. Campus Security will be the first to respond to calls for service on the Wayne State College campus. If the Campus Security Officer is occupied with Security Department business and a call for service is received, the

School Resource Officer may be asked to help with the following types of calls:

- (1) Helping to lock and unlock Campus facilities;
- (2) Respond to calls for service and fire alarm panels.

#### **7. Use of Equipment**

- a. The Police Department will provide the School Resource Officer with all uniforms, equipment, leather, firearms, and continuing education at all times relevant to this agreement.
- b. The Police Department will provide a multi-channel portable radio programmed with the Campus Security frequency. The priority frequency will be that of the Wayne Police Department but the Campus Security frequency will be monitored.
- c. The City will provide a vehicle for the School Resource Officer to use.

#### **8. Training Provided by College**

- a. Fire Alarm Panels – School Resource Officers will receive training specific to the fire alarm panels of each College building. Quick reference laminated charts will be provided to the School Resource Officer and/or Police Department and placed at each alarm panel.
- b. School Resource Officers will attend Residence Life staff training.
- c. Written training defining the College student disciplinary procedures.
- d. Training on procedures for notification of campus staff for after-hours assistance, including when, who, and how to request assistance.
- e. When possible all training will be done beginning two (2) weeks prior to the start of each fall semester.
- f. It is recognized that the School Resource Officer's schedule will be modified during the training period to facilitate attendance at some orientations.
- g. A current roster of Residence Life staff and contact information will be provided to the School Resource Officer each semester.
- h. Monthly Campus Security work schedules, and updates, will be provided to the School Resource Officer and Wayne Police dispatch, including a contact person(s) in the event no one answers the Campus Security number.

**9. Direct Oversight of the Agreement to Provide Police Coverage on Campus**

Certified Police Officers are employees of the City of Wayne Police Department and as such must be under the direct supervision of the Chief of Police or his designee. Campus Security employees shall remain under the direct supervision of the College.

The City of Wayne Police Department shall control the manner in which law enforcement services are performed; however, the Agreement shall specify the nature of the services to be performed. The School Resource Officer is not to be deemed an employee of the College and has no authority to make any binding commitments or obligations on behalf of the College except as expressly provided herein. Liability and all other insurance coverage as well as Workers Compensation coverage for the School Resource Officer is the responsibility of the City of Wayne.

The Chief of Police will meet monthly with the Dean of Students and the Campus Security Director to review and evaluate the provisions of this Agreement.

Three (3) Wayne State College student representatives selected by Student Senate will meet jointly with the Police Chief, the School Resource Officer and any Campus Security official at least two (2) times per year to review the student perspective of this Agreement, one during the fall semester, and one during the spring semester. These meetings may be scheduled by either party with not less than thirty (30) days' notice. Only those representatives designated in this paragraph, or a designee thereof, shall attend the meeting.

**10. Dispatch Services**

The City agrees to provide the following dispatch services to the Campus:

- a. Answer Campus Security telephone after hours and refer calls to Campus Security Staff and assign police officers to crimes reported;
- b. Monitor Campus fire alarm system and dispatch fire trucks as needed. Police Dispatch staff will also coordinate with the Director of Facility Services and his staff to prevent unwarranted fire alarm responses.

**11. Fees for Service**

The total charge to the College by the City for the above defined law enforcement services shall be a total of \$30,000.00 per year to be paid in 12 monthly installments.

## **12. Agreement Duration**

The term of this Agreement will be effective beginning July 1, 2017 and shall be in effect until June 30, 2018 except that either the City or the College may execute a written sixty (60) day notice to quit or withdraw from the Agreement.

## **13. Agreement Amendments**

This Agreement may be amended at any time by the written agreement of both parties.

## **14. Indemnification**

To the maximum extent permitted by law, each party agrees to indemnify and defend the other party against, and to hold it harmless from, all claims, suits, liability, expense or damage (including reasonable attorneys' fees and court costs) for damage to property, injury to persons (including death) and any other claims, suits, or liability resulting from the negligence of such party or any of its employees or agents; provided however, the indemnification under this Section 14 shall not apply if such claims, suits, liability, expense or damage is the direct result of the willful misconduct or gross negligence of either party. In no event shall either party be liable for any punitive, consequential, or special damages or lost profits incurred or alleged to have been incurred.

## **15. New Employee Work Eligibility Status.**

Employee Work Eligibility Status. The City 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 agency authorized to verify the work eligibility status of a newly hired employee.

The City understands and agrees that lawful presence in the United States is required and the City may be disqualified or the Agreement terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat. §4-108.

## **16. Liability Insurance Requirements**

The City is required to carry liability insurance in the amount of one (1) million dollars per occurrence with a six (6) million dollar umbrella. The City's insurance policy shall be primary and non-contributory. The College shall be

named as an additional insured party on the policy and the certificate of insurance shall reflect that the policy waives its right of subrogation against the College. A copy of the certificate shall be provided to the College.

**17. Designated College Representative**

The designated College representative for purposes of monitoring and oversight of this Agreement is:

Jeff Carstens                      (402) 375-7213                      jecarst1@wsc.edu

This Agreement is hereby executed by the City of Wayne and the Board of Trustees of the Nebraska State Colleges dba Wayne State College upon the respective dates set forth following the executory signature attached to this Agreement.

AND BE IT FURTHER RESOLVED that the Board of Trustees of the Nebraska State Colleges dba Wayne State College and the City of Wayne each declares itself to be a participant in the joint efforts to provide law enforcement services on the Wayne State College Campus.

Passed and approved this \_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF WAYNE**

**THE BOARD OF TRUSTEES OF  
THE NEBRASKA STATE  
COLLEGES**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Ken Chamberlain  
Title: Mayor

Name: Gary Bieganski  
Title: Chair, Board of Trustees

Attested By: \_\_\_\_\_  
City Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**RESOLUTION NO. 2017-48**

**A RESOLUTION APPROVING THE HIRING OF A SPECIAL ENGINEER AND APPROVING THE PLANS AND SPECIFICATIONS AND ESTIMATE OF COST FOR THE CONSTRUCTION OF CERTAIN WATER IMPROVEMENTS TO BE CONSTRUCTED IN THE CITY OF WAYNE, NEBRASKA (BEAUMONT EVENT CENTER).**

BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the hiring of McLaury Engineering, Inc., as engineers for the construction of certain water improvements to be constructed in the City of Wayne in Water Extension District No. 2017-01 is hereby approved, ratified and confirmed, and that the plans, specifications and estimate of cost of \$170,425.00 prepared by the City's engineer and filed in the office of the City Clerk for the construction of said water improvements of the City of Wayne are hereby approved, and the City Clerk is directed to advertise for bids in the form of the notice prepared by the City's Engineer.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

[SEAL]

ORDINANCE NO. 2017-19

AN ORDINANCE CREATING WATER EXTENSION DISTRICT NO. 2017-01 OF THE CITY OF WAYNE, NEBRASKA; ESTABLISHING THE OUTER BOUNDARIES OF THE DISTRICT; DESIGNATING THE SIZE, LOCATION AND TERMINAL POINTS OF WATER MAINS AND WATER LINES WITHIN SAID DISTRICT; AND REFERRING TO PLANS AND SPECIFICATIONS AND COST ESTIMATES AS PREPARED BY THE ENGINEER IN CONNECTION THEREWITH AND ON FILE WITH THE CITY CLERK (BEAUMONT EVENT CENTER).

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The Mayor and Council of the City of Wayne, Nebraska, hereby find and determine that it is necessary and advisable to extend the municipal water system beyond the existing system by the construction of water mains and water lines and appurtenant improvements and that for the purpose of constructing said water mains and related improvements, there is hereby created Water Extension District No. 2017-01 of the City of Wayne, pursuant to authority granted in Section 19-2402, R.R.S. Neb. 2012.

Section 2. The outer boundaries of Water Extension District No. 2017-01 shall consist of a tract of land located in Wayne County, Nebraska, being described as follows:

**Limits of District:**

A 150.00-FOOT WIDE STRIP IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 26 NORTH, RANGE 4 EAST OF THE 6TH P.M., WAYNE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S01°58'36"E, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 659.61 FEET TO THE SOUTHWEST CORNER OF THE NORTH-HALF OF THE NORTH-HALF OF SAID SOUTHWEST QUARTER; THENCE N88°04'43"E, ALONG THE SOUTH LINE OF SAID NORTH-HALF OF THE NORTH-HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 54.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY #15 AND THE POINT OF BEGINNING; THENCE N02°44'25"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 150.02 FEET; THENCE N88°04'43"E, PARALLEL TO THE SOUTH LINE OF SAID NORTH-HALF OF THE NORTH-HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1395.30 FEET; THENCE S02°01'08"E, A DISTANCE OF 684.92 FEET TO THE NORTH LINE OF A PARCEL OF LAND IN A DEED FILED ON MARCH 10, 1993, AS MICROFILM #930277 IN THE WAYNE COUNTY REGISTER OF DEEDS OFFICE; THENCE S87°41'36"W, ALONG SAID NORTH LINE, A DISTANCE OF 150.00 FEET; THENCE N02°01'08"W, A DISTANCE OF 535.93 FEET TO THE SOUTH LINE OF SAID NORTH-HALF OF THE NORTH-HALF OF THE SOUTHWEST QUARTER;

THENCE S88°04'43"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1243.41 FEET TO THE POINT OF BEGINNING. CONTAINING 6.65 ACRES MORE OR LESS.

**Properties to be Assessed:**

Beaumont First Addition to the City of Wayne  
Lot 1

A tract of land in the S1/2 NE1/4 SW1/4 of Section 6, Township 26, North Range 4 East of the 6<sup>th</sup> PM in Wayne County, Nebraska.

The size, location and terminal points of the water mains, water lines and other appurtenances in said District shall consist of the following:

**Description of Water Extension:**

Construction of Water Mains to be constructed in Utility Easements beginning at a new Tee in the 16-inch transmission line located along the west edge of the Right Of Way and 652 feet south of the West Quarter Corner of Sec. 6, T26N, R4E of the 6<sup>th</sup> PM, thence S 88° 04' 43" W 1360 feet to a point 5 feet north of the Center N.-S.W. 1/64 Corner thence south 330 feet to a point south east of Well 7, thence, west to a new tee in the existing 8" DIP water main south of Well 7. Work shall include the construction of 8-inch and 10-inch PVC DR 18 water main, valves, fittings, fire hydrants, service line connections, steel casing, and other miscellaneous work show in the plans prepared by McLaury Engineering, Inc.

Section 3. Reference is hereby made to the plans and specifications for said water extensions, which have been prepared by McLaury Engineering, Inc., special engineers for the City, and which, together with said engineers' estimate of the total cost for the proposed water extensions, have heretofore been filed with the City Clerk.

Section 4. The engineers' estimate of total cost for the proposed water extension improvements in said District is \$170,425.00.

Section 5. The Mayor and Council hereby find and determine that none of the properties located within said District are presently served by the City's existing system of water service and that said District constitutes an area of land located apart and outside the area served and benefited by said system and all of the property in said District is located within the City of Wayne, Nebraska or within two miles of the corporate limits of the City of Wayne, Nebraska.

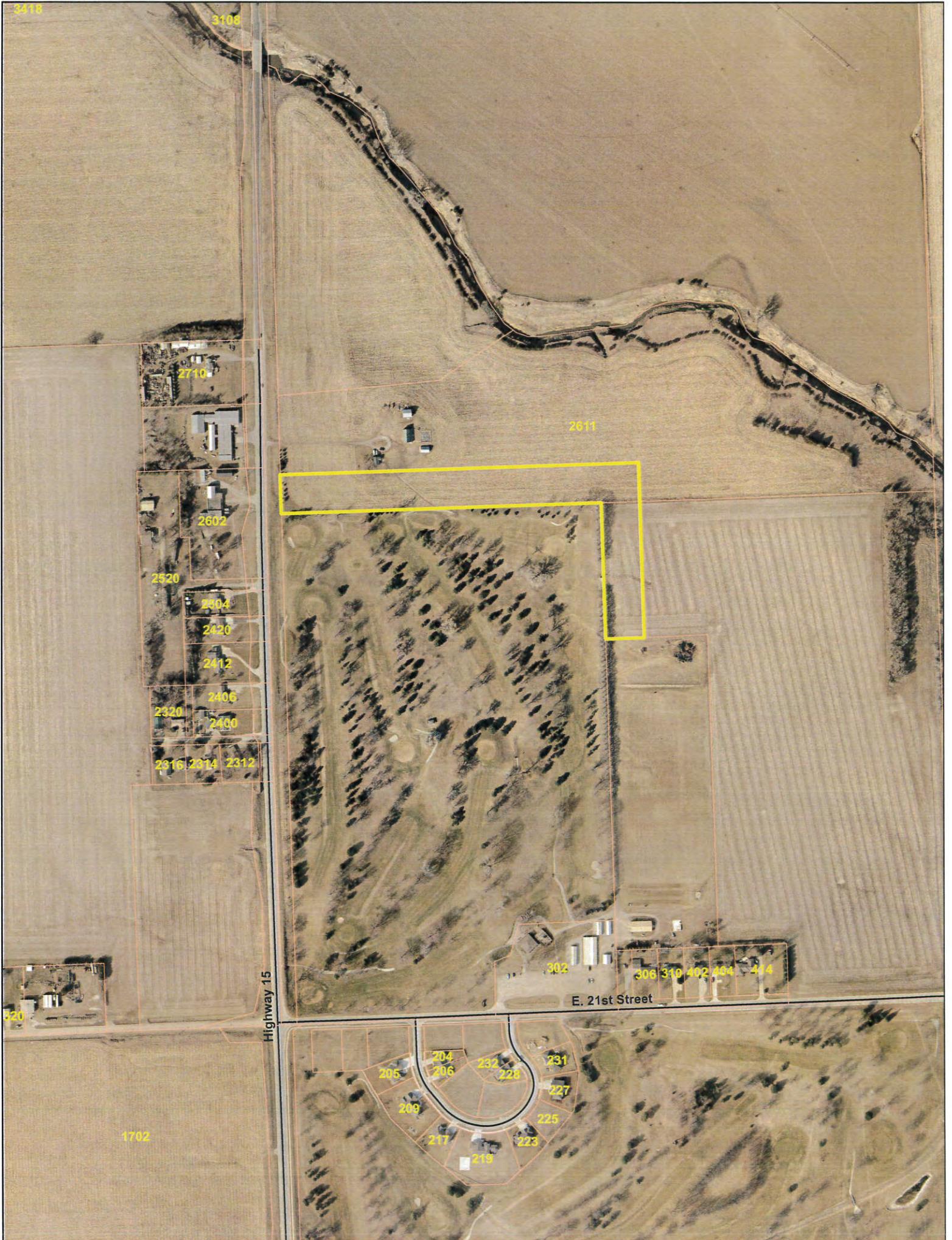
PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



3418

3108

2710

2602

2520

2504

2420

2412

2406

2320

2400

2316 2314 2312

2011

Highway 15

E. 21st Street

1702

205

204

206

232

228

231

227

225

217

219

223

302

306

310

402

404

414

320

## Contractor's Application for Payment No. 3 FINAL

Application Period: 12/7/2017 - 4/27/2017	Application Date: 4/27/2017
To (Owner): City of Wayne	Via (Engineer): McLaury Engineering Inc.
From (Contractor): Penro Construction Co., Inc.	Engineer's Project No.: 42160401
Contract: Nebraska Street Water Main Replacement 2016	
Owner's Contract No.:	

### Application For Payment Change Order Summary

Approved Change Orders	Additions	Deductions
1		-\$1,061.00
<b>TOTALS</b>		
<b>NET CHANGE BY CHANGE ORDERS</b>		<b>-\$1,061.00</b>

1. ORIGINAL CONTRACT PRICE..... \$ 266,012.75
2. Net change by Change Orders..... \$ -1,061.00
3. Current Contract Price (Line 1 ± 2)..... \$ 264,951.75
4. TOTAL COMPLETED AND STORED TO DATE  
(Column F on Progress Estimate)..... \$ 264,951.75
5. RETAINAGE:
 

a. 0% <input checked="" type="checkbox"/>	Work Completed.....	\$
b. 0% <input checked="" type="checkbox"/>	Stored Material.....	\$
c. Total Retainage (Line 5a + Line 5b).....		\$ 0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 264,951.75
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 246,609.79
8. AMOUNT DUE THIS APPLICATION..... \$ 18,341.96
9. BALANCE TO FINISH, PLUS RETAINAGE  
(Column G on Progress Estimate + Line 5 above)..... \$

<p><b>Contractor's Certification</b></p> <p>The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p>	By:  Date: 4/27/2017
--	----------------------

Payment of: \$ 18,341.96	(Line 8 or other - attach explanation of the other amount)
is recommended by:	(Date) 5/17/17
(Engineer)	
Payment of: \$	(Line 8 or other - attach explanation of the other amount)
is approved by: _____	(Owner)
Approved by: _____	Funding Agency (if applicable)
	(Date)

**CONTINUATION PAGE**

PROJECT: Nebraska Street Water Main Rep  
 Nebraska Street Water Main Replacement  
 2016

APPLICATION #: 3 Final  
 DATE OF APPLICATION: 04/27/2017  
 PERIOD THRU: 04/27/2017  
 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		E AMOUNT THIS PERIOD	F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD					
1	Group A - Grading Items		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
2	\$0.00 PER Mobilization	0.00	\$1,100.00	0.00	\$0.00	\$0.00	\$0.00	\$1,100.00	0.00	\$0.00
3	\$1,100.00 PER LS General Cleaning and Grubbing	1.00	\$2,500.00	1.00	\$0.00	\$0.00	\$0.00	\$2,500.00	0.00	\$0.00
4	\$2,500.00 PER LS Remove Walk	1.00	\$150.00	1.00	\$0.00	\$0.00	\$0.00	\$347.25	0.00	(\$197.25)
5	\$7.50 PER Sq. Yd. Remove Concrete	20.00	\$980.00	46.30	\$0.00	\$0.00	\$0.00	\$630.00	-26.30	\$350.00
6	\$10.00 PER Sq. Yd. Remove & Salvage Brick Pavers	98.00	\$690.00	63.00	\$0.00	\$0.00	\$0.00	\$120.00	35.00	\$570.00
7	\$30.00 PER Sq. Yd. Traffic Control	23.00	\$6,000.00	4.00	\$0.00	\$0.00	\$0.00	\$6,000.00	19.00	\$0.00
8	\$6,000.00 PER LS. Group B Paving Items	1.00	\$0.00	1.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00
9	\$0.00 PER Mobilization	0.00	\$1,185.00	0.00	\$0.00	\$0.00	\$0.00	\$1,185.00	0.00	\$0.00
10	\$1,185.00 PER LS Concrete Class 47B-3500 Sidewalk	1.00	\$1,333.00	1.00	\$0.00	\$0.00	\$0.00	\$3,085.90	0.00	(\$1,752.90)
	\$66.65 PER Sq. Yd. SUB-TOTALS	20.00	\$13,938.00	46.30	\$0.00	\$0.00	\$0.00	\$14,968.15	-26.30	(\$1,030.15)

**CONTINUATION PAGE**

PROJECT: Nebraska Street Water Main Rep  
 Nebraska Street Water Main Replacement  
 2016  
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 PROJECT #s:

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		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD						
11	Detectable Warning Panel		\$368.00	\$736.00	\$0.00	\$0.00	\$0.00	\$736.00	200%	(\$368.00)	
	\$46.00 PER Sq. Ft.	8.00		16.00	0.00	0.00	0.00	16.00		-8.00	
12	Concrete Class 47B-3500 Driveway		\$5,907.50	\$2,314.35	\$0.00	\$0.00	\$0.00	\$2,314.35	39%	\$3,593.15	
	\$69.50 PER Sq. Yd.	85.00		33.30	0.00	0.00	0.00	33.30		51.70	
13	8" Concrete Pavement, Class 47B-3500		\$936.00	\$2,124.00	\$0.00	\$0.00	\$0.00	\$2,124.00	227%	(\$1,188.00)	
	\$72.00 PER Sq. Yd.	13.00		29.50	0.00	0.00	0.00	29.50		-16.50	
14	Install Brick Pavers		\$2,300.00	\$400.00	\$0.00	\$0.00	\$0.00	\$400.00	17%	\$1,900.00	
	\$100.00 PER Sq. Yd.	23.00		4.00	0.00	0.00	0.00	4.00		19.00	
15	Subgrade Preparation		\$520.00	\$1,180.00	\$0.00	\$0.00	\$0.00	\$1,180.00	227%	(\$660.00)	
	\$40.00 PER Sq. Yd.	13.00		29.50	0.00	0.00	0.00	29.50		-16.50	
16	Group C - Utility Items		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
	\$0.00 PER	0.00		0.00	0.00	0.00	0.00	0.00		0.00	
17	Mobilization		\$14,330.00	\$14,330.00	\$0.00	\$0.00	\$0.00	\$14,330.00	100%	\$0.00	
	\$14,330.00 PER LS	1.00		1.00	0.00	0.00	0.00	1.00		0.00	
18	Curb Stop & Box		\$15,300.00	\$14,450.00	\$0.00	\$0.00	\$0.00	\$14,450.00	94%	\$850.00	
	\$425.00 PER Each	36.00		34.00	0.00	0.00	0.00	34.00		2.00	
19	1" Water Service		\$24,111.00	\$24,346.00	\$0.00	\$0.00	\$0.00	\$24,346.00	101%	(\$235.00)	
	\$23.50 PER Ft.	1,026.00		1,036.00	0.00	0.00	0.00	1,036.00		-10.00	
20	1.5" Water Service		\$360.00	\$810.00	\$0.00	\$0.00	\$0.00	\$810.00	225%	(\$450.00)	
	\$30.00 PER Ft.	12.00		27.00	0.00	0.00	0.00	27.00		-15.00	
	<b>SUB-TOTALS</b>		\$78,070.50	\$75,658.50	\$0.00	\$0.00	\$0.00	\$75,658.50	97%	\$2,412.01	

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**CONTINUATION PAGE**

PROJECT: Nebraska Street Water Main Rep  
 Nebraska Street Water Main Replacement  
 2016

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 PERIOD THRU: 04/27/2017  
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		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	% COMP (G / C)						
21	Boring 1" Water Service		\$19,400.00	\$19,400.00	\$0.00	\$0.00	\$0.00	\$19,400.00	100%	\$0.00	
	\$25.00 PER Ft.	776.00		776.00	0.00	0.00	0.00	776.00		0.00	
22	Cut and Connect to Existing 6" Main		\$2,005.00	\$2,005.00	\$0.00	\$0.00	\$0.00	\$2,005.00	100%	\$0.00	
	\$2,005.00 PER Each	1.00		1.00	0.00	0.00	0.00	1.00		0.00	
23	Cut and Connect to Existing 8" Main		\$4,850.00	\$4,850.00	\$0.00	\$0.00	\$0.00	\$4,850.00	100%	\$0.00	
	\$2,425.00 PER Each	2.00		2.00	0.00	0.00	0.00	2.00		0.00	
24	Cut and Connect to Existing 12" Main		\$3,500.00	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00	100%	\$0.00	
	\$3,500.00 PER Each	1.00		1.00	0.00	0.00	0.00	1.00		0.00	
25	6"PVC Water Main		\$513.00	\$513.00	\$0.00	\$0.00	\$0.00	\$513.00	100%	\$0.00	
	\$28.50 PER Ft.	18.00		18.00	0.00	0.00	0.00	18.00		0.00	
26	8" PVC Water Main (Bored)		\$44,408.00	\$44,408.00	\$0.00	\$0.00	\$0.00	\$44,408.00	100%	\$0.00	
	\$30.50 PER Ft.	1,456.00		1,456.00	0.00	0.00	0.00	1,456.00		0.00	
27	8" PVC Water Main (Open Trench)		\$244.00	\$244.00	\$0.00	\$0.00	\$0.00	\$244.00	100%	\$0.00	
	\$30.50 PER Ft.	8.00		8.00	0.00	0.00	0.00	8.00		0.00	
28	12" PVC Water Main		\$498.00	\$498.00	\$0.00	\$0.00	\$0.00	\$498.00	50%	\$249.00	
	\$41.50 PER Ft.	12.00		6.00	0.00	0.00	0.00	6.00		6.00	
30	Boring 8" PVC Water Main		\$58,161.25	\$58,161.25	\$0.00	\$0.00	\$0.00	\$58,161.25	100%	\$0.00	
	\$40.25 PER Ft.	1,445.00		1,445.00	0.00	0.00	0.00	1,445.00		0.00	
40	Water Service Saddle and Corporation Stop		\$14,800.00	\$14,800.00	\$0.00	\$0.00	\$0.00	\$14,800.00	100%	\$0.00	
	\$400.00 PER Each	37.00		37.00	0.00	0.00	0.00	37.00		0.00	
	<b>SUB-TOTALS</b>		\$226,449.75	\$223,788.75	\$0.00	\$0.00	\$0.00	\$223,788.75	99%	\$2,661.01	

CONTINUATION PAGE

Quantum Software Solutions, Inc. Document

**CONTINUATION PAGE**

PROJECT: Nebraska Street Water Main Rep  
 Nebraska Street Water Main Replacement  
 2016  
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		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD						
41	6" Gate Valve and Box		\$3,920.00	\$3,920.00	\$0.00	\$0.00	\$0.00	\$3,920.00	100%	\$0.00	
42	\$980.00 PER Each 8" Gate Valve and Box	4.00	\$8,130.00	4.00	0.00	0.00	0.00	\$8,130.00	100%	0.00	
43	\$1,355.00 PER Each 12" Gate Valve and Box	6.00	\$2,475.00	6.00	0.00	0.00	0.00	\$2,475.00	100%	0.00	
44	\$2,475.00 PER Each 6" Fire Hydrant	1.00	\$6,800.00	1.00	0.00	0.00	0.00	\$6,800.00	100%	0.00	
45	\$3,400.00 PER Each 8" x 6" Tee	2.00	\$460.00	2.00	0.00	0.00	0.00	\$460.00	100%	0.00	
46	\$460.00 PER Each 8" x 6" Tee (Owner Furnished)	1.00	\$380.00	1.00	0.00	0.00	0.00	\$380.00	100%	0.00	
47	\$380.00 PER Each 8" x 8" Tee	1.00	\$510.00	1.00	0.00	0.00	0.00	\$510.00	100%	0.00	
48	\$510.00 PER 8" x 8" Cross (Owner Furnished)	1.00	\$390.00	1.00	0.00	0.00	0.00	\$390.00	100%	0.00	
49	\$390.00 PER Each 8" x 12" Cross	1.00	\$650.00	1.00	0.00	0.00	0.00	\$650.00	100%	0.00	
50	\$650.00 PER Each 8" - 22.5 Degree Bend (Owner Furnished)	1.00	\$400.00	1.00	0.00	0.00	0.00	\$400.00	0%	0.00	\$400.00
	\$200.00 PER Each	2.00		0.00	0.00	0.00	0.00	\$0.00		2.00	
	<b>SUB-TOTALS</b>		\$250,564.75	\$247,503.75	\$0.00	\$0.00	\$0.00	\$247,503.75	99%	\$3,061.01	

**CONTINUATION PAGE**

PROJECT: Nebraska Street Water Main Rep  
 Nebraska Street Water Main Replacement  
 2016  
 APPLICATION #: 3 Final  
 DATE OF APPLICATION: 04/27/2017  
 PERIOD THRU: 04/27/2017  
 PROJECT #s:

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT		D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
		QTY	\$ AMT	AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD				
51	8" x 6" Reducer		\$460.00	\$460.00	\$0.00	\$0.00	\$460.00	\$0.00	
	\$230.00 PER Each	2.00		2.00	0.00	0.00	2.00	0.00	
52	Remove Fire Hydrant		\$800.00	\$800.00	\$0.00	\$0.00	\$800.00	\$0.00	
	\$400.00 PER Each	2.00		2.00	0.00	0.00	2.00	0.00	
53	Remove Water Valve		\$3,200.00	\$3,200.00	\$0.00	\$0.00	\$3,200.00	\$0.00	
	\$400.00 PER Each	8.00		8.00	0.00	0.00	8.00	0.00	
54	Abandon Water Main		\$5,225.50	\$5,225.50	\$0.00	\$0.00	\$5,225.50	\$0.00	
	\$3.50 PER Ft.	1,493.00		1,493.00	0.00	0.00	1,493.00	0.00	
55	Group D - Erosion Control		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	\$0.00 PER	0.00		0.00	0.00	0.00	0.00	0.00	
56	Mobilization		\$650.00	\$0.00	\$650.00	\$0.00	\$650.00	\$0.00	
	\$650.00 PER LS	1.00		0.00	1.00	0.00	1.00	0.00	
57	Seeding, Type C		\$2,250.00	\$0.00	\$2,250.00	\$0.00	\$2,250.00	\$0.00	
	\$4,500.00 PER Acre	0.50		0.00	0.50	0.00	0.50	0.00	
58	Curb Inlet Protection		\$800.00	\$400.00	\$400.00	\$0.00	\$800.00	\$0.00	
	\$20.00 PER Ft.	40.00		20.00	20.00	0.00	40.00	0.00	
59	Hydromulch		\$2,062.50	\$0.00	\$2,062.50	\$0.00	\$2,062.50	\$0.00	
	\$2,750.00 PER Ton	0.75		0.00	0.75	0.00	0.75	0.00	
60	Change Order #1		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	\$0.00 PER	0.00		0.00	0.00	0.00	0.00	0.00	
	<b>SUB-TOTALS</b>		\$266,012.75	\$257,589.25	\$5,362.50	\$0.00	\$262,951.75	\$3,061.01	99%

CONTINUATION PAGE



**RESOLUTION NO. 2017-49**

WHEREAS, the City of Wayne desires to amend Resolution No. 2017-12, a standard wage and salary schedule which was effective January 1, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wayne, Nebraska, that the City of Wayne Wage & Salary Schedule shall be as follows:

CITY OF WAYNE  
NON-EXEMPT WAGE AND EXEMPT SALARY SCHEDULES  
Effective May 16, 2017

**NON-EXEMPT WAGE SCHEDULE**

<b><u>JOB CLASSIFICATION</u></b>	<b><u>HOURLY RANGE</u></b>		
Part-Time Employees (Lifeguards, Senior Center Activities Aid)	9.00	-	11.02
Recreation – Leisure Services Assistant I	9.00	-	11.66
Senior Center Operations Assistant	9.00	-	11.66
Custodian	9.87	-	13.14
Handi-Van Driver	10.90	-	14.57
Assistant Librarian I	11.44	-	15.53
Assistant Pool Manager	12.00	-	
Heavy Equipment Operator I	13.24	-	17.62
Pool Manager	13.50	-	15.00
Senior Center Cook	16.00		
Heavy Equipment Operator II	13.90	-	18.96
Administrative Assistant	13.90	-	18.96
Librarian I	13.90	-	18.96
Water/Sewer Operator I	14.63	-	19.47
Light Plant Operator II	14.63	-	19.47
Account Clerk II	14.63	-	19.47
Accountant/Assistant Treasurer	14.63	-	19.47

Dispatchers	14.72	-	19.59
Mechanic	15.36	-	20.95
Dispatch Supervisor	15.70	-	20.89
Water/Wastewater Operator II	16.08	-	21.60
Assistant Street Foreman	16.08	-	21.60
Class A Licensed Electrician	16.08	-	21.60
Apprentice Lineman	16.08	-	21.60
Power Plant Foreman	17.37	-	23.12
Street Foreman	18.17	-	24.18
Patrolman	18.17	-	25.13
Water/Wastewater Operator III	18.55	-	24.69
Lineman I	18.98	-	26.65
Chief of Electric Production	19.49	-	27.76
Technology Support Specialist	20.83	-	28.13
Building Inspector/Planner/Street Superintendent	21.02	-	28.81
Lineman II	21.02	-	28.81
Water/Wastewater Foreman	21.43	-	28.77
Police Sergeant	21.86	-	28.81
Senior Lineman	22.70	-	30.21
Water Supervisor	22.70	-	31.71
Electric Line Supervisor	26.94	-	36.20

EXEMPT SALARY SCHEDULE

JOB CLASSIFICATION

Recreation Services Director	16.00	-	26.01
Community Activity Center Director	16.00	-	26.01
Sr. Citizens Center Coordinator	14.05	-	21.36

Library Director	21.45	-	28.89
Ex-Officio Treasurer for Airport	500.00		
Public Buildings Manager	400.00		
Third Party Administrator MRP	400.00		
City Clerk	25.23	-	35.46
Finance Director	26.42	-	36.09
Assistant Finance Director	28.00	-	34.00
Electric Superintendent – Production	26.41	-	35.37
Police Chief	30.04	-	39.71
Electric Superintendent - Distribution	26.41	-	<b>38.00</b>
City Administrator			51.34
Assistant City Administrator	36.00	-	48.00

BE IT FURTHER RESOLVED that upon satisfactory evaluation, the progression through the exempt salary schedule and the labor grade steps shall be at least twelve (12) months, unless otherwise deemed warranted and appropriate by the City Administrator.

BE IT FURTHER RESOLVED that employees receiving wage rates less than rates scheduled herein above shall have their wage rates adjusted only upon satisfactory evaluation.

PASSED AND APPROVED this 16<sup>th</sup> day of May, 2017.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk