

**MINUTES  
CITY COUNCIL MEETING  
June 6, 2017**

The Wayne City Council met in regular session at City Hall on Tuesday, June 6, 2017, at 5:30 o'clock P.M. Mayor Ken Chamberlain called the meeting to order with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Nick Muir and Jason Karsky; City Attorney Amy Miller; City Administrator Lowell Johnson; and City Clerk Betty McGuire. Absent: Councilmembers Jennifer Sievers, Matt Eischeid and Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on May 25, 2017, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Councilmember Haase made a motion, which was seconded by Councilmember Greve, whereas, the Clerk has prepared copies of the Minutes of the meeting of May 16, 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 Councilmembers Sievers, Eischeid and Brodersen, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** ALDERSON, MARY, RE, 209.96; ALL-AMERICAN PUBLISHING, SE, 149.00; ALTONA FINISHING, SE, 6372.08; AMAZON.COM, SU, 637.16; AMERICAN BROADBAND, SE, 2471.63; AMERITAS, SE, 72.00; AMERITAS, SE, 56.54; AMERITAS, SE, 84.44; AMERITAS, SE, 2276.74; APPEARA, SE, 108.95; BARENTO, ROBA, RE, 80.43; BENDER, RACHEL, RE, -205.69; BLACK HILLS ENERGY, SE, 443.10; BLEIL, AARON, RE, 107.06; BLUE CROSS BLUE SHIELD, SE, 36892.75; BOARDERS INN & SUITES, SE, 1308.00; BOMGAARS, SU, 4.79; BREEN, KEENAN, RE, 230.66; BROGIE, ED, SE, 1250.00; BROWN SUPPLY, SU, 252.38; BSN SPORTS, SU, 405.40; C. H. GUERNSEY & CO, SE, 3668.71; CARHART LUMBER, SU, 731.92; CENTURYLINK, SE, 416.61; CHRISTIAN CHINCHILLA, RE, 222.89; CITY EMPLOYEE, RE, 89.85; CITY EMPLOYEE, RE, 20.80; CITY EMPLOYEE, RE, 2565.36; CITY EMPLOYEE, RE, 3125.82; CITY EMPLOYEE, RE, 16.25; CITY OF WAYNE, PY, 90637.27; COMMUNITY HEALTH, RE, 3.00; CONSOLIDATED MANAGEMENT CO, SE, 8.74; D & K PRODUCTS, SU, 1252.65; DAS STATE ACCTG-CENTRAL FINANCE, SE, 71.16; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DAVID LEE, RE, 100.00; DEARBORN NATIONAL LIFE, SE, 113.52;

DEMCO, SU, 86.64; DGR & ASSOCIATES, SE, 4752.26; DITCH WITCH OF OMAHA, SU, 408.66; DONALD SIMMONS, RE, 50.00; DUIN, GRANT, RE, 92.25; DUNCAN & ALLEN, SE, 3405.00; DURHAM, NICHOLAS, RE, 137.25; DUTTON-LAINSON, SU, 682.68; DVORAK, DEVON, RE, 300.00; DYLAN ELLIS, RE, 199.36; EAKES OFFICE PLUS, SE, 1053.24; ECHO GROUP, SU, 157.52; ED. M FELD EQUIPMENT, SU, 120.70; ELECTRONIC ENGINEERING, SU, 86.00; FAITH REGIONAL PHYSICIAN SERV., SE, 30.00; FASTENAL, SU, 866.20; FIRE CATT, LLC, SE, 4226.80; FIRST CONCORD GROUP, SE, 2748.44; FLOOR MAINTENANCE, SU, 890.51; GERHOLD CONCRETE, SU, 1243.43; GOMEZ, IGNACIO, RE, 63.51; GRADO, JANET, RE, 93.36; GRASS, JACOB, RE, 64.23; GROSSENBURG IMPLEMENT, SU, 205.15; HAASE, JON, RE, 500.00; HAGEMANN, REBECCA, RE, 207.17; HANSEN, RONALD, RE, 86.23; HARDING, GRANT, RE, 180.39; HAWKINS, INC, SU, 4776.52; HEARTLAND FIRE PROTECTION, SE, 836.75; HOLDSWORTH, CONNER, RE, 69.12; HOMETOWN LEASING, SE, 412.86; HOSE AND HANDLING INC, SU, 2320.35; HRNCHIR, CHELCEE, RE, 98.93; HULSENBUSCH, BRITTANY, RE, 116.82; ICMA, SE, 9374.97; IRS, TX, 200.00; IRS, TX, 744.00; IRS, TX, 12237.12; IRS, TX, 174.02; IRS, TX, 3422.24; IRS, TX, 14633.48; JANZEN, BETHANY, RE, 64.36; JEFF PAUSTIAN, RE, 100.00; JENNIFER THOMAS, RE, 500.00; JEO CONSULTING GROUP, SE, 1492.50; JESSICA BOLLES, RE, 10.00; JILL BESSMER, RE, 150.00; JOHNSON, TAYLOR, RE, 13.44; JURICH, GREGORY, RE, 129.13; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KELLY SUPPLY, SU, 161.08; KLEINSCHMIT, KAYLYN, RE, 87.38; KOCH, TAYLOR, RE, 191.02; KRAJICEK, MEGHAN, RE, 118.15; KRIZ-DAVIS, SU, 8478.74; KYLE STUCKLIK, RE, 35.25; LANGSCHWAGER, SAMANTHA, RE, 98.67; LAURA FRANKLIN, RE, 39.58; LUZUM, JACLYN, RE, 163.08; MARK MCCORKINDALE, RE, 100.00; MATT PARROTT, SU, 741.50; MCCARTHY, ERIC, RE, 94.57; MCLAURY ENGINEERING, SE, 9527.25; MESMIDAM, SU, 971.37; MEURET, PATRICK, RE, 212.76; MILLS, KELSA, RE, 199.71; MONAHAN, PHILLIP, RE, 178.57; NNEDD, SE, 4851.66; NAPA OF WAYNE, SU, 131.09; NATE TEMME, RE, 207.27; NE AIR FILTER, SU, 227.79; NE DEPT OF REVENUE, TX, 4007.15; NE DEPT OF REVENUE, TX, 106.78; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 127.00; NEARY, NATHAN, RE, 119.95; NICK VANHORN, RE, 193.51; NIEDERKLEIN, MICHAELA, RE, 83.34; NIELSEN, LEVI, RE, -8.67; NNPPD, SE, 12579.22; NNPPD, SE, 13667.91; NOVA FITNESS EQUIPMENT, SU, 3146.00; NWOD, FE, 15.00; OAKSTONE PUBLICATIONS, SE, 252.45; PARRY, BRENT, RE, 104.97; PENRO CONSTRUCTION, SE, 18341.96; PURVIANCE, DREW, RE, 40.95; REHAB SYSTEMS, SE, 2897.70; ROACH, SKYLER, RE, 71.45; ROBINSON, DYLAN, RE, 130.21; RODRIQUEZ, CARLOS, RE, 155.97; RON'S RADIO, SE, 150.00; ROTH, HEIDI, RE, 115.13; SANDY BROWN, RE, 284.99; SCHAEFER, JENNIFER, RE, 4.10; SCHILDT, MEGHAN, RE, 111.38; SCHROEDTER, JARED, RE, 233.15; SCHROPP, ALYSSA, RE, 122.84; SHEARS, MARCUS, RE, 148.70; SHERRY CONTRERAS, RE, 35.00; SHIPE, KELSEY, RE, 59.51; SIEVERS, TOM, RE, 100.00; SIOUX CITY WINNELSON, SE, 39.26; SMITH, ALEXANDER, RE, 125.04; SPIEKER, PAIGE, RE, 300.00; SPRUNK, TAYLOR, RE, 300.00; STADIUM SPORTING GOODS, SE, 893.00; STAPLES ADVANTAGE, SU, 356.14; STATE NEBRASKA BANK, RE, 109.17; THE WALLING COMPANY, SU, 32.91; TYLER TECHNOLOGIES, SE, 2700.43; ULINE, SU, 222.23; UNITED WAY, RE, 5.00; VERIZON, SE, 92.89; VIAERO, SE, 223.03; VON SEGGERN, AARON, RE, 123.58; WATER ENVIRONMENT FEDERATION, FE, 148.00; WATSON LABEL PRODUCTS, SU, 196.06; WAYNE COMMUNITY SCHOOLS, RE, 3635.00; WAYNE FIREWORKS COMMITTEE, RE, 2000.00; WAYNE HERALD, SE, 18.00; WAYNE HERALD, SE, 102.00; WEIS, SETH, RE, 110.53; WESCO, SU, 18722.86; WIDNER, JOSH, RE, 190.01; WILLIAM MELENA, RE, 100.00; WOOD, MATTHEW, RE, 24.76; ZEISS, JALYN, RE, 300.00; AMBER KUMMER, SE, 532.52; BARONE SECURITY SYSTEMS, SE, 2331.42; BATENHORST, RYAN, RE, 120.58; BENDER, RACHEL, RE, 205.70; BOMGAARS, SU, 1255.21; CARHART LUMBER CO, SU, 390.60; CHARTWELLS, SE, 4548.25; CITY EMPLOYEE, RE, 245.40; CITY EMPLOYEE, RE, 148.61; COPY WRITE, SE, 130.28; DAVE'S

DRY CLEANING, SE, 99.00; EAKES OFFICE PLUS, SE, 213.00; EFFERDING, CHEYENNE, RE, 300.00; GROSSENBURG IMPLEMENT, SU, 176.67; GUARANTEE ROOFING, SE, 40653.58; HUBBARD, BETH, RE, 300.00; JACK'S UNIFORMS, SU, 222.80; JENSEN, TAYLOR, RE, 265.88; JOHNSON, TAYLOR, RE, 189.26; KTCH, SE, 644.00; LUTT OIL, SU, 4990.12; MAYO, JESSE, RE, 138.11; MILLER LAW, SE, 5048.70; NAPA OF WAYNE, SU, 110.49; NE LAW ENFORCEMENT, FE, 50.00; NE PLANNING & ZONING ASSOC, FE, 190.00; ONE CALL CONCEPTS, SE, 113.79; PLUNKETT'S PEST CONTROL, SE, 100.15; QUALITY FOOD, SE, 166.85; QUALITY FOOD, SU, 22.36; STADIUM SPORTING GOODS, SE, 16.00; STAPLES ADVANTAGE, SU, 119.34; UNITED INDUSTRIES, SU, 334.21; US BANK, SU, 3095.09; WALLACE, ELIZABETH, RE, 150.00; WAED, SE, 7216.66; WAYNE SOFTBALL ASSOCIATION, RE, 1500.00; WESCO, SU, 2808.75; WAPA, SE, 18450.85

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

Councilmember Eischeid arrived at 5:35 p.m.

Mayor Chamberlain advised the Council that he received Nick Muir's resignation as Councilmember for Ward 1.

Councilmember Muir advised the Council that since he is building a new home in Ward 4 and has moved out of Ward 1, he can no longer represent his constituents in Ward 1.

In addition, he stated he would like to keep serving on the Community Redevelopment Authority, but the ordinance would need to be amended to reduce Council representation to one person and increase the at-large positions to three.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, to accept the resignation of Nick Muir as 1<sup>st</sup> Ward Councilmember. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers

Sievers and Brodersen who were absent and Councilmember Muir who abstained, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, declaring a notice of vacancy in Ward One and authorizing the City Clerk to publish notice regarding the same. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Phil Monahan advised the Council that he was appointed the Fire Chief by the Wayne Volunteer Fire Department for the upcoming year.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the appointment of Phil Monahan as Fire Chief. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Administrator Johnson stated the following Resolution would approve a Consulting Services Agreement Addendum with C. H. Guernsey & Company, by which they would provide options and information on connecting to the Southwest Power Pool and financing options for generation replacement. This does not create any obligation for the City.

Councilmember Giese introduced Resolution 2017-50, and moved for its approval; Councilmember Greve seconded.

#### RESOLUTION NO. 2017-50

#### A RESOLUTION APPROVING CONSULTING SERVICES AGREEMENT ADDENDUM WITH C. H. GUERNSEY & COMPANY.

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

Mayor Chamberlain advised the Council that he was tabling action on the Resolution on the Agreement with Providence Medical Center at the request of Jim Frank, Providence Medical Center Administrator. It will be brought back at the next Council meeting for consideration.

Councilmember Giese introduced Ordinance No. 2017-10, and moved for approval of the third and final reading thereof; Councilmember Eischeid 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-11 and moved for approval of the third and final reading thereof; Councilmember Haase 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-12 and moved for approval of the third and final reading thereof; Councilmember Greve 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-13 and moved for approval of the third and final reading thereof; Councilmember Haase 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance 2017-14 and moved for approval of the third and final reading 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Greve introduced Ordinance No. 2017-17, and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

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 LOTS 31 AND 39 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.

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

Councilmember Eischeid introduced Ordinance 2017-19 and moved for approval of the second reading thereof; Councilmember Greve seconded.

#### ORDINANCE NO. 2017-19

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A WATER EXTENSION DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS WATER EXTENSION DISTRICT NO. 2017-01; DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN (BEAUMONT EVENT CENTER PROJECT).

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were 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 amend Wayne Municipal Code, Section 53.038 Approval by adding the following language:

#### **§ 53.038 APPROVAL.**

All supply pipes, service pipes, stopboxes, water meters, remote meter readouts and other required meter apparatus shall be approved as to quality by the Water Commissioner or his or her authorized agent. **No valves, tees, take-offs or any other connections are allowed between the curbstop box and the city water meter.**

Councilmember Eischeid introduced Ordinance 2017-20 and moved for approval thereof; Councilmember Giese seconded.

ORDINANCE NO. 2017-20

AN ORDINANCE AMENDING TITLE V PUBLIC WORKS, CHAPTER 53 WATER SYSTEM, SECTION 53.038 APPROVAL; 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 Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, approving the job description and authorizing the City Clerk to begin advertising for the Finance Director position. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, to select an alternate date for the first Council meeting in July (which falls on July 4<sup>th</sup>), to Thursday, July 6<sup>th</sup>. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Sievers and Brodersen who were absent, the Mayor declared the motion carried and the meeting adjourned at 5:57 p.m.