

**MINUTES
CITY COUNCIL MEETING
August 1, 2017**

The Wayne City Council met in regular session at City Hall on Tuesday, August 1, 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, Terri Buck, Jason Karsky, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 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 Sievers made a motion, which was seconded by Councilmember Giese, whereas, the Clerk has prepared copies of the Minutes of the meeting of July 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, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ABDO PUBLISHING COMPANY, SU, 814.85; AMERITAS, SE, 80.09; AMERITAS, SE, 2375.34; AMERITAS, SE, 72.00; AMERITAS, SE, 102.53; APPEARA, SE, 94.58; ARC-HEALTH & SAFETY, SE, 81.00; BLUE CROSS BLUE SHIELD, SE, 36892.75; CENTURYLINK, SE, 416.85; CHRISTIAN LEGLER, RE, 285.00; CITY EMPLOYEE, RE, 827.20; CITY EMPLOYEE, RE, 104.37; CITY EMPLOYEE, RE, 172.84; CITY OF WAYNE, PY, 87902.06; COMMUNITY HEALTH, RE, 3.00; COREY DOORLAG, RE, 150.00; DANKO EMERGENCY EQUIPMENT, SE, 596.64; DEARBORN NATIONAL LIFE, SE, 89.44; DEARBORN NATIONAL LIFE, SE, 2295.48; DGR & ASSOCIATES, SE, 1270.19; DUTTON-LAINSON, SU, 647.13; ENVIRONMENTAL SERVICES, SE, 165.00; FAITH REGIONAL PHYSICIAN SERV., SE, 60.00; FIRST CONCORD GROUP, SE, 2748.44; FLOOR MAINTENANCE, SU, 255.82; FOWLER, BRANDON, RE, 120.26; GEMPLER'S, SU, 136.04; GERHOLD CONCRETE, SU, 335.00; HAWKINS, SU, 1127.58; HORIZON CONSTRUCTION, RE, 100.00; ICMA, SE, 9719.53; IRS, TX, 14253.24; IRS, TX, 12376.15; IRS, TX, 3333.50; JACK'S UNIFORMS, SU, 49.95; JEO CONSULTING GROUP, SE, 165.00; JONES, LEONARD, RE, 100.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE,

243.00; KAUP SEED & FERTILIZER, SU, 80.00; METERING & TECHNOLOGY SOLUTIONS, SU, 2911.44; MORALES, ABRAHAM, RE, 59.78; MOTOROLA SOLUTIONS, SE, 19312.43; N.E. NEB ECONOMIC DEV DIST, SE, 47.75; NASC, FE, -20.00; NATL ASSOC OF SENIOR CENTERS, FE, 190.00; NE DEPT OF REVENUE, TX, 4069.23; NE NEB INS AGENCY, SE, 12504.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 246.00; NEBRASKA NEON SIGN COMPANY, SU, 698.62; NORFOLK WINNELSON CO, SU, 24.07; NNPPD, SE, 12498.38; ODEYS INC, SU, 653.00; OLMER, NUH-TAYLA, RE, 18.76; PAC N SAVE, SU, 20.31; RACELEY, CLAUDIA, RE, 100.00; ROTARY CLUB OF WAYNE, FE, 160.00; SANDY BROWN, RE, 318.86; SEBADE, CHAD, RE, 50.50; STAPLES ADVANTAGE, SU, 370.52; STATE NEBRASKA BANK-PETTY CASH, RE, 106.29; STEFFEN, ABIGAIL, RE, 127.43; UNITED WAY, RE, 5.00; UTILITY EQUIPMENT CO, SU, 400.00; VAN DIEST SUPPLY, SU, 150.00; VEL'S BAKERY, SU, 40.00; WAYNE COUNTRY CLUB, FE, 545.00; WAYNE SENIOR CENTER, SU, 98.00; WAYNE STATE COLLEGE, SU, 80.00; WESCO, SU, 44398.58; WISNER WEST, SU, 218.54; ADVANCED CONSULTING ENGINEERING SERVICES; SE, 4797.50; AMERICAN BROADBAND, SE, 1596.29; BLACK HILLS ENERGY, SE, 349.43; C. H. GUERNSEY & CO, SE, 16234.57; CITY EMPLOYEE, RE, 826.70; CITY EMPLOYEE, RE, 150.00; CITY OF WAYNE, PY, 87022.39; COMMUNITY HEALTH, RE, 3.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DIAMOND VOGEL PAINTS, SU, 635.45; HASEMANN, SCOTT, RE, 224.04; HAWKINS, INC, SU, 2110.69; HILAND DAIRY, SE, 103.65; HOLIDAY INN OF KEARNEY, SE, 399.80; HOMETOWN LEASING, SE, 412.86; HORIZON CONSTRUCTION, RE, 500.00; HYDRO OPTIMIZATION, SU, 111.09; ICMA, SE, 9729.13; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; MATT NELSON, RE, 670.00; MILLER LAW, SE, 5,048.70; MILO MEYER CONSTRUCTION, SE, 1658.75; NAPA OF WAYNE, SU, 220.98; NEBRASKA JOURNAL LEADER, SE, 29.95; NNPPD, SE, 6447.00; OCC BUILDERS, SE, 45790.00; RESCO, SU, 382.38; ROBERT WOEHLE & SONS, SE, 10446.50; STADIUM SPORTING GOODS, SE, 72.00; US FOODSERVICE, SE, 596.03; UTILITY EQUIPMENT CO, SU, 574.20; VIAERO, SE, 222.84; WESCO, SU, 1583.60; WAPA, SE, 23690.41; WINSIDE HISTORY BOOK, SU, 75.00

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

Lukas Rix originally made an offer to purchase 2,500 or more pavers/bricks for \$.50 per brick for the Brewery beer garden located at 117 W. 2nd Street. However, once they designed and measured the area in question, it was discovered that they would need 5,040 pavers/bricks. His offer was then to purchase 5,040 pavers for \$2,000, which is around \$.38 a brick.

Some background provided on the matter was that in July of 2013, Council approved an offer to purchase bricks at \$.75/brick, and then again in October of 2015 another offer at \$.75/brick. The original selling price was \$1.00/brick, established in June of 2013. Council, in 2015, increased the amount of bricks a person could purchase from 1,000 to 2,500 bricks.

It was noted that the City still has approximately 75,000 bricks, which would be used to replace broken bricks in the city streets.

Councilmember Giese was not in favor of selling the bricks for less than \$.75 each.

Councilmember Giese made a motion, which was seconded by Councilmember Brodersen, approving the request of Lukas Rix to purchase 5,040 pavers/bricks for \$.75 per brick for a beer garden at the Brewery located at 117 W. 2nd Street. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain stated the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to amending the Wayne Municipal Code, Title XV Land Usage, Chapter 152 Zoning, Section 152.063 R-3 Residential District and Section 152.132 Accessory Uses. The applicants for the request are Vakoc Construction, Co., and Wayne Properties, ALP. They are seeking the request to allow for larger unattached accessory structures for multi-family dwellings in an R-3 District as is allowed in an R-4 District.

The Planning Commission reviewed the matter at their public hearing on July 10, 2017, and forwarded a recommendation to approve the same subject to the following "Finding of Fact:"

- Staff's recommendation.

Joel Hansen, Zoning Administrator, was present to explain the changes.

Approving this would allow multiple car garages on-site for residents in multi-unit housing in the lesser density R-3 zoning areas, provided there is room on the property.

Huck Jaeger, representing Vakoc Construction, was present to answer questions. The proposed garages would be located behind the Sunnyview Apartments.

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 2017-26, and moved for its approval; Councilmember Greve seconded.

ORDINANCE NO. 2017-26

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SPECIFICALLY SECTION 152.063 R-3 RESIDENTIAL DISTRICT AND SECTION 152.132 ACCESSORY USES; 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, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, 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, the Mayor declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Brodersen, to move for final approval of Ordinance No. 2017-26. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Marlen Chinn, Police Chief, reviewed the Interlocal Agreement between the City and Wayne County to jointly provide dispatch services for public safety in Wayne County. He recommended the following changes to Paragraph 4:

Fees for Services: ~~The total charge by Wayne for services provided for fiscal year 2015 is \$72,000 for the purpose of covering the cost for public safety dispatch service provided January 1, 2015, to December 31, 2015.~~

The base charge by Wayne for services provided for 2018 will be \$74,160 for the purpose of covering the cost for public safety dispatch service provided January 1st to December 31st. Thereafter, said base charge will be increased 3% annually to cover inflationary costs associated therewith.

He noted that there had not been any changes to this agreement since 2014. Council directed staff to look at the agreement on an annual basis to determine if the amount of funding being requested was adequate to cover the costs incurred by the City.

Chief Chinn stated he had sent the agreement to the County Clerk, as well as the County Sheriff who did not have any issue with the changes.

Councilmember Sievers introduced Resolution No. 2017-67 and moved for its approval; Councilmember Giese seconded the motion.

RESOLUTION NO. 2017-67

A RESOLUTION AMENDING INTERLOCAL AGREEMENT TO JOINTLY PROVIDE DISPATCH SERVICE FOR PUBLIC SAFETY IN WAYNE COUNTY.

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

Councilmember Brodersen introduced Ordinance 2017-22 and moved for approval of the third and final reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2017-22

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING (SUPPLEMENTARY DISTRICT REGULATIONS), SECTION 152.139 PARKING REGULATIONS; 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, the Mayor declared the motion carried.

Councilmember Brodersen introduced Ordinance 2017-24 and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2017-24

AN ORDINANCE TO AMEND SECTION 78-133 OF TITLE VII TRAFFIC CODE, OF THE WAYNE MUNICIPAL CODE RELATING TO RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHWEST QUADRANT OF THE CITY; 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, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Brodersen introduced Ordinance 2017-25 and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2017-25

AN ORDINANCE TO AMEND SECTION 78-174 OF TITLE VII TRAFFIC CODE OF THE WAYNE MUNICIPAL COE RELATING TO TRUCK PARKING; WHERE DESIGNATED; 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, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

A request has been received to vacate and abandon the side-yard utility easements consisting of the East 7' of the side-yard utility easement on Lot 12 and the West 7' of the side-yard utility easement on Lot 11, Block 6, Vintage Hills 3rd Addition.

Cap Peterson, representing Bearvine Development Corporation, was present to answer questions. They are selling both lots to Wes and Andrea Blecke, who want to build over the said easements. This action would be contingent upon the sale of those two lots to the Bleckes.

Councilmember Eischeid introduced Ordinance 2017-27, and moved for its approval; Councilmember Brodersen seconded.

ORDINANCE NO. 2017-27

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE SIDE YARD UTILITY EASEMENTS CONSISTING OF THE EAST 7 FEET OF THE SIDE-YARD UTILITY EASEMENT IN LOT 12 AND THE WEST 7 FEET OF THE SIDE-YARD UTILITY EASEMENT IN LOT 11, BLOCK 6, VINTAGE HILLS 3RD ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, 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, 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. 2017-27. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

DGR Engineering presented Pay Estimate No. 2 for the “West Inner and East Inner Conversion Electric Distribution Project” for \$66,879.24 to Karian Peterson Powerline Contracting, LLC. They have found the work to date completed in accordance with the plans and specifications, and recommend approval of the same.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Pay Estimate No. 2 for \$66,879.24 to Karian Peterson Powerline Contracting, LLC for the “West Inner and East Inner Conversion Electric Distribution Project.” Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Chamberlain requested Council consideration to the following appointment: Joel Hansen as the Flood Plain Administrator.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving the appointment of Joel Hansen as the Flood Plain Administrator. Mayor

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

Mayor Chamberlain requested Council consideration to the following appointment: Wes Blecke as the Wayne Representative to the Nebraska Community Energy Alliance.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, approving the appointment of Wes Blecke as the Wayne Representative to the Nebraska Community Energy Alliance. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, to begin the budget work session. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The budget work session began at 6:13 p.m.

Council reviewed the General Fund Revenue Sources and Expenditures along with the Utility Revenue Sources and Expenditures for the upcoming FY2017-2018 Budget.

Some of the items Council discussed were as follows:

- Add the purchase of in-car video cameras/body cams - \$36,000
- Start setting money aside (\$50,000 per year) for the replacement of a fire truck.
- Add the purchase of an LED sign for the Community Activity Center (50% out of General Fund and 50% out of the Keno Fund).
- Get estimates for adding onto or building new City Hall.
- Get estimates on a ventilation system for the Community Activity Center.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, to adjourn the meeting. Mayor Chamberlain stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 10:25 p.m.