

**MINUTES
CITY COUNCIL MEETING
January 16, 2018**

The Wayne City Council met in regular session at City Hall on Tuesday, January 16, 2018, at 5:30 o'clock P.M. Council President Jill Brodersen 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. Absent: Mayor Ken Chamberlain.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 4, 2018, 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 Buck, whereas, the Clerk has prepared copies of the Minutes of the meeting of January 2, 2018, 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. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: A & R CONSTRUCTION, SE, 82083.37; ACTIVE NETWORK, SU, 754.36; AMERITAS, SE, 97.45; AMERITAS, SE, 2686.40; AMERITAS, SE, 72.00; AMERITAS, SE, 55.98; APPEARA, SE, 88.03; ASCAP, FE, 348.00; AWWA, FE, 300.00; BAKER & TAYLOR BOOKS, SU, 1106.70; BELMONT, TABITHA, RE, 170.95; BINSWANGER GLASS, SU, 193.00; BSN SPORTS, SU, 241.28; NANCY BRADEN, SE, 6000.00; CITY EMPLOYEE, RE, 445.53; CITY EMPLOYEE, RE, 1313.35; CITY EMPLOYEE, RE, 48.16; CITY EMPLOYEE, RE, 11.77; CITY EMPLOYEE, RE, 164.49; CITY EMPLOYEE, RE, 28.44; CITY EMPLOYEE, RE, 659.74; CITY EMPLOYEE, RE, 195.63; CITY OF WAYNE, PY, 80842.98; COPY WRITE PUBLISHING, SE, 384.09; CRESCENT ELECTRIC, SU, 911.63; DANKO EMERGENCY EQUIPMENT, SU, 40.00; DAVE'S DRY CLEANING, SE, 126.00; DEARBORN NATIONAL LIFE, SE, 2362.47; DUTTON-LAINSON, SU, 5780.68; EASYPERMIT POSTAGE, SU, 1813.98; EDM PUBLISHERS, SU, 99.49; EMPLOYERS MUTUAL CASUALTY, RE, 500.67; ENVIROTECH SERVICES, SU, 5760.00; ESRI, FE, 1350.00; EZRA BRODERSON, SE, 400.00; FLOOR MAINTENANCE, SU, 153.55; FREDRICKSON OIL, SE, 14.20; GILL HAULING, SE, 458.00; HARRIS, DWIGHT, RE, 77.34;

HASEMANN FUNERAL HOME, RE, 150.00; HILAND DAIRY, SE, 123.15; ICMA, SE, 10290.68; INGRAM LIBRARY SERVICES, SU, 460.44; IRS, TX, 3.24; IRS, TX, 15031.80; IRS, TX, 17024.19; IRS, TX, 3515.46; IRS, TX, 13.84; IRS, TX, 2.31; JENKINS, JACI, RE, 102.74; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KRIZ-DAVIS, SU, 263.22; KTCH AM/FM RADIO, SE, 644.00; LOWER ELKHORN NRD, SU, 88.00; LUCAS GUBBELS, RE, 150.00; MAIN STREET AUTO CARE, SE, 100.00; MAIN STREET AUTO CARE, SE, 100.00; MARCO INC, SE, 159.74; MATHESON-LINWELD, SU, 40.30; METERING & TECHNOLOGY SOLUTIONS, SU, 861.45; MEYER, ERIC, RE, 86.03; MIDSTATES ERECTORS, SU, 868.50; MIKEY C PRODUCTIONS, SE, 360.00; MILO MEYER CONSTRUCTION, SE, 9883.50; MINDY HAASE, SE, 350.00; MUNICIPAL SUPPLY, SU, 1092.42; NE DEPT OF REVENUE, TX, 5139.98; NE DEPT OF REVENUE, TX, 120.33; NE MUNICIPAL CLERKS ASSOC, FE, 45.00; NMPP ENERGY, SE, 5092.50; NORTHEAST POWER, SE, 208.59; PAC N SAVE, SE, 291.12; PEERLESS WIPING CLOTH, SU, 320.00; PELLA GATEWAY, SU, 502.39; PENGUIN RANDOM HOUSE, SU, 22.50; PENRO CONSTRUCTION, SE, 34968.50; PITNEY BOWES, SE, 253.85; POSTMASTER, FE, 144.00; QUALITY 1 GRAPHIC, SU, 690.00; QUALITY FOOD CENTER, SE, 415.23; RAINTREE DRIVE IN LIQUORS, SE, 785.75; REIFENRATH, RIVER, RE, 26.81; ROUMPH, KATLYN, RE, 227.30; S & S WILLERS, SU, 1436.78; SHOPKO, SU, 17.99; SIMONS-SCHILLIM, JENNIFER, RE, 25.14; SKARSHAUG TESTING LAB, SE, 206.75; SPARKLING KLEAN, SE, 2762.11; STATE NEBRASKA BANK-PETTY CASH, RE, 101.07; STEFFEN INC, SU, 177.06; TYLER TECHNOLOGIES, SE, 1113.75; US BANK, SU, 5332.13; US FOODSERVICE, INC, SE, 682.06; UTILITIES SECTION, FE, 170.00; VAKOC CONSTRUCT, SU, 348.76; VERIZON, SE, 317.48; WAED, SE, 450.00; WAYNE COUNTY CLERK, SE, 422.00; WAYNE HERALD, SE, 629.00; WAYNE HERALD, SE, 531.50; WAYNE HERALD, SE, 590.93; WAYNE KORTH, RE, 500.00; WAYNE VETERINARY CLINIC, SE, 252.00; WAPA, SE, 25295.81; WISNER WEST, SU, 219.40; Y & Y LAWN SERVICE, SE, 380.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 67.73; DAVID FREY, RE, 240.00; ECHO GROUP INC JESCO, SU, 12.20; GALE/CENGAGE LEARNING, SU, 124.10; JWC ENVIRONMENT, SU, 91.93; LUTT OIL, SU, 6071.81; MARCO TECHNOLOGIES, SE, 169.91; MIDWEST LABORATORIES, SE, 161.50; MSC INDUSTRIAL, SU, 187.10; NE LAW ENFORCEMENT, RE, -95.00; NPPD, SE, 302872.03; NORTHEAST POWER, SE, 12842.38; NORTHWEST ELECTRIC, SU, 62.43; OVERDRIVE, INC, SU, 619.79; ST OF NE-CHARITABLE GAMING DIVISION, TX, 1415.00; STAPLES ADVANTAGE, SU, 261.29; WESCO, SU, 410.29

Councilmember Haase made a motion, which was seconded by Councilmember Greve, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen 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, she 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.

Phil Monahan, Fire Chief, introduced Grant Miller and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department. The Fire Department now has 37 members and 1 cadet member. They can have 46 members.

Councilmember Giese made a motion, which was seconded by Councilmember Haase, approving the membership application of Grant Miller to the Wayne Volunteer Fire Department. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to the appointment of Travis Meyer to the Wayne Airport Authority Board. He will replace Jerry Conradt. The term will end December 2022.

Travis Meyer was present to answer questions.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, approving the appointment of Travis Meyer to the Wayne Airport Authority Board. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried

Luke Virgil, Director of Wayne Area Economic Development, presented the semi-annual report of the LB 840 activity. The LB 840 fund has been depleted other than the funds necessary to repay the loans to the Electric Department.

Luke Virgil, Director of Wayne Area Economic Development, explained LB 518 and the housing opportunities that pertain to said bill. LB 518 was enacted into law last year, and it created a rural workforce-housing fund. It allocated \$7 million from the Nebraska Affordable Housing Trust Fund to be used as a grant program statewide. Local municipalities, nonprofit development organizations and/or housing authorities are able to apply for those funds. Cities can contribute dollars, because there is a matching portion. It is a one-to-one match, and there is a million dollar cap on the request. If we did a full million dollars locally, we could have a \$2 million dollar fund, with the State's matching funds coming to our area. There are very few

limits on how the funds are used, but they want it to be workforce housing. So, for a single-family housing project, the cap is \$275,000 in construction costs. If it is multifamily housing, the cap is \$200,000 per unit. It is intended to be custom-tailored to the local needs. The big question is whether the city would be interested in participating in that program and to what extent. He is working with Meagan Weaver, Wayne Community Housing Corporation, and they are going to be soliciting businesses as well. The application due date is March 30th. The minimum amount per application is \$100,000. The match portion is a grant and not a loan. If you are a builder, you can tap into that fund for construction costs. He was of the opinion that Wayne would have an advantage in this process because of just completing a housing study. He also thought there would be a lot of competition for this grant. It was noted that the Mayor and Council would discuss this matter at their upcoming retreat in February. Mr. Virgil is anticipating that the full grant will be awarded in the first round and there will not be anything left over for a second round next year.

Andrew Ross, Director of the Nebraska Municipal Power Pool, presented the Electric Study Proforma he had done for the City of Wayne. The same indicates that the City should initiate a 3.5% increase in May 2018, and 3.5% increases in October 2019, 2020, and 2021. The financial picture for the City of Wayne is very good. In addition, to stay that way, he recommended small or nominal rate increases rather than waiting and then having to have a large rate increase at one time. They will be looking at the City's rate design in the near future and be coming forward with recommended changes, if any.

The following Resolution would approve the City Administrator as representative and the Electric Distribution Superintendent as alternate representative to the Nebraska Municipal Power Pool.

Councilmember Giese introduced Resolution 2018-4, and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2018-4

A RESOLUTION APPOINTING REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE MEMBERS' COUNCIL OF THE NEBRASKA MUNICIPAL POWER POOL.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

A business electric customer (Johnnie Byrd Brewing Company) has approached the City regarding green energy blocks of electricity for purchase. The City has to obtain these off the open market and then resell them to the customer. It makes sense to use NPPD's program at this time. The City would obtain these credits from NPPD, pass them along to the customer, and charge accordingly. The following Resolution would approve the agreements to accomplish this. This will cost the customer an additional \$19 per energy block they purchase. This is a marketing tool for businesses.

Councilmember Giese introduced Resolution 2018-5, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2018-5

A RESOLUTION APPROVING GREEN ENERGY BLOCKS PURCHASE AGREEMENT AND SERVICE SCHEDULE TO GREEN ENERGY BLOCKS PURCHASE AGREEMENT BETWEEN THE CITY OF WAYNE AND NEBRASKA PUBLIC POWER DISTRICT.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid introduced Ordinance 2018-1, and moved for approval of the second reading thereof; Councilmember Giese seconded.

ORDINANCE NO. 2018-1

AN ORDINANCE AMENDING THE ZONING MAP BY CHANGING THE EXTRATERRITORIAL JURISDICTION.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried. The third and final reading will take place at the next meeting.

The following Ordinance would amend Section 97.08 by adding the language at the end thereof: "Penalty, see § 10.99."

Councilmember Giese introduced Ordinance 2018-2, and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2018-2

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 97 FIRE PREVENTION AND PROTECTION, SECTION 97.08 OPEN BURNING BAN; WAIVER; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Eischeid, to suspend the statutory rules requiring ordinances to be read by title on three different days. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Greve, to move for final approval of Ordinance No. 2018-2. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

DGR Engineering presented Pay Estimate No. 6 for the "West Inner and East Inner Conversion Electric Distribution Project" for \$34,991.85 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 Buck, approving Pay Estimate No. 6 for \$34,991.85 to Karian Peterson Powerline Contracting, LLC for the “West Inner and East Inner Conversion Electric Distribution Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Giese made a motion, which was seconded by Councilmember Sievers, to adjourn the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the meeting adjourned at 6:22 p.m.