

**MINUTES  
CITY COUNCIL MEETING  
March 6, 2018**

The Wayne City Council met in regular session at City Hall on Tuesday, March 6, 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 and Matt Eischeid; 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 February 22, 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 February 20, 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:** AMERICAN BROADBAND, SE, 2473.58; APPEARA, SE, 46.76; BLUE DEVIL BOOSTER CLUB, FE, 100.00; BOMGAARS, SU, 911.65; CALIFORNIA CONTRACTORS, SU, 103.60; CALVILLO, DAVID, RE, 48.58; CENTURYLINK, SE, 417.03; CITY EMPLOYEE, RE, 48.75; CITY EMPLOYEE, RE, 149.36; CITY EMPLOYEE, RE, 1007.02; CITY EMPLOYEE, RE, 36.04; CITY OF WAYNE, RE, 305951.71; CITY OF WAYNE, PY, 71118.02; CORE & MAIN LP, SU, 651.69; CORY SANDOZ, RE, 240.00; CRESCENT ELECTRIC SUPPLY, SU, 733.87; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN NATIONAL LIFE, SE, 130.72; ECHO GROUP, SU, 92.02; FLOOR MAINTENANCE, SU, 69.73; GALE/CENGAGE LEARNING, SU, 280.35; GROSSENBURG IMPLEMENT, SU, 112.25; HILAND DAIRY, SE, 57.83; HOMETOWN LEASING, SE, 339.35; ICMA, SE, 9918.81; JEFF FRANCIS, SE, 340.00; JONAH SCHEFFLER, SE, -300.00; JONAH SCHEFFLER, SE, 300.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KELLY SUPPLY, SU, 176.24; MAIN STREET AUTO CARE, SE, 100.00; MAIN STREET AUTO CARE, SE, 100.00; MAIN STREET AUTO CARE, SE, 100.00; MCCORMACK, KURT, RE, 63.72; METERING & TECHNOLOGY SOLUTIONS, SU, 12771.26; MIDWEST SERVICE

& SALES, SU, 525.00; MILLER LAW, SE, 5259.73; NAPA OF WAYNE, SE, 10.99; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 150.00; NE HARVESTORE, SU, 55.64; NORFOLK HOUSING DEVELOPMENT CORP, FE, 50.00; NOTARY PUBLIC UNDERWRITERS, FE, 89.00; OLSSON ASSOCIATES, SE, 719.25; OVERHEAD DOOR, SU, 90.30; SEVERSON, BRANDON, RE, 46.41; SIGNET CONSTRUCTION, RE, 300.00; STADIUM SPORTING GOODS, SE, 20.00; STATE NEBRASKA BANK, RE, 93.55; STATE NEBRASKA BANK, RE, 467.06; T & R ELECTRIC, SU, 404.00; TASTE OF HOME BOOKS, SU, 32.98; THE WAKEFIELD REPUBLICAN, SU, 32.00; VIAERO, SE, 116.80; WAED, RE, 7535.83; WISNER WEST, SU, 168.95; AMERITAS, SE, 58.15; AMERITAS, SE, 72.00; AMERITAS, SE, 86.15; AMERITAS, SE, 2378.36; APPEARA, SE, 68.55; ARNIE'S FORD, SE, 569.69; ARNIE'S FORD, SE, 749.00; BLACK HILLS ENERGY, SE, 1696.98; BOK FINANCIAL, RE, 37055.63; BOK FINANCIAL, RE, 7260.00; CARHART LUMBER CO, SU, 236.12; CITY EMPLOYEE, RE, 894.45; CITY EMPLOYEE, RE, 643.06; COPY WRITE, SU, 102.04; COPY WRITE, SU, 102.88; DEVON BECK, SE, 60.00; DUTTON-LAINSON, SU, 193.88; EAKES OFFICE PLUS, SE, 284.35; EASYPERMIT POSTAGE, SU, 835.95; ED M. FELD EQUIPMENT, SE, 1022.00; ELLIS HOME SERVICES, SE, 281.34; EVETOVICH, MARK, SE, 240.00; GILL HAULING, SE, 237.50; GROSSENBURG IMPLEMENT, SU, 125.99; HILAND DAIRY, SU, 82.23; IRS, TX, 12271.50; IRS, TX, 8845.59; IRS, TX, 2870.02; JACK'S UNIFORMS, SU, 33.42; JAMES RUSK, SE, 300.00; JONAH SCHEFFLER, SE, 240.00; LUTT OIL, SU, 5056.64; MARCO, SE, 126.36; MATHESON-LINWELD, SU, 36.40; MIDWEST SERVICE & SALES, SU, 1233.00; NATE TEMME, RE, 64.00; NE DEPT OF REVENUE, TX, 3617.24; NMPP ENERGY, FE, 175.00; NNEDD, SE, 15.00; NORTHEAST NE RC&D, FE, 200.00; NORTHEAST POWER, SE, 4492.00; NORTHWEST ELECTRIC, SU, 454.16; ONE CALL CONCEPTS, SE, 12.06; PAC N SAVE, SU, 553.15; PENGUIN RANDOM HOUSE, SU, 82.50; PLUNKETT'S PEST CONTROL, SE, 41.60; QUALITY 1 GRAPHIC, SU, 120.00; QUALITY FOOD CENTER, SU, 9.88; RESCO, SU, 48.10; RON WILLIAMS, SE, 120.00; SKARSHAUG TESTING LAB, SE, 206.93; STAPLES ADVANTAGE, SU, 74.05; TYLER PRAUNER, SE, 240.00; TYLER TECHNOLOGIES, FE, 1100.00; US BANK, SU, 3141.66; US FOODSERVICE, SU, 919.46; VOLKMAN PLUMBING & HEAT, SE, 222.50; WAYNE COUNTY CLERK, SE, 122.00; WAYNE COUNTY COURT, RE, 300.00; WAYNE HERALD, SE, 400.00; WAYNE HERALD, SE, 659.00; WESCO, SU, 277.13; WAPA, SE, 19382.58; WISNER WEST, SU, 78.25

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.

Steve Meyer was present requesting Council consideration to waiving the requirement of having to obtain a certified engineer's statement to move a garage per Sec. 150.03 of the

Wayne Municipal Code. He would like to move a garage from Virgil Kardell's property at 1280 E. 14<sup>th</sup> Street to his property at 510 Logan Valley Drive. This garage will replace the garage that had been destroyed by the tornado. The total distance to move the garage is about ¾ of a mile. Mr. Meyer did not think the moving of this garage across Centennial Road, which is 8" thick, would damage the road.

Councilmember Sievers made a motion, which was seconded by Councilmember Karsky, approving the request of Steve Meyer to waive the requirement of having to obtain a certified engineer's statement to move a garage per Sec. 150.03 of the Wayne Municipal Code. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Megan Weaver, Director of Wayne Community Housing Corporation, updated the Council on housing and the LB 518 progress. They have been meeting with different businesses in Wayne. The Guidelines have been written and will be sent to the Council for their review. Ms. Weaver noted that Wayne County approved to match \$25,000 to this grant/fund.

Dr. Lauri Zink was present to request Council consideration to placing parking restrictions on Thorman Street, which is the location of her Veterinary Clinic. The reason for the request is that people are playing the Pokémon game at all times of the day. They have tried to get the Pokémon gem removed off their property, with no luck. She noted at times, they would have 12 vehicles in their front parking area and on the street. She is hoping if the parking restrictions are put in place, it will deter people from stopping there.

At this time, there is no parking allowed on the east side and no parking allowed from midnight to 5 on the west side of that street.

The proposed amendments are as follows:

**Prohibited Parking: The west side of the centerline of Thorman Street from the south line of East 7<sup>th</sup> Street south to 127 feet north of the north line of Erin Street.**

**No Parking Midnight to 5:00 a.m.:** The west side of the center line of Thorman Street from **127 feet north of** the ~~south~~ **north** line of ~~East 7<sup>th</sup>~~ **Erin** Street south to the north line of East 4<sup>th</sup> Street.

Councilmember Giese introduced Ordinance 2018-3, and moved for approval thereof with the amendment to add “127 feet north of Erin Street;” Councilmember Haase seconded.

ORDINANCE NO. 2018-3

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-130 PROHIBITED PARKING; SOUTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND 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. The second reading will take place at the next meeting.

Councilmember Giese introduced Ordinance 2018-4, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2018-4

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-131 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND 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. The second reading will take place at the next meeting.

Council President Brodersen stated the time was at hand for the public hearing on the application for a Retail Class D (Off Sale, Beer, Wine, and Distilled Spirits) Liquor License for Casey’s Retail Company, d/b/a “Casey’s General Store #2738” located at 407 E. 7<sup>th</sup> Street. Casey’s currently have a Class B (Off Sale, Beer) Liquor License.

No one was present to answer questions.

City Clerk McGuire had not received any comments for or against this public hearing.

There being no public comments, Council President Brodersen closed the public hearing.

Councilmember Giese introduced Resolution No. 2018-13 and moved for its approval; Councilmember Haase seconded.

RESOLUTION NO. 2018-13

A RESOLUTION APPROVING APPLICATION FOR RETAIL CLASS D LIQUOR LICENSE — CASEY’S RETAIL COMPANY, D/B/A “CASEY’S GENERAL STORE #2738.”

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

The following Resolution would establish the Council Retreat Goals.

Councilmember Sievers introduced Resolution 2018-14, and moved for its approval, with an amendment being to move the item regarding the Girl Scout Cabin from the five-year goals to the one-year goals; Councilmember Greve seconded.

RESOLUTION NO. 2018-14

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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

The following Resolution and Ordinance pertain to the sale of Lots 22, 23, and 24, Block 10, College Hill Addition, to the Community Redevelopment Authority. This property is better known as the “Old Armory Property” that was deeded to the City by Wayne State College. It is located at the corner of 13<sup>th</sup> and Main Street.

Councilmember Giese introduced Resolution 2018-15, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2018-15

A RESOLUTION AUTHORIZING THE SALE OF LOTS 22, 23, AND 24, BLOCK 10, COLLEGE HILL ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF WAYNE, NEBRASKA.

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 2018-5, and moved for approval thereof; Councilmember Sievers seconded.

ORDINANCE NO. 2018-5

AN ORDINANCE DIRECTING THE SALE OF LOTS 22, 23, AND 24, BLOCK 10, COLLEGE HILL ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO THE COMMUNITY REDEVELOPMENT AUTHORITY.

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

The following Ordinance would amend Wayne Municipal Code, Title V Public Works, Chapter 53 Water System, Section 53.038 Approval as follows:

**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 **and location** by the Water Commissioner or his or her authorized agent.

The Wayne City Code prohibits anyone from putting any tees or taps into the line before the water meter. The issue is that the developers/builders run the line into the house, for example, 20 feet away before they put the water meter on. It is difficult to then go back to make sure that they are not illegally hooked into the water system. This amendment would allow staff to go and install the meters to make sure they are as close as possible to where the water is coming into the building, which reduces the chance of somebody in the future making an illegal tee or taps into the line and stealing water from the City. The concern is not so much as when

the building/house is being built. The concern is what happens 10 years from now when somebody new purchases the building/house. Right now, our Code has no way to restrict them from putting 20' of line in before putting the water meter on.

Councilmember Sievers introduced Ordinance 2018-6, and moved for approval thereof; Councilmember Greve seconded.

ORDINANCE NO. 2018-6

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE 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.

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

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 6:08 p.m.