

**AGENDA
CITY COUNCIL MEETING
May 1, 2018**

1. [Call the Meeting to Order](#)
2. [Pledge of Allegiance](#)

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. [Action on Mayoral appointment of Nick Muir as Councilmember for Ward 4](#)
4. [Oath of Office — Nick Muir as Councilmember for Ward 4](#)
5. [Approval of Minutes – April 17, 2018](#)
6. [Approval of Claims](#)
7. [Action on the Manager Application of Nathan M. Malcom for Shopko Stores Operating Co LLC, d/b/a Shopko Hometown #670 \(License No. D-100027\)](#)

Background: Shopko is changing Managers, which is the reason for this application coming before you. You may either approve, deny or make no local recommendation on the same.

8. [Action to waive the requirements of Wayne Municipal Code, Section 97.08 Open Burning Ban; Waiver — Phil Monahan, Fire Chief](#)

Background: Phil Monahan, Fire Chief, will be present to ask Council to waive the requirements of Sec. 97.08 Open Burning Ban; Waiver so that the Fire Department can burn down a house north of Great Dane on or around June 10th. A copy of said section of the Municipal Code is included in this packet.

9. [Action on Request to close the following streets on Friday, July 13th, from 2:30 p.m. until 2:00 a.m. for the annual Henoween Celebration: Main Street from 1st Street to 4th Street; 2nd and 3rd Streets from Pearl Street to the alley east of Main Street; and that 3rd Street from the alley west of Main Street to Pearl Street be dedicated to handicap parking — Irene Fletcher, Assistant Director WAED](#)
10. [Action on Request to close the following streets on Saturday, July 14th from 6:00 a.m. until 5:00 p.m. for the Annual Chicken Show Celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln and Douglas Streets from 10th Street to 8th Street. The intersections at 10th and Douglas and 10th and](#)

Lincoln Streets and 9th and Lincoln Streets are also requested to be closed — Irene Fletcher, Assistant Director WAED

11. Action on Request to close the following Streets on Saturday, July 14th, 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 Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade — Irene Fletcher, Assistant Director WAED
12. Resolution 2018-24: Acknowledging Requirements for the Temporary Use of the State Highway System for Special Events (Halloween and Chicken Show – July 13th and 14th)
13. Resolution 2018-25: Approving Transfer Station Agreement with Gill Hauling

Background: The City sought proposals for an “Operation Agreement” for the Transfer Station. We received one and that was from Gill Hauling. Gill Hauling increased the monthly fee from \$1,000 to \$1,500 for the use of the facility. Gill has agreed to perform all duties listed in the request for proposals with the exception of No. 8 therein, which states that the operator may not charge a fee for the collection of recycling materials. Gill feels that there will have to be some kind of fee for recycling materials if or when they have to start paying to dispose of the same. They have been notified by Van’s Sanitation that they will need to discuss implementing a processing fee for recycling materials that are brought into their facility. An agreement is still being negotiated. A draft will be sent to Council as soon as we have one reviewed by both parties. Also, Bernie Gill will be at the Council meeting to answer any questions.

14. Ordinance 2018-9: Amending Wayne Municipal Code Title VII Traffic Code, Section 78-96 Location Reserved for Handicapped Parking (additional handicapped parking stall by the Presbyterian Church) (Second Reading)
15. Ordinance 2018-10: Amending Wayne Municipal Code Title IX General Regulations, Chapter 91 Streets, Sidewalks and other Public Places, Sec. 91.030 Construction by Owner (Second Reading)

Background: Joel has made amendments to this ordinance, as well as the following four ordinances. Those changes from the last meeting are highlighted in blue.

16. Ordinance 2018-11: Amending Wayne Municipal Code Title IX General Regulations, Chapter 91 Streets, Sidewalks and other Public Places, Sec. 91.052 Driveway Permits (Second Reading)
17. Ordinance 2018-12: Amending Wayne Municipal Code Title IX General Regulations, Chapter 91 Streets, Sidewalks and other Public Places, Sec. 91.076 Permit Required (Second Reading)
18. Ordinance 2018-13: Amending Wayne Municipal Code Title IX General Regulations, Chapter 91 Streets, Sidewalks and other Public Places, Sec. 91.078 Digging in Street (Second Reading)

19. [Ordinance 2018-14: Amending Wayne Municipal Code Title IX General Regulations, Chapter 91 Streets, Sidewalks and other Public Places, Sec. 91.080 Surety Bond](#)
20. [Ordinance 2018-15: Approving Civil Service Rules and Regulations provision regarding Demotions, Suspensions and Discharge](#)

Background: The Civil Service Commission has reviewed and made amendments to their Rules and Regulations. The last amendment was in 2012. State Statutes require that anything that deals with complaints, discharge, demotion and procedures be approved by ordinance by the governing body. The same is identified as Article V in their Rules and Regulations.

Attorney Miller has reviewed the amendments with Chief Chinn and they, as well as the Civil Service Commission, are recommending approval thereof. Attorney Miller after review of the proposed ordinance had a few additional changes, and those are highlighted in blue.

You may wish to waive the required three readings on this ordinance.

21. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
April 17, 2018**

The Wayne City Council met in regular session at City Hall on Tuesday, April 17, 2018, at 5:30 o'clock P.M.

City Attorney Miller presented the Oath of Office of Mayor to Jill Brodersen.

Mayor 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.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on April 5, 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 Giese, whereas, the Clerk has prepared copies of the Minutes of the meeting of April 3, 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. Mayor Brodersen 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: AMERICAN TEST CENTER, SE, 1422.00; BAKER & TAYLOR BOOKS, SU, 688.62; BATTERY SOLUTIONS, SE, 83.47; BOBCAT OF OMAHA, SU, 4325.00; BROWN SUPPLY, SU, 136.92; CITY EMPLOYEE, RE, 195.28; CITY EMPLOYEE, RE, 3599.75; CITY EMPLOYEE, RE, 69.99; COPY WRITE PUBLISHING, SE, 196.75; CUSTOM FILTRATION, SU, 879.00; DAVE'S DRY CLEANING, SE, 45.00; DEMCO, SU, 138.05; EASYPERMIT POSTAGE, SU, 1813.54; ECHO GROUP, SU, 16.81; EMPLOYERS MUTUAL CASUALTY, RE, 500.00; FLOOR MAINTENANCE, SU, 442.91; FREDRICKSON OIL, SU, 462.00; GALE/CENGAGE LEARNING, SU, 174.13; GREG PTACEK, RE, 350.00; HILAND DAIRY, SE, 71.94; HOMETOWN LEASING, SE, 339.35; HYDRAULIC SALES & SERVICE, SU, 57.50; ICMA, SE, 9779.67; INGRAM LIBRARY SERVICES, SU, 654.61; INTERSTATE BATTERY SYSTEM, SU, 371.80; INTERSTATE INDUSTRIAL SERVICE, SE,

197.65; JWC ENVIRONMENT, SU, 249.03; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KELLY SUPPLY CO, SU, 196.06; KTCH, SE, 644.00; L.G. EVERIST, SU, 704.56; LORI WHEATON, RE, 150.00; LUTT OIL, SU, 5340.23; MAIN STREET AUTO CARE, SE, 100.00; MARCO, SE, 197.99; MATHESON-LINWELD, SU, 40.30; MICHAEL TODD & CO INC, SU, 2910.09; MIDWEST LABORATORIES, SE, 132.00; NATL LEAGUE OF CITIES, FE, 1117.00; NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN, FE, 50.00; NEBRASKA ENVIRONMENTAL PRODUCTS, SU, 50.31; NMPP ENERGY, FE, 2221.40; NORTHEAST NE ECONOMIC DEV DIST, RE, -15.00; NORTHEAST NE ECONOMIC DEV DIST, SE, 1145.40; OVERDRIVE, INC, SU, 644.97; PAC N SAVE, SU, 412.47; PAC N SAVE, SU, 34.09; PENGUIN RANDOM HOUSE, SU, 93.75; PHOENIX ENERGY CORP, SU, 1783.00; PING, BRADY, RE, 300.00; PITNEY BOWES, SE, 253.85; QUALITY FOOD CENTER, RE, 100.00; QUALITY FOOD CENTER, SU, 367.94; S & S WILLERS, SU, 1055.21; SHOPKO, SU, 148.82; STADIUM SPORTING GOODS, SU, 87.50; STEFFEN INC, SU, 92.02; THE PENDER TIMES, SE, 42.25; TYLER TECHNOLOGIES, SE, 2260.00; US FOODSERVICE, SU, 1114.99; VERIZON, SE, 317.98; WAED, SE, 7000.00; WAYNE COUNTY CLERK, SE, 50.00; WAYNE VETERINARY CLINIC, SE, 154.00; WESCO, SU, 4273.58; WAPA, SE, 19388.49; WISNER WEST, SU, 146.44; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 1829.68; AMERITAS, SE, 60.16; AMERITAS, SE, 2417.06; AMERITAS, SE, 72.00; AMERITAS, SE, 100.00; APPEARA, SE, 106.00; BOMGAARS, SU, 2225.24; BRIAN HASS, RE, 500.00; BROWN SUPPLY, SU, 731.75; BSN SPORTS, SU, 236.91; CITIZENS STATE BANK, RE, 3323.71; CITY EMPLOYEE, RE, 184.74; CITY EMPLOYEE, RE, 31.22; CITY EMPLOYEE, RE, 405.77; CITY EMPLOYEE, RE, 148.79; CITY OF WAYNE, PY, 71049.52; CORE & MAIN, SU, 6096.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 67.73; DEVON BECK, SE, 90.00; DONALD SIMMONS, RE, 4.00; DUTTON-LAINSON COMPANY, SU, 303.34; EISCHEID, MATT, SE, 270.00; EVETOVICH, MARK, SE, 540.00; FAIRFIELD INN & SUITES BY MARRIOTT, SE, 186.00; FLOOR MAINTENANCE, SU, 121.70; GALE/CENGAGE LEARNING, SU, 691.94; IRS, TX, 12368.22; IRS, TX, 9251.84; IRS, TX, 2892.56; J.P. COOKE COMPANY, SU, 163.70; JAMES RUSK, SE, 480.00; JONAH SCHEFFLER, SE, 210.00; KELLY SUPPLY COMPANY, SU, 59.15; L.G. EVERIST, SU, 716.04; LOUIS BENSCOTER, RE, 5399.98; MAIN STREET AUTO CARE, SE, 100.00; MARCO, SE, 175.82; METERING & TECHNOLOGY SOLUTIONS, SU, 858.55; NE DEPT OF REVENUE, TX, 3770.86; NPPD, SE, 289981.86; NEXTERA ENERGY, SE, 17342.45; OVERHEAD DOOR, SU, 1030.00; RICHARD RETHWISCH, SE, 60.00; SEBADE HOUSING, RE, 2206.22; SIOUXLAND PAINT & DECORATING, SU, 106.98; SPARKLING KLEAN, SE, 3337.11; ST OF NE-CHARITABLE GAMING DIVISION, TX, 1402.00; STADIUM SPORTING GOODS, SU, 23.00; TINT SPECIALTIES, SE, 87.83; TYLER PRAUNER, SE, 150.00; WAYNE, CITY OF, RE, 60.00

Councilmember Haase made a motion, which was seconded by Councilmember Greve, to approve the claims. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who abstained, the Mayor declared the motion carried.

Mayor 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.

Councilmember Sievers made a motion, which was seconded by Councilmember Haase, declaring a notice of vacancy in Ward 4 and authorizing the City Clerk to publish notice regarding the same. Mayor Brodersen 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 Karsky, nominating Cale Giese as President of Council. Mayor Brodersen 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 Greve, appointing Mayor Brodersen to the Community Redevelopment Authority. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Brodersen proclaimed Friday, April 27th as “Arbor Day.”

Cap Peterson of Northeast Nebraska Insurance Agency, the city’s property and casualty insurance carrier, presented the City with a dividend check in the amount of \$32,581.75. This is the 17th dividend paid by the Company out of the past 24 years. The last one was received was in 2014.

Phil Monahan, Fire Chief, introduced Stuart Hasemann and requested Council consideration to approving his cadet membership application to the Wayne Volunteer Fire Department.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving the cadet membership application of Stuart Hasemann to the Wayne Volunteer Fire Department. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Sandy Brown of the Wayne Green Team gave a yearly update on their efforts. A few of those efforts/accomplishments were as follows:

- They recycled 200 lbs. of batteries since the inception of this program 4 months ago.
- They recycled 19,000 lbs. of electronics at their annual fall electronics recycling event, which is a 10% increase from 2016.
- Micah's Closet has diverted 15,000 lbs. of clothing, shoes and household items from the landfill.
- In one year, the Wayne Boy Scouts picked up and recycled enough aluminum cans to send 14 scouts to summer camp (five more than the previous year).
- They recycled 37 tons of glass.
- In 5 years, the Wayne Green Team has been awarded \$35,000 in grant funds.

Greg Ptacek, representing Leadership Wayne, was present along with others, who advised the Council that they would like to move the Farmer's Market from the Courthouse lawn to downtown Wayne, specifically 2nd Street between Pearl Street and the alley. They would like to close off the west half of the block between Pearl and Main Street on 2nd Street every Wednesday from 3 p.m. to 8 p.m. and every Saturday from 8 a.m. to 2 p.m. from June 6th through October 13th. He states that this is an effort of the Farmers' Market and the Leadership Wayne class to increase foot traffic at the Farmers' Market and in downtown Wayne and bring some type of entertainment to the area.

Council, as well as staff, had some concerns about the request and more importantly the closing of the street and the location.

Amy Schweers, who owns a business on 2nd Street had concerns about closing the street at 3:00 p.m., and thought it could have a detrimental impact on her business. She was not against closing the street at 4:30 p.m.

Heidi Claussen, representing the Farmers' Market, was in favor of the move, and appreciative of the Leadership Wayne group trying to help them find a place to relocate. They want to go where the people are. According to the vendors, they lost 80% of their sales just by moving from the east side of the Courthouse to the west side of the Courthouse last year.

No action was taken on the request, and Mr. Ptacek advised the Council that they are still working on the plan so that maybe the street might not need to be closed, etc. They will keep the Council updated.

Councilmember Giese introduced Ordinance No. 2018-7, and moved for approval of the third and final reading thereof; Councilmember Greve seconded.

ORDINANCE NO. 2018-7

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY LEGALLY DESCRIBED AS LOT 2, BENSCOTER ADDITION PUD REPLAT 2, WAYNE COUNTY, NEBRASKA, FROM B-1 HIGHWAY BUSINESS DISTRICT TO R-4 RESIDENTIAL DISTRICT.

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

In regard to Ordinance No. 2018-8, Councilmember Giese wanted to amend the same by adding the following language or sentence to Sec. (C):

If supporting structures are only visible from one side of the fence, that side must face the interior of the property.

Councilmember Giese introduced Ordinance No. 2018-8, and moved for approval of the third and final reading thereof with an amendment to Sec. (C) by adding an additional statement:

If supporting structures are only visible from one side of the fence, that side must face the interior of the property; Councilmember Eischeid seconded.

ORDINANCE NO. 2018-8

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SPECIFICALLY SECTION 152.131 FENCES AND SCREENS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Kevin Peterson, representing the First Presbyterian Church, was present requesting Council consideration to adding an additional handicapped parking stall on the east side of

Lincoln Street by the Church. There is already one there, but because of the aging congregation, they feel there is a need for a second one.

Councilmember Giese introduced Ordinance No. 2018-9, and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2018-9

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

The following Resolution would approve the specifications for the purchase of a new 4x4 Cab and Chassis Truck with a Dump Box. The estimate of cost is \$110,000. Joel Hansen, Street and Planning Director, was present to answer questions. This item was not in the budget; however, \$50,000 was being set aside to purchase a new snow blower next year, along with \$60,000 to buy a used truck for the Treatment Plant, leaving them with \$110,000 that is available. The truck will, in all likelihood, not be delivered until after the next budget year starts. Their intent is to add money into next year's budget to purchase the snow insert and a plow. This would put the department back to four big trucks to push snow. The 2000 Freightliner, which is the oldest of the big trucks, will go to the Water/Wastewater Department.

Councilmember Haase left the meeting at 6:47 p.m.

Councilmember Eischeid introduced Resolution No. 2018-22 and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2018-22

A RESOLUTION APPROVING 4X4 CAB AND CHASSIS TRUCK WITH DUMP BOX SPECIFICATIONS AND AUTHORIZING BIDS TO PURCHASE.

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

Joel Hansen, Street and Planning Director, provided an explanation for the following five ordinances relating to sections of the Code he wanted to amend. This is all part of the sidewalk and right-of-way permit changes being proposed. He noted that the reason for the cash deposit being required is to ensure final inspections are being requested.

There was concern about having the homeowner having to have liability insurance and naming the City as an additional insured to replace sidewalk squares. Council thought this was penalizing someone who would like to make repairs and improve their sidewalks.

Councilmember Eischeid thought sidewalks should be exempted.

BJ Woehler spoke and stated he would like to see the surety bond provision reinstated.

Mr. Hansen advised he would make amendments to the proposed ordinances, which would then be brought back for consideration on the second reading thereof.

Ordinance 2018-10 would amend Chapter 91 Streets, Sidewalks and other Public Places Sec. 91-030 Construction by Owner as follows:

§ 91.030 CONSTRUCTION BY OWNER.

(A) Any person desiring to construct or cause to be constructed any sidewalk shall do so only as provided in this section. It shall be unlawful for any person to construct any sidewalk without first having obtained a **Right-of-Way** permit **from the Street Superintendent.**

(B) The owner shall make application in writing for a **Right-of-Way** permit and file such application in the office of the City Clerk. The permit shall give a description of the lot or piece of land along which the sidewalk is to be constructed. **Before any permit is issued by the Street Superintendent, the applicant shall deposit with the City Clerk a cash deposit in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent.** The ~~City Administrator or his or her agent~~ **Street Superintendent** shall issue the desired permit unless good cause shall appear why the permit should be denied. If it is desired to construct the sidewalk at any other place than the regularly prescribed location, grade or elevation, the ~~City Administrator or his or her agent~~ **Street Superintendent** shall submit the application to the Council, who shall determine whether the permit should be granted or denied. It shall be unlawful for any person to construct or cause to be constructed the sidewalk at any other location, grade or elevation than so designated by the city. All sidewalks shall be built and constructed on the established grade or elevation and, if there is no established grade, then on the grade or elevation indicated by the ~~City Administrator or his or her agent~~ **Street Superintendent.**

Councilmember Eischeid introduced Ordinance No. 2018-10, and moved for approval thereof; Councilmember Giese seconded.

ORDINANCE NO. 2018-10

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.030 CONSTRUCTION BY OWNER; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Ordinance 2018-11 would amend Chapter 91 Streets, Sidewalks and other Public Places Sec. 91-052 Driveway Permits as follows:

§ 91.052 DRIVEWAYS PERMITS.

(A) It shall be unlawful for any person to construct or cause to be constructed any driveway or other parking area in the right-of-way of the city without acquiring a written **Right-of-Way** permit from the Street Superintendent. Before any person shall obtain such permit, such person shall inform the Street Superintendent of the place where the driveway is to be located, and it shall be the Street Superintendent's duty to cause an inspection of the place of entry into the streets and avenues. When the construction of a driveway or other parking area is permitted, it shall be the duty of the party so constructing or causing to be constructed such driveway or other parking area to do the work in such a manner and under such rules and regulations as may be prescribed by the City Council. Before any permit is issued by the Street Superintendent, the applicant shall deposit with the City Clerk a cash deposit in an amount set by the Council and on

file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent.

(B) The applicant shall obey all of the laws of the city and the requirements under which the permit is issued in doing such work and will save the city harmless from any damages which may occur as a result of such construction.

Councilmember Giese introduced Ordinance No. 2018-11, and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2018-11

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.052 DRIVEWAY PERMITS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Ordinance 2018-12 would amend Chapter 91 Streets, Sidewalks and other Public Places Sec. 91-076 Permit Required as follows:

§ 91.076 PERMIT REQUIRED.

(A) Should it become necessary for any purpose to excavate in any right-of-way, street or alley; to cut through or into any street pavement; or to break, cut or remove any curbing or gutter on any public street or alley in the city for whatever purpose, the person by whom such excavation, cutting or breaking is desired shall secure a **Right-of-Way** permit for such work from the Street Superintendent.

(B) The Street Superintendent shall require that applicants for such permits shall furnish the following information:

- (1) Name of street or avenue on which work is to be commenced;
- (2) The street address of the property for which such work is required;
- ~~(3) The name of the owner of such property;~~
- (4) The purpose for which such work is required;

(5) A statement of the ~~size or area of pavement to be torn out or the linear feet of curb or gutter to be torn out, the dimensions to be given in feet as nearly correctly as is possible to estimate the size or area~~ **area to be impacted**; and

~~(6) The names and addresses of any agents, employees or contractors of the applicant.~~

~~(C) Before any permit is issued by the Street Superintendent, the applicant shall deposit with the City Clerk a cash deposit in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent. When such permit is issued by the Street Superintendent to the applicant, the applicant shall, in no event, permit the permit to be used by any person for the purpose of having the work, repair, replacement or improvement made unless such person to whom such permit is given shall previously have filed with the City Clerk an approved surety bond or \$500 deposit as required in § 91.080 of this chapter.~~

Councilmember Eischeid stated he would like to see general landscaping and sprinkler installation not being required to have a permit. Mr. Hansen suggested listing the type of work the Council would like exempt from having to obtain a permit in the ordinance.

Councilmember Eischeid introduced Ordinance No. 2018-12, and moved for approval thereof; Councilmember Greve seconded.

ORDINANCE NO. 2018-12

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.076 PERMIT REQUIRED; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Ordinance 2018-13 would amend Chapter 91 Streets, Sidewalks and other Public Places Sec. 91-078 Digging in Street as follows:

§ 91.078 DIGGING IN STREET.

(A) It shall be unlawful for any person to dig up, excavate or remove any dirt in any street, alley or other public right-of-way within the city or in any part of such street, alley or public right-of-way or in any manner to obstruct or injure any such street, alley or public right-of-way without first having obtained a **Right-of-Way** permit. It shall further be unlawful for any officer or employee of the city, or for any other person, either to give away or to receive any dirt given away for any street, alley or right-of-way within the city; and it shall be unlawful for any officer

or employee of the city, or for any other person, to sell or purchase any dirt from any street, alley or public right-of-way within the city, except by direction and authorization of the Council.

~~(B) It shall be deemed a violation of this subchapter if more pavement or curbing shall be torn out or more excavation is made than the amount stated in the permit for such work.~~

Councilmember Eischeid introduced Ordinance No. 2018-13, and moved for approval thereof; Councilmember Giese seconded.

ORDINANCE NO. 2018-13

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.078 DIGGING IN STREET; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Greve introduced Ordinance No. 2018-14, and moved for approval thereof.

ORDINANCE NO. 2018-14

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.080 SURETY BOND; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mr. Hansen stated this ordinance pertains to the surety bond requirement. If you pass this, you would be getting rid of the requirement for a surety bond.

Councilmember Greve then withdrew his motion.

Mayor Brodersen stated Ordinance 2018-14 died for lack of a motion.

Administrator Blecke stated the following Resolution would amend the schedule of fees and charges as follows:

| | |
|---------------|-----------|
| Pool | |
| Family Ticket | \$ 125.00 |

summer time is about 15 MW. Bernie Cevera's recommendation is to retire the older units and replace them with a new 9 MW engine, which would put us in very good shape for some time.

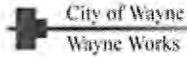
The only problem with Mr. Cevera's project is that we do not have anybody that is going to pay for that capacity other than the ratepayers. Mr. Hansen did not think anybody should emphasize that this is an emergency situation. With those older units, there are not that many megawatts to produce, but those older units, which are just setting there and whether or not they are 50 years old or 5 years old, are making money for the City. However, for him to say there is not any emergency, he opined the roof does not need to be fixed until it rains. It is a Council decision as to whether or not they want to add generation or not.

Mr. Hansen liked the idea of constructing a building and installing units in steps. It would still be a \$3 million dollar plus project to get the first unit in place. The hope is that these units can be revenue-generating machines like they are today and like they have been since 1978 when the City first signed its contract with NPPD. This should, hopefully, put the City in a position when we are done with the Big Rivers' contract to go out on the open market and make money.

Councilmember Giese thought the consensus of Council was and the direction that they would like to give is to look at putting one unit in, and ask the rate consultants to factor in that one unit within the next 3 years. He would like to plan for all three, but look seriously at putting one in, in the next three years and then delaying the decision as long as possible for the second and third ones. Putting in a new generator would replace almost 4 of the older units.

Administrator Blecke stated he would advise the rate consultant to plan on a \$3 million dollar capital investment in the next 3 years, and see what the rates would look like with that.

Councilmember Giese made a motion, which was seconded by Councilmember Buck, to adjourn the meeting. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the meeting adjourned at 7:45 p.m.

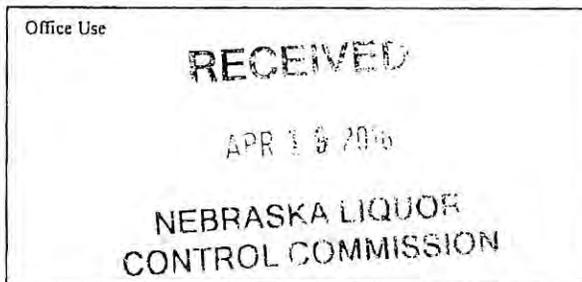


| Vendor | Payable Description | Payment Total |
|---|--|---------------|
| ALTONA FINISHING INC. | HANK OVERIN CONCESSION STAND CABINETS | 510.00 |
| AMAZON.COM, LLC | DVD'S/KLEENEX/CORK BOARD | 581.01 |
| APPEARA | LINEN & MAT SERVICE | 56.21 |
| BACON, HALEY | UTILITY REFUND | 172.90 |
| BARRAGAN, ROSA | UTILITY REFUND | 137.55 |
| BATTERY SOLUTIONS, LLC | BATTERY BUCKET | 109.95 |
| BOMGAARS | LEAF BLOWER/SPRAYERS/WELDING GLOVES/JACK ETC | 1,186.69 |
| BORDER STATES INDUSTRIES, INC | FIRE RESISTANT CLOTHING | 418.97 |
| C. H. GUERNSEY & COMPANY | TRANSMISSION RATE SCHEDULE | 3,118.90 |
| CENTER POINT LARGE PRINT | BOOKS | 79.38 |
| CENTURYLINK | TELEPHONE CHARGES | 416.83 |
| CITY EMPLOYEE | MEDICAL REIMBURSEMENT | 17.87 |
| CITY EMPLOYEE | MEDICAL REIMBURSEMENT | 3,053.27 |
| CITY EMPLOYEE | CLOTHING REIMBURSEMENT | 74.00 |
| CITY EMPLOYEE | SAFETY SHOE REIMBURSEMENT | -69.99 |
| CITY EMPLOYEE | MEDICAL REIMBURSEMENT | 274.68 |
| CITY EMPLOYEE | MEDICAL REIMBURSEMENT | 479.92 |
| CLARITUS, INC. | INK/SEALING SOLUTION | 166.58 |
| COLONIAL RESEARCH | LIME CLEANER | 149.40 |
| CORE & MAIN LP | FLANGES | 1,039.25 |
| DANKO EMERGENCY EQUIPMENT | FIRE DEPT COATS/PANTS | 4,085.00 |
| DEARBORN NATIONAL LIFE | VFD INSURANCE | 113.52 |
| DONALD SIMMONS | CAC MEMBERSHIP OVERPAYMENT | -4.00 |
| ED M. FELD EQUIPMENT CO INC | CLASS A FOAM | 151.00 |
| ELLIS HOME SERVICES | FLUSH VALVE/SERVICE CALL | 314.06 |
| FLOOR MAINTENANCE | JANITORIAL SUPPLIES | 404.28 |
| FREDRICKSON OIL CO | TIRES/TIRE REPAIR | 202.40 |
| GALE/CENGAGE LEARNING | BOOKS | 16.89 |
| GANSEBOM, SEAN | UTILITY REFUND | 43.95 |
| GROSSENBURG IMPLEMENT INC | FILTERS | 256.60 |
| HILAND DAIRY | SENIOR CENTER FOOD SERVICE | 148.94 |
| HOMETOWN LEASING | POLICE COPIER LEASE | 70.18 |
| HTM SALES INC | PUMP BRACKETS/GASKETS | 889.46 |
| ICMA RETIREMENT-FIRST NATL BANK -MARYLAND | PAYROLL RETIREMENT | 9,798.66 |
| JACK'S UNIFORMS | FIRE DEPT SHIRTS | 201.84 |
| JEO CONSULTING GROUP | PEDESTRIAN CROSSING CURB RAMPS | 8,013.50 |
| JWC ENVIRONMENT | LABOR ON DRUM SCREEN GEAR | 6,000.00 |
| KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE | PAYROLL DEDUCTION | 243.00 |
| KAVANAGH, GLEN | UTILITY REFUND | 59.94 |
| L.G. EVERIST | CRUSHED QUARTZITE | 2,070.19 |

| Vendor | Payable Description | Payment Total |
|------------------------------------|------------------------------------|-------------------|
| MAIN STREET AUTO CARE | TOWING CHARGES | 400.00 |
| MARCO TECHNOLOGIES LLC | COPY CHARGES | 99.76 |
| MARTIN, SHANE | UTILITY REFUND | 150.00 |
| METERING & TECHNOLOGY SOLUTIONS | SENSUS ERTS | 2,912.28 |
| MZRB LLC | BUILDING PERMIT DEPOSIT REFUND | 100.00 |
| NE DEPT OF TRANSPORTATION | TRAIL II | 13,273.08 |
| NE DHHS | WATER OP TRAINING COURSE | 678.00 |
| NE PUBLIC HEALTH ENVIRONMENTAL LAB | FLUORIDE/COLIFORM TESTING | 390.00 |
| NORTHEAST NE ECONOMIC DEV DIST | 16-CD-108 MAR/APR 18 SERVICES | 690.00 |
| NORTHEAST POWER | WHEELING CHARGES | 12,842.38 |
| NORTHWEST ELECTRIC LLC | HOT WATER CIRCULATOR MOTOR | 333.47 |
| NWOD | MEMBERSHIP RENEWAL | 15.00 |
| PROVIDENCE MEDICAL CENTER | BUILDING PERMIT DEPOSIT | 250.00 |
| SANDS, ALEXIS | UTILITY REFUND | 124.58 |
| SIOUX CITY JOURNAL | LIBRARY SUBSCRIPTION | 376.82 |
| STADIUM SPORTING GOODS | ADULT BASKETBALL SHIRTS | 80.00 |
| STATE NEBRASKA BANK & TRUST | PUBLIC SAFETY BONDS | 57,726.25 |
| STATE NEBRASKA BANK-PETTY CASH | LIBRARY PETTY CASH | 99.38 |
| T & S TRUCKING | TRANSPORT ROCK | 1,102.16 |
| THE RETROFIT COMPANIES, INC | ELECTRONIC RECYCLING | 111.05 |
| TINA ZACARIAS | CAC MEMBERSHIP REFUND | 115.90 |
| TOM'S BODY & PAINT SHOP | WINDSHIELD REPLACEMENT | 267.00 |
| UNITED HEALTHCARE | HEALTH INSURANCE PREMIUM | 35,048.35 |
| VAKOC CONSTRUCT | EAVE RIDGE CAP | 61.21 |
| WAYNE AUTO PARTS | COOLANT/FILTERS/CART/WIRE/PLUGS | 615.06 |
| WAYNE COMMUNITY HOUSING | HOUSING ADMIN FEE | 1,640.00 |
| WAYNE COUNTY CLERK | FILING FEES | 16.00 |
| WAYNE HERALD | CAC ADS | 355.00 |
| WAYNE HERALD | ADS AND NOTICES | 2,323.30 |
| WAYNE STATE COLLEGE | INTERLOCAL AGMT RES 2017-34 5-1-18 | 250,000.00 |
| WAYNE VET'S CLUB | LIQUOR OCCUPATION TAX REFUND | 350.00 |
| WESCO DISTRIBUTION INC | BOX PAD | 818.55 |
| WOEHLER TRAILER COURT LLC | SIDEWALK COST SHARE | 837.00 |
| ZIMCO SUPPLY | FERTILIZER | 440.00 |
| ZVACEK CONSTRUCTION, INC. | CAC SHUFFLEBOARD TABLE | 1,350.00 |
| Grand Total: | | 431,044.36 |

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



MUST BE:

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Corporation/LLC information

Name of Corporation/LLC: _____
Shopko Stores Operating Co., LLC

Premise information

Liquor License Number: 100027 Class Type D (if new application leave blank)

Premise Trade Name/DBA: Shopko Hometown #670

Premise Street Address: 615 Dearborn St

City: Wayne County: _____ Zip Code: 68787

Premise Phone Number: 4023751544

Premise Email address: licensing@shopko.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).



SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

Office Use
RECEIVED
APR 06 2018
NEBRASKA LIQUOR
CONTROL COMMISSION

MUST BE:

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

Corporation/LLC information

Name of Corporation/LLC: Shopko Stores Operating Co., LLC

Premise information

Liquor License Number: see attached Class Type see attached (if new application leave blank)

Premise Trade Name/DBA: see attached

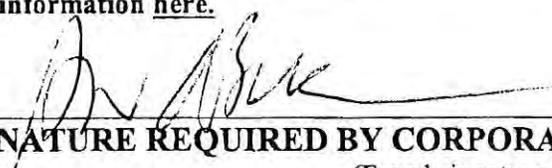
Premise Street Address: see attached

City: see attached County: see attached Zip Code: see attached

Premise Phone Number: n/a

Premise Email address: licensing@shopko.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information here.


SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Malcom First Name: Nathan MI: M

Home Address: 16422 Sahler St

City: Omaha County: Douglas Zip Code: 68116

Home Phone Number: 402-278-2323

Driver's License Number & St. _____

Social Security Number: _____

Date Of Birth: 5-28-81 Place Of Birth: Storm Lake Iowa

Email address: Nate.Malcom@shopko.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES NO

Spouse's information

Spouses Last Name: Malcom First Name: Andrea MI: L

Social Security Number: _____

Driver's License Number & State: _____

Date Of Birth: 4-20-84 Place Of Birth: Iowa

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

APPLICANT

SPOUSE

| CITY & STATE | YEAR FROM | YEAR TO | CITY & STATE | YEAR FROM | YEAR TO |
|--------------------|-------------|-------------|--------------|-----------|---------|
| <u>Lincoln, NE</u> | <u>2007</u> | <u>2008</u> | | | |
| <u>Omaha, NE</u> | <u>2008</u> | <u>2018</u> | | | |
| | | | | | |
| | | | | | |

MANAGER'S LAST TWO EMPLOYERS

| YEAR FROM TO | | NAME OF EMPLOYER | NAME OF SUPERVISOR | TELEPHONE NUMBER |
|--------------|------|------------------|--------------------|------------------|
| 2002 | 2016 | Shupko | Fan Butler | 402-609-0241 |
| | | | | |

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO

If yes, please explain below or attach a separate page.

| Name of Applicant | Date of Conviction (mm/yyyy) | Where Convicted (City & State) | Description of Charge | Disposition |
|-------------------|------------------------------|--------------------------------|-----------------------|-------------|
| Nate Malcom | 08-2-2016 | Hampton Iowa | speeding | |
| Nate Malcom | 12-16-2013 | Omaha, NE | following too close | |
| | | | | |
| | | | | |
| | | | | |

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

*NLCC Training Certificate Issued: 3/29/14 Name on Certificate: Nate M Malcom

| Applicant Name | Date (mm/yyyy) | Name of program (attach copy of course completion certificate) |
|----------------|-------------------|--|
| Nate Malcom | 3/29/14 | Responsible Beverage Service Training |
| | | |
| | | |
| | | |
| | | |
| | | |

*For list of NLCC Certified Training Programs see [training](#)

Experience:

| Applicant Name / Job Title | Date of Employment: | Name & Location of Business: |
|----------------------------|------------------------|------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

5. Have you enclosed form 147 regarding fingerprints?

YES NO

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Nate M

Signature of Manager Applicant

Andrea

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska
County of

Douglas

The foregoing instrument was acknowledged before me this

4/10/18

date

by

Nate Malcom

NAME OF PERSON BEING ACKNOWLEDGED

Notary Public signature

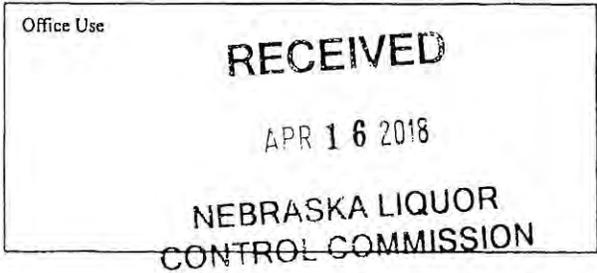
Affix Seal

State of Nebraska - General Notary
ANDY PORTIS
My Commission Expires
March 2, 2019

In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Andrea Malcom
Signature of **NON-PARTICIPATING SPOUSE**
Andrea Malcom
Print Name

Nate Malcom
Signature of **APPLICANT**
Nate Malcom
Print Name

State of Nebraska, County of Dawson

State of Nebraska, County of Dawson

The foregoing instrument was acknowledged before me
this 4/10/16 (date)

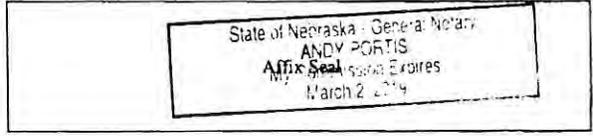
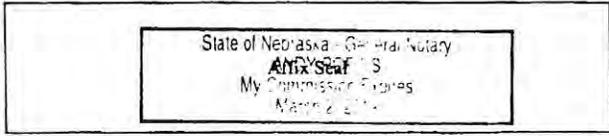
The foregoing instrument was acknowledged before me
this 4/10/16 (date)

by Andrea Malcom
**Name of person acknowledged
(Individual signing document)**

by Nate Malcom
**Name of person acknowledged
(Individual signing document)**

Notary Public Signature

Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

**SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

| | |
|--|--|
| RECEIVED DATE RECEIVED: APR 06 2018 | |
| NEBRASKA LIQUOR CONTROL COMMISSION Office Use Only | |
| Class: <u> </u> | License #: <u> </u> <u> </u> <u> </u> <u> </u> |

Applicant Name: Shopko Stores Operating Co., LLC
(Corporation, LLC, Partnership or Individual)

Trade Name: See attached listing
(Doing Business As)

920-429-2211
Phone Number

licensing@shopko.com
Contact E-mail Address

DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED PROCESSING FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE.**
- See Application Requirement Guide for listing of Fingerprint Requirements found on our website under "Licensing" tab in "Applicant Guidelines".
- **DO NOT** send fee payments to the NLCC – fees **MUST** be paid directly to NSP.
- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the **NSP PayPort** online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
3800 NW 12th Street
Lincoln, NE 68521
- Fingerprints taken at NSP locations will be forwarded to NSP – CID;
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices will be released to the applicants;
Fingerprint cards should be submitted with the application.

Please complete information on the following pages for EACH person fingerprinted.

1. Name: Nathan M. Malcom Date of Birth: 5-28-1981 Last 4 SSN: 5405
Date fingerprints were taken: 3/29/18 Location where fingerprints were taken: Omaha - Troop A
How was payment made to NSP? NSP PAYPORT CASH CHECK SENT TO NSP Ck # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago YES

2. Name: _____ Date of Birth: _____ Last 4 SSN: _____
Date fingerprints were taken: _____ Location where fingerprints were taken: _____
How was payment made to NSP? NSP PAYPORT CASH CHECK SENT TO NSP Ck # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago YES

3. Name: _____ Date of Birth: _____ Last 4 SSN: _____
Date fingerprints were taken: _____ Location where fingerprints were taken: _____
How was payment made to NSP? NSP PAYPORT CASH CHECK SENT TO NSP Ck # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago YES

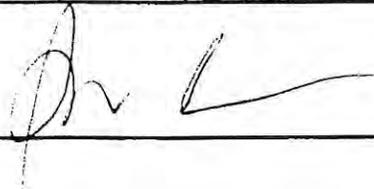
4. Name: _____ Date of Birth: _____ Last 4 SSN: _____
Date fingerprints were taken: _____ Location where fingerprints were taken: _____
How was payment made to NSP? NSP PAYPORT CASH CHECK SENT TO NSP Ck # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago YES

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

I hereby certify that fees of \$45.25 per person have been submitted directly to the Nebraska State Patrol – CID office. The undersigned certifies on behalf of the Corporation, LLC, Partnership or Licensee that it is understood that a misrepresentation of fact is cause for rejection of this application or suspension, cancellation or revocation of any license issued.

Name (Print): Susan Buckna Title: Secretary

Signature: 

Date: 4/3/18



| | | | | | |
|----------------------|--|-------------------------------|------------------------------------|---------------------------------|-----------------------------------|
| HOME | REGISTRATION INFORMATION | POLLING PLACE | PROVISIONAL BALLOT | ABSENTEE BALLOT | Select Language ▾ |
|----------------------|--|-------------------------------|------------------------------------|---------------------------------|-----------------------------------|

Registrant Search Information

Registrant Detail

| | |
|-----------------------|---|
| Name: | Nathan Michael Malcom |
| Party: | Nonpartisan |
| Polling Place: | Standing Bear Elementary School 15860 Taylor Street Lobby (ADA FRONT ENTRANCE) Omaha, NE 68116 |

Districts

| DISTRICT NAME | DISTRICT TYPE |
|--------------------------------|---|
| Metro Comm College At Large | Community College District |
| Metro Utilities Dist Subd 1 | Utilities District |
| Omaha Public School Subdist 5 | School Board Ward |
| Metro Com College Dist 3 | Community College District |
| U.S. Congressional District 2 | U.S. Congressional District |
| Omaha City Council Ward 7 | City Council (Ward) |
| County Commissioner Dist 07 | County Board (Commis./Superv) |
| Appeals Court Judge Dist 2 | Judge of Appeals Court Dist. |
| County Judge Dist 4 | Judge of County Court Dist. |
| District Judge, Dist 4 | Judge of District Court Dist. |
| Juv Crt Judge, Douglas Co. | Judge of Juvenile Court |
| Supreme Court Judge Dist 2 | Judge of Supreme Court Dist. |
| Learning Community 1 - Dist 1 | Learning Community Coordinating Council |
| Legislative District 18 | Legislative District |
| Mayor of Omaha | Mayor |
| Paplo NRD SubD 5 | Natural Resources District |
| PSC District 3 | Public Service Comm District |
| Board of Regents District 8 | Board of Regents |
| Omaha Public Schools | School District |
| State Board of Education Dist8 | State Board of Education |
| Omaha Public Power Subd 1 | Public Power District |

[Voter View Mobile](#)
[Registration Information](#) [Polling Place](#) [Provisional Ballot](#) [Absentee Ballot](#)

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 ● Voter View 3.2.1453.3

STATE OF IOWA

BUENA VISTA COUNTY

CERTIFICATION OF BIRTH REGISTRATION

This is to certify that according to records on file in this office, that

Nathan Michael Malcom

(Full name of child at birth)

Sex **male** was born **May 28, 1981**

(Month, day, year)

at **Storm Lake** Buena Vista County, Iowa.

(City)
Michael Jon Malcom

Name of father **Diana Bess Harskamp**

Maiden name of mother
Date of filing **June 11, 1981**

(Month, day, year)

IN WITNESS WHEREOF, the seal of the Clerk of District Court of Buena Vista
County, State of Iowa, has been affixed hereto this **30**

Sept., 19 **81**

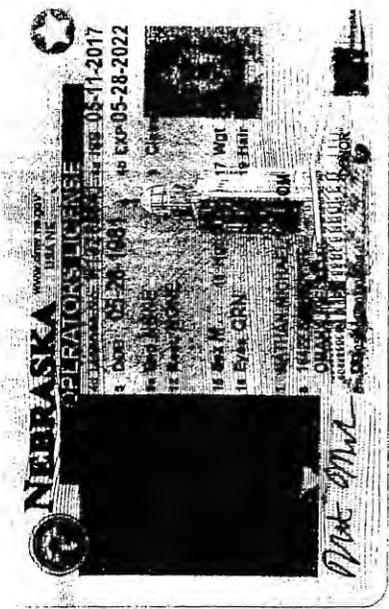
Donna McPherson
County Registrar and Clerk of District Court

[SEAL]

By Deputy Clerk

Warning: This certification is not valid if it has been altered in any way whatsoever, or if it does not bear the raised seal of said clerk's office.

(This form approved by State Department of Health)





NATE M MALCOM

has earned a

Certificate of Achievement

- for those who serve or sell alcohol in Nebraska

RB-0093433

Expires: 03-29-2021 Amount Paid: \$

 **Responsible Beverage Service Training** 

N E B R A S K A



| General | Credential | Number | Earned | Expires |
|--|---------------|------------|------------|------------|
| Nate M Malcom 16422 sahler st Omaha NE 68116 | STATE ALCOHOL | RB-0093433 | 03-29-2018 | 03-29-2021 |

Wayne - General Regulations

§ 97.07 VACANT OR UNOCCUPIED BUILDING.

Whenever any vacant or unoccupied building or structure is found by the Chief to be not properly secured or enclosed, he or she shall give written notice to the owner or person having control of such building or structure to properly secure or enclose the building or structure within 24 hours after the receipt of the notice so as to prevent unauthorized persons from gaining access; and any person so notified shall comply with the terms and conditions of the notice.

(2002 Code, § 38-60) Penalty, see § 10.99

§ 97.08 OPEN BURNING BAN; WAIVER.

(A) (1) There shall be a city-wide open burning ban on all bonfires, outdoor rubbish fires and fires for the purpose of clearing land, including the extraterritorial jurisdiction of the city.

(2) The Fire Chief or his or her designee may waive an open burning ban issued under this section for an area under his or her jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning.

(3) The permit issued by the Fire Chief shall be in writing, signed by the Fire Chief and on a form provided by the State Fire Marshal.

(B) The Fire Chief or his or her designee may waive the open burning ban in his or her district when conditions are acceptable to the Chief. Anyone burning in such district when the open burning ban has been waived must notify the Fire Department of his or her intention to burn.

(2002 Code, § 38-61) Penalty, see § 10.99 (Ord. 2018-2, passed 1-16-2018)

Statutory reference:

Related provisions, see Neb. RS 81-520.01



Economic Development
Chamber • Main Street

April 20, 2018

Chief of Police
City of Wayne
306 Pearl St.
Wayne, NE 68787

Dear Chief:

On behalf of the Chicken Show Committee, this letter is a request street closures during the 38th Annual Chicken Show, Friday and Saturday, July 13 and 14, 2018.

On Friday, July 13 the Committee is requesting the closure of the following streets from 2:30 pm until 2 am for the Annual Henoween celebration: Main Street from 1st Street to 4th Street; 2nd and 3rd Streets from Pearl Street to the alley east of Main Street. We request that 3rd Street from the alley west of Main Street to Pearl be dedicated to handicap parking.

On Saturday, July 14, the Committee is requesting the closure of the following streets from 6:00 am until 5:00 pm, for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln and Douglas Streets from 10th Street to 8th Street. Intersections at 10th and Douglas and 10th and Lincoln Streets and 9th and Lincoln are requested to be closed.

The Committee is requesting the closure of the following streets for the Parade from 9:00 am until 11:30 am (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. Parade entries will be instructed to exit west on 7th street or continue south on Lincoln. They will also be informed that candy or other parade toss may not be thrown from any motorized entry.

We ask that all street closures be properly identified adequately prior to the street closing so that event set-up is not delayed. The committee suggests that signs be installed early Friday morning for downtown, and Friday evening for Bressler Park and the parade route on 10th and Lincoln Streets.

Events on Sunday, July 15, will not require street closure.

The Chicken Show Committee appreciates your assistance during this event. Please contact us at 402-375-2240 if you have any questions or concerns regarding these requests.

Sincerely,

A handwritten signature in cursive script that reads "Irene Fletcher".

Irene Fletcher

RESOLUTION NO. 2018-24

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

WHEREAS, the annual Wayne Henoween Celebration will be held on Main Street between the north side of the intersection from 1st Street to the south side of the intersection of 4th Street on July 13, 2018, from 2:30 p.m. to 2:00 a.m. (July 14, 2018), at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Roads; and

WHEREAS, the annual Wayne Chicken Show parade will be held on Main Street from 1st Street to 10th Street, including the intersections, on July 14, 2017, from 9:00 a.m. until 11:30 a.m., at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Roads; and

WHEREAS, the Wayne Area Chamber of Commerce, in compliance with City of Wayne policy for events held on public right-of-way, will provide special events insurance coverage for both events to indemnify, defend, and hold harmless the City of Wayne and the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

WHEREAS, during the above time periods of these events, the City of Wayne acknowledges all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359.

NOW, THEREFORE, BE IT RESOLVED, that during the above time periods of these events, the City of Wayne, Nebraska, accepts and will carry out all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that if a claim is made against the State of Nebraska, it shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

PASSED AND APPROVED this 1st day of May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2018-25

A RESOLUTION APPROVING AGREEMENT WITH GILL HAULING FOR THE OPERATION OF THE WAYNE TRANSFER STATION.

WHEREAS, the City sought Requests for Proposals for the operation of the Wayne Transfer Station; and

WHEREAS, the City received one proposal, that being from Gill Hauling of Jackson, NE; and

WHEREAS, staff has reviewed said proposal and is recommending the same be accepted, and has directed staff to prepare an agreement with the terms and conditions stipulated therein.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Agreement between the City of Wayne and Gill Hauling for the operation of the Wayne Transfer Station, a copy of which is attached hereto and incorporated herein by reference, be accepted as recommended, and the City Administrator and/or Mayor is authorized and directed to execute said agreement on behalf of the City.

PASSED AND APPROVED this 1st day of May, 2018.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**Request for Proposals for Operation Agreement
of the City of Wayne Transfer Station**

The City of Wayne is seeking proposals for an "Operation Agreement" of the City of Wayne Transfer Station with the following conditions:

1. The term would be a minimum of three years and not more than five years, with an option to extend said term an additional three years by agreement of both parties. The contract may be terminated upon 90 days written notice by either party.
2. The operator would (i) operate the transfer station under the City of Wayne's Nebraska Department of Environmental Quality (NDEQ) Solid Waste Permit, (ii) meet the requirements and conditions of this permit, and (iii) be responsible for the necessary NDEQ permit fee.
3. The operator would pay a monthly fee to the City in the amount of \$ 1500.00 for the use of the facility.
4. The operator would be responsible to keep the transfer station site free of litter.
5. The operator would provide proof of liability insurance in the amount of one million dollars (\$1,000,000), with the City named as an insured and pay the cost of the City insurance for the transfer station.
6. The operator would pay all utility costs of the transfer station.
7. The operator would provide staffing and management to operate the transfer station as a garbage and recycling collection facility and keep it open to the public for a minimum of 15 hours per week and by appointment as determined by the operator.
8. The operator would set the tipping fees for trash collection, but may not charge a fee for the collection of recyclable materials.
9. The operator would post signage indicating hours of operation, any temporary closures, fee schedule, and what to recycle for each container, and provide flyers for public dissemination on what items are accepted at the transfer station. Operator would review the fee schedule yearly for updates and provide a copy to the City when changed. Operator would also consult with the City before changing any hours of operation.
10. The operator would provide containers and accept garbage and recycling from City buildings, City projects, Henoween and Chicken Show events, City parks and sports facilities at no cost to the City, and in addition, the operator would provide containers and accept garbage and recycling from Wayne County road litter and Wayne County Fair at no cost to the County.
11. The operator would provide containers and space on site to collect recyclable materials from the City and the public.



Gill Hauling, Inc.

1364 Hwy 20
PO Box 128
Jackson, NE 68743

Toll Free: 866-633-9336
Tel: (402) 632-9273
Fax: (402) 632-4233

To: The Wayne City Council

ATTN: Wes Blecke City Manager

From: Gill Hauling, Inc.

Sales Rep: Bernie Gill, President

RE: Transfer Station Bid

The following is a proposal for Gill Hauling to operate the transfer station. Gill intends to perform all duties listed in the request for bids except for item #8. Item #8 states that the operator may not charge a fee for the collection of recycling materials. Gill feels that there will have to be some kind of fee for recycling materials if or when Gill has to start paying to dispose of recycling materials. Please see attached letter from Van's Sanitation and Recycling. It states that they may have to start charging a fee for taking the recycling material.

It has always been our understanding that the transfer station in Wayne was built to be used by the citizens of Wayne, but it appears now that people from other counties are being encouraged to not only bring their recyclables but also their trash to the transfer station.

Gill would like to thank you for the opportunity for allowing us to bid on the Wayne transfer station, but if the city council decides to leave item #8 in the bid Gill would like to respectfully withdraw its proposal.

Sincerely

Gill Hauling, Inc.
Bernie Gill Pres
Bernie Gill, President



1553 18TH ST SW
LE MARS, IA 51031
712-548-4644 (PHONE)
712-546-6953 (FAX)
WWW.VANSSANITATION.COM

April 18, 2018

GILL HAULING
1364 143RD ST
JACKSON, NE 68743

RE: Recycle Processing Fee

Dear Gill Hauling:

Due to falling commodity pricing and difficulty in finding a market for some recyclable materials, Van's Recycling will need to discuss implementing a processing fee for recycling materials you bring to our facility. We have already begun to charge approximately \$25/ton to other customers due to this continued decrease in market values.

We thank you for your patronage and hope to continue to work with you in the future. Your partnership is very much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott VanderSluis", written over a white background.

Scott VanderSluis
Van's Sanitation Inc



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/19/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

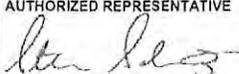
| | | |
|--|--|--|
| PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 4280 Sergeant Road Suite 200 Sioux City IA 51106 | CONTACT NAME: PHONE (A/C, No, Ext): 712-252-4026 FAX (A/C, No): 712-252-3421 E-MAIL ADDRESS: | |
| | INSURER(S) AFFORDING COVERAGE NAIC # | |
| INSURED Gill Hauling Inc PO Box 128 Jackson NE 68743-0128 | INSURER A: Nationwide Mutual Insurance Company | |
| | INSURER B: Nationwide General Insurance Company 23760 | |
| | INSURER C: Tokio Marine Specialty Ins Co 23850 | |
| | INSURER D: QBE Insurance Corporation 39217 | |
| | INSURER E: INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** 2139089279 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|--------------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | Y | | ACPLG1AO3048601449 | 3/1/2018 | 3/1/2019 | EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/PO/AGG \$2,000,000 \$ |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY OTHER: | | | ACPBA3048601449 | 3/1/2018 | 3/1/2019 | COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| B | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | ACPCAA3048601449 | 3/1/2018 | 3/1/2019 | EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$ |
| D | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | QWC4001037 | 3/1/2018 | 3/1/2019 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000 |
| C | Tokio Marine Excess | | | 11461087 | 3/1/2018 | 3/1/2019 | Excess Occurrence \$5,000,000 Excess Aggregate \$5,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Wayne to show as additional insured for work performed for them by Gill Hauling, Inc

| | |
|---|--|
| CERTIFICATE HOLDER City of Wayne PO Box 8 Wayne NE 68787 USA | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|--|

ORDINANCE NO. 2018-9

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-96 LOCATION RESERVED FOR HANDICAPPED PARKING; 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, Section 78-96 of the Wayne Municipal Code is amended to read as follows:

§ 78-96 Location Reserved for Handicapped Parking.

(A) The following parking spaces shall be designated handicapped parking areas:

| <i>Number of Spaces</i> | <i>Location</i> |
|-------------------------|---|
| 1 parking space | At the intersection of 3rd and Main Streets on the northeast corner of 3 rd Street |
| 1 parking space | At the intersection of 3 rd and Main Streets on the southwest corner of 3 rd Street |
| 1 parking space | At the intersection of 3 rd and Pearl Streets on the northeast corner of 3 rd Street |
| 1 parking space | At the intersection of 2 nd and Main Streets on the northeast corner of 2 nd Street |
| 1 parking space | At the intersection of 2 nd and Main Streets on the southwest corner of 2 nd Street |
| 1 parking space | At the intersection of 4 th and Main Streets on the northeast corner of 4 th Street |
| 1 parking space | At the intersection of 2 nd and Pearl Streets on the northeast corner of 2 nd Street |
| ± 2 parking spaces | Between 3 rd and 4 th Streets on the east side of Lincoln Street |
| 1 parking space | At the intersection of 1 st Street and Main Street on the northwest corner of 1 st Street |
| 2 parking spaces | Between Pearl and Lincoln Streets on the south side of 3 rd Street |

(B) Appropriate signs shall be placed to advise the public of these restricted parking regulations.

(2002 Code, § 78-96) (Ord. 2002-2, passed 2-26-2002; Ord. 2002-9, passed 4-9-2002; Ord. 2004-19, passed 1-11-2005; Ord. 2005-3, passed 2-22-2005; Ord. 2005-27, passed 9-13-2005; Ord. 2008-2, passed 2-19-2008; Ord. 2009-24, passed 1-5-2010; Ord. 2015-36, passed 8-4-2015)

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 _____ day of May, 2018.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2018-10

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.030 CONSTRUCTION BY OWNER; 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 IX, Chapter 91, Section 91.030 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.030 CONSTRUCTION BY OWNER.

(A) Any person desiring to construct or cause to be constructed any sidewalk shall do so only as provided in this section. It shall be unlawful for any person to construct any sidewalk without first having obtained a **Right-of-Way** permit ~~from the Street Superintendent.~~ **City employees performing their duties as public employees and contractors hired by the City shall be exempt from obtaining a Right-of-Way permit for City projects.**

(B) The owner **or contractor** shall make application in writing for a **Right-of-Way** permit and file such application in the office of the City Clerk. The permit shall give a description of the lot or piece of land along which the sidewalk is to be constructed. ~~Before any permit is issued by the Street Superintendent, the applicant shall deposit with the City Clerk a cash deposit in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent.~~ The ~~City Administrator or his or her agent~~ **Street Superintendent** shall issue the desired permit unless good cause shall appear why the permit should be denied. If it is desired to construct the sidewalk at any other place than the regularly prescribed location, grade or elevation, the ~~City Administrator or his or her agent~~ **Street Superintendent** shall submit the application to the Council, who shall determine whether the permit should be granted or denied. It shall be unlawful for any person to construct or cause to be constructed the sidewalk at any other location, grade or elevation than so designated by the city. All sidewalks shall be built and constructed on the established grade or elevation and, if there is no established grade, then on the grade or elevation indicated by the ~~City Administrator or his or her agent~~ **Street Superintendent**.

(2002 Code, § 70-48) Penalty, see § 91.999

Statutory reference:

Construction and repair of sidewalks in municipalities, see Neb. RS 16-661 through 16-665

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2018-11

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.052 DRIVEWAY PERMITS; 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 IX, Chapter 91, Section 91.052 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.052 DRIVEWAYS PERMITS.

(A) It shall be unlawful for any person to construct or cause to be constructed any driveway or other parking area in the right-of-way of the city without acquiring a written **Right-of-Way** permit from the Street Superintendent. Before any person shall obtain such permit, such person shall inform the Street Superintendent of the place where the driveway is to be located, and it shall be the Street Superintendent's duty to cause an inspection of the place of entry into the streets and avenues. When the construction of a driveway or other parking area is permitted, it shall be the duty of the party so constructing or causing to be constructed such driveway or other parking area to do the work in such a manner and under such rules and regulations as may be prescribed by the City Council. Before any permit is issued by the Street Superintendent, the applicant shall **submit a surety bond or a cash deposit along with a certificate of insurance naming the City as an additional insured to** with the City Clerk ~~a cash deposit~~ in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent. **City employees performing their duties as public employees and contractors hired by the City shall be exempt from obtaining a Right-of-Way permit for City projects.**

(B) The applicant shall obey all of the laws of the city and the requirements under which the permit is issued in doing such work and will save the city harmless from any damages which may occur as a result of such construction.

(2002 Code, § 70-94) Penalty, see § 91.999

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2018-12

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.076 PERMIT REQUIRED; 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 IX, Chapter 91, Section 91.076 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.076 PERMIT REQUIRED.

(A) Should it become necessary for any purpose to excavate in any right-of-way, street or alley; to cut through or into any street pavement; or to break, cut or remove any curbing or gutter on any public street or alley in the city for whatever purpose, the person by whom such excavation, cutting or breaking is desired shall secure a **Right-of-Way** permit for such work from the Street Superintendent. **City employees performing their duties as public employees and contractors hired by the City shall be exempt from obtaining a Right-of-Way permit for City projects.**

(B) The Street Superintendent shall require that applicants for such permits shall furnish the following information:

- (1) Name of street or avenue on which work is to be commenced;
- (2) The street address of the property for which such work is required;
- ~~(3) The name of the owner of such property;~~
- (4) The purpose for which such work is required;

(5) A statement of the ~~size or area of pavement to be torn out or the linear feet of curb or gutter to be torn out, the dimensions to be given in feet as nearly correctly as is possible to estimate the size or area~~ **area to be impacted**; and

- ~~(6) The names and addresses of any agents, employees or contractors of the applicant.~~

(C) ~~Before any permit is issued by the Street Superintendent, the applicant shall submit a surety bond or a cash deposit, along with a certificate of insurance naming the City as an additional insured to with the City Clerk a cash deposit in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent. When such permit is issued by the Street Superintendent to the applicant, the applicant shall, in no event, permit the permit to be used by any person for the purpose of having the work, repair, replacement or improvement made unless such person to whom such permit is given shall previously have filed with the City Clerk an approved surety bond or \$500 deposit as required in § 91.080 of this chapter.~~

(2002 Code, § 70-144) Penalty, see § 91.999

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2018-13

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.078 DIGGING IN 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 IX, Chapter 91, Section 91.078 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.078 DIGGING IN STREET.

(A) It shall be unlawful for any person to dig up, excavate or remove any dirt in any street, alley or other public right-of-way within the city or in any part of such street, alley or public right-of-way or in any manner to obstruct or injure any such street, alley or public right-of-way without first having obtained a **Right-of-Way** permit. It shall further be unlawful for any officer or employee of the city, or for any other person, either to give away or to receive any dirt given away for any street, alley or right-of-way within the city; and it shall be unlawful for any officer or employee of the city, or for any other person, to sell or purchase any dirt from any street, alley or public right-of-way within the city, except by direction and authorization of the Council. **City employees performing their duties as public employees and contractors hired by the City shall be exempt from obtaining a Right-of-Way permit for City projects. Anyone installing, in conformance with City Ordinances, lawn sprinkler systems, plants, and landscaping materials shall be exempt from obtaining a Right-of-Way permit.**

~~(B) It shall be deemed a violation of this subchapter if more pavement or curbing shall be torn out or more excavation is made than the amount stated in the permit for such work.~~ (2002 Code, § 70-146) Penalty, see § 91.999

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 May, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2018-14

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE IX GENERAL REGULATIONS, CHAPTER 91 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, SECTION 91.080 SURETY BOND; 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 IX, Chapter 91, Section 91.080 of the Municipal Code of Wayne, is hereby amended as follows:

§ 91.080 SURETY BOND.

The applicant for each **Right-of-Way** permit required by this subchapter, **except for permits to only construct sidewalks**, shall file with the City Clerk a performance bond, with sureties to be approved by the City Administrator in the sum of the currently required amount, to be in the form as required by the City Administrator. The bond shall be conditioned upon the proper indemnifying and holding the city harmless from any suits, damage, claims, liens or other actions that may arise from, grow out of or, in any way, be connected with the work covered by such permit with any corporate surety, to be in the currently required amount. In lieu of bond, applicant may provide a **\$500 cash deposit in an amount set by the Council and on file in the office of the City Clerk. The deposit shall be retained by the City Clerk until construction is completed to the satisfaction of the Street Superintendent.**

(2002 Code, § 70-148)

Section 2. The original Section and any other sections in conflict with this ordinance are hereby 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 17th day of April, 2018.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

CITY OF WAYNE

ROW Permit Application

| | | | |
|---|---|--|---------------------|
| Permit Number: | | One Call Ticket #: | |
| Applicant's Name: | | Job Address: | |
| Lot: | Block: | Addition: | |
| or Description of alley or block: | | | |
| Description of work: (or attach plans) | | | |
| Area impacted by work: (mark all that apply) | | Fee | Deposit |
| | Grass/Yard (no pavement) | \$35.00 | \$500.00 / or Bond |
| | Sidewalk | \$35.00 | None |
| | Driveway/Parking | \$35.00 | \$500.00 / or Bond |
| | Street/Alley Paving (includes curb grinding) | \$50.00 | \$1000.00 / or Bond |
| | Unpaved Alley | \$135.00 | \$1000.00 / or Bond |
| The fee and deposit shall be based upon the highest number for each category marked and not a cumulative total of all of the impacted work areas. | | | |
| Applications shall not be approved until after a site visit by the inspector. | | | |
| All contractors shall call City Hall at (402) 375-1733 to schedule the required inspections. | | | |
| Signature: | | Date: | |
| Fee Paid: | Deposit: | Certificate of Insurance Provided: (Sidewalks exempt) | |
| Date of site visit and approval: | | Inspector: | |
| Date of rough inspection: | | Inspector: | |
| Date of final inspection: | | Inspector: | |

PLEASE SEE REVERSE SIDE FOR SPECIFICATIONS.

ORDINANCE NO. 2018-15

AN ORDINANCE AMENDING CIVIL SERVICE RULES AND REGULATIONS, SPECIFICALLY THE PROVISION RELATING TO DEMOTIONS, SUSPENSIONS AND DISCHARGE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Civil Service Commission is given the authority to recommend amendments of the Civil Service Rules and Regulations to the City Council as the governing authority; and

WHEREAS, the Civil Service Commission has presented their recommended changes to the City Council; and

WHEREAS, Nebraska Revised Statutes require the governing body of the municipality shall establish by ordinance procedures for acting upon such written accusations and the manner by which suspensions, demotions, removals, discharges, or other disciplinary actions may be imposed by the appointing authority; and

WHEREAS, both the Civil Service Commission and the City Council have determined that the following language regarding Demotions, Suspensions and Discharge should be amended to improve and facilitate the processes therein.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL of the City of Wayne, Nebraska, that:

Section 1. The following provision of the Civil Service Commission Rules and Regulations shall read as follows:

DEMOTIONS, SUSPENSIONS, AND DISCHARGE

Section A - Tenure of Employment.

The tenure of a person holding a position of employment under the Civil Service Act of the Wayne Code shall be only during good behavior.

Section B - Causes for Disciplinary Action.

Any such person may be removed or discharged, suspended with or without pay, demoted, reduced in rank, or deprived of vacation benefits, or other privileges, except ~~pension retirement~~ **pension** benefits, for any of the following reasons:

1. Incompetency, inefficiency or inattention to or dereliction of duty;
2. Dishonesty, prejudicial conduct, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, any act of omission or commission tending to injure the public service, any willful failure on the part of the employee to properly conduct himself or herself, or any willful violation of the Civil Service Act or the rules and regulations adopted hereunder;

3. Mental or physical unfitness for the position which the employee holds;
4. Drunkenness or the use of intoxicating liquors, narcotics or any other habit-forming drug, liquid or preparation to such an extent that the use interferes with the efficiency of mental or physical fitness of the employee or precludes the employee from properly performing the functions and duties of his or her position;
5. Conviction of a felony or misdemeanor tending to injure the employee's ability to effectively perform the duties of his or her position; or
6. Any other act or failure to act which, in the judgment of the Civil Service Commissioners, is sufficient to justify the offender to be an unsuitable and unfit person to be employed in the public service.

Section C - Disciplinary Action Procedure.

1. No employee in the Civil Service who shall have been permanently appointed or inducted into Civil Service shall be removed, suspended, demoted or discharged, except for cause and then only upon the written accusation of the Police Chief, City Administrator or any citizen or taxpayer.
2. The written accusation shall set forth the alleged misconduct, charges, or grounds for investigation against the employee. The written accusation shall be filed by the complainant with the Secretary of the Civil Service Commission who shall forward a copy within twenty-four (24) hours after the filing (1) to the Police Chief; (2) to the City Administrator; and (3) to the employee personally or by certified mail.
3. The Police Chief shall have the authority to immediately suspend, with pay, an employee against whom such written accusation has been filed and shall immediately investigate the alleged misconduct, charges, or grounds against the employee. The Police Chief shall explain the basis of the employer's evidence to the employee and provide the employee an opportunity to represent his or her version of the circumstances which resulted in the filing of the written accusation. Within 10 days of completing the investigation, the Police Chief shall file a copy of the written accusation and results of the investigation with the City Administrator.

If the Police Chief's investigation reveals other misconduct, charges, or grounds, the Police Chief shall amend the written accusation to include the other misconduct, charges, or grounds by filing an amendment to the written accusation with the Secretary of the Commission. The Secretary shall forward a copy of the amended accusation to the City Administrator and employee.

The Police Chief shall recommend in writing to the City Administrator whether the alleged misconduct, charges, or grounds set forth in the written accusation shall be deemed: (1) to be without merit, (2) to not warrant disciplinary action, (3) to warrant disciplinary action less severe than removal, demotion, discharge, or suspension, with or without pay, such as an oral or written reprimand, or (4) to warrant removal, demotion, discharge, or suspension, with or without pay.

In the event that a Police Chief is being accused of a violation, the City Administrator shall follow the same procedures as are followed by the Police Chief in disciplining employees under the act.

4. Within ten (10) days after receiving a copy of the written accusation, the results of the investigation and the written recommendation of the Police Chief, the City Administrator shall decide to accept the recommendation of the Police Chief, or shall decide that the alleged misconduct, charges, or grounds for investigation against the employee set forth in the written accusation be deemed:
 - a. to be without merit,
 - b. to not warrant disciplinary action,
 - c. to warrant disciplinary action less severe than removal, demotion, discharge, or suspension, with or without pay, such as an oral or written reprimand, or
 - d. to warrant removal, demotion, discharge, or suspension, with or without pay.

The employee shall receive the decision of the City Administrator in writing within the same ten (10) day period.

5. Any employee so removed, suspended, demoted or discharged may, within ten (10) calendar days after receiving written notice of the City Administrator's decision, file a written demand for an investigation and public hearing by the Civil Service Commission. The employee shall file the request for the hearing with the Secretary of the Commission and simultaneously send a copy of such a request to the City Administrator. The failure to file such a request with the Secretary of the Commission within ten (10) calendar days of receipt of notice of the action by the City Administrator shall constitute a waiver of the employee's right to review by the Civil Service Commission and the City Administrator's decision shall become final.
6. Within seven (7) calendar days of receipt of the employee's notice of appeal, the City Administrator shall cause the following notice to be mailed or delivered to the employee and Secretary of the Commission:
 - a. A statement of the charge(s);
 - b. The names of the witnesses who will be called on behalf of the City Administrator and a general statement of the nature of their testimony;
 - c. Copies of the documents to be offered in support of the charge(s).
7. Within nine (9) calendar days of the filing of the written demand for an investigation and public hearing by the Commission, the employee shall mail or deliver the following upon the City Administrator and Secretary of the Commission who shall distribute the same to the individual Commission members:
 - a. A response to the statement of the charge(s);
 - b. The names of the witnesses who will be called on behalf of the employee and general statement of the nature of their testimony; and
 - c. Copies of the documents to be offered in defense of the charge(s).
8. Upon receipt of a written demand for an investigation and public hearing, the Commission shall conduct an investigation. The Commission may be represented in such investigation and public hearing by the City Attorney if authorized by the City Administrator. If the City Attorney does not represent the Commission, the Commission may be represented by special counsel appointed by the Commission for any such investigation and hearing. The

investigation shall consist solely of a review of the written documents and information submitted by the City Administrator and employee. The purpose of the investigation is to determine whether any individuals or documents should be subpoenaed by the Commission for the subsequent public hearing before the Commission to ultimately determine whether the City Administrator acted in good faith for cause. Good faith for cause shall mean that the action was not arbitrary or capricious and was not made for political or religious reasons.

9. After the investigation, the Commission shall schedule a public hearing to be held no less than ten (10) nor more than twenty (20) calendar days from the date of filing of the employee's written demand for an investigation. The Commission shall notify the City Administrator and employee in writing at least five (5) calendar days prior to the date of the hearing, of the date, time and place of the hearing.
10. The parties may, by agreement and stipulation, continue the date of hearing to be held at a time more than twenty (20) calendar days from the date of filing of the employee's written demand for an investigation.
11. The parties shall have the right to amend their filings with the Civil Service Commission, provided reasonable notice is provided to the other party.
12. The City Administrator shall be permitted to appear in person and by counsel to present his or her case. The City Administrator may present evidence by testimony and documents and shall be permitted to cross-examine the employee's witnesses. At the hearing, the employee shall be permitted to appear in person and by counsel to present his or her defense. The employee may present evidence by testimony and documents and shall be permitted to cross-examine the witnesses called by the City Administrator.
13. The Commission may affirm the action taken by the City Administrator if such action is supported by a preponderance of the evidence. If the Commission finds that the removal, suspension, demotion or discharge was made for political or religious reasons or was not made in good faith for cause, it shall order the immediate reinstatement or re-employment of such employee in the position or employment from which such employee was removed, suspended, demoted, or discharged, which reinstatement shall, if the Commission in its discretion so provides, be retroactive and entitle such person to compensation and restoration of benefits and privileges from the time of such removal, suspension, demotion, or discharge.
14. After the hearing, in lieu of affirming the removal, suspension, demotion, or discharge, the Commission may modify the order of removal, suspension, demotion, or discharge by directing a suspension, with or without pay, for a given period and the subsequent restoration to duty or demotion in position or pay. No later than ten (10) calendar days after the hearing the Commission shall certify its findings in writing to the employee and the City Administrator. The City Administrator shall enforce the certified findings of the Commission.

15. The Civil Service Rules and Regulations shall be provided to every full-time law enforcement officer employed by the City of Wayne, and may be revised and/or updated from time to time ~~to comply with Nebraska Revised Statutes~~ as the Commission deems necessary. In the event that any of the foregoing rules and regulations are in conflict with Nebraska Statutes, the ~~Statute~~ Nebraska Statutes shall control.

Section 2. The City Council hereby adopts the Civil Service Rules and Regulations, as may be amended from time to time, and a copy of the current Civil Service Rules and Regulations are available upon request from the City Clerk.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 4. 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 1st day of May, 2018.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk