

**MINUTES  
CITY COUNCIL MEETING  
June 5, 2018**

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

Mayor Jill Brodersen called the meeting to order, followed by the Pledge of Allegiance, with the following in attendance: Councilmembers Cale Giese, Rod Greve, Jon Haase, Jennifer Sievers, Terri Buck, Jason Karsky, Matt Eischeid and Nick Muir; City Attorney Amy Miller; City Administrator Wes Blecke. Absent: City Clerk McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on May 24, 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.

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 Muir made a motion, which was seconded by Councilmember Sievers, whereas, the Clerk has prepared copies of the Minutes of the meeting of May 15, 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:** ACES, SE, 3690.00; AMAZON.COM, SU, 351.09; AMERICAN PUBLIC POWER ASSOCIATION, FE, 1600.92; AMERITAS, SE, 88.59; AMERITAS, SE, 60.16; AMERITAS, SE, 2290.46; AMERITAS, SE, 72.00; APPEARA, SE, 97.04; AQUAQUALITY

POOL & SPAS, SU, 37.00; BACON, ALLEN, RE, 150.00; BATTERY SOLUTIONS, SU, 109.95; BAYREUTHER, ZACH, RE, 98.59; BERCK, ETHAN, RE, 76.08; BLACK HILLS ENERGY, SE, 551.51; BLACKBURN MANUFACTURING, SU, 360.76; BOARDERS INN & SUITES, SE, 1596.00; BORDER STATES INDUSTRIES, SU, 2646.41; BRAINERD, AMANDA, RE, 300.00; BRIAN BELT, RE, 162.79; BRINER, WAYNE, RE, 150.00; BUGS BOWS, SU, 525.00; BURKE, KES, RE, 191.78; BURROWS, JOSEPH W., RE, 100.00; BUSH, SAVANNAH, RE, 111.95; C. H. GUERNSEY & COMPANY, SE, 2435.10; CARBON DAY AUTOMOTIVE, SE, 500.00; CAVANAUGH, CALEE, RE, 171.33; CDW GOVERNMENT, SU, 18.38; CENTER POINT LARGE PRINT, SU, 72.71; CENTURYLINK, SE, 416.83; CITIZENS STATE BANK, RE, 9668.47; CITIZENS STATE BANK, RE, 1823.20; CITIZENS STATE BANK, RE, 1554.29; CITY EMPLOYEE, RE, 38.12; CITY EMPLOYEE, RE, 95.00; CITY EMPLOYEE, RE, 604.75; CITY EMPLOYEE, RE, 300.79; CITY EMPLOYEE, RE, 313.65; CITY EMPLOYEE, RE, 4077.88; CITY EMPLOYEE, RE, 4040.00; CITY OF WAYNE, RE, 4040.00; CLARK, TAYLOR, RE, 256.25; CORY BROWN, CONSTRUCTION, RE, 100.00; DANKO EMERGENCY EQUIPMENT, SU, 52.75; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN NATIONAL LIFE, SE, 110.08; DEETS HOMESTORE, SU, 392.48; DEMERS, MITCHELL, RE, 210.57; DEMING, EMILY, RE, 179.49; DENNIS MOSELY, RE, 175.77; DGR & ASSOCIATES, SE, 306.00; DUTTON-LAINSON COMPANY, SU, 762.09; ECHO GROUP, SU, 87.40; ED M. FELD EQUIPMENT, SU, 1075.75; EICKMEIER, ABBY, RE, 229.46; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 511.91; ELLIS, DYLAN, RE, 150.00; EMANUEL, DYLAN, RE, 196.76; FIRE CATT, LLC, SE, 4125.30; FIRST CONCORD GROUP, SE, 2688.86; FLOOR MAINTENANCE, SU, 991.02; FRAHM, LINDSI, RE, 150.00; FRANKLIN, CAREY, RE, 300.00; GALE/CENGAGE LEARNING, SU, 172.83; GERHOLD CONCRETE, SU, 97.50; GROSSENBURG IMPLEMENT, SU, 706.12; HAUFF MID-AMERICAN SPORTS, SU, 196.94; HAWKINS, INC, SU, 4427.53; HEARTLAND FIRE PROTECTION, SE, 924.50; HEMPEL, STEPHANIE, RE, 122.00; HENDERSON, JACOB, RE, 106.25; HILAND DAIRY, SE, 105.26; HILL, MONTANA, RE, 150.00; HOMETOWN LEASING, SE, 409.53; ICMA RETIREMENT, SE, 9783.28; INDUSTRIAL CHEM LABS & SERVICES, SU, 88.16; IRS, TX, 14053.42; IRS, TX, 9230.07; IRS, TX, 3286.70; ISLAND SPRINKLER SUPPLY, SU, 82.80; JIMENEZ, JHOMATAN, RE, 300.00; KAMLER, COURTNEY, RE, 150.00; KATHLEEN A LAUGHLIN, CHAPTER 13 TRUSTEE, RE, 243.00; KOTROUS, KIEFER, RE, 133.63; LOUIS BENSCOTER, RE, 2298.43; MAAS, COURTNEY, RE, 122.48; MACIEL, BRIAN, RE, 121.21; MAIN STREET AUTO CARE, SE, 150.00; MAIN STREET AUTO CARE, SE, 100.00; MAIN STREET AUTO CARE, SE, 150.00; MCGUEEN, MARTHA, RE, 104.77; MES-MIDAM, SU, 951.12; MID PLAINS GRAIN, RE, 6385.62; MILLER, CASSADY, RE, 150.00; MONAHAN, PHILLIP, RE, 150.00; MULLINS, MATTHEW, RE, 130.97; MUNTER, DEVON, RE, 190.70; MZRB LLC, RE, 2864.57; NE DEPT OF REVENUE, TX, 3767.30; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 89.00; NEBRASKA ENVIRONMENTAL PRODUCTS, SU, 19.22; NPPD, SE, 286048.78; NEUMANN, CRAIG, RE, 300.00; NORTHEAST POWER, SE, 12842.38; NOVA FITNESS EQUIPMENT, SE, 388.50; NOZICKA, ERIN, RE, 300.00; OCC BUILDERS LLC, SE, 30444.00; ONE OFFICE SOLUTION, SU, 364.98; OSTEN, MICKY, RE, 159.72; OVERDRIVE, INC, SU, 300.83; POLLARD PUMPING, SE, 645.00; POPPE, JOEY, RE, 2.99; PUTTERS, SHELBY, RE, 219.71; QUALITY 1 GRAPHIC, SU, 375.00; RADER, REMINGTON, RE, 300.00; REHAB SYSTEMS, SE, 1925.00; REUTER, CORTNEY, RE, 192.91; REYNOLDS, CHRISTINA, RE, 60.12; RON'S RADIO, SU, 145.70; SANDY BROWN, RE, 48.61; SARMIENTO, STEVE, RE, 140.48; SIEVERS, SHARLENE, RE, 50.00; SKARSHAUG TESTING LAB INC, SE, 206.10; SMITH, DALTON, RE, 115.94; STAPLES, SU, 479.01; STATE NEBRASKA BANK & TRUST, RE, 4625.00; STUTZMAN, KELCEY, RE, 152.80; SWIM2000, SU, 693.50; TEMME, NATE, RE, 150.00; THE CAROM HOUSE, SU, 99.98; TOMASIEWICZ, MEGAN, RE, 95.27; TORRES, DEREK, RE, 125.73; UNITED HEALTHCARE, SE, 35048.35; UTILITIES SECTION, SE, 4375.00; VAKOC CONSTRUCT,

SU, 42.30; VAN DIEST SUPPLY, SU, 417.50; VANHORN, NICK, RE, 150.00; VIAERO, SE, 116.55; VILLASENOR, CESAR, RE, 43.23; WATER ENVIRONMENT FEDERATION, FE, 148.00; WAYNE COUNTY COURT, RE, 300.00; WAYNE COUNTY COURT, RE, 300.00; WAYNE HOSPITALITY, RE, 21026.99; WESCO, SU, 1623.19; WIENHOFF, ADAM, RE, 166.21; WINDOM RIDGE, RE, 1105.69; ZIMCO SUPPLY, SU, 150.00; AMERICAN BROADBAND, SE, 2474.21; BLAND, JONATHAN, RE, 300.00; BOMGAARS, SU, 7.28; BORDER STATES INDUSTRIES, SU, 1761.56; BROWN SUPPLY, SU, 337.65; CEDAR TITLE & ESCROW, SE, 100.00; CRA, RE, 750.00; CITY OF WAYNE, RE, 1393.29; CUMMINS CENTRAL POWER, SE, 1632.10; DANKO EMERGENCY EQUIPMENT, SU, 690.00; EASYPERMIT POSTAGE, SU, 1027.68; FREDRICKSON OIL, SU, 160.49; GERHOLD CONCRETE, SU, 8.23; GILL HAULING, SE, 237.50; GRAHAM TIRE SIOUX CITY, SU, 803.88; GROSSENBURG IMPLEMENT, SU, 38.46; HANSEN, BRAD, RE, 500.00; HEIKES AUTOMOTIVE, SE, 480.94; HELENA AGRI-ENTERPRISES, SU, 97.00; HYDRAULIC SALES & SERVICE, SE, 109.45; ISLAND SPRINKLER SUPPLY, SU, 172.20; MATT PARROTT, SU, 1391.45; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 232862.70; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 25954.04; NORTHEAST POWER, SE, 5010.00; ONE CALL CONCEPTS, SE, 120.99; ONE OFFICE SOLUTION, SU, 1220.00; PAC N SAVE, SU, 524.98; PLUNKETT'S PEST CONTROL, SE, 93.60; QUALITY FOOD CENTER, SU, 10.95; STATE NEBRASKA BANK-PETTY CASH, RE, 415.40; THOMPSON, LUCAS, RE, 250.00; TYLER TECHNOLOGIES, SE, 3012.95; US BANK, SU, 6015.12; WASTE CONNECTIONS, SE, 271.00; WAYNE COUNTY CLERK, SE, 10000.00; WAYNE COUNTY CLERK, SE, 46.00; WAYNE HERALD, SE, 533.00; WESCO, SU, 209.72; WAPA, SE, 15721.26; ZACH HEATING & COOLING, SE, 1709.50

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

Administrator Blecke stated that the following ordinance would amend Wayne Municipal Code by reinstating some language that was previously taken out of the code when the same was recodified in 2017 that would require all solid waste generated within the corporate limits of Wayne be deposited at the solid waste transfer station. Roll off materials could be taken elsewhere if need be. Waste Connection is aware of this and is agreeable to the same.

Attorney Miller also opined that the purpose of this change is so that Gill can receive extra income off the garbage, thereby subsidizing the recycling so that the recycling can remain free.

Councilmember Eischeid introduced Ordinance No. 2018-17, and moved for approval thereof; Councilmember Greve seconded.

ORDINANCE NO. 2018-17

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE V PUBLIC WORKS, CHAPTER 50 SOLID WASTE MANAGEMENT, SECTION 50.04 DISPOSAL; 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 lease agreement with Gill Hauling, which was renegotiated to include the following:

- \$1,000 monthly lease payment;
- 3-year term with a 3-year renewal if the City so chooses;
- Gill will provide up to 16 dumpsters; and
- A provision that Gill will not charge for recycling for the term of the agreement.

Sandy Brown, Chair of the Wayne Green Team, stated that they would continue to work on educating the public on recycling and placing better signage at the transfer station.

Councilmember Sievers introduced Resolution 2018-25, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2018-25

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

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

The following Resolution would approve four “Supplement Agreements” to the Small Cell Master License Agreement with Alltel. These Supplements outline the fees, licensed areas, etc., in more of a condensed form. Verizon will reimburse the City:

- \$150 as rent per year per each Small Cell;
- A \$25 maintenance fee per year per each Small Cell; and
- \$644 to install and purchase each new pole to accommodate their equipment, etc.

Councilmember Sievers introduced Resolution No. 2018-33 and moved for its approval;  
Councilmember Greve seconded.

RESOLUTION NO. 2018-33

A RESOLUTION APPROVING SUPPLEMENT AGREEMENTS (4) TO THE SMALL CELL MASTER LICENSE AGREEMENT BETWEEN THE CITY OF WAYNE AND ALLTEL COMMUNICATIONS OF NEBRASKA, LLC, D/B/A VERIZON WIRELESS.

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

The following ordinance would approve Amendment No. 3 to the Power Purchase Agreement between the City of Wayne and Cottonwood Wind Project, LLC.

Councilmember Sievers introduced Ordinance 2018-18, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2018-18

AN ORDINANCE APPROVING AMENDMENT NO. 3 TO THE POWER PURCHASE AGREEMENT BETWEEN THE CITY OF WAYNE, NEBRASKA, AND COTTONWOOD WIND PROJECT, LLC.

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 fee schedule to add fees for Right-of-Way Permits. The ordinances for the same were adopted at the last meeting.

Joel Hansen requested that since the Driveway and Sidewalk permits are covered under the Right-of-Way Permit, the same should be deleted.

Councilmember Eischeid introduced Resolution No. 2018-34 and moved for its approval, as amended (deleting the sidewalk permit and driveway/apron construction permit); Councilmember Sievers seconded.

RESOLUTION NO. 2018-34

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES.

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

Jon Mooberry of JEO Consulting Group prepared the plans and specifications for the “Wayne 2018 Pedestrian Curb Ramp Project.” The engineer’s estimate on the project is \$237,700. Said amount also contains a contingency. The invitation to bidders will be \$237,000. The total project cost is estimated to be \$301,770, which is under budget. The earliest start date would be August 13<sup>th</sup>. The substantial completion date is September 1, 2019, with the final completion date being October 1, 2019.

Councilmember Giese introduced Resolution 2018-35, and moved for its approval; Councilmember Greve seconded.

RESOLUTION NO. 2018-35

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “WAYNE 2018 PEDESTRIAN CURB RAMP PROJECT,” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

DGR Engineering presented Pay Estimate No. 7 for the “West Inner and East Inner Conversion Electric Distribution Project” for \$86,257.39 to Karian Peterson Powerline Contracting, LLC. They have found the work to date completed in accordance with the plans and specifications, and recommend approval of the same.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Pay Estimate No. 7 for \$86,257.39 to Karian Peterson Powerline Contracting, LLC for the “West Inner and East Inner Conversion Electric Distribution Project.” Mayor Brodersen stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Tim Sutton, Electric Distribution Superintendent, updated the Council on the project.

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 5:55 p.m.