

**MINUTES
CITY COUNCIL MEETING
January 15, 2019**

The Wayne City Council met in regular session at City Hall on Tuesday, January 15, 2019, at 5:30 o'clock P.M.

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

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 3, 2019, 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 Giese advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meeting of January 2, 2019, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERITAS, SE, 72.00; AMERITAS, SE, 107.30; AMERITAS, SE, 2625.78; AMERITAS, SE, 74.45; APPEARA, SE, 159.65; ASCAP, FE, 357.00; BENSCOTER INC, RE, 250.00; CARHART LUMBER CO, SU, 119.48; CITY EMPLOYEE, RE, 56.82; CITY

EMPLOYEE, RE, 22.35; CITY EMPLOYEE, RE, 33.82; CITY EMPLOYEE, RE, 38.75; CITY EMPLOYEE, RE, 44.72; CITY EMPLOYEE, RE, 71.47; CITY EMPLOYEE, RE, 75.42; CITY EMPLOYEE, RE, 7192.22; CITY EMPLOYEE, RE, 29.34; CITY EMPLOYEE, RE, 26.52; CITY EMPLOYEE, RE, 144.45; CITY EMPLOYEE, RE, 54.79; CITY EMPLOYEE, RE, 242.10; CITY EMPLOYEE, RE, 22.35; CITY OF WAYNE, PY, 70509.98; CITY OF WAYNE, RE, 869.33; COPY WRITE PUBLISHING, SE, 177.53; CUMMINS CENTRAL POWER, SE, 318.40; DAVE'S DRY CLEANING, SE, 66.00; DEARBORN NATIONAL LIFE, SE, 2385.32; EASYPERMIT POSTAGE, SU, 1747.89; ECHO GROUP, SU, 302.80; ED M. FELD EQUIPMENT, SU, 718.95; ELLIS HOME SERVICES, SU, 176.79; FAITH REGIONAL PHYSICIAN SERV, SE, 30.00; FIRST CONCORD GROUP, SE, 180.00; FLOOR MAINTENANCE, SU, 553.53; GERHOLD CONCRETE, SU, 47.19; GRANQUIST, JIM, SU, 3.05; HAWKINS, SU, 1862.62; HEATHER HEADLEY, RE, 23.43; HEIKES AUTOMOTIVE, SE, 107.00; HILAND DAIRY, SE, 118.94; HUNDERTMARK CLEANING SYSTEMS, SU, 7036.25; HYDRO OPTIMIZATION, SU, 290.63; ICMA, SE, 9901.36; INTERSTATE ALL BATTERY, SU, 49.00; INTERSTATE BATTERY SYSTEM, SU, 25.50; IRS, TX, 9556.63; IRS, TX, 12392.68; IRS, TX, 2898.34; KNOEPLER CHEVROLET, SU, 84.65; KTCH, SE, 850.00; LUTT OIL, SU, 4354.36; MAJOR REFRIGERATION, SE, 492.25; MARCO, SE, 126.36; MATHESON-LINWELD, SU, 44.02; MIDWEST LABORATORIES, SE, 1172.00; MILO MEYER CONSTRUCTION, SE, 443.80; NE DEPT OF ENVIRONMENTAL QUALITY, FE, 150.00; NE DEPT OF REVENUE, TX, 3895.77; NE DEPT OF REVENUE, TX, 280.65; NEBRASKA DEVELOPMENT NETWORK-NE, FE, 50.00; NORTHEAST TIRE SERVICE, SU, 2196.00; NWEA, SE, 350.00; OCC BUILDERS, SE, 55655.00; O'KEEFE ELEVATOR COMPANY, SE, 593.63; ONE CALL CONCEPTS, SE, 9.06; OVERDRIVE, INC, SU, 329.54; PAC N SAVE, SU, 657.44; PEARCY, SHAWN, SE, 51.25; PENGUIN RANDOM HOUSE, SU, 60.00; PITNEY BOWES, SE, 253.85; POSTMASTER, FE, 144.00; QUALITY FOOD CENTER, SU, 187.77; QUALITY FOOD CENTER, SU, 254.50; RR DONNELLEY, SU, 95.60; SHOPKO, SU, 117.11; SIEVERS, SHARLENE, SE, 51.25; STEFFEN TRUCK EQUIPMENT, SU, 120.94; TEI LANDMARK AUDIO, SU, 61.59; TIJ CONSTRUCTION, RE, 250.00; TYLER TECHNOLOGIES, SE, 1295.00; US BANK, SU, 11316.64; US FOODSERVICE, SU, 951.44; VERIZON, SE, 318.08; WAYNE AREA CHAMBER OF COMMERCE, SE, 1200.00; WAYNE AUTO PARTS, SU, 1286.39; WAYNE COUNTY CLERK, SE, 16.00; WAYNE HERALD, SE, 241.00; WAYNE HERALD, SE, 1181.75; WAYNE VETERINARY CLINIC, SE, 182.00; WESCO, SU, 363.80; WAPA, SE, 21559.44; WESTRUM LEAK DETECTION, SE, 905.00; Y & Y LAWN SERVICE, SE, 400.00; ZACH HEATING & COOLING, SE, 69.50; ARBOR DAY FOUNDATION, FE, 100.00; BAKER & TAYLOR BOOKS, SU, 597.61; BOMGAARS, SU, 1188.87; CITY EMPLOYEE, RE, 100.00; CITY EMPLOYEE, RE, 79.15; CITY EMPLOYEE, RE, 319.24; CITY EMPLOYEE, RE, 162.60; CIVICPLUS, SE, 427.80; COTTONWOOD WIND PROJECT, SE, 16860.00; COTTONWOOD WIND PROJECT, SE, 14062.92; COTTONWOOD WIND PROJECT, SE, -14062.92; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DUTTON-LAINSON, SU, 791.54; ECHO GROUP, SU, 139.93; ED M. FELD EQUIPMENT, SU, 302.00; FLOOR MAINTENANCE, SU, 108.45; HEIKES AUTOMOTIVE, SE, 85.95; INGRAM LIBRARY SERVICES, SU, 1137.63; MADISON CO COURT, RE, 295.25; MARCO, SE, 175.82; MATT PARROTT, SU, 34.44; NEXIC, FE, 1000.00; OVERHEAD DOOR, SE, 4641.00; PADILLA, LUCY, SU, 10.00; ROBERTSON IMPLEMENT, SU, 51.48; SPARKLING KLEAN, SE, 2837.11; ST OF NE-CHARITABLE GAMING DIVISION, TX, 1112.00; STAPLES, SU, 234.63; THRASHER, RE, 100.00; THRASHER, RE, 100.00; THRASHER, RE, 100.00; WAYNE COUNTY COURT, RE, 150.00; WESCO, SU, 192.60

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, to approve the claims. Mayor Giese stated the motion, and the result of roll call being

all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Mayor Giese stated the time was at hand for the public hearing to consider the Planning Commission's recommendation concerning the Final Plat for the "Logan Valley Industrial Park 3rd Addition." The applicant for the request is Brent Pick. Mr. Pick would like to subdivide unplatted land he would like to purchase, but it must first be split apart from the current parcel.

The Planning Commission reviewed the matter at their public hearing on January 7, 2019, and forwarded a recommendation to approve the same, with an additional stipulation being to add a 30' easement on each side of the lot line between Lots 3 and 4 and Lots 5 and 6 for a future street, and with the "Finding of Fact" being staff's recommendation.

Brent Pick was present to answer questions.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

The proposed Resolution contained the recommendation of the Planning Commission.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Brodersen introduced Resolution 2019-2, and moved for its approval with the additional stipulation being to add a 30' easement on each side of the lot line between Lots 3 and 4 and Lots 5 and 6 for a future street, and with the "Finding of Fact" being staff's recommendation; Councilmember Karsky seconded.

RESOLUTION NO. 2019-2

A RESOLUTION APPROVING THE FINAL PLAT FOR THE "LOGAN VALLEY INDUSTRIAL PARK 3RD ADDITION" OF THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2018-33, and moved for final approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2018-33

AN ORDINANCE ADOPTING ELECTRICAL INTERCONNECTION STANDARDS, PROCEDURES, AGREEMENTS, CHARGES AND FEES.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2018-34, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2018-34

AN ORDINANCE APPROVING AMENDMENT NO. 3 TO THE CONTRACT WITH BIG RIVERS ELECTRIC CORPORATION.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Sievers introduced Ordinance No. 2018-35, and moved for approval thereof; Councilmember Spieker seconded.

ORDINANCE NO. 2018-35

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, GENERAL PROVISIONS – SNOW PLOW ALERT; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Jan Merrill, representing the Northeast Nebraska Economic Development District, stated the City received “Statement of Qualifications” from seven engineering firms for the “Nebraska

Street from 2nd Street to 7th Street Project.” This is in conjunction with the grant the City received for street and storm sewer improvements in this area. A committee reviewed and scored the “Statement of Qualifications” and is recommending that the firm of JEO Consulting Group be approved as the special engineer for this project.

Councilmember Sievers introduced Resolution No. 2019-3 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2019-3

A RESOLUTION APPOINTING JEO CONSULTING GROUP AS THE SPECIAL ENGINEER TO BE USED FOR THE DESIGN AND RECONSTRUCTION OF THE “NEBRASKA STREET FROM 2ND STREET TO 7TH STREET PROJECT,” WHICH IS IN CONJUNCTION WITH CDBG COMMUNITY DEVELOPMENT GRANT - CONTRACT NO. 16-CD-208.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Marlen Chinn, Police Chief, advised the Council he will be requesting grant funds from the Crime Commission as part of a statewide project for police departments to transition over to digital citation equipment for their cruisers. The Crime Commission has granted Wayne a waiver for the year of 2019 to make the transition to digital citations by 2020. This is not a typical grant process and does not have set grant-matching funds. The Crime Commission was awarded a lump sum of money to assist police departments across the state to make the transition, so the fund amount received will depend upon the number of departments that applied or until their funds are depleted. We will need to equip the four marked patrol cars with this equipment, which will consist of laptop/tablet, thermal printer and scanner. Depending upon the amount of funds obtained from the State, if any, Marlen had \$10,000 for this budget period earmarked towards this project, anticipating grant funds to complete it. Rough estimated cost for the total project is around \$28,000. The vendor for the equipment is to be here this week to obtain price quotes for the grant application – the deadline is January 21st.

Councilmember Sievers made a motion, which was seconded by Councilmember Karsky, authorizing Marlen Chinn, Police Chief, to make an application to the Crime Commission for grant funds to transition over to digital citation equipment for police vehicles. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Louis Benscoter was present requesting Council consideration to reducing the easement size from 60' to 20' on Lot 2, Benscoter Addition Planned Unit Development Replat 2 to the City of Wayne, Wayne County, Nebraska. This is the lot/property just south of the Cobblestone Hotel.

Joel Hansen, Street and Planning Director, stated there is a dedicated 60' easement at the north end of this property to allow for a street some day. Since the land to the east (Cityside area) has been platted without an outlet to a potential street, the owner and City staff do not think it is necessary to keep this entire easement. Mr. Benscoter is looking to build on this lot, and before he can administratively split this lot, he needs to know the Council's wishes for this easement.

Councilmember Brodersen made a motion, which was seconded by Councilmember Sievers, approving the request of Louis Benscoter to reduce the easement size from 60' to 20' on Lot 2, Benscoter Addition Planned Unit Development Replat 2 to the City of Wayne, Wayne County, Nebraska. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Eischeid arrived at 5:55 p.m.

Mayor Giese requested Council consideration to approving the following staff appointments:

Betty McGuire as City Clerk.
Beth Porter as Finance Director.
Joel Hansen as Street and Planning Director.

Marlen Chinn as Police Chief.
Bryce Meyer as Recreation Director.
Diane Bertrand as Senior Center Coordinator.
Heather Headley as Library Director.
Gene Hansen as Electric Production Superintendent.
Tim Sutton as Electric Distribution Superintendent.

Councilmember Sievers made a motion, which was seconded by Councilmember Buck,
approving the following staff appointments:

Betty McGuire as City Clerk.
Beth Porter as Finance Director.
Joel Hansen as Street and Planning Director.
Marlen Chinn as Police Chief.
Bryce Meyer as Recreation Director.
Diane Bertrand as Senior Center Coordinator.
Heather Headley as Library Director.
Gene Hansen as Electric Production Superintendent.
Tim Sutton as Electric Distribution Superintendent.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the
exception of Councilmember Haase who was absent, the Mayor declared the motion carried.

Administrator Blecke gave an update on the lagoon property.

Councilmember Sievers made a motion, which was seconded by Councilmember
Spieker, to adjourn the meeting. Mayor Giese stated the motion, and the result of roll call being
all Yeas, with the exception of Councilmember Haase who was absent, the Mayor declared the
motion carried and the meeting adjourned at 6:07 p.m.