

**MINUTES
CITY COUNCIL MEETING
March 19, 2019**

The Wayne City Council met in regular session at City Hall on Tuesday, March 19, 2019, at 5:30 o'clock P.M.

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

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on March 7, 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.

Council President Brodersen advised the public that a copy of the Open Meetings Act was located on the south wall of the Council Chambers and was available for public inspection. In addition, she advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of March 5, 2019, and to waive the reading thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: APPEARA, SE, 34.21; ARC-HEALTH & SAFETY, SU, 30.00; BAKER & TAYLOR BOOKS, SU, 818.81; BRODERSON, JILL, RE, 153.93; CITY OF WAYNE, PY, 73539.29; CITY OF WAYNE, RE, 570.99; COPY WRITE PUBLISHING, SU, 144.76;

CORNERSTONE LLC, RE, 250.00; COTTONWOOD WIND PROJECT, LLC, SE, 12833.22; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DAVE'S DRY CLEANING, SE, 96.00; DENDINGER, LAURA, RE, 200.00; ECHO GROUP INC JESCO, SU, 115.33; FIREMAN, RE, 311.44; FLOOR MAINTENANCE, SU, 793.01; GALE/CENGAGE LEARNING, SU, 24.69; HAUFF MID-AMERICAN SPORTS, SU, 47.78; HILAND DAIRY, SU, 95.64; HOLIDAY INN OF KEARNEY, SE, 624.00; HOMETOWN LEASING, SE, 409.53; ICMA, RE, 9942.09; INGRAM LIBRARY SERVICES, SU, 634.57; INTERSTATE ALL BATTERY, SU, 395.70; JEO CONSULTING GROUP, SE, 2740.00; JOHN'S WELDING AND TOOL, SE, 360.20; KELLY SUPPLY COMPANY, SU, 189.32; LEAGUE OF NEBRASKA MUNICIPALITIES, SE, 1508.00; LIBERAL GASKET MFG, SU, 178.22; MIDWEST LABORATORIES, SE, 411.00; MILO MEYER CONSTRUCTION, RE, 100.00; MUNICIPAL SERVICE, SU, 680.00; NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN, FE, 50.00; NPPD, SU, 180053.80; NPPD, SE, 30309.25; NNEDD, SE, 810.00; NORTHEAST NEBRASKA NEWS, SU, 34.00; PITNEY BOWES, SE, 1497.56; QUALITY FOOD CENTER, SU, 124.76; SPARKLING KLEAN, SE, 3345.67; TITAN MACHINERY, SU, 1123.20; VERIZON, SE, 318.73; WAYNE HERALD, SU, 48.00; WESCO, SU, 781.10; WESTERHOLD, SARA, RE, 200.00; WAPA, SE, 19450.70; WISNER WEST, SU, 33.52; AMAZON.COM, SU, 443.67; AMERITAS, SE, 2657.82; AMERITAS, SE, 103.55; AMERITAS, SE, 72.00; AMERITAS, SE, 62.77; APPEARA, SE, 54.00; BIG RIVERS ELECTRIC CORPORATION, SU, 238603.00; BOMGAARS, SU, 2821.98; CARHART LUMBER CO, SU, 518.23; CITY EMPLOYEE, RE, 210.00; CITY EMPLOYEE, RE, 377.02; CITY EMPLOYEE, RE, 127.05; CUMING CO. COURT, RE, 500.00; DEMCO, SU, 166.15; DHHS, FE, 115.00; EAKES OFFICE PLUS, SE, 118.77; ECHO GROUP, SU, 43.08; ED M. FELD EQUIPMENT, SE, 35.00; FLOOR MAINTENANCE, SU, 15.25; HAWKINS, INC, SU, 943.35; HILAND DAIRY, SE, 56.98; IRS, TX, 12665.60; IRS, TX, 2962.06; IRS, TX, 9595.55; LAQUINTA INNS & SUITES, SE, 199.90; LUTT OIL, SU, 5335.09; MARCO TECHNOLOGIES, SE, 175.82; NATL LEAGUE OF CITIES, FE, 1150.51; NE DEPT OF REVENUE, TX, 3912.63; NE PLANNING & ZONING ASSOC, FE, 380.00; NORTHEAST POWER, SE, 19346.48; STEFFEN TRUCK EQUIPMENT, SE, 104.00; SUN RIDGE SYSTEMS, SE, 3015.00; UNITED COMMUNICATIONS CORP, SE, 115.39; UNITED COMMUNICATIONS GROUP, SE, -115.39; UNITED HEALTHCARE, SE, 45863.35; WAYNE AUTO PARTS, SU, 1767.76; WAYNE HERALD, SE, 1129.81

Councilmember Buck made a motion, which was seconded by Councilmember Woehler, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, to adjourn as Mayor and City Council and convene as the Board of Equalization. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

The Council President declared that in accordance with published notice, it was now time to conduct the public hearing relative to levying special assessments in Street Improvement District No. 2017-01 – 4th Street and declared the public hearing open.

The Council President then asked if there were any persons present who wished to be heard concerning the proposed assessments in said Districts.

Administrator Blecke requested Council to table this matter so that staff can work out some details on the engineering costs and determine what was in and was not in the district.

Attorney Miller stated she had just spoken with Lou Benscoter about this matter, and he is agreeable to tabling the matter.

City Clerk McGuire had not received any written objections to amending the assessment schedule.

There being no other persons wishing to be heard concerning the levying of special assessments within Street Improvement District No. 2017-01 – 4th Street, the Council President declared the hearing closed.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to table action on Resolution 2019-16 until the next meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

The Council President declared that in accordance with published notice, it was now time to conduct the public hearing relative to levying special assessments in Sanitary Sewer Extension District No. 2017-01 – 4th Street and declared the public hearing open.

The Council President then asked if there were any persons present who wished to be heard concerning the proposed assessments in said Districts.

Administrator Blecke requested Council to table this matter also.

City Clerk McGuire had not received any written objections to amending the assessment schedule.

There being no other persons wishing to be heard concerning the levying of special assessments within Sanitary Sewer Extension District No. 2017-01 – 4th Street, the Council President declared the hearing closed.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to table action on Resolution 2019-17 until the next meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Councilmember Buck made a motion, which was seconded by Councilmember Spieker, to adjourn as the Board of Equalization and reconvene as Mayor and City Council. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Administrator Blecke stated that the following Resolution and Ordinance pertain to the sale of Outlots E and F of the Amended Plat of Western Ridge II Addition, by the City to the Wayne Community Redevelopment Authority. The CRA would like to administratively replat this area to square up the lots and sell the same. Sharon Braun of First Source Title is advising staff that before an administrative replat can be done, the City needs to convey those Outlots, as they now exist, to the CRA. The conveyance by the City of Wayne is subject to a 30-day remonstrance period.

Discussion took place as to whether or not the City should allow contractors to build before the property is owned by them. Councilmember Eischeid stated he thought if this practice was going to continue, he thought there needed to be some type of documentation stating that there is a signed purchase agreement and there is correspondence from the Seller

stating they are waiting for the title, etc. Staff advised that when building permits are issued, they do not verify ownership of the properties.

Councilmember Karsky introduced Resolution 2019-19, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2019-19

A RESOLUTION AUTHORIZING THE SALE OF OUTLOTS E AND F OF THE AMENDED PLAT OF WESTERN RIDGE II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO THE WAYNE COMMUNITY REDEVELOPMENT AUTHORITY.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Councilmember Spieker introduced Ordinance No. 2019-3, and moved for approval thereof; Councilmember Karsky seconded.

ORDINANCE NO. 2019-3

AN ORDINANCE DIRECTING THE SALE OF OUTLOTS E AND F OF THE AMENDED PLAT OF WESTERN RIDGE II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO THE WAYNE COMMUNITY REDEVELOPMENT AUTHORITY.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Karsky, to suspend the statutory rules requiring ordinances to be read by title on three different days. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, to move for final approval of Ordinance No. 2019-3. Council President Brodersen stated the

motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Jon Mooberry, representing JEO Consulting Group, Inc., was present and stated that the final plans, specifications and opinion of cost for the “2019 Nebraska Street Improvements, 2nd to 7th Street Project” (CDBG No. 16-CD-208) are completed and ready for Council review and approval. The estimated construction cost is \$1,190,430 for Group A (Paving & Storm Sewer Improvements) and Group C (Cold milling salvage to Owner) and Professional Services of \$149,080, for an estimated total project cost of \$1,339,510 for Group A and Group C. Group A would require a completion date of November 15, 2019, with final completion being May 15, 2020. Group B would require a substantial completion date of September 1, 2019 (150 calendar days), with final completion being October 1, 2020.

Councilmember Woehler introduced Resolution 2019-20, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2019-20

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2019 NEBRASKA STREET IMPROVEMENTS, 2ND TO 7TH STREET PROJECT” – CDBG NO. 16-CD-208, AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried.

Administrator Blecke stated that The College, Public Schools, County and City meet once per quarter to discuss how our entities can share services/equipment/facilities and simply work better together. One item that the group has been discussing at its last few meetings is facilities that could be added or enhanced to benefit more than one entity, so they decided to put together a working group to study the possibilities of three facilities to the community: indoor swimming pool, additional gymnasium space, and a performing arts center. This working group

would consider the needs for the facilities, determine economic impact...and then, if those were positive, would look at the feasibility of locations, costs, ownership, etc. This group was directed to report back in March to each of their respective governing bodies.

Bryce Meyer, Terri Buck and Jill Brodersen, appointed members of the Recreation and Performing Arts Community Task Force, updated the Council on what this group is or has been working on the past six months. A facility needs survey has been completed and distributed. Over 800 have either been returned (196) or filled out online (640). The surveys are due April 1st. They will present the results at the Council's mini retreat on April 30th.

Councilmember Buck made a motion, which was seconded by Councilmember Spieker, to adjourn the meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Sievers who were absent, the Council President declared the motion carried and the meeting adjourned at 6:00 p.m.