

**MINUTES
CITY COUNCIL MEETING
May 21, 2019**

The Wayne City Council met in regular session at City Hall on Tuesday, May 21, 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, Jon Haase, Jennifer Sievers, Chris Woehler, Jason Karsky, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and Finance Director, Beth Porter. Absent: City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on May 9, 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 Buck, to approve the minutes of the meetings of April 30, 2019, and May 7, 2019, and to waive the readings thereof. Mayor Giese 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: AMERITAS, SE, 84.29; AMERITAS, SE, 2769.70; AMERITAS, SE, 72.00; AMERITAS, SE, 106.69; APPEARA, SE, 146.59; AXON ENTERPRISE, SU, 544.64; BAKER & TAYLOR BOOKS, SU, 746.39; BINSWANGER GLASS, SU, 15055.00; CARHART LUMBER COMPANY, SU, 418.69; CHEMQUEST, SE, 695.00; CITY EMPLOYEE, RE, 365.92; CITY OF WAYNE, PY, 74208.93; CITY OF WAYNE, RE, 2440.04; COPY WRITE

PUBLISHING, SE, 445.30; CUSIP SERVICE BUREAU, SE, 91.00; DANIELSON TECH SUPPLY, SU, 110.50; DANKO EMERGENCY EQUIPMENT, SU, 186.67; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DAVE'S DRY CLEANING, SE, 96.00; DEARBORN NATIONAL LIFE, SE, 2512.66; DOUBLE J DOORS, SU, 140.80; EAKES OFFICE PLUS, SE, 511.64; ECHO GROUP, SU, 347.84; ED M. FELD EQUIPMENT, SU, 69.10; FLOOR MAINTENANCE, SU, 431.91; GILL HAULING, SE, 261.25; GROSSENBURG IMPLEMENT, SU, 18.45; HAUFF MID-AMERICAN SPORTS, SU, 245.71; HAWKINS, SU, 3509.00; HILAND DAIRY, SU, 186.13; HORIZON CONSTRUCTION, RE, 100.00; ICMA, RE, 9940.45; INGRAM LIBRARY SERVICES, SU, 759.89; INTERSTATE BATTERY SYSTEM, SU, 117.95; IRS, TX, 9605.45; IRS, TX, 12834.12; IRS, TX, 3001.48; JEO CONSULTING GROUP, SE, 4811.20; KTCH, SE, 300.00; LUTT OIL, SU, 4849.49; MAAS, COURTNEY, RE, 100.00; MATHESON-LINWELD, SU, 42.60; MAXSON, ROSELENA, RE, 150.00; MIDWEST LABORATORIES, SE, 177.00; NE AIR FILTER, SU, 47.50; NE DEPT OF REVENUE, TX, 3926.29; NNEDD, FE, 7248.64; NORTHWEST ELECTRIC, SU, 904.90; NOVA FITNESS EQUIPMENT, SU, 23.86; OMAHA TRUCK CENTER, SU, 107775.00; O'REILLY AUTOMOTIVE STORES, SU, 31.96; PAR MAR SECURITY SERVICES, SE, 144.00; PENGUIN RANDOM HOUSE, SU, 97.50; PIERSANTI, JOSH, RE, 140.34; PLUNKETT'S PEST CONTROL, SE, 92.12; POLLARD PUMPING, SE, 550.00; QUALITY FOOD CENTER, SU, 59.23; SKARSHAUG TESTING LAB, SE, 176.54; UNITED STATES PLASTIC CORP, SU, 95.03; WAYNE AUTO PARTS, SU, 1640.15; WAYNE COUNTY CLERK, SE, 152.00; WAYNE HERALD, SE, 1809.93; WAYNE HERALD, SE, 105.00; WAYNE HERALD, SE, 125.00; WAYNE HERALD, SE, 468.00; WESCO DISTRIBUTION, SU, 850.65; WIGMAN COMPANY, SU, 133.68; WISNER WEST, SU, 81.81; ZIMCO SUPPLY, SU, 2430.00; AMAZON.COM, SU, 908.62; BATTERY SOLUTIONS, SU, 219.90; BENSCOTER, LOUIS, RE, 6755.64; BIG RIVERS ELECTRIC CORPORATION, SE, 131853.21; BORDER STATES INDUSTRIES, SU, 99.51; CITIZENS STATE BANK, RE, 7968.74; CITIZENS STATE BANK, RE, 2855.95; CITY EMPLOYEE, RE, 612.55; CITY EMPLOYEE, RE, 48.14; CITY EMPLOYEE, RE, 232.90; COLONIAL RESEARCH, SU, 101.60; COTTONWOOD WIND PROJECT, SE, 18437.25; CUMMINS CENTRAL POWER, SE, 1191.89; DEARBORN NATIONAL LIFE, SE, 106.64; DGR & ASSOCIATES, SE, 687.00; ECHO GROUP, SU, 462.00; FLOOR MAINTENANCE, SU, 93.69; GRAINLAND ESTATES, RE, 3542.16; JAGER, CHRISTINA, RE, 200.00; JEO CONSULTING GROUP, SE, 5638.85; MARCO, SE, 146.44; MARCO TECHNOLOGIES, SE, 182.96; MID PLAINS GRAIN, RE, 6746.65; NE DEPT OF ENVIRONMENTAL QUALITY, FE, 485.10; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 107.00; NORTHEAST DIESEL, SU, 400.00; NNEDD, SE, 120.00; OVERHEAD DOOR, SU, 1123.00; ROBERTSON IMPLEMENT, SU, 18.48; SPARKLING KLEAN, SE, 919.24; STAPLES, SU, 362.64; STATE NEBRASKA BANK-PETTY CASH, RE, 100.00; WAYNE COUNTY TREASURER, RE, 26949.30; WAYNE HOSPITALITY, RE, 21204.69; WESCO, SU, 500.76

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

The Mayor recognized the Public Works, Water/Wastewater, and the Senior Center Transit Departments as "Wayne County Heroes – 2019" that were nominated on behalf of the students and staff at Wayne Community Schools.

Phill Monahan advised the Council that he was appointed the Fire Chief by the Wayne Volunteer Fire Department for the upcoming year.

Councilmember Eischeid made a motion, which was seconded by Councilmember Sievers, approving the appointment of Phill Monahan as Fire Chief. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to amending the Zoning Text, specifically Section 152.080 (D) Exceptions & (M) Permitted Conditional Use, of the B-1 Highway Business District. The applicant, Wayne Veterinary Clinic (Mark and Lauri Zink), wish to build closer than 100 feet from the border of their property. The address is 610 Thorman Street.

Joel Hansen, Street and Planning Director, stated that the Planning Commission held a public hearing on May 6, 2019, and forwarded the following recommendation of approval, with the "Finding of Fact" being staff's recommendation:

- To amend the zoning text, specifically Sec. 152.080 (M) Permitted Condition Uses of the B-1 Highway Business District to add the following: (3) Veterinarian, veterinarian services or animal hospitals; provided any such building kennel or exercise runway is located at least 25 feet from any Residential District boundary; and
- To remove/delete the similar language from Sec. 152.080 (D) Exceptions. (3).

Dr. Mark Zink was present to answer questions.

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

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

Councilmember Eischeid introduced Ordinance 2019-6, and moved for approval thereof; Councilmember Sievers seconded.

ORDINANCE NO. 2019-6

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.080 — B-1 HIGHWAY BUSINESS DISTRICT, SUBSECTION (D) PERMITTED CONDITIONAL USES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Giese 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 Spieker, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese 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 Sievers, to move for final approval of Ordinance No. 2019-6. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke stated that the following Resolution would approve an interlocal agreement with Wayne County, which formalizes the intent to provide joint services to one another, when possible.

Councilmember Spieker introduced Resolution No. 2019-27 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2019-27

A RESOLUTION TO PROVIDE JOINT SERVICES BETWEEN THE CITY OF WAYNE AND WAYNE COUNTY.

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

Administrator Blecke stated the SCADA system for the City's water and sewer systems are no longer being technically supported. We will have to make a determination of a new system soon. This communication will make it much easier to manage the entire system and help

with troubleshooting from afar. The new water/wastewater facility has this technology from Hydro Optimization and Automation Solutions (HOA), and the department speaks highly of it. Administrator Blecke also advised Council that he had reached out to JEO Consulting Group about the company and alternatives, and they responded that HOA is very good, and they would recommend their product over others.

Payment options are to pay for the system outright at \$113,398 or take on a 5-year (\$2,538/mo), 7-year (\$1,876/mo) or 10-year (\$1,625/mo) lease (to own). The advantage of the lease is that maintenance (warranty work) and service calls are included. There is \$25,000 budgeted for “SCADA system upgrades” and Administrator Blecke was inquiring of HOA what the lease payments would be with \$25,000 down.

After discussion, Councilmember Spieker introduced Resolution 2019-28, and moved for its approval, with the payment option being to pay for the system outright at \$113,398; Councilmember Sievers seconded.

RESOLUTION NO. 2019-28

A RESOLUTION APPROVING AGREEMENT WITH HYDRO OPTIMIZATION AND AUTOMATION SOLUTIONS FOR A WATER AND COLLECTIONS CONTROL SYSTEM FOR \$113,398.

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

Councilmember Spieker introduced Ordinance No. 2019-4, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2019-4

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; 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, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Spieker introduced Ordinance No. 2019-5, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2019-5

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-133 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHWEST QUADRANT OF THE CITY; 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, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Joel Hansen, Street and Planning Director, reviewed the third and final part of the Standard Specifications for Construction of Water, Sewer, Storm Sewer and Paving book. This was a discussion item only.

Jon Mooberry with JEO Consulting Group presented Contractor’s Application for Payment No. 1 on the “Wayne 2018 Pedestrian Curb Ramps – CDBG #16-CD-108 Project” for \$47,098.91 to I & A Construction, LLP.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Contractor’s Application for Payment No. 1 for \$47,098.91 to I & A Construction, LLP, for the “Wayne 2018 Pedestrian Curb Ramps – CDBG #16-CD-108 Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

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, the Mayor declared the motion carried and the meeting adjourned at 6:30 p.m.