

**MINUTES
CITY COUNCIL MEETING
June 4, 2019**

The Wayne City Council met in regular session at City Hall on Tuesday, June 4, 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, Jason Karsky, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmembers Jon Haase, Jennifer Sievers and Chris Woehler.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on May 23, 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 Eischeid made a motion, which was seconded by Councilmember Spieker, to approve the minutes of the meeting of May 21, 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, Sievers and Woehler 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: ACES, ACES WIND ENERGY SERVICE AGREEMENT, 901.25; ALCANTARA, PATRICIA, RE, 200.00; AMERITAS, SE, 87.86; AMERITAS, SE, 72.00; AMERITAS, SE, 2554.00; AMERITAS, SE, 81.59; APPEARA, SU, 196.97; BANK FIRST, RE,

425897.84; BATTERY SOLUTIONS, SE, 147.81; BENSCOTER, LOUIS, RE, 250.00; BOARDERS INN & SUITES, SE, 1666.00; FIREMAN, RE, 150.00; BORDER STATES INDUSTRIES, SU, 1937.56; FIREMAN, RE, 162.82; FIREMAN, RE, 150.00; BSN SPORTS, SU, 96.00; CARPENTER PAPER CO, SU, 409.50; CENTURYLINK, SE, 419.39; CITY OF MCCOOK, RE, 373.66; CITY OF WAYNE, PY, 84883.87; CITY OF WAYNE, PY, 10505.27; CITY OF WAYNE, RE, 5203.55; COLONIAL RESEARCH, SU, 360.10; CROUCH RECREATIONAL DESIGN, SU, 3400.05; CUMMINS CENTRAL POWER, SE, 1974.21; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; F & M BANK, RE, 212916.98; FIRST CONCORD GROUP, SE, 2841.76; FOXHOVEN, BOB, RE, 315.00; FREDRICKSON OIL, SU, 877.80; GEOCOMM, SE, 2412.00; GERHOLD CONCRETE, SU, 468.00; GROSSENBURG IMPLEMENT, SU, 267.66; HALL, HEATHER, RE, 165.00; HEARTLAND FIRE PROTECTION, SE, 1305.35; HILAND DAIRY, SE, 115.97; FIREMAN, RE, 150.00; I&A CONSTRUCTION, SE, 47098.91; ICMA, SE, 9957.36; IRS, TX, 1488.00; IRS, TX, 348.00; IRS, TX, 454.62; IRS, TX, 14272.24; IRS, TX, 3337.86; IRS, TX, 9662.85; JAIXEN, REBECCA, RE, 200.00; FIREMAN, RE, 150.00; MAIN STREET GARAGE, SE, 50.95; MEMPHIS NET & TWINE CO, SU, 1262.21; MILLER LAW, SE, 5416.67; FIREMAN, RE, 150.00; MOOSTASH JOE TOURS, SE, 200.00; FIREMAN, RE, 150.00; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 25775.64; NE DEPT OF ENVIRONMENTAL QUALITY, SE, 231297.63; NE DEPT OF REVENUE, TX, 122.11; NE DEPT OF REVENUE, TX, 3956.77; NE DHHS, FE, 10.00; NE WATER RESOURCES ASSOCIATION, FE, 105.00; NNEDD, SE, 248.12; NORTHEAST POWER, SE, 19346.48; NOVA FITNESS EQUIPMENT, SU, 1933.40; ODEYS, SU, 1539.00; O'REILLY AUTOMOTIVE STORES, SU, 22.74; SELECT APPLIANCE, SU, 1150.00; STAPLES, SU, 419.85; TOTAL GRAPHICS, SU, 508.50; UNITED HEALTHCARE, SE, 44132.80; FIREMAN, RE, 150.00; VIAERO, SE, 67.12; WAED, SE, 8371.00; WAYNE COUNTRY CLUB, RE, 50.00; WESCO, SU, 535.00; FIREMAN, RE, 150.00; WINNING FINISH, SE, 55.00; WISNER WEST, SU, 80.36; FIREMAN, RE, 324.56; AMERICAN BROADBAND NE COMM, SE, 2471.63; BARTLETT, TERESA, RE, 410.00; BOMGAARS, SU, 997.75; BOUND TO STAY BOUND BOOKS, SU, 17.01; BUGBEE, BRUCE, RE, 100.00; CARHART LUMBER COMPANY, SU, 413.32; CERTIFIED TESTING SERVICES, SE, 2399.00; CITY EMPLOYEE, RE, 88.40; CITY EMPLOYEE, RE, 21.57; CITY OF WAYNE, RE, 4574.00; CORE & MAIN, SU, 1265.68; CUMMINS CENTRAL POWER, SE, 2257.78; CUMMINS CENTRAL POWER, SE, -1,974.21; DANKO EMERGENCY EQUIPMENT, SU, 1000.00; DEMCO, SU, 209.04; ECHO GROUP, SU, 25.92; ED M. FELD EQUIPMENT, SU, 122.90; GALE/CENGAGE LEARNING, SU, 123.45; GILL HAULING, SE, 261.25; HALFMOON EDUCATION, FE, 289.00; HILAND DAIRY, SE, 98.77; HOMETOWN LEASING, SE, 433.87; ISLAND SPRINKLER SUPPLY, SU, 651.37; JOHNSON HARDWARE, SU, 35.82; MAIN STREET GARAGE, SE, 43.25; METERING & TECHNOLOGY SOLUTIONS, SU, 877.22; MONAHAN, PHILLIP, RE, 75.00; NORTHEAST POWER, SE, 4053.00; NORTHWEST ELECTRIC, SU, 915.93; ONE CALL CONCEPTS, SE, 93.01; OVERDRIVE, SU, 1021.39; OVERHEAD DOOR, SE, 80.75; PAC N SAVE, SU, 79.98; PAC N SAVE, SU, 741.27; PLUNKETT'S PEST CONTROL, SE, 97.34; QUALITY 1 GRAPHIC, SU, 975.00; STAPLES, SU, 567.79; STATE NEBRASKA BANK-PETTY CASH, RE, 92.05; STATE NEBRASKA BANK-PETTY CASH, RE, 98.73; TOTAL GRAPHICS, SU, 321.00; TYLER TECHNOLOGIES, SE, 2956.72; US BANK, SE, 6297.24; US FOODSERVICE, SU, 1145.55; WINNING FINISH, SE, 150.00

Councilmember Eischeid 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, Sievers and Woehler who were absent, the Mayor declared the motion carried.

Bob Foxhoven, representing the Wayne Kiwanis Club, was present requesting Council consideration on their request to close 2nd Street from Main Street east to the west side of the alley on Saturday, July 13, 2019, from 6:00 a.m. until the start of the Chicken Show parade, for the “Kiwanis Club Omelet Feed.” They have provided the necessary proof of insurance for the event. Previously, the omelet feed has been held in the vacant area/lot south of Fiesta Brava; however, Fiesta Brava has notified them the area will be under construction prior to the omelet feed. Mr. Foxhoven has also visited with the property/business owners that this might affect, and they do not have any issues with the street closure.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the request of the Wayne Kiwanis Club to close 2nd Street from Main Street east to the west side of the alley on Saturday, July 13th, from 6:00 a.m. until the start of the Chicken Show parade. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase, Sievers and Woehler who were absent, the Mayor declared the motion carried.

Councilmember Spieker introduced Ordinance No. 2019-4, and moved for approval of the third and final 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, with the exception of Councilmembers Haase, Sievers and Woehler who were absent, the Mayor declared the motion carried.

Councilmember Spieker introduced Ordinance No. 2019-5, and moved for approval of the third and final 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, with the exception of Councilmembers Haase, Sievers and Woehler who were absent, the Mayor declared the motion carried.

Joel Hansen, Street and Planning Director, stated the following ordinance would adopt the previously reviewed Standard Specifications for Construction of Water, Sewer, Storm Sewer and Paving Manual.

Councilmember Eischeid introduced Ordinance No. 2019-7, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2019-7

AN ORDINANCE ADOPTING THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF WATER, SEWER, STORM SEWER AND PAVING MANUAL.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase, Sievers and Woehler who were absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Wes Blecke, City Administrator, stated the following five Resolutions are needed by the Nebraska Department of Transportation (NDOT) for the Wayne Trail Phase 2 Project. Because the transportation facility (trail) is a public use feature, it must reside on public right-of-way or land that is dedicated for the specific project's use. Once approved, the Resolutions need to be filed at the Courthouse against the respective properties as required by the NDOT.

Mr. Blecke also advised the Council that he has been told the bid letting will take place sometime in July and construction is supposed to start September 23rd.

Councilmember Brodersen introduced Resolution 2019-29, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2019-29

A RESOLUTION – DECLARATION AS TO USE – WAYNE COMMUNITY ACTIVITY CENTER (WAYNE TRAIL PHASE 2 PROJECT).

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

Councilmember Brodersen introduced Resolution 2019-30, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2019-30

A RESOLUTION – DECLARATION AS TO USE – ASHLEY PARK (WAYNE TRAIL PHASE 2 PROJECT).

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

Councilmember Brodersen introduced Resolution 2019-31, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2019-31

A RESOLUTION – DECLARATION AS TO USE – LOTS 1 AND 12, BLOCK 7, COLLEGE HILL FIRST ADDITION, NOW BEING USED FOR UTILITY AND GREENSPACE PURPOSES (WAYNE TRAIL PHASE 2 PROJECT).

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

Councilmember Brodersen introduced Resolution 2019-32, and moved for its approval;
Councilmember Buck seconded.

RESOLUTION NO. 2019-32

A RESOLUTION – DECLARATION AS TO USE – OUTLOT C, WESTERN RIDGE II ADDITION, NOW BEING USED FOR DRAINAGE AND PLAYGROUND PURPOSES (WAYNE TRAIL PHASE 2 PROJECT).

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

Councilmember Brodersen introduced Resolution 2019-33, and moved for its approval;
Councilmember Buck seconded.

RESOLUTION NO. 2019-33

A RESOLUTION – DECLARATION AS TO USE – TAX LOT 11 IN THE SW1/4 OF 12-26-3, EAST OF THE 6TH P.M., NOW BEING USED FOR WATER TOWER PURPOSES (WAYNE TRAIL PHASE 2 PROJECT).

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

Administrator Blecke stated the following Resolution would formally accept the “Beaumont First Addition Water and Sewer Extension Project.” This step must be done prior to assessing the properties in the district.

Councilmember Brodersen introduced Resolution 2019-34, and moved for its approval;
Councilmember Eischeid seconded.

RESOLUTION NO. 2019-34

A RESOLUTION ACCEPTING WORK ON THE “BEAUMONT FIRST ADDITION WATER AND SEWER EXTENSION PROJECT.”

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

Administrator Blecke stated the water project has been completed for the Beaumont/Wayne Area Event Center property. Staff has prepared a spreadsheet of all the district project costs and have allocated those to the abutting property owners in the district on the basis of front footage. The Council must convene as a “Board of Equalization” and hold a public hearing for the property owners and residents of the city to comment on the method and fairness of the assessments. The recommendation of staff is to hold the public hearing at the June 18th City Council meeting at or about 5:30 p.m.

Councilmember Brodersen introduced Resolution 2019-35, and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2019-35

A RESOLUTION ORDERING PUBLICATION AND SETTING BOARD OF EQUALIZATION HEARING ON WATER EXTENSION DISTRICT NO. 2017-01 FOR JUNE 18, 2019, AT OR ABOUT 5:30 P.M.

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

Councilmember Brodersen 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 Councilmembers Haase, Sievers and Woehler who were absent, the Mayor declared the motion carried and the meeting adjourned at 5:50 p.m.