

**MINUTES  
CITY COUNCIL MEETING  
June 18, 2019**

The Wayne City Council met in regular session at City Hall on Tuesday, June 18, 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, Jennifer Sievers, Chris Woehler, Jason Karsky, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmembers Terri Buck and Jon Haase.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on June 6, 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 Brodersen, to approve the minutes of the meeting of June 4, 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 Buck and Haase 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:** AMERICAN UNDERGROUND SUPPLY, SU, 2203.32; AMERITAS, SE, 72.00; AMERITAS, SE, 109.31; AMERITAS, SE, 2976.20; AMERITAS, SE, 105.28; APPEARA, SE, 146.59; ARMSTRONG, KEVIN, RE, 100.00; BAKER & TAYLOR BOOKS,

SU, 635.36; BEESON, BEV, RE, 150.00; BORDER STATES INDUSTRIES, SU, 706.20; CANTRELL, TONY, RE, 100.00; CITY EMPLOYEE, RE, 593.72; CITY EMPLOYEE, RE, 196.45; CITY EMPLOYEE, RE, 1889.36; CITY EMPLOYEE, RE, 633.18; CITY OF WAYNE, PY, 92965.85; CITY OF WAYNE, RE, 2169.09; CLAUSSEN, HEATHER, SE, 880.00; COPY WRITE PUBLISHING, SE, 292.06; CREDIT BUREAU SERVICES, RE, 372.61; DAVE'S DRY CLEANING, SE, 63.00; DEARBORN NATIONAL LIFE, SE, 2409.00; DEMCO, SU, 209.13; DUTTON-LAINSON COMPANY, SU, 1318.24; EASYPERMIT POSTAGE, SU, 1840.03; ECHO GROUP, SU, 645.42; ETS CORPORATION, SE, 55.94; ETS CORPORATION, SE, 1044.74; ETS CORPORATION, SE, 1453.91; FAITH REGIONAL PHYSICIAN SERV., SE, 30.00; FLOOR MAINTENANCE, SU, 194.91; HAWKINS, SU, 1170.71; HELENA AGRICULTURE ENTERPRISES, SU, 130.00; HILAND DAIRY, SE, 60.53; ICMA, SE, 10738.35; INGRAM LIBRARY SERVICES, SU, 669.17; INTERSTATE BATTERY SYSTEM, SU, 362.85; IOWA PUMP WORKS, SU, 2782.00; IRS, TX, 3761.30; IRS, TX, 13704.28; IRS, TX, 16082.82; JACK'S UNIFORMS, SU, 59.90; JESSI JENSEN, RE, 35.00; KNIFE RIVER MIDWEST, SE, 2266.35; LUTT OIL, SU, 5564.78; MARCO, SE, 141.00; MATHESON-LINWELD, SU, 34.96; MIDWEST LABORATORIES, SE, 282.00; NATP, FE, 85.00; NE DEPT OF REVENUE, TX, 5248.48; NPPD, SE, 29279.79; NORFOLK DAILY NEWS, SE, 667.20; NORTHEAST DIESEL, SE, 80.00; PENGUIN RANDOM HOUSE, SU, 150.00; PEPSI COLA OF SIOUXLAND, SU, 866.85; PITNEY BOWES, SE, 1497.56; QHA CLEANING, SE, 1221.62; QUALITY FOOD CENTER, SU, 51.96; QUALITY FOOD CENTER, SU, 65.15; RDG PLANNING & DESIGN, SE, 620.00; RESCO, SU, 549.46; REZURRECTED ROD & KUSTOM, SE, 333.58; ROBERT WOehler & SONS, SE, 11423.70; RODRIGUEZ, NANCY, SE, 35.00; SKARSHAUG TESTING LAB, SE, 176.72; STAPLES, SU, 207.89; STATE NEBRASKA BANK & TRUST, RE, 45475.00; STATE NEBRASKA BANK & TRUST, RE, 25262.50; STATE NEBRASKA BANK & TRUST, RE, 164615.00; STATE NEBRASKA BANK & TRUST, SE, 46.08; TRI-STATE COMMUNICATIONS, SU, 2195.00; VAN DIEST SUPPLY, SU, 265.75; VERIZON, SE, 317.83; WAYNE COUNTY CLERK, SE, 62.00; WAYNE FIREWORKS COMMITTEE, RE, 2000.00; WAYNE HERALD, SE, 433.00; WAYNE HERALD, SE, 1185.03; WAYNE VETERINARY CLINIC, SE, 140.00; WESCO, SU, 7605.56; WESCO, SU, 108.07; WESCO, SU, -535.00; WAPA, SE, 15721.26; WISNER WEST, SU, 89.83; ZACH HEATING & COOLING, SE, 766.00; ACTIVE NETWORK, SU, 545.70; AMAZON.COM, SU, 726.65; ASPM LANDSCAPES, SE, 2675.27; BATTERY SOLUTIONS, SU, 109.95; BIG RIVERS ELECTRIC CORPORATION, SE, 163140.90; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1153.00; BORDER STATES INDUSTRIES, SU, 263.22; BOSSMAN, KARLA, RE, 150.00; BSN SPORTS, SU, 578.90; CHRISTENSEN, DOUG, RE, 100.00; CITY EMPLOYEE, SE, 400.00; CITY EMPLOYEE, RE, 95.00; CITY EMPLOYEE, RE, 130.24; CITY EMPLOYEE, RE, 85.31; CITY EMPLOYEE, RE, 446.88; CORNHUSKER STATE INDUSTRIES, SU, 692.29; COTTONWOOD WIND PROJECT, SE, 14327.04; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DGR & ASSOCIATES, SE, 3576.50; EAKES OFFICE PLUS, SE, 213.11; ED M. FELD EQUIPMENT, SU, 20.00; GALE/CENGAGE LEARNING, SU, 99.41; GERHOLD CONCRETE, SU, 72.75; GIS WORKSHOP, SE, 4284.00; HAUFF MID-AMERICAN SPORTS, SU, 253.20; HAWKINS, SU, 1997.36; HILAND DAIRY, SE, 61.70; L.G. EVERIST, SU, 738.72; MARCO TECHNOLOGIES, SE, 182.96; MAXNET SECURITY, SE, 2290.50; METERING & TECHNOLOGY SOLUTIONS, SU, 879.33; MIDWEST TAPE, SU, 284.92; NE STATEWIDE EMS CONFERENCE, FE, 200.00; NEBRASKA ENVIRONMENTAL PRODUCTS, SU, 560.05; NNEDD, SE, 1040.00; NOVA FITNESS EQUIPMENT, SE, 364.50; PAR MAR SECURITY SERVICES, SE, 1232.64; PEERLESS WIPING CLOTH CO, SU, 425.50; POLLARD PUMPING, SE, 250.00; QUALITY 1 GRAPHIC, SU, 300.00; RECREONICS, SU, 3969.90; STADIUM SPORTING GOODS, SE, 275.00; STAPLES, SU, 459.42; WAYNE AUTO PARTS, SU, 684.40; WAYNE COUNTY COURT, RE, 300.00; WESCO, SU, 513.60; ZEE MEDICAL SERVICE, SU, 409.45

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

Phil Monahan, Fire Chief, introduced Jaret Harmer and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, approving the membership application of Jaret Harmer to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Haase who were absent, the Mayor declared the motion carried.

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

Administrator Blecke stated the following Resolution would approve the assessments on Water Extension District No. 2017-01. This project extended the water line to the Beaumont/Wayne Area Event Center. The recommendation is to set the interest rate at 4.25%, that being the same rate that was set on the street and sanitary sewer improvement districts on 4<sup>th</sup> Street back in May. He noted that interest rates have been as high as 8% back in 2000 and as low as 3.5% back in 2013. In addition, he recommended the term of the loan be set at 15 years.

The entire district consists of three parcels:

- Lot 1, Beaumont First Addition — \$33,564.44;
- Un-annexed property owned by Josie Broders (deferred until developed) — \$31,053.75; and
- Golf Course to the well (not assessable) — \$17,969.10

Josie Broders was present.

Councilmember Brodersen introduced Resolution 2019-36, and moved for its approval with the interest rate being set at 4.25% and the term of the loan being set at 15 years; Councilmember Eischeid seconded.

RESOLUTION NO. 2019-36

A RESOLUTION MAKING ASSESSMENTS IN WATER EXTENSION DISTRICT NO. 2017-01 (BEAUMONT/WAYNE AREA EVENT CENTER).

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

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

Marlen Chinn, Police Chief, reviewed the Interlocal Agreement to Share Law Enforcement Services between the City and Wayne State College. The monetary amount has increased from \$30,000 to \$30,570 (July 1, 2019-June 30, 2020) and will be increased by the lesser of 5% or the end of March Consumer Price Index. In addition, the term of this agreement has been changed from annually to 3 years.

Councilmember Eischeid introduced Resolution No. 2019-37 and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2019-37

A RESOLUTION APPROVING INTERLOCAL AGREEMENT TO SHARE LAW ENFORCEMENT RESOURCES BETWEEN THE CITY OF WAYNE AND THE BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES, D/B/A WAYNE STATE COLLEGE.

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

Councilmember Spieker introduced Ordinance No. 2019-7, and moved for approval of the second reading 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 Buck and Haase who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Marlen Chinn, Police Chief, stated the following Ordinance would amend City Code regarding all-terrain and utility vehicles to bring the same in line with State Statutes.

Attorney Miller reviewed those that were State Statute amendments and those that were City amendments.

Councilmember Eischeid suggested tabling the ordinance so that it could be reviewed again to make sure everything is enforceable therein. State Statutes are grey when it comes to a golf cart on a public right-of-way. Councilmember Spieker agreed.

It was noted that the ordinance could be passed on first reading, with amendments thereto being brought forward and included at the next meeting.

Attorney Miller advised the Council that the City can be more strict than State Statute, but not less strict than State Statute.

After some discussion, it was decided that Councilmember Eischeid and Attorney Miller would meet with Police Chief Chinn to review and amend the ordinance for review at the next meeting.

Councilmember Sievers introduced Ordinance No. 2019-8, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2019-8

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – ALL-TERRAIN AND UTILITY VEHICLES; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

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

Jon Mooberry with JEO Consulting Group, Inc., presented Contractor’s Application for Payment No. 1 on the “2019 Nebraska Street Improvements – CDBG No. 16-CD-208 Project” for \$11,423.70 to Robert Woehler & Sons Construction, Inc.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, approving Contractor’s Application for Payment No. 1 for \$11,423.70 to Robert Woehler & Sons Construction, Inc., for the “2019 Nebraska Street Improvements – CDBG No. 16-CD-208 Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Haase who were absent and Councilmember Woehler who abstained, the Mayor declared the motion carried.

Jon Mooberry with JEO Consulting Group, Inc., presented Contractor’s Application for Payment No. 2 on the “Wayne 2018 Pedestrian Curb Ramps – CDBG No. 16-CD-108 Project” for \$45,556.25 to I & A Construction, LLP.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, approving Contractor’s Application for Payment No. 2 for \$45,556.25 to I & A Construction, LLP, for the “Wayne 2018 Pedestrian Curb Ramps – CDBG No. 16-CD-108 Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the

exception of Councilmembers Buck and Haase who were absent, the Mayor declared the motion carried.

Discussion took place in regard to city parks and their future uses. Administrator Blecke asked the Council if they wanted to see smaller neighborhood parks or did they want to move more towards a larger regional park.

Lou Wiltse and Jason Barelman who live near the Nebraska Street Park stated this park has a neighborhood feeling to it, and expressed the need for updated park equipment. They did not think a lot of money had to be spent and suggested hanging some new swings, fixing the basketball pad and making it (the basketball pad) a little bigger if possible, and removing the weeds under the playground equipment.

It was noted the City owns the south portion of this park and Wayne State College owns the north and that Wayne State College is currently mowing the entire area.

Kristine Brummond spoke regarding a green space/small park in the Southview Addition (S. Sherman Street). There are approximately 20-25 small children in this new development. She suggested a swing set and a few picnic tables.

Joel Hansen, Street and Planning Director, noted that if the lagoon were developed into a large park, it would be the largest public space development in the history of the City of Wayne (percentage wise). This would be an opportunity to look at a large recreation area where multiple people can come together and do multiple things. It would be a chance to change the face and size of our community, but he was mindful of what it would take to maintain an area that big.

Lowell Heggemeyer, Parks and Recreation Director, was also in favor of having the lagoon area made into a camping area. However, with all of the parks they have and the trail, there comes a lot of mowing, snow removal, etc. It is getting to be a lot with the crew they have now.

While no action was taken on the matter, it was noted that parks will, in all likelihood, be discussed at the Council's mini retreat in July and/or at budget time.

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 Councilmembers Buck and Haase who were absent, the Mayor declared the motion carried and the meeting adjourned at 7:10 p.m.