

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

The Wayne City Council met in regular session at City Hall on Tuesday, November 19, 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 City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on November 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.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest 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 November 5, 2019, and to waive the reading 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, 72.00; AMERITAS, SE, 80.09; AMERITAS, SE, 87.86; AMERITAS, SE, 2604.60; APPEARA, SE, 48.50; APX, INC, FE, 54.78; BEBEE, TIMOTHY & LESLIE, RE, 3076.61; BORDER STATES INDUSTRIES, SU, 160.24; BROWN, SANDY, RE, 72.94; CITY EMPLOYEE, RE, 327.20; CITY EMPLOYEE, RE, 139.09; CITY EMPLOYEE, RE, 412.10; CITY EMPLOYEE, RE, 95.00; CITY OF PONCA, RE, 14993.09; CITY OF WAYNE, PY, 75749.66; CITY OF WAYNE, RE, 168.60; CITY OF WEST POINT, RE, 21760.50; CITY OF WISNER, RE, 2267.70; CREDIT MANAGEMENT SERVICES, RE,

181.95; CUMMINS CENTRAL POWER, SE, 336.96; DEARBORN LIFE INSURANCE COMPANY, SE, 2497.84; GRANQUIST, JIM, RE, 18.69; GROSSENBURG IMPLEMENT, SU, 29.01; HEISER, ROBERT, RE, 540.00; HYDRO OPTIMIZATION, SE, 54601.15; ICMA, SE, 7989.75; IRS, TX, 12712.10; IRS, TX, 9105.59; IRS, TX, 2973.00; JEO CONSULTING GROUP, SE, 19363.75; JORGENSEN, KEN, RE, 1839.09; LUTT OIL, SU, 6534.12; MAILFINANCE, SE, 538.20; MATHESON-LINWELD, SU, 33.51; MIDWEST ALARM SERVICES, SE, 667.03; MIDWEST LABORATORIES, SE, 177.00; MIKEY C PRODUCTIONS, SE, 80.00; NE DEPT OF REVENUE, TX, 3845.08; NE SALT & GRAIN, SU, 3679.90; NPPD, SE, 27772.88; NORTHEAST NE INS AGENCY, SE, 136.00; OVERDRIVE, SU, 401.43; OVERDRIVE, SU, -401.43; PEPSI COLA OF SIOUXLAND, SU, 562.85; PETERSON, CARTER, RE, 1398.46; PITNEY BOWES, SE, 253.85; PITNEY BOWES, SU, 229.48; PLUNKETT'S PEST CONTROL, SE, 32.45; PONCA RURAL FIRE BOARD, RE, 3589.06; QUALITY FOOD CENTER, SU, 339.67; REEG, BETTY S. Revocable Trust, RE, 2796.91; RON'S RADIO, SE, 45.00; S & S WILLERS, SU, 3436.35; STAPLES, SU, 51.03; STATE NEBRASKA BANK-PETTY CASH, RE, 98.73; TOMPKINS, RODNEY R. Irrevocable Trust, RE, 2796.91; VERIZON, SE, 389.69; VILLAGE OF WINSIDE, RE, 4797.30; WAYNE AUTO PARTS, SU, 245.18; WAYNE COUNTY COURT, RE, 300.00; WAYNE HERALD, SE, 118.13; WAYNE SENIOR CENTER, SU, 534.75; WAYNE VETERINARY CLINIC, SE, 210.00; WESCO, SU, 359.52; WAPA, SE, 15280.50; WISNER WESTM, SU, 66.45; AERO-MOD, SU, 1618.70; ALARCON-FLORY,PERLA, SE, 62.50; ALERT-ALL CORP, SU, 315.00; ARNIE'S FORD, SE, 58.82; BAIRD HOLM LLP, SE, 443.95; BIG RIVERS ELECTRIC CORPORATION, SE, 151205.61; BORDER STATES INDUSTRIES, SU, 355.16; CITY EMPLOYEE, RE, 114.94; CITY EMPLOYEE, RE, 150.00; CITY OF WAYNE, RE, 208.40; COTTONWOOD WIND PROJECT, SE, 17295.22; DANKO EMERGENCY EQUIPMENT, SU, 25.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DEMCO, SU, 175.43; DUTTON-LAINSON, SU, 545.70; ED M. FELD EQUIPMENT, SU, 1769.00; ELLIS HOME SERVICES, SE, 311.26; GALE/CENGAGE LEARNING, SU, 148.79; GRANBERG, GORDON, RE, 100.00; GROSSENBURG IMPLEMENT, SU, 0.29; HILAND DAIRY, SE, 141.88; INGRAM LIBRARY SERVICES, SU, 736.80; INTERSTATE BATTERY SYSTEM, SU, 83.00; KORN, RICHARD, RE, 773.20; LEO A DALY, SE, 8250.00; MAIN STREET GARAGE, SE, 425.07; MAJESTIC THEATER, SE, 184.00; MARCO TECHNOLOGIES, SE, 182.96; MIDWEST TAPE, SU, 34.99; MORRIS, MUFFIN, RE, 310.47; O'REILLY AUTOMOTIVE STORES, SU, 64.12; OVERDRIVE, SU, 396.49; PULFER, JODI, RE, 450.00; UNITED HEALTHCARE, SE, 43599.15; WAYNE COUNTY COURT, RE, 400.00; WAYNE COUNTY COURT, RE, 400.00; ZEE MEDICAL SERVICE, SU, 70.09

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.

Mayor Giese requested Council consideration to the appointment of Mollie Young to the Library Board. She will replace Ellen Imdieke.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the appointment of Mollie Young to the Library Board. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phill Monahan, Fire Chief, introduced Austin Frideres 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 Austin Frideres to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phill Monahan, Fire Chief, introduced Noah Reinke and requested Council consideration to approving his cadet membership application to the Wayne Volunteer Fire Department.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, approving the cadet membership application of Noah Reinke to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phill Monahan, Fire Chief, introduced Nicole Swartzendruber and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the membership application of Nicole Swartzendruber to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Phill Monahan, Fire Chief, introduced Oghenemaro-Aghoghoubia and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, approving the membership application of Oghenemaro-Aghoghoubia to the Wayne

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

Phill Monahan, Fire Chief, introduced Mekdelawit Tamirat and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, approving the membership application of Mekdelawit Tamirat to the Wayne Volunteer Fire Department. 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 on the annexation of a parcel of land containing 8.23 acres, more or less, in the southeast quadrant of the City.

The Planning Commission held a public hearing on this matter on November 4, 2019, and recommended that the Council approve this annexation, with the findings of fact being:

- Consistency with the Comprehensive Plan and the current and future land use maps; and
- Staff's recommendation.

This parcel includes property owned by the Orville D. Lage Revocable Trust and the City of Wayne.

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 No. 2019-18, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2019-18

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE SOUTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (LAGE PROPERTY).

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Discussion took place on the sale of City-owned property legally described as the South 25' of Lot 5 and the North 5' of Lot 4, Block 1, Spahr's Addition to the City of Wayne, Wayne County, Nebraska.

At the last Council meeting, both a Resolution and the first reading of an Ordinance were voted on to sell the property at the corner of 10th and Main Streets to Ed and Lee Brogie. After the meeting, it was discovered that a 5th affirmative vote is needed for proper action on a resolution or ordinance. In this case, the Mayor could have provided that 5th deciding vote, but he was not aware that he could have done that. Therefore, staff is bringing both items back for consideration again.

Steve Elliot, Vice President for Academic Affairs at Wayne State College, was present and stated that the College's interest in this property is to try to preserve a green belt space or buffer around the campus. It was noted that their bid was \$1,500.

Ed and Lee Brogie were also present to answer questions and request Council to, again, approve the sale of the property to them. Their bid was \$501.

Discussion took place in regard to selling the property to Wayne State College which would be tax exempt, as opposed to selling the property to a private entity and recouping taxes. Concern was had on whether or not it was in the best interests of the City of Wayne to sell this property at this time.

Councilmember Woehler introduced Resolution 2019-69, and moved for its approval; Councilmember Sievers seconded.

RESOLUTION NO. 2019-69

A RESOLUTION RESCINDING RESOLUTION 2019-65 AND AUTHORIZING THE SALE OF THE SOUTH 25' OF LOT 5, AND THE NORTH 5' OF LOT 4, BLOCK 1, SPAHR'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO ED AND LEE BROGIE, HUSBAND AND WIFE, FOR \$501.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker, Buck, Karsky, Eischeid and Brodersen who voted Nay, the Mayor declared the motion failed.

There being no further motions made, said Resolution 2019-69 died for lack of a motion. Therefore, no action could be taken on Ordinance 2019-16.

Amber Schwarte, Recreation Services Coordinator, and Joey Lenihan, Community Activity Center Manager, presented their proposal to renovate the concession area at the Community Activity Center. They were requesting formal direction from Council to proceed with the same. They are proposing to move the vending machines to the youth room and then move the cardio equipment to the concession stand area. They sought quotes from three contractors — Horizon Construction, L & L Construction and Kelby Herman. The total estimate for the project is \$12,000-\$15,000.

Councilmember Woehler thought this project needed to be engineered and that a master upgrade plan needed to be done on the facility. He compared it to the issues that came into play with the Senior Center Addition. However, if the Fire Marshall would sign off on it, he would be fine with it.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, tabling action to approve and direct City Staff to move forward with the renovation of the concession area in the Community Activity Center Facility, as proposed at the Council miniretreat, until the Fire Marshal has been contacted to do an on-site visit. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:31 p.m.