

**AGENDA
CITY COUNCIL MEETING
January 21, 2020**

1. [Call the Meeting to Order – 5:30 p.m.](#)
2. [Pledge of Allegiance](#)

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the southwest wall of the Council Chambers.

The City 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.

3. [Approval of Minutes – January 7, 2020 and January 15, 2020](#)
4. [Approval of Claims](#)
5. Update/Report from Wayne Airport Authority — Travis Meyer
6. Update on Water Projects – Casey Junck, Water Supervisor
7. Discussion regarding Scope of Services and Construction Oversight Services for the “Transmission Water Main from North Well Field to City Limits Project”
8. [Resolution 2020-2: Approving Amendment No. 2 to the Owner-Engineer Agreement between the City of Wayne and JEO Consulting Group Inc. for the “Transmission Water Main from North Well Field to City Limits Project” — Additional \\$115,254](#)

Background: Pursuant to direction at the Council Retreat, JEO Consulting Group, Inc., was asked to and has prepared an amendment to the Owner-Engineer Agreement for the “Transmission Water Main from North Well Field to City Limits Project” for additional engineering oversight on the project. The increase for the additional services (“Resident Project Representative Services” - \$117,900, less the 5% discount of \$5,895 for a total of \$112,005, and “Construction Administration Time” - \$3,420, less the 5% discount of \$171 for a total of \$3,249) is \$115,254. The services are billed hourly. This would bring the total engineering services amount to \$244,329.00 for said project.

9. [Resolution 2020-3: Accepting Bid and Awarding Contract on the “Wayne Senior Center – Room and Walk-In Freezer Addition Project” to Sioux Contractors, Inc., for the sum of \\$47,800](#)

Background: We received two bids on January 16, 2020, for this project: Sioux Contractors, Inc., Sioux City, for \$47,800 and Otte Construction, Wayne, for \$55,300. The City Engineer’s opinion of cost for the project was \$50,000. After review of the bids and the reference lists, the City Engineer’s recommendation is to award the contract to the low bidder, Sioux Contractors, Inc., for \$47,800, which is below the opinion of cost for said project.

10. [Ordinance 2019-19: Amending Wayne Municipal Code Title XV Land Usage, Chapter 152 Zoning, Section 152.139 Parking Regulations, Section \(F\) Design Standards \(6\) Schedule of Minimum Off-Street Parking and Loading Requirements \(Third and Final Reading\)](#)
11. [Ordinance 2020-1: Amending Wayne Municipal Code Title VII Traffic Code, Chapter 78 Parking, Section 78-126 Prohibited Parking; Northeast Quadrant of the City \(Summerfield Drive\)](#)

Background: Joel Hansen, Street and Planning Director, received a call from a Councilmember asking about parking restrictions in the Industrial area. Attached is a photo of Summerfield Drive just north of Williams Form. There is a fair amount of truck traffic on this street, and it is almost impossible to get a large vehicle through when vehicles are parked on both sides. They had the same issue last summer when hauling dirt from out east to the old pool and the water main repair north of town. Staff did not think, when the street was paved, that anyone would ever desire to park on it, so no restrictions were put into place. His recommendation is to place a prohibited parking restriction on one side of the street for safety purposes.

12. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
January 7, 2020**

The Wayne City Council met in regular session at City Hall on Tuesday, January 7, 2020, 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 December 26, 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 Brodersen made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting December 17, 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: DELETE FROM CLAIMS LISTING OF 12/31/19: KAY CONTRACTING, SE, 18926.40;

AMERICAN BROADBAND, SE, 2418.24; AMERICAN UNDERGROUND SUPPLY, SU, 80.07; AMERITAS, SE, 108.28; AMERITAS, SE, 2979.40; AMERITAS, SE, 72.00; AMERITAS, SE, 116.81; APPEARA, SE, 34.21; AUTO ANATOMY ALTERNATIVES, SU, 1079.00; BORDER STATES INDUSTRIES, SU, 116.96; CITY EMPLOYEE, RE, 107.04; CITY EMPLOYEE, RE, 367.03; CITY EMPLOYEE, RE, 1011.03; CITY OF WAYNE, PY, 75336.21; COPY WRITE PUBLISHING, SE, 688.20; CREDIT MANAGEMENT SERVICES, RE, 183.54; DAVE'S DRY CLEANING, SE, 87.00; EASYPERMIT POSTAGE, SU, 1831.56; ECHO GROUP, SU, 65.99; ELLIS HOME SERVICES, SE, 75.50; FREDRICKSON OIL, SU, 594.00; GILL HAULING, SE, 261.25; HOMETOWN LEASING, SE, 433.87; HYPERION INTEGRATOR, SE, 141.25; INTERSTATE BATTERY SYSTEM, SU, 253.90; IRS, TX, 12888.70; IRS, TX, 3014.32; IRS, TX, 68.40; IRS, TX, 16.00; IRS, TX, 9974.04; J. F. AHERN CO., SE, 330.00; JOHN'S WELDING AND TOOL, SU, 7.80; LEAK INVESTIGATORS, SE, 1350.00; LUTT OIL, SU, 4444.95; MERCHANT SERVICES, SE, 131.36; MERCHANT SERVICES, SE, 1026.30; MERCHANT SERVICES, SE, 2038.75; MILLER LAW, SE, 5416.67; MOSLEY, DENNIS, SE, 50.00; NE DEPT OF REVENUE, TX, 4093.10; NE DEPT OF REVENUE, TX, 5.87; NELSON, JEREMY, RE, 500.00; NELSON, MATT, RE, 500.00; NORTHEAST NE INS AGENCY, SE, 89268.00; ONE CALL CONCEPTS, SE, 23.81; O'REILLY AUTOMOTIVE STORES, SU, 13.71; PAC N SAVE, SU, 19.35; PAC N SAVE, SU, 645.66; PLUNKETT'S PEST CONTROL, SE, 43.93; POSTMASTER, FE, 150.00; QHA CLEANING, SE, 2840.00; STAPLES, SU, 123.24; STATE NEBRASKA BANK & TRUST, FE, 46.72; TYLER TECHNOLOGIES, SE, 2235.19; US BANK, SU, 10056.18; VERIZON, SE, 401.30; WAYNE AREA CHAMBER OF COMMERCE, FE, 1150.00; WAED, SE, 8222.92; WAYNE COUNTY CLERK, SE, 22.00; WAPA, SE, 21559.44; WORLDPAY INTERGRATES PAYMENTS, SE, 154.30; ACES, SE, 928.29; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 244.68; AMAZON.COM, SU, 17.99; AMAZON.COM, SU, 2203.17; AMERICAN UNDERGROUND SUPPLY, SU, 1331.56; AMERITAS, SE, 108.65; AMERITAS, SE, 72.00; AMERITAS, SE, 2716.78; AMERITAS, SE, 80.09; APPEARA, SE, 151.18; ASCAP, FE, 363.00; BINSWANGER GLASS, SE, 629.00; BLACK HILLS ENERGY, SE, 1607.26; BOMGAARS, SU, 877.46; BORDER STATES INDUSTRIES, SU, 1050.03; BRENTLINGER, CASEY, SE, 27.00; CANIGLIA, KIM, RE, 500.00; CARHART LUMBER COMPANY, SU, 369.90; CENTURYLINK, SE, 422.77; CITY EMPLOYEE, RE, 29.21; CITY EMPLOYEE, RE, 161.86; CITY EMPLOYEE, RE, 1115.84; CITY EMPLOYEE, RE, 190.00; CITY EMPLOYEE, RE, 432.17; CITY EMPLOYEE, RE, 3112.70; CITY EMPLOYEE, RE, 500.00; CITY EMPLOYEE, RE, 103.69; CITY EMPLOYEE, RE, 280.35; CITY EMPLOYEE, RE, 241.72; CITY OF WAYNE, PY, 84098.83; CITY OF WAYNE, RE, 1315.86; COLONIAL RESEARCH, SU, 160.90; CREDIT MANAGEMENT SERVICES, RE, 183.54; DANLADI, PHIMWANALA, SE, 90.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DE BOER, MITCH, RE, 500.00; DEARBORN LIFE INSURANCE, SE, 120.90; DEARBORN LIFE INSURANCE, SE, 2502.79; DEMCO, SU, 228.10; DOUBLE J DOORS, SE, 90.79; DUTTON-LAINSON COMPANY, SU, 659.12; EAKES OFFICE PLUS, SE, 1292.13; ECHO GROUP, SU, 224.78; EISCHEID, MATT, RE, 250.00; FIRST CONCORD GROUP, SE, 2841.76; FREDRICKSON OIL, SU, 974.00; GOVERNMENTAL ACCOUNTING, FE, 292.00; GROSSENBURG IMPLEMENT, SU, 1360.00; HAWKINS, SU, 2315.83; HEATHER HEADLEY, RE, 23.73; HEIKES AUTOMOTIVE, SU, 223.50; HILAND DAIRY, SE, 180.22; HYDRAULIC SALES & SERVICE, SU, 85.00; HYDRO OPTIMIZATION, SE, 1604.92; ICMA, SE, 7963.34; ICMA, SE, 10867.37; ICMA, RE, 28.88; INTERSTATE BATTERY SYSTEM, SU, 447.80; IRS, TX, 14955.36; IRS, TX, 13815.61; IRS, TX, 3497.58; IRS, TX, 19.90; IRS, TX, 4.66; JEO CONSULTING GROUP, SE, 4664.06; KELLY SUPPLY COMPANY, SU, 373.34; LENIHAN, JOSEPH, RE, 500.00; LEO A DALY, SE, 14850.00; MAIN STREET GARAGE, SE, 175.45; METERING & TECHNOLOGY SOLUTIONS, SU, 3167.20;

MICHAEL TODD & CO, SU, 905.72; MIDWEST SERVICE & SALES, SU, 113.00; MILO MEYER CONSTRUCTION, SE, 2032.50; NE DEPT OF REVENUE, TX, 4935.49; NE DEPT OF REVENUE, TX, 0.60; NE EMERGENCY SERVICE, FE, 75.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 309.00; NEBRASKA RECYCLING COUNCIL, FE, 200.00; NORTHEAST POWER, SE, 5494.94; NORTHEAST POWER, SE, 19171.64; NOVA FITNESS EQUIPMENT, SE, 472.75; POLICE OFFICERS' ASSOCIATION OF NE, FE, 105.00; QUALITY FOOD CENTER, SU, 51.97; SCHLICKBERND, MIKE, RE, 123.93; SD MYERS, SE, 348.00; SIRCHIE, SU, 286.55; SKARSHAUG TESTING LAB, SE, 180.59; STADIUM SPORTING GOODS, SU, 326.00; STAPLES, SU, 149.21; STATE NEBRASKA BANK-PETTY CASH, RE, 96.06; SUBSURFACE SOLUTIONS, SU, 168.52; SUDBECK, MATT, RE, 100.00; US FOODSERVICE, SU, 849.23; VIAERO, SE, 68.36; WAED, SE, 5000.00; WAYNE COUNTY COURT, RE, 150.00; WAYNE COUNTY COURT, RE, 150.00; WBDA, FE, 80.00; WISNER WEST, SU, 200.79; Y & Y LAWN SERVICE, SE, 380.00

Councilmember Brodersen 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, with the exception of Councilmember Eischeid who abstained, the Mayor declared the motion carried.

City Clerk McGuire stated she had received from the Nebraska Liquor Control Commission a Manager Application on behalf of Cindi Stolze for the Wayne Hospitality Group, LLC d/b/a the "Cobblestone Hotel."

Cindi Stolze was present to answer questions.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, approving the Nebraska Liquor Control Commission Manager Application of Cindi Stolze for the Wayne Hospitality group, LLC, d/b/a the "Cobblestone Hotel." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Jean Grove, Recruiting Assistant for the 2020 Census, gave a presentation on the upcoming 2020 Census and the importance of the data that is collected.

Councilmember Eischeid introduced Ordinance 2019-19, and moved for approval of the second reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2019-19

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING (SUPPLEMENTARY DISTRICT REGULATIONS), SECTION 152.139 PARKING REGULATIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

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, stated the City received from the Nebraska Department of Transportation the “On-Call Construction Engineering Services Task Order Agreement” between the City of Wayne and Olsson for the Wayne Trail – Phase 2 Project. The maximum agreement amount for said construction engineering services is \$379,552.40. The completion of the project is estimated to be October 31, 2020.

Councilmember Eischeid introduced Resolution 2020-1, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2020-1

A RESOLUTION APPROVING THE ON-CALL CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF WAYNE AND OLSSON AND AUTHORIZING THE SIGNING OF THE SAME – WAYNE TRAIL – PHASE 2 PROJECT.

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

Discussion took place regarding the 2019 Clark Street Sewer Extension Project. Mayor Giese stated the work that has been done on this project has been approved by the City engineer and staff. The discussion tonight has nothing to do with the quality of the contractor’s work. Mayor Giese provided some background on the project.

The Clark Street project was put together under the direction of the City Administrator. Formal bids were not taken; however, estimates were received from two local contractors: Kay Contracting and Robert Woehler & Sons.

During the unearthing process, a chance to save money was seen. City staff and the engineer approved the rerouting of the sewer line with full knowledge at that time that it would not meet the specifications laid out in the City's guidelines. That caused Councilmember Woehler to call into question JEO's decision to make that call without Council approval.

Roger Protzman, representing JEO Consulting Group, Inc., stated the project was designed with bare minimum standards with an aerial photograph. DEQ approved the plans based on the aerial photograph. When the locates were done, it came to light that there were a couple of sets of power lines that were in the way of the proposed route of the sewer main. Not knowing exactly where the utilities were, it came to light afterward during construction that the multiple power lines were at a couple of different depths. One of the things discussed was deflecting the pipe because manufacturers allow for the deflection of their pipes. Discussion took place with staff as to whether or not we thought we could deflect the pipe and get it in here without adding a manhole to the project, and the general consensus was yes. He had that discussion with staff and he believed that was shared with all of the bidders at some point. They have looked at the project, had it televised, and run mandrels through the pipe on at least three occasions. In that regard, it passes the City's specifications. In addition, the pipe was air tested. One of the tests that they could not do because of the deflection, which is in the City's specifications, is shine a light at one end of the manhole to see if we could see the light at the other end of the pipe. He did confer with the reviewing engineer in Lincoln, and she advised that we could run a camera through the pipe, which we did.

Discussion took place regarding the specification book that was recently passed by Council and the need for it to be reviewed and brought up-to-date again.

Staff and the engineer met on site and talked about “bending” or “deflecting” the pipe around September 23rd. The deflection was an option at that time. They would not know for sure until they started to dig, but the intent was to lay a straight line.

Jeff Brown, representing Brown Plumbing, and Mike Kay, representing Kay Contracting, were present to answer questions. In response to Mr. Brown’s question regarding lamp tests, Casey Junck, Water Supervisor, stated he had visited with the previous Water Supervisor who said he has worked for the City for over 30 years, and he has never been around to see a lamp test done.

Project oversight was then discussed – city staff had oversight responsibility on this project. Mr. Protzman was told that if he was around, he could look at the project. The City did not contract with JEO to do a certain amount or a certain number of hours for this project. Mr. Protzman stated he still had minimal responsibility - he needs to know enough, see enough and trust enough that he can certify to the State at the end of the project.

Mr. Kay stated they vacced (sp) all of the utilities to make sure they found everything because they knew the utilities were there. However, if the utilities are 8’ down, the locates are not precise enough that they know exactly where they are located. They found a group of electric lines, which was when the deflection came about. They undermined those utilities to minimize the deflection of the pipe. That is when they knew they had to have a deflection. They knew that the pipe specifications showed they could do a deflection.

In response to Councilmember Karsky’s question, Mr. Protzman stated the air pressure test was done on the line and it passed.

Joel Hansen, Street and Planning Director, stated every project the City does that has an engineer, the Council approves those plans and specs, but once they get out and do the project, things change. He noted a storm sewer project on 2nd and Nebraska Street where City staff had done some locates. The contractor started after everything was approved by the Council. The contractor found some things where the sewer was going to be in the way of the plans for the

storm sewer. The contractor (R & W Construction) and staff made some adjustments that did not meet the plans and specs anymore, and that was never approved by the Council before the work was done because time was of the essence. He noted that in the 10 years he has been the inspector/planner and involved in these types of projects, there has not been one that has not deviated in some way from what the original plans and specs were. Most of the time, the Council is not aware of it until or unless a change order is brought before them for approval.

Mayor Giese stated this was a project that he did not know about until he got a question about the project. When we deviate from the specs, he wants to be informed of that as well.

Councilmember Karsky had concerns about how this was being handled. He thought the contractors did the work in good faith, but that in the future, there needed to be better communication. He did not want this kind of stuff to keep contractors from bidding. He does not fault the contractors for anything and he wanted to make that clear. He hoped in the future that they and other companies continue to want to do projects for the City of Wayne.

Mr. Kay shared a concern of a competitive contractor, who is also a Councilmember, coming onto his worksite after hours. While discussion on this matter was stopped, Councilmember Eischeid advised Mr. Kay that his comments were so noted.

Administrator Blecke asked for Council direction on when to put the claim/invoice of Kay Contracting on the agenda for Council action. After some discussion, staff was directed to place the same on the Council Retreat Agenda for action on January 15, 2020.

Administrator Blecke asked for Council direction regarding when to utilize professional services and to what extent on City projects. If Council wants additional inspections/oversite on any project, engineering costs are going to increase.

Councilmember Eischeid left the meeting at 6:38 p.m.

Councilmember Haase left the meeting at 6:45 p.m.

Councilmember Spieker did not want to micromanage every single project the City has.

Administrator Blecke advised he uses the \$30,000 number as the threshold for bringing matters to Council and going out for bids. He noted that Council approved the Hank Overin Field Lighting Project, which was over \$300,000, but it was not engineered.

City Attorney Miller read parts of a State Statute that pertained to bidding and the dollar amounts associated therewith.

Mayor Giese stated he wants infrastructure projects that are not time sensitive to come before Council. We want staff to use their discretion, but for infrastructure projects that are not time sensitive, he would like for those items to come before Council.

Discussion took place on inspection responsibilities for the 2019 Water Transmission Main Project.

After discussion, Council directed JEO Consulting Group to prepare a scope of services for more construction oversight on the "2019 Water Transmission Main Project" for Council review and possible action.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:04 p.m.

**MINUTES
CITY COUNCIL MEETING
January 15, 2020**

The Wayne City Council met in special session at City Hall on Wednesday, January 15, 2020, at 5:00 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, Matt Eischeid and Jill Brodersen; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmember Jason Karsky.

Notice of the convening meeting was given in advance by posting in three places on January 10, 2020, 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.

The Council discussed the following retreat items:

- Annexation (Property: Pierson, North Highway 35, South Highway 35) – Consensus was to start the process on the Pierson property.
- Continued discussion on City Hall (stay and make improvements or build new...and if so, where?) – Consensus was to start making needed improvements in the basement of the building (Police Department).
- Discussion — Terrace Parking – Staff was directed to prepare an ordinance removing terrace parking.
- Update on new flood plain designation.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, approving a contract with Olsson for flood plain re-designation for the sum of \$24,005.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried.

- Additional half-cent sales tax – for placement on November ballot (project specific?) – enter into a cooperative agreement with another political subdivision for specific projects (lagoon, paving Centennial Road, etc.).
- Update on 4th Street development – rezone the property; solicit proposals for development.
- Update by Luke Virgil, WAED Executive Director – concern regarding housing, and child care facilities.
- Update on the Community Activity Center improvements — angle parking; new software; purchase of scoreboards; filling the hole south of Hank Overin Field; janitor changes.

Councilmember Haase left the meeting at 7:41 p.m.

- League of Nebraska Municipalities Conference – February 24 and 25, Lincoln, NE – importance of attending.
- Other items of interest — Discussion regarding the issues with the new swimming pool; attendance at the Chamber Banquet.

Councilmember Sievers made a motion, which was seconded by Councilmember Brodersen, approving the pay application/invoice of Kay Contracting, Inc., for the amount of \$18,926.40 for the “2019 Clark Street Sewer Extension Project.”

Councilmember Woehler opined that on the invoice, the City is paying for things that they did not get – e.g. red rock, which is why he is voting against the claim. He wanted a deduction on the claim.

Administrator Blecke stated this was brought up with the City Engineer. Slag was used instead of red rock on the project. The reason behind that was that the property owner, Rezurrected Rod & Kustom, preferred the slag. The engineer talked to Mike Kay, Steve Meyer, and Pilger Sand & Gravel and the amount for that change might be a decrease of about \$300. The engineer stated that Kay Contracting submitted the bill on November 21st. If you want to take into consideration interest because it was not paid within 30 days, the engineer said he would call this matter a wash. Administrator Blecke read the email that Roger Protzman sent him.

Attorney Miller’s opined that Council needed to pay this claim/bill.

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

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:43 p.m.



Vendor	Payable Description	Payment Total
AMERICAN UNDERGROUND SUPPLY, LLC	IPS TUBING/ADAPTERS	345.80
APPEARA	LINEN & MAT SERVICE	48.50
APX, INC	NARS	21.40
BAIRD HOLM LLP	FERC LITIGATION	272.74
BIG RIVERS ELECTRIC CORPORATION	ELECTRICITY	173,661.80
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	50,267.01
BORDER STATES INDUSTRIES, INC	FIRE RESISTANT SHIRTS	111.02
BSN SPORTS, INC	BASKETBALLS/CHAIRS/WINCH	2,757.29
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	18.20
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	504.78
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	11.47
CITY EMPLOYEE	VISION REIMBURSEMENT	97.75
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	12.01
CITY EMPLOYEE	TEXT BOOK REIMBURSEMENT	132.66
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	460.56
CITY OF WAYNE	PAYROLL 1/3/19	448.36
CITY OF WAYNE	UTILITY REFUNDS 1/7/19	517.16
CITY OF WAYNE	UTILITY REFUNDS	2,147.57
CITY OF WAYNE	WAED HEALTH REIMBURSEMENTS	1,397.51
COLONIAL RESEARCH	FREIGHT ON DE-ICER SPRAY	17.70
COTTONWOOD WIND PROJECT, LLC	WIND ENERGY	12,564.92
DANLADI, PHIMWANALA	YOUTH BASKETBALL REF	90.00
DAS STATE ACCTG-CENTRAL FINANCE	WSC INTERNET CHARGES	60.15
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY	2,446.57
ECHO GROUP INC JESCO	CONDUIT	9.42
EMPLOYERS MUTUAL CASUALTY CO	WORK COMP	681.70
EVETOVICH, MARK	YOUTH BASKETBALL REF	90.00
FEHRER, LAURA	CAC MEMBERSHIP OVERPAYMENT	75.00
FIRST CONCORD GROUP LLC	2020 FLEX CARDS	156.00
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	299.80
GROSSENBURG IMPLEMENT INC	FILTERS/SHAFT KEY	194.74
HEARTLAND FIRE PROTECTION	AUDITORIUM FIRE EXTINGUISHER REFILL	111.00
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	128.78
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	7,676.18
IMPACT SPECIALTIES INC	PARKING CITATIONS	697.50
IOWA PUMP WORKS, INC.	SEAL RING	679.27
JACK'S UNIFORMS	WEDGE	17.90
JOHNNIE BYRD BREWING	LB 840 LOAN	40,000.00
MAIN STREET GARAGE, LLC	ABS DIAGNOSIS/WIRING/TIRE REPAIR	100.00
MATHESON-LINWELD	OXYGEN	33.51
MATT PARROTT	ACA FORMS	32.50
MIDWEST LABORATORIES, INC	WASTE WATER ANALYSIS	177.00
MUNICIPAL SUPPLY INC	MANHOLE ANGLE RINGS	679.40

Vendor	Payable Description	Payment Total
N.E. NEB CLERKS ASSOCIATION	CLERK DUES-B MCGUIRE	20.00
NE AIR FILTER	AIR FILTERS	100.47
NEBRASKA PUBLIC POWER DIST	ELECTRICITY	29,208.61
PITNEY BOWES INC	POSTAGE METER LEASE	253.85
PROGRESSIVE PROPERTIES	TIF PRINCIPAL & INTEREST	3,780.73
PROGRESSIVE PROPERTIES	TIF PRINCIPAL & INTEREST	1,185.75
PROGRESSIVE PROPERTIES	TIF PRINCIPAL & INTEREST	3,283.42
QUALITY FOOD CENTER	SENIOR CENTER NOON MEAL SUPPLIES	304.89
RETAIL RECLAIMERS LLC	LB 840 LOAN	200,000.00
ST OF NE-CHARITABLE GAMING DIVISION	KENO LOTTERY TAX	1,220.00
STAPLES, INC	OFFICE SUPPLIES	483.64
TOM'S BODY & PAINT SHOP	POLICE CAR REPAIR	4,897.47
TYLER TECHNOLOGIES	INSITE TRANSACTION FEES	1,572.50
WAYNE AUTO PARTS	FILTERS/ALTERNATOR/STARTER/BOOSTER PAC	1,056.62
WAYNE HERALD	CAC ADS	366.00
WAYNE RENTALS	TIF PRINCIPAL & INTEREST	23,073.77
WAYNE VETERINARY CLINIC	DOG/CAT IMPOUND	364.00
WESTERN RIDGE III	TIF PRINCIPAL & INTEREST	3,939.45
WISNER WEST	FD GASOLINE	32.85
	Grand Total:	575,396.65



January 16, 2020

Mayor and Council Members
City of Wayne
306 Pearl Street
PO Box 8
Wayne, NE 68787

RE: Wayne, Nebraska
2019 Water Transmission Main, DWSRF No. 311643
JEO Project No. 182177.00

Mayor and Council Members:

JEO Consulting Group, Inc. was asked to develop a proposal for review of the water transmission main project. We agree with the council that this project is critical for Wayne's infrastructure and should be reviewed to ensure a quality project is constructed and completed.

We are offering resident project representative services where we have a person onsite to review the project during construction. We are proposing have a person onsite 4-5 days per week. Staff would be onsite for 1 to 4 hours depending on the level of services you desire. This level of effort can be adjusted to fit your budget. We do believe being onsite at least 3 days per week should be considered. We proposed providing services hourly and if hours can be reduced as the project proceeds, then the city will realize a cost savings.

Our proposal does include hours for myself when I am in Wayne. We would typically bill these hours to the project rather than the monthly service agreement. We try to keep hours associated with projects and tasks together with the correlating project number. The cost for these services are the same whether they are under general services or a specific project number. There will be no additional cost for separating these hours.

Lastly, after the prebid meeting it was decided with staff to extend the completion date for the project in hopes of obtaining the best bid price. The original engineering agreement was based on a four (4) month construction time frame. The project agreement with the contractor is for an additional three months, thus an amendment for services should be made to represent this time frame change. This would be billed as a lump sum fee.

The increase for the RPR services is \$117,900 less the 5% discount of \$5,895 for a total of \$112,005. These services are billed hourly.

The total for the additional construction administration time is \$3,420 less the 5% discount of \$171 for a total of \$3,249.00. These services are billed as a lump sum.

City of Wayne, NE
January 16, 2020
2019 Water Transmission Main
Page 2 of 2

If you have any questions or concerns, please feel free to contact me. I do plan to attend the next council meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger S. Protzman".

Roger S. Protzman, P.E.
Senior Project Engineer

RSP:skw
Enclosures

182177LTR011620-Amend #2.docx

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 2

1. *Background Data:*

- a. Effective Date of Owner-Engineer Agreement: February 4, 2020
- b. Owner: City of Wayne, Nebraska
- c. Engineer: JEO Consulting Group, Inc.
- d. Project: Water Transmission Main, Wayne, Nebraska

2. *Description of Modifications:*

- a. Engineer shall perform or furnish the following Additional Services:

Project: JEO to provide additional engineering services for the Water Transmission Main project. This amendment covers the addition of services to provide Resident Project Representative services for the above referenced project.

- A. JEO will furnish a Resident Project Representative (RPR) to observe construction progress and quality of the work. The duties and responsibilities of the RPR are described as follows:
 - 1. Review of contractors work for general compliance with the plans and specifications.
 - a. Hours and level of effort are noted in fee table below.
 - 2. Complete Construction Observation Reports when on site.
 - 3. Coordinate pay quantities with Contractor and Engineer.
 - 4. Review of materials delivered to the site for specification compliance.
 - 5. Assist the Engineer in interpretation of the plans and specifications to the contractor.
 - 6. Review and coordinate materials testing by assigned testing firm.
 - 7. Attend pre-construction, City Council meetings, and monthly progress meetings during construction as needed.
 - 8. Compile records for use in preparing record drawings.

When nearing estimated compensation amounts stated herein and it subsequently becomes apparent to Engineer that a compensation amount estimated will be exceeded, Engineer shall give Owner written notice thereof. Should the Owner determine the estimated amount should not be exceeded, Owner shall notify Engineer and Engineer shall reduce the remaining services to be rendered by Engineer, so that total compensation for such services will not exceed said estimated amount when such services are completed. If Engineer exceeds the estimated amount before Owner notifies the Engineer, the Engineer shall be paid for all services rendered up to being notified.

B. JEO will furnish Construction Administration Services for (3) additional months if RPR is accepted at the rate proposed.

For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:

JEO's fees for the services outlined above shall be:

Resident Project Representative Services

	April to December					
	Billing Rate	Weeks	Hrs/Wk	Total Hrs	Estimate Cost	
Const. Engr.	\$ 165	36	15	540	\$ 89,100.00	2-3 days/wk,
Sr. Proj. Engr.	\$ 200	36	4	144	\$ 28,800.00	1-2 day/wk, onsite 2-4 hrs,
				684	\$ 117,900.00	
					\$ (5,895.00)	5% Discount for full # of hours
Total					\$ 112,005.00	Hourly

Construction Admin (3 additional months)

	Billing Rate	Months	Hrs/Mnth	Total Hrs		
Admn.	\$85	3	4	12	\$ 1,020.00	Weekly Pay Rolls
Const. Engr.	\$165	3	0	0	\$ -	Monthly Wag Interviews, SWPP
Sr. Proj. Engr	\$200	3	4	12	\$ 2,400.00	Monthly Prog Meetings, Construction Admin
				24	\$ 3,420.00	
					\$ (171.00)	5% Discount for full # of hours
Total					\$ 3,249.00	Lump Sum

Total Additional Amount: \$115,254 (Hourly - \$112,005) & (Lump Sum - \$3,249)

b. The schedule for rendering services is modified as follows:

JEO Consulting Group will conduct these services prior to the end of the monitoring season and will be completed to meet the anticipated 2020 Construction Schedule.

3. Agreement Summary (Reference only)

- a. Original Agreement amount: \$ 121,000.00
- b. Net change for prior amendments: \$ 8,075.00
- c. **This amendment amount:** \$ 115,254.00 (Hourly & Lump Sum)
- d. Adjusted Agreement amount: \$ 244,329.00

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is February 4, 2020.

OWNER:

ENGINEER:



By: Cale Giese

By: Roger S. Protzman, P.E.

Title: Mayor

Title: Project Manager

Date

Date Signed: January 16, 2020

Signed: _____

RESOLUTION NO. 2020-2

A RESOLUTION APPROVING AMENDMENT NO. 2 TO THE OWNER-ENGINEER AGREEMENT WITH JEO CONSULTING GROUP, INC., FOR ADDITIONAL SERVICES FOR THE “TRANSMISSION WATER MAIN FROM NORTH WELL FIELD TO CITY LIMITS PROJECT.”

WHEREAS, the Wayne City Council previously approved/appointed JEO Consulting Group, Inc., as the special engineer on the “Transmission Water Main from North Well Field to City Limits Project” on May 7, 2019, for \$121,000.00; and

WHEREAS, the Wayne City Council approved Amendment No. 1 to the Owner-Engineer Agreement on August 6, 2019, for an additional \$8,075 for an environmental assessment for said project; and

WHEREAS, said agreement is being amended to include what is known as “Resident Project Representative Services” for an additional fee of \$112,005, and also “Construction Administration Time” for an additional fee of \$3,249, totaling \$115,254, which includes the 5% discount, a copy of which is attached hereto and incorporated herein by reference

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that Amendment No. 2 to the Owner-Engineer Agreement is hereby approved and made a part of the original agreement previously entered into with JEO Consulting Group, Inc., on May 7, 2019, for the “Transmission Water Main from North Well Field to City Limits Project.”

PASSED AND APPROVED this 21st day of January, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



January 16, 2020

Mayor and Council Members
City of Wayne
306 Pearl Street
PO Box 8
Wayne, NE 68787

RE: Wayne, Nebraska
Wayne Senior Center – Room and Walk-In Freezer Addition
JEO Project No. 191782.00

Mayor and Council Members:

On January 16, 2020, the City Clerk received two bids for the above referenced project. A bid tabulation of the project is enclosed. It is our intent the City award one contract to complete the construction of the project. The engineer's opinion of cost was \$50,000 and the low bidder was below the opinion of cost.

The low bidder was Sioux Contractor, Inc. from Sioux City. Sioux Contractor's reference list had projects listed that were similar to much larger and more complex. Currently they are working with a JEO client in Tekamah and the architect gave them a favorable reference as well. We recommend awarding the project in the amount of \$47,800 to Sioux Contractors, Inc.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Roger S. Protzman".

Roger S. Protzman, P.E.
Senior Project Engineer

RSP:skw
Enclosures

191782LTR011620-Award.docx



Bid Tab

PROJECT | Senior Center - Room and Walk-in Freezer

JEO PROJECT NO. | 191782.00

LOCATION | Wayne, Nebraska

LETTING | January 16, 2020 @ 10:00 AM

OPINION OF PROBABLE COST | \$50,000

Bidder	Total Group A	Start Date
Sioux Contractors, Inc. Sioux City, IA	\$47,800.00	February 17, 2020
Otte Construction/OCC Builders, LLC Wayne, NE	\$55,300.00	February 1, 2020



Tab Sheet

PROJECT | Senior Center - Room and Walk-in Freezer

JEO PROJECT NO. | 191782.00

LOCATION | Wayne, Nebraska

				Sioux Contractors, Inc.	OCC Builders, LLC		
GROUP A - WAYNE SENIOR CENTER							
Item	Qty.	Unit	Description	Unit Price	Total	Unit	Total
1	1	LS	Wayne Senior Center Addition - Complete		\$47,800.00		\$55,300.00
SUBTOTAL GROUP A					\$47,800.00		\$55,300.00
SALES TAX FOR MATERIALS & EQUIPMENT ON GROUP A @ 5.5%					\$0.00		\$0.00
TOTAL GROUP A					\$47,800.00		\$55,300.00

RESOLUTION NO. 2020-3

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE
“WAYNE SENIOR CENTER – ROOM AND WALK-IN FREEZER ADDITION
PROJECT” FOR THE CITY OF WAYNE, NEBRASKA.**

WHEREAS, two bids were received on January 16, 2020, on the “Wayne Senior Center – Room and Walk-In Freezer Addition Project;” and

WHEREAS, the bids have been reviewed by the City’s Engineer, JEO Consulting Group, Inc., and City staff; and

WHEREAS, the City’s engineer and City staff are recommending that the bid outlined below be accepted as recommended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid for the “Wayne Senior Center – Room and Walk-In Freezer Addition Project,” as submitted by the following contractor:

<u>Bidder</u>	<u>Amount</u>
Sioux Contractors, Inc. Sioux City IA	\$47,800.00

and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same is hereby accepted.

PASSED AND APPROVED this 21st day of January, 2020.

CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2019-19

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING (SUPPLEMENTARY DISTRICT REGULATIONS), SECTION 152.139 PARKING REGULATIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Title XV, Chapter 152, Section 152.139 of the Wayne Municipal Code is hereby amended to read as follows:

§ 152.139 PARKING REGULATIONS.

(A) Parking, storage or use of recreational equipment.

(1) All recreational equipment shall be parked behind the building line except for a period not to exceed 72 consecutive hours for purposes of loading and unloading. The building line of a residential dwelling on a corner lot fronts the street that the dwelling is addressed to. No recreational equipment shall be used for living, sleeping or housekeeping purposes in excess of 30 days in a 60-day period when parked or stored on a residential lot or on any location not approved for such use.

(2) Council may consider granting a waiver upon individual application for recreational equipment in parking spaces existing prior to the passage and approval of this section and based upon the parking surface and the distance from the street in connection with traffic hazards.

(B) Minimum off-street parking and loading requirements.

(1) Off-street motor vehicle parking and loading space shall be provided on any lot, or the terrace adjacent to the lot, on which any of the indicated structures and uses are hereafter established. These requirements are thus only applicable to construction of a new structure (regardless of whether or not another building previously existed on the property), when a structure's use changes from one use (as listed in the schedule of minimum off-street parking and loading requirements in this chapter) to another, or to any existing multiple family structure to which an addition is constructed that results in more dwelling units than existed prior to the addition. Such space, as defined in § 152.010 of this chapter, shall be provided with vehicular access to a street or an alley. A required loading space shall include a ten-foot by 50-foot space with a minimum of 14 feet of height clearance. The loading space shall be so located as to avoid undue interference with public use of streets, alleys and walkways. Minimum off-street parking and loading requirements, which shall be applicable in all zoning districts to the structures and uses indicated, shall be set forth in the following schedule of minimum off-street parking and loading requirements. If minimum off-street parking required in the schedule cannot be reasonably provided on the same lot, or the terrace adjacent to the lot, on which the principal

structure or use is conducted in the opinion of the Board of Adjustment, the Board may permit such space to be provided on other off-street property, provided that such space lies within 400 feet or the entrance to such principal structure or use. Non-residential uses in the B-2 District shall be exempt from these parking and loading requirements.

(2) For purposes of this division, terrace parking shall be considered off-street parking.

(3) Any corner lot located in a residential zoning district shall only use the terrace adjacent to one of the lot's front yards for terrace parking. Terrace parking constructed before May 1, 2013 or designed through a building permit approved by May 1, 2013 shall be exempt from this restriction on a corner lot.

(4) Shared Parking. In meeting the requirements of the Schedule of minimum off-street parking and loading requirements, adjacent land uses, lots or sites, as well as uses on the same property may share parking under the following conditions and standards:

a) All landowners participating in the shared parking shall execute the necessary cross-access easements which shall exist for the duration of the grantee's use to facilitate shared parking and record all documents for the easements with the County unless the uses are on the same property under common ownership.

b) A written agreement for the joint use of parking facilities shall be executed by the parties and approved by the City unless the uses are on the same property under common ownership.

c) All shared parking spaces shall be within a reasonable proximity of the main entrance of any building sharing the parking and provide direct pedestrian access to the entrance either by way of pedestrian alleys and passes, or by way of public sidewalks in the streetscape. In general, locations greater than 600' shall not qualify unless exceptional circumstances justify.

d) Parking requirements shall be the cumulative requirements of the uses sharing the parking, except where different categories of uses (Retail or Service, Employment, Civic, or Residential) are participating in the sharing agreement and are likely to generate distinctly different times of peak parking demand. The following table is a base guide for shared parking. Each use should provide a percentage of parking required by these regulations according to the Shared Parking Schedule below. Whichever time period requires the highest total parking spaces among the various uses should be the amount of parking provided subject to the shared parking agreement. Alternative parking allocations may be approved by the City Council based on industry data or other sufficient evidence and analysis of peak parking demands for specific uses.

Shared Parking Schedule
Percentage of Required Parking Spaces by Time Period

Land Use	Weekday		Weekend		Nighttime 1 am–6 am
	Day and Evening		Day and Evening		
	6 am–5 pm	5 pm–1 am	6 am–5 pm	5 pm–1 am	
Employment	100%	10%	5%	5%	5%
Retail or Service	75%	75%	100%	90%	5%
Restaurant/Bar	50%	100%	75%	100%	25%
Entertainment & Recreation	30%	100%	75%	100%	5%
Church	5%	25%	100%	50%	5%
School	100%	10%	10%	10%	5%
Residential	25%	90%	50%	90%	100%
Lodging	50%	90%	75%	100%	100%

(5) Parking Credits. A credit may be given to the parking requirements in the schedule of minimum off-street parking and loading requirements under the following conditions. The credits may be cumulative.

a) On-street Parking Credit. On-street parking within 300 feet of any lot line may be credited to the parking requirement at a rate of one parking credit for every two on-street parking spaces. On-street parking spaces within the distance parameters may be counted more than once by multiple users. On-street parking on the same side of the street of any residentially zoned property shall not count towards non-residential uses.

b) Public Parking Credit. Public parking within 600 feet of any lot line may be credited at a rate of one parking credit for every three public parking spaces. Any space eligible towards the credit shall not be leased and must be generally available to the public. The City, or other public entity in charge of management of the public parking facilities reserves the right to restructure the eligibility for parking credits through a parking district management program, subject to approval of the City Council.

(C) Parking or driveway surfaces. This code section shall only apply within the corporate limits of the city. Parking or driveway surfaces on the city terrace or front yard interior of the lot in all residential zoning districts and all residential uses in all other zoning districts, except A-1 and A-2, shall be material other than dirt, grass or weeds. All residential type dwellings shall use no more than 50% of the front yard including terrace area for parking. All lots with more than one frontage (i.e., corner lots) shall conform to the above 50% requirement to be determined by front yard area as identified by street address. Existing hard surfaced parking areas exceeding 50% of the front yard area on 6-15-2006 shall be exempt from the 50% area limitation provided they comply herewith.

(1) Terrace.

a) Parking or driveway surface shall only be on concrete or hot mix asphalt.

b) Parking or driveway surface shall be a minimum of five and one-half inches thick and shall include the intersecting sidewalks to the same depth.

c) Parking or driveway surface shall have the curb ground or sawed out the entire parking or drive-way width. Exception: when proposed parking is parallel to the curb and there are two approach or driveway curb inlet and outlet ramps.

d) Parking surfaces located in the terrace shall be large enough and shall be required to have a parking barrier to prevent vehicles from overhanging the curb or sidewalk. The minimum size of a parking stall surface shall be a nine-foot by 20-foot rectangle.

e) Terrace parking shall not interfere with the intersection site triangle of this code.

f) Driveway surfaces shall include all of the terrace right-of-way from the street back of curb to the property line.

g) Terrace parking and driveway surfaces shall be excavated a minimum of four inches deeper than the surrounding terrain or unpaved surface.

h) Parking or driveway surfaces at the back of curb line shall be excavated to the same depth as the abutting street depth a minimum of 12 inches wide the entire width of the parking surface or driveway.

i) Parking or driveway surfaces shall be placed on a minimum of two inches of compacted sand or gravel material.

j) Proposed parking or driveway surface property owner shall first obtain a curb grind permit and/or driveway apron construction permit.

(2) *Interior of the lot.*

a) Parking or drive surfaces interior of the property shall be material other than dirt, grass or weeds, as identified below:

1. Concrete;
2. Asphalt;
3. Bricks;
4. Concrete pavers;
5. Aggregate (but not pea gravel, road gravel, sand or other aggregates symmetrical or round in nature less than one and one-half inches in diameter);
6. Fractured concrete; and
7. Cinders.

b) All of the above materials (except divisions (C)(2)(a) and (C)(2)(b) above) shall be contained within a suitable barrier of sufficient height (e.g., landscape timber, railroad ties, landscaping blocks, lumber, but excluding tires) that retain the material, and shall conform to the abutting surface topography, sufficiently anchored to resist movement, and must retain the parking surface material from spreading into the street, alleys or abutting vegetative areas.

c) No weeds, grass or other vegetation shall be allowed within the defined area of parking or driveway surfaces.

d) Entire parking or driveway surface shall be evenly surfaced or covered so that at no time is the underlying dirt visible.

(D) *Asphalt, concrete.* Any new single family type residential dwellings built after 6-15-2006 shall have all driveway areas and parking areas constructed of asphalt or concrete.

(E) *Curb ground, drive surface.* All driveway entries from the paved street shall have the curb ground or removed and a drive surface installed to the front property line.

(F) *Design standards for parking lots.*

(1) *Definitions.* For the purpose of this division (F), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PERMANENT PARKING SURFACES. Any of the four surfaces allowed in division (F)(4)(b) below.

(2) *Drainage.*

a) All permanent parking lots shall be designed to develop proper site drainage. Proper site drainage is required to dispose of all storm water that is accumulated on the site.

b) If a new permanent parking lot containing 6,000 square feet or more is located within 150 feet or reasonably accessible to a storm sewer or other drainageway, including open channels and creeks, but excluding gutters, the following standards shall apply:

1. The permanent parking lot must be graded and surfaced such that storm water runoff from the site is collected on the site by a parking lot drainage system and carried to an approved public storm sewer system, and not allowed to discharge through the driveway entrances and exits onto the public way. Proposed finish elevation of the parking lot must be indicated on appropriate plans; and

2. All parking lots shall be graded as to eliminate standing water on site to reduce or eliminate the silt run off from the lot onto the street or into the public storm water conveyance system. Non-permanent parking surfaces shall only be allowed that do not cause silt or other

debris to travel onto the street or into the public storm water conveyance system, providing that no vegetation growth occurs interior of parking surfaces (i.e., weeds or other volunteer growth).

(3) *Parking barriers.*

a) *Required.* Approved parking barriers must be provided around parking lots to prevent the parking of vehicles overhanging the sidewalk space, public alley or other public property and adjacent residential property. Approved barriers are also required as necessary to protect any required landscaping or landscape screen planting.

b) *Approved barriers.* Approved barriers include the following type of barriers. Other barriers may be approved, subject to the approval of the city:

1. Poured concrete curb, nominal six inches by six inches exposed;
2. Fence (minimum 30-inch height), wire fabric, solid wood, post and rail;
3. Masonry or concrete wall (minimum 30-inch height);
4. Guard rail;
5. Post and cable; and
6. Precast concrete barriers, firmly and permanently anchored.

c) *Location.* Barriers must be located to contain the parking within the approved parking lot. When a concrete curb is used as a barrier for perpendicular or angle parking, it must be offset at least two feet from the edge of the parking lot to allow for the front overhang of the vehicle. Other type barriers may be located at the edge of the parking lot.

(4) *Parking layout and markings.*

a) The developer shall submit to the city for review and approval, a detailed and accurately scaled parking lot layout, clearly showing the location of parking spaces and aisles, all conforming to city standards. Upon construction of the parking lot, the parking spaces must be marked on the parking lot surface according to city standards to the extent that those spaces are required in connection with a development. Spaces not required for a development need not be marked, or may be marked to lesser standards. Handicapped parking stalls required by state statutes shall be designed and signed per ADA standards.

b) All permanent parking lots shall be surfaced with one of the following minimum cross sections:

1. Five inches of Class A portland cement concrete;
2. Six inches of asphaltic concrete;

3. Four inches of aggregate (i.e., crushed rock, crushed concrete, slag or other material that cannot be displaced or easily moved by storm water run-off); and

4. Paving bricks or blocks, subject to approval of the city.

(5) *Surfacing.* The non-permanent parking lot may be surfaced as approved by the city, and shall be maintained in a dust free condition. It should be noted that the above alternatives are designed only to serve as minimum standards. In situations where moderate to heavy truck loads are anticipated, the structural load capacity of the surfacing should be analyzed and designed accordingly. In such instances, a thicker or reinforced section may be desirable.

(6) *Schedule of minimum off-street parking and loading requirements.*

<i>Structures and Uses</i>	<i>Minimum Off-Street Parking Regulations</i>	<i>Minimum Off-Street Loading Requirements</i>
Bed and breakfast guest home	1 space per rental guest room	None
Bowling alleys	4 spaces per alley	1 space per establishment
Child care centers	1 space per employee plus 1 space per each 10 persons of licensed capacity	1 space per 10 children
Churches, synagogues and temples	1 space per 4 seats in main unit of worship	None required
Eating and drinking places	Parking spaces equal to 30% of capacity in persons	1 space per establishment
Education uses	Parking spaces equal to 40% of capacity in students	2 spaces per structure
Education uses, nursery and primary	Parking spaces equal to 20% of capacity in students	2 spaces per structure
Funeral homes and chapels	8 spaces per reposeing room	1 space per establishment
Hospitals	1 space per 2 beds	2 spaces per establishment
Hotels & Motels	1 space per rental unit	1 space per establishment
Industrial uses	1 space per 2 employees on largest shift	2 spaces per establishment
Libraries	1 space per 500 square feet floor area	1 space per structure
Medical clinics	5 spaces per staff, doctor or dentist	None required
Mobile home park	2 spaces per dwelling unit	None required
	1 space per 500 square feet floor	

<i>Structures and Uses</i>	<i>Minimum Off-Street Parking Regulations</i>	<i>Minimum Off-Street Loading Requirements</i>
Private clubs and lodges	area	1 space per establishment
Residential structures (multiple family and townhouse)	1 space per sleeping room, plus 1 space per dwelling unit for all units not located in R-5	None required
Residential structures (single-family and two-family)	2 spaces per dwelling unit	None required
Retail sales establishment	1 space per 250 square feet sales floor area	1 space per establishment
Roadside stands	4 spaces per establishment	None required
Sanitariums, rest home service, convalescent	1 space per 3 beds, plus 1 space per employee	1 space per establishment
Service establishment	1 space per 350 square feet gross floor area	None required
Theaters, auditoriums, places of assembly	1 space per 5 people in design capacity	1 space per establishment
Veterinary establishment	3 spaces per staff doctor	None required
Wholesale and distribution operations	1 space per 2 employees on largest shift	1 space for every 10,000 s.f. gross floor area with a maximum of 2 spaces

(2002 Code, § 90-710) (Ord. 93-11, passed 9-28-1993; Ord. 2001-19, passed 11-27-2001; Ord. 2002-17, passed 12-17-2002; Ord. 2006-10, passed 9-12-2006; Ord. 2007-26, passed 1-15-2008; Ord. 2009-17, passed 7-21-2009; Ord. 2012-60, passed 12-18-2012; Ord. 2013-11, passed 2-19-2013; Ord. 2013-29, passed 6-18-2013; Ord. 2014-37, passed 12-16-2014; Ord. 2017-22, passed 8-1-17).

Section 2. That the Planning Commission held a public hearing on December 2, 2019, regarding this matter, and have recommended approval thereof subject to the following “Finding of Fact:” Staff’s recommendation.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting in pamphlet form as required by law.

PASSED AND APPROVED this 21st day of January, 2020.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2020-1

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, CHAPTER 78 PARKING, SECTION 78-126 PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska.

Section 1. That Title VII Traffic Code, Chapter 78 Parking, Section 78-126 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

(A) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

All of Lloyd Court from the southerly line of Brooke Drive to and including the entire circle
The east side of the centerline of Vintage Hill Drive from the north line of East 14th Street north to a point 125 feet north of the north line of Adam Drive
The east side of the centerline of Eastview Drive from the north line of Poplar Street to the south line of Sycamore Street
The east side of the centerline of Ada Drive from Sunnyview Drive to the north line of Poplar Street
The east side of the centerline of Hillside Drive from the north line of East 7th Street north to the city limits
The east side of the centerline of North Main Street from the north line of East 7th Street north to the south line of East 14th Street
The east side of the centerline of Claycomb Road from the north line of East 14th Street north to the city limits
The east side of the centerline of Providence Road from the north line of East 7th Street north to the south line of East 14th Street
The east side of the centerline of Lilac Lane from the north line of East 10th Street north to the south line of Hillcrest Road
The east side of the centerline of Pine Heights Road from the north line of East 7th Street north to the south line of East 10th Street
The east side of the centerline of the north-south alley west of Walnut Street from the north line of East 10th Street north a distance of 150 feet
The east side of the centerline of Logan Street from the north line of East 7th Street north to the south line of East 10th Street
The east side of the centerline of Nebraska Street from the north line of East 7th Street north

to the south line of East 10th Street
The east side of the centerline of Windom Street from the north line of East 7th Street north to the south line of East 10th Street
The east side of the centerline of Walnut Drive from the north line of East 7th Street north to the south line of East 9th Street
The east side of the centerline of Walnut Street from the north line of East 9th Street north to the south line of East 14th Street
The east side of the centerline of Linden Street from the north line of East 14th Street north to the south line of Aspen Street
The east side of the centerline of Memory Lane from the north line of East 10th Street north to the south line of Gail's Way
The east side of the centerline of Angel Avenue from the north line of East 10th Street to the north line of Gail's Way
The north side of the centerline of East 10th Street from the north-south alley between Walnut Street and Windom Street to the west line of Walnut Street
The north side of the centerline of East 10th Street from the east line of Main Street east to the west line of Logan Street
The north side of the centerline of East 7th Street from the east line of Main Street east to the city limits
The north side of the centerline of 14th Street between the east boundary of the Wayne State College Technology Building Lot on the quarter section line east to Claycomb Road
The south side of the centerline of Aspen Street from the east line of Claycomb Road east to the city limits
The south side of the centerline of East 14th Street from the east line of Providence Road east to the city limits
The south side of the centerline of Poplar Street from the west line of Ada Drive to the west line of Providence Road
The south side of the centerline of East 10 th Street from the east line of Main Street east to the east line of Providence Road.
The south side of the centerline of East 10 th Street from 221 feet east of the east line of Providence Road east to the west line of Hillside Drive
The south side of the centerline of Hillcrest Road from the east line of Walnut Street east to the point where Hillcrest Road turns south and then on the east side of the centerline to the north line of East 10th Street
The south side of the centerline of Poplar Street from the west line of Hillside Drive to the east line of Eastview Drive

The south side of the centerline of Sunnyview Drive from the west line of Hillside Drive to the east line of Providence Road
The south side of the centerline of East 9th Street from the east line of Main Street east to the west line of Pine Heights Road
The south side of the centerline of Sunnyview Drive from the west side of Providence Road to the east line of Alda Drive
The south side of the centerline of Sycamore Street from the west line of Hillside Drive to the east line of Eastview Drive
The south side of the centerline of Brooke Drive from the east line of Claycomb Road east to the city limits
The south side of the centerline of Sycamore Street from the west line of Hillside Drive to the east line of Eastview Drive
The south side of the centerline of Gail's Way from the east line of Memory Lane to the west line of Angel Avenue
The south side of the centerline of East 8th Street from the east line of Main Street to the north-south alley east of Windom Street
The west side of the centerline of Logan Street from the north line of East 7th Street north for a distance of 150 feet
The west side of the centerline of Walnut Street from 10th Street north to J.G. Lewis Drive
The west side of the centerline of Providence Road from the north line of East 7th Street north to the south line of East 14th Street
The west side of the centerline of Circle Drive from the north line of East 9th Street north to the circle and the entire circle
The west side of Claycomb Road from the north line of 14th Street going north a distance of 104 feet
The west side of the centerline of Pine Heights Road from the north line of East 7th Street north for a distance of 25 feet
The west side of the centerline of Walnut Drive from the north line of East 7th Street north for a distance of 190 feet
The west side of the centerline of the north-south alley west of Walnut Street from the north line of East 10th Street north for a distance of 150 feet
The south side of the centerline of Summerfield Drive from the east line of Centennial Road to the west line of Industrial Drive.
The west side of the centerline of Industrial Drive from the north line of East 7th Street to the south line of Summerfield Drive.

(B) Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

(2002 Code, § 78-126) (Ord. 2005-22, passed 8-9-2005; Ord. 2008-18, passed 9-16-2008; Ord. 2008-21, passed 10-21-2008; Ord. 2013-36, passed 8-6-2013; Ord. 2014-2, passed 3-4-2014; Ord. 2014-21, passed 6-17-2014; Ord. 2018-19, passed 8-7-18)

Section 2. The original Section and any other sections in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting, as required by law.

PASSED AND APPROVED this _____ day of _____, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

