

AGENDA
CITY COUNCIL MEETING
COMMUNITY ROOM AT THE
WAYNE COMMUNITY ACTIVITY CENTER
July 21, 2020

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

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 Community Room at the Wayne Community Activity Center as well as on the City of Wayne website at cityofwayne.org/8/Government.

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.

2. [Approval of Minutes – July 7, 2020](#)
3. [Approval of Claims](#)
4. Update on COVID-19 Pandemic
5. **Public Hearing:** [To consider the Planning Commission’s recommendation concerning a Use by Exception request under Section 152.080\(E\)\(4\) of the B-1 Highway Business District, Special Conditions and Conditions for Granting Exceptions. The applicant, Sunnyview Place LLC, is seeking the request to allow for a drive-thru at Providence Community Pharmacy at 803 Providence Road. \(Advertised Time: 5:30 p.m.\)](#)

Background: The Planning Commission held a public hearing on this matter on July 6, 2020, and recommended that this use by exception request be approved for Sunnyview Place LLC to operate a drive-thru at Providence Community Pharmacy located at 803 Providence Road.

6. **Resolution 2020-37:** [Approving a “Use by Exception Permit” for Sunnyview Place LLC to allow for a drive-thru at Providence Community Pharmacy at 803 Providence Road](#)
7. **Public Hearing:** [To Consider the Planning Commission’s recommendation on a request to rezone property. The applicant, Scooter’s Coffee, is seeking the request to rezone the area from B-1 Highway Business to B-3 Neighborhood Commercial. The area is 527 E. 7th Street, more specifically described as Lots 1, 2, and 17, Block 1, East Addition to the City of Wayne. The applicant wishes to construct a Scooter’s drive-thru coffee kiosk.](#)

Background: The Planning Commission held a public hearing on this matter on July 6, 2020, and recommended that this request to rezone the property from B-1 to B-3 be approved to allow for a smaller front yard setback for the construction of a Scooter’s drive-thru coffee kiosk.

8. [Ordinance 2020-15: Amending the Zoning Map – the location at 527 E. 7th Street, more specifically described as Lots 1, 2, and 17, Block 1, East Addition to the City of Wayne](#)
9. [Resolution 2020-38: Approving Interlocal Cooperation Agreement and Special Operation and Maintenance Agreement between the City of Wayne and the Lower Elkhorn Natural Resource District for the “Wayne Pedestrian Trail – Phase II Project”](#)

Background: The Lower Elkhorn NRD has sent us an updated Interlocal Agreement and Special Operation and Maintenance Agreement concerning our Recreation Area Development Grant for the Wayne Pedestrian Trail – Phase II Project.

10. [Action on Contractor’s Application for Payment No. 3 in the amount of \\$340,307.53 to Rutjens Construction, Inc. for the “2019 Water Transmission Main Project” – Roger Protzman, JEO Consulting Group, Inc.](#)

Background: This is for work completed and approved by the project engineer. A letter that provides an update on the project from the engineer is also included in the packet.

11. [Action on Contractor’s Application for Payment No. 5 in the amount of \\$13,352.25 to Robert Woehler & Sons Construction, Inc., for the “2019 Nebraska Street Improvements Project – CDBG No. 16-CD-208 – Jon Mooberry, JEO Consulting Group, Inc.](#)

Background: This is for work completed and approved by the project engineer. A letter that provides an update on the project from the engineer is also included in the packet.

12. [Tour of Community Activity Center and Aquatic Center](#)
13. [Budget Work Session](#)
14. [Adjourn](#)

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

The Wayne City Council met in regular session at the Wayne Fire Hall on July 7, 2020, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order with the following in attendance: Councilmembers Dwaine Spieker, Terri Buck, Jennifer Sievers, Chris Woehler, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmembers Jon Haase and Jason Karsky.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on June 12, 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 Fire Hall, as well as on the City of Wayne website at cityofwayne.org/8/Government, 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 Spieker made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meetings of June 16, and June 30, 2020, and to waive the readings thereof. 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, the Mayor declared the motion carried and the Minutes approved.

Attorney Miller advised the Council that the following action has been recommended by the League of Nebraska Municipalities for the reason that these particular meetings were not held in a public forum, but by Zoom.

Councilmember Spieker made a motion, which as seconded by Councilmember Brodersen, ratifying all actions identified in the minutes taken by the City of Wayne during their meetings held on March 27, 2020, April 7, 2020, April 21, 2020, May 5, 2020, May 19, 2020, and June 2, 2020. 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, the Mayor declared the motion carried

The following claims were presented to Council for their approval:

VARIOUS FUNDS: M & B QUALITY CONCRETE, SE, 464102.45; ROBERT WOEHLE & SONS, SE, 365602.75; RUTJENS CONSTRUCTION, SE, 1006710.72; M & B QUALITY CONCRETE, SE, 100000.00; ACES, SE, 928.29; AMAZON.COM, SU, 766.60; AMERICAN BROADBAND, SE, 2545.49; AMERITAS, SE, 2393.50; AMERITAS, SE, 72.00; AMERITAS, SE, 91.21; AMERITAS, SE, 154.17; APPEARA, SE, 90.83; BATTERY SOLUTIONS, SU, 109.95; BIG STATE INDUSTRIAL SUPPLY, SU, 179.40; BLACK HILLS ENERGY, SE, 171.90; BLACKSTONE PUBLISHING, SU, 458.27; BLUE CROSS BLUE SHIELD, SE, 52148.99; BOMGAARS, SU, 2599.71; BORDER STATES INDUSTRIES, SU, 4477.78; BRAUN, DAVID, RE, 100.00; BROWN PLUMBING, SU, 40.00; BROWN SUPPLY, SU, 118.00; BRUMMOND, SCOTT, RE, 100.00; CARHART LUMBER COMPANY, SU, 722.29; CENTURYLINK, SE, 421.61; CITY EMPLOYEE, RE, 1623.20; CITY EMPLOYEE, RE, 225.60; CITY OF WAYNE, PY, 79884.47; CITY OF WAYNE, RE, 1218.50; CONTRERAS, SHERRY, RE, 25.00; COPY WRITE PUBLISHING, SE, 233.73; DANKO EMERGENCY EQUIPMENT, SU, 786.59; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DE NORA WATER TECHNOLOGIES, SU, 1522.27; DEARBORN LIFE INSURANCE COMPANY, SE, 89.94; DGR & ASSOCIATES, SE, 2405.00; DORING, BRENT, RE, 500.00; DUTTON-LAINSON COMPANY, SU, 3176.56; DYNAMIC SPORTS CONSTRUCTION, SE, 50591.84; EAKES OFFICE PLUS, SE, 1818.48; ECHO GROUP, SU, 139.90; ED M. FELD EQUIPMENT CO, SE, 1268.00; ELLIS, JEFF, RE, 500.00; ENGINEERED EQUIPMENT SOLUTIONS, SU, 1927.27; ENVIRONMENTAL ANALYSIS SOUTH, SU, 150.00; FIRST CONCORD GROUP, SE, 2797.80; FLOOR MAINTENANCE, SU, 101.99; GERHOLD CONCRETE, SU, 6283.12; GILMORE & BELL, SE, 6500.00; GRANQUIST, JIM, SE, 40.00; GROSSENBURG IMPLEMENT, SU, 46.88; HAWKINS, SU, 4707.34; HEARTSMART, SU, 559.00; HELENA AGRI-ENTERPRISES, SU, 520.00; HILAND DAIRY, SE, 376.36; HOFFMAN, TYLER, RE, 25.00; HYPERION, SE, 81.00; ICMA, SE, 8206.49; ICMA, SE, 8207.03; IRS, TX, 13427.36; IRS, TX, 9817.27; IRS, TX, 3140.28; ISLAND SPRINKLER SUPPLY, SU, 327.67; ITRON, SE, 285.00; JACK'S UNIFORMS, SU, 39.00; JEO CONSULTING GROUP, SE, 38404.40; JOHNSON, JENNA, RE, 25.00; KATHOL TURF, SU, 79.34; KAY CONTRACTING, SE, 892.50; KENNEDY, TIFFANY, RE, 25.00; KESTING, BRIAN, RE, 25.00; KLEIN ELECTRIC, SE, 18138.28; LARSON, SARAH, RE, 25.00; LAWYER, MICHELLE, RE, 25.00; LUETH, AARON, RE, 25.00; LUTT, RANDY, RE, 100.00; MARCO, SE, 175.92; MCPHILLIPS, LOGAN, RE, 25.00; MILLER LAW, SE, 5416.67; MOORMEIER, KARI, RE, 35.00; MUNTER, BAILEY, RE, 35.00; NE DEPT OF REVENUE, TX, 4194.98; NE DEPT OF TRANSPORTATION, SE, 63101.86; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 190.00; NE WATER RESOURCES ASSOCIATION, FE, 105.00; NELSON, JARED, RE, 25.00; NIEMANN, ANDREA, RE, 190.00; NMC EXCHANGE, SU, 117.58; NNEDD, SE, 90.00; NORTHEAST NE INS AGENCY, SE, 90534.00; NORTHEAST POWER, SE, 19171.64; NWEA, FE, 60.00; O'REILLY AUTOMOTIVE STORES, SU, 14.99; OVERDRIVE, SU, 1029.22; OVERDRIVE, SU, 40.00; PLAGER, TIFFANY, RE, 25.00; QHA CLEANING, SE, 1375.00; ROSE EQUIPMENT, SU, 725.31; RUHL, ROCKY, RE, 720.00; RUWE, SARA, RE, 25.00; SIMS, NATE, RE, 25.00; SIRCHIE, SU, 94.32; SKARSHAUG TESTING LAB, SE, 212.47; STAPLES, SU, 290.28; STEEN, JEAN, RE, 50.00; STURM, MIKE, RE, 25.00; TYLER TECHNOLOGIES, SE, 3094.56; US BANK, SU, 4784.26; US FOODSERVICE, SU, 2065.64; VIAERO, SE, 64.58; WAED, SE, 8257.92; WAYNE COUNTY COURT, RE, 150.00; WAYNE COUNTY TREASURER, RE, 5743.45; WEHRER, NICOLE, RE, 50.00; WEMHOFF, ANTHONY, RE, 25.00;

WESCO, SU, 2854.76; WISNER WEST, SU, 10.00; WOHLERS, MATT, RE, 25.00; ZEE MEDICAL SERVICE, SU, 150.78; ZIMCO SUPPLY, SU, 770.00; ACE HARDWARE & HOME, SU, 154.36; AMERITAS, SE, 90.01; AMERITAS, SE, 154.17; AMERITAS, SE, 2336.58; AMERITAS, SE, 72.00; APPEARA, SE, 54.60; ARNIE'S FORD, SE, 117.62; BORDER STATES INDUSTRIES, SU, 160.33; CHEMQUEST, SE, 695.00; CITY OF WAYNE, PY, 80709.55; EASYPERMIT POSTAGE, SU, 1855.93; GERHOLD CONCRETE, SU, 2629.60; IRS, TX, 3169.28; IRS, TX, 13551.48; IRS, TX, 9937.07; ITRON, SE, -285.00; ITRON, SE, 50.00; LUTT OIL, SU, 4723.83; NE DEPT OF REVENUE, TX, 4203.38; NELSON, JARED, RE, 50.00; NORTHEAST POWER, SE, 7391.00; ONE CALL CONCEPTS, SE, 161.83; OSTEN, ANNA, SE, 35.00; QUALITY FOOD CENTER, SU, 7.50; SHARER, LIZ, RE, 125.00; SOOLAND BOBCAT, SE, 1023.51; STATE NEBRASKA BANK & TRUST, SE, 61.68; VAN DIEST SUPPLY, SU, 449.00; VIRGIL, LUKE, RE, 82.50; ZISKA, BRANDON, RE, 62.50

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to approve the claims. 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, the Mayor declared the motion carried.

Luke Virgil, Executive Director of Wayne Area Economic Development, updated the Council on some grants he was looking into relating to the COVID pandemic.

Administrator Blecke stated the following agenda item - Action on a Request for Funding Assistance (Match) for a Grant received by the Wayne Community Housing Development Corporation (WCHDC) to be used for Daily Operations comes from discussions at the retreat.

Mytzy Rodriguez-Kufner, the new Director of the WCHDC, was present to answer questions.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving a request for funding assistance (match) for a grant received by the Wayne Community Housing Development Corporation to be used for daily operations in the amount of \$20,000.00. 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, the Mayor declared the motion carried.

Joel Hansen, Street and Planning Director, received three bids for the purchase of a 2020 Chevrolet Silverado 1500 4WD Pickup truck. He recommended that the award go to the low bidder who met the specifications, Quality Auto Sales for \$29,499. This pickup will replace the blue electric car he currently drives.

Councilmember Brodersen introduced Resolution No. 2020-34 and moved for its approval; Councilmember Woehler seconded the motion.

RESOLUTION NO. 2020-34

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE PURCHASE OF A 2020 CHEVROLET SILVERADO 1500 4WD PICKUP TRUCK THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM QUALITY AUTO SALES - \$29,499.

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, the Mayor declared the motion carried.

Administrator Blecke received three proposals for playground equipment at Sunnyview Park. The request for proposals asked what the companies could provide for \$85,000. Staff reviewed the proposals and are recommending that the award go to Creative Sites, LLC, Omaha, NE for \$79,411. Installation will be September/October of this year.

Councilmember Sievers introduced Resolution No. 2020-35 and moved for its approval; Councilmember Spieker seconded the motion.

RESOLUTION NO. 2020-35

A RESOLUTION ACCEPTING PROPOSAL AND AWARDING CONTRACT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT TO BE LOCATED IN SUNNYVIEW PARK, WAYNE, NEBRASKA, TO CREATIVE SITES, LLC, OMAHA NE, FOR \$79,411.

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, the Mayor declared the motion carried.

Administrator Blecke received two bids on the “Wayne State College Foundation Alumni House Sanitary Sewer Service Line Project.” Staff reviewed the same and are recommending the contract be awarded to the low bidder, Kay Contracting, Inc., for \$17,585. The other bid came from Benscoter Construction for \$18,400.

Casey Junck, Water Supervisor, updated the Council on the project.

Councilmember Woehler had concerns regarding this project and thought a mini lift station would have been a better alternative.

After further discussion, Councilmember Spieker introduced Resolution No. 2020-36 and moved for its approval; Councilmember Eischeid seconded the motion.

RESOLUTION NO. 2020-36

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “WAYNE STATE COLLEGE FOUNDATION ALUMNI HOUSE SANITARY SEWER SERVICE LINE PROJECT” FOR THE CITY OF WAYNE, NEBRASKA, TO KAY CONTRACTING, INC., FOR \$17,585.

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.

Joel Hansen, Street and Planning Director, stated the Department of Transportation sent an agreement to be approved between the City and Olsson for engineering costs. The original agreement amount will be reduced by \$1,619 due to lodging/meal changes therein, and then increased by \$9,833.60 for additional work necessary to complete the services under the original agreement. The supplemental amount added to the agreement is \$8,214.60, bringing the total engineering agreement amount to \$387,767.

Councilmember Eischeid introduced Resolution No. 2020-37 and moved for its approval; Councilmember Sievers seconded the motion.

RESOLUTION NO. 2020-37

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF CONSTRUCTION ENGINEERING SERVICES AGREEMENT SUPPLEMENTAL AGREEMENT NO. 1 – BK1959-01 BETWEEN THE CITY OF WAYNE AND OLSSON RELATING TO THE WAYNE TRAIL – PHASE 2 PROJECT STPB-90(4).

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, the Mayor declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, approving the Certificate of Substantial Completion for the “Wayne Senior Center – Room and Walk-In Freezer Project.” 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, the Mayor declared the motion carried.

Discussion took place regarding the truck parking ordinance (request from Wayne County), as well as the restricted and prohibited parking ordinances in the southeast and southwest quadrants of the city respectively that are on the agenda for consideration.

After discussion, a motion was made by Councilmember Spieker and seconded by Councilmember Brodersen, to table action on Ordinance 2020-11 Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-174 Truck Parking; Where Designated, until a later time. 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, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, to table action on Ordinance 2020-12 Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-131 Restricted Parking 12:00 Midnight to 5:00 a.m.; Southeast Quadrant of the City. 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, the Mayor declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, to table action on Ordinance 2020-13 Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-132 Prohibited Parking; Southwest Quadrant of the City. 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, the Mayor declared the motion carried.

Attorney Miller brought the following Ordinance forward for Council consideration which would amend Sec. 90.038 as follows:

§ 90.038 LIABILITY OF OWNER

It shall be unlawful for any person to allow a dog owned, kept or harbored by him or her, or under his or her charge or control, **to injure any person, or** to injure or destroy any real or personal property of any description belonging to another person. The owner or possessor of any such dog, in addition to the usual judgment upon conviction, shall be made to be liable to the persons so injured in an amount equal to the value of the damage so sustained.

Councilmember Spieker introduced Ordinance No. 2020-14, and moved for approval thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2020-14

AN ORDINANCE TO AMEND SECTION 90.038 OF TITLE IX GENERAL REGULATIONS, CHAPTER 90 ANIMALS, OF THE WAYNE MUNICIPAL CODE RELATING TO LIABILITY OF OWNER; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Haase and Karsky who were absent, the Mayor declared the motion carried.

Councilmember Spieker made a motion, which was seconded by Councilmember Buck, to move for final approval of Ordinance No. 2020-14. 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, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, setting the budget work sessions for July 21st and August 4th. 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, the Mayor declared the motion carried.

Discussion took place on whether or not to continue to use zoom to allow the public and staff to attend meetings. Consensus was that this was a good option, but the preference was to have those presenting be in attendance at the meeting.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:48 p.m.



Vendor	Payable Description	Payment Total
ACTIVE NETWORK, LLC	MAXGALAXY SYSTEM	6,960.00
AMERICAN LIBRARY ASSOC	LIBRARY MEMBERSHIP	225.00
APPEARA	LINEN & MAT SERVICE	90.73
ARNIE'S FORD INC	INSTALL REAR CAMERA	604.08
AUTO ANATOMY ALTERNATIVES, INC	PICKUP BED STRIKER	220.13
BAKER & TAYLOR BOOKS	BOOKS	718.47
BLACKSTONE PUBLISHING	AUDIO BOOKS	106.74
BROWN SUPPLY CO	WATER LID/CURB BOX SCREWS	111.12
CARROLL DISTRIBUTING	SAW/BLADES	1,394.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	313.16
CITY EMPLOYEE	SAFETY BOOTS	150.00
CITY OF WAYNE	UTILITY REFUNDS	938.79
CIVICPLUS	CIVIC REC SYSTEM	4,375.00
CLAUSSEN, HEATHER	POOL REFUND	62.50
CONTINENTAL FIRE SPRINKLER CO	ANNUAL FIRE PROTECTION INSPECTION	215.00
DAS STATE ACCTG-CENTRAL FINANCE	WSC INTERNET CHARGES	60.15
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	57.00
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY	2,533.77
ECHO GROUP INC JESCO	LED DIMMING LIGHT	265.04
ED M. FELD EQUIPMENT CO INC	EXTINGUISHER INSPECTION	95.00
ELLIS HOME SERVICES	DRINKING FAUCET	117.48
EMPLOYERS MUTUAL CASUALTY CO	PROPERTY DAMAGE	2,532.63
ENVIRONMENTAL ANALYSIS SOUTH, INC.	WET TEST	470.00
GALE/CENGAGE LEARNING	BOOKS	24.69
GERHOLD CONCRETE CO INC.	CONCRETE	2,599.77
GILL HAULING, INC	SANITATION SERVICE	261.25
GROSSENBURG IMPLEMENT INC	OIL	126.96
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	238.45
HOMETOWN LEASING	COPIER LEASES	436.02
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	8,180.46
INGRAM LIBRARY SERVICES	BOOKS	826.37
IOWA PUMP WORKS, INC.	ANNUAL CELLULAR FEE	49.30
ISLAND SPRINKLER SUPPLY CO	IRRIGATION SUPPLIES	441.32
LAMP CONSTRUCTION	BUILDING PERMIT DEPOSIT REFUND	500.00
LAMP, MACKENZIE	ART CAMP	600.00
LEAK INVESTIGATORS, LLC	CAULK POOL GUTTERS	6,770.00
LEO A DALY	RESTORATION OF WALKING TRAIL	10,125.00
LUEDERS, RYAN	BUILDING PERMIT DEPOSIT REFUND	500.00
MATHESON-LINWELD	OXYGEN	34.25
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	57.22

Vendor	Payable Description	Payment Total
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	1,886.71
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	894.52
MIDWEST LABORATORIES, INC	WASTEWATER ANALYSIS	946.50
MILO MEYER CONSTRUCTION	CLEAN UP TREE PILE	150.00
NE POWER REVIEW BOARD	2019 POWER ASSESSMENT	983.73
NEBRASKA PUBLIC POWER DIST	ELECTRICITY	36,345.50
NORFOLK DAILY NEWS	POLICE OFFICER ADS	267.60
NORFOLK FAMILY YMCA	POOL USAGE FOR TESTING	100.00
OCLC, INC	WORLDSHARE ILL-LIBRARY	518.75
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	897.24
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	49.16
PITNEY BOWES INC	POSTAGE METER LEASE	253.85
PLUMBING & ELECTRIC SERVICE INC	AUDITORIUM WATER SERVICE	11,054.65
PLUNKETT'S PEST CONTROL	PEST CONTROL	92.12
POLLARD PUMPING	BOYSCOUT PARK PORT A POTTY	250.00
QUALITY FOOD CENTER	SENIOR CENTER NOON MEAL SUPPLIES	68.39
QUALITY FOOD CENTER	SENIOR CENTER NOON MEAL SUPPLIES	81.04
SARGENT DRILLING	WELL SERVICE AND TESTING	900.00
ST OF NE-CHARITABLE GAMING DIVISION	KENO LOTTERY TAX	296.85
STAPLES, INC	OFFICE SUPPLIES	121.10
STATE NEBRASKA BANK-PETTY CASH	POSTAGE/KRAFT PAPER/STORAGE BAGS/FURRING STRIPS	95.23
STEWART, RAE	SIDEWALK COST SHARE	720.00
THOMPSON, LUCAS	BUILDING PERMIT DEPOSIT REFUND	250.00
THRASHER	BUILDING PERMIT DEPOSIT REFUND	500.00
TOTAL GRAPHICS	SHIRTS	439.00
TYLER TECHNOLOGIES	INSITE TRANSACTION FEES	1,910.00
VERIZON WIRELESS SERVICES LLC	CELL PHONES	513.84
WAYNE COMMUNITY HOUSING	NIFA GRANT	20,000.00
WAYNE COUNTY CLERK	FILING FEES	16.00
WAYNE VETERINARY CLINIC	DOG/CAT IMPOUND	84.00
WESCO DISTRIBUTION INC	PEDESTAL	770.40
WESTERN AREA POWER ADMIN	ELECTRICITY	19,178.16
WORLDPAY INTERGRATES PAYMENTS	CAC CREDIT CARDS	181.26
ZACH HEATING & COOLING	FREON	879.50
	Grand Total:	156,081.95

**CITY OF WAYNE
INTEROFFICE MEMORANDUM**

DATE: July 7, 2020

TO: Mayor Giese
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison



At their meeting held on July 6, 2020, the Wayne Planning Commission made a recommendation on the following public hearings; the result of those recommendations are as follows:

Public Hearing: Use by Exception Section 152.080(E)(4) of the B-1 Highway Business District, Special Conditions and Conditions for Granting Exceptions, 803 Providence Road, Providence Community Pharmacy; Applicant: Sunnyview Place LLC

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Giese and seconded by Commissioner Meisenbach to approve and forward a recommendation of approval to the City Council for the Use by Exception for Section 152.080(E)(4) of the B-1 Highway Business District for Sunnyview Place LLC to operate a drive-thru at Providence Community Pharmacy, located at 803 Providence Road, with the findings of fact being staff's recommendation, and the current and future land use maps. Chair Melena stated the motion and second; all were in favor, motion carried.

Public Hearing: Request to Rezone from B-1 Highway Business to B-3 Neighborhood Commercial, Lots 1, 2, and 17, Block 1, East Addition; Applicant: Scooter's Coffee

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Meisenbach and seconded by Commissioner Sorenson to approve and forward a recommendation of approval to the City Council for Request to Rezone from B-1 Highway Business to B-3 Neighborhood Commercial that area known as 527 East 7th Street, more specifically Lots 1, 2, and 17, Block 1, East Addition, to allow for a smaller front yard setback for the construction of a Scooter's Coffee drive-thru coffee kiosk, with the findings of fact being staff's recommendation, and the current and future land use maps. Chair Melena stated the motion and second; all were in favor, motion carried.



REQUEST FOR USE BY EXCEPTION PERMIT

Applicant VAKOC CONSTRUCTION CO Date 6-18-2020
 Address 803 PROVIDENCE RD WAYNE NE 68707
 Section of Ordinance for Exception 2002 CODE 90-355
 Reason for Use by Exception ZONE B-1 SECTION 152.080
E-4 SPECIAL CONDITIONS
ADDITION OF DRIVE THRU LANE AND TRANSACTION DRAWER
AT 803 PROVIDENCE RD WAYNE NE 68707
 Applicant's Signature [Signature]

Municipal Code Section 90-833 Public Hearing by Planning Commission

(1) The Planning Commission shall hold public hearings upon all applications for exception use permits. Upon receipt of a complete application, the Zoning Administrator shall file a public notice in the legal newspaper of the city at least ten days prior to the Planning Commission's scheduled public hearing. Such notice shall fix the time and place for such hearing and contain a statement describing the request. A copy of such notice shall be mailed to each party in interest and to the Planning Commission.

(2) If such proposed request will affect specific property, it shall be designated by legal description and general street location; and in addition to such publication notice, written notice of such application shall be mailed to all owners of lands located within 300 feet of the area proposed to be altered and an opportunity granted to interested parties to be heard.

Municipal Code Section 90-836 Expiration of Exception Use Permits

(1) Within one year of the approved, construction of the proposed site shall have commenced or the approval is void. However, the applicant may file a letter requesting an extension prior to the expiration of the approval to the Planning Commission or the Council, whichever granted the original permit. The Planning Commission or the Council shall review all requests for extensions. They may approve for a specified period up to 12 months or disapprove, indicating their reasons for such an action. The Planning Commission's or the Council's reasons for disapproval shall be forwarded to the applicant.

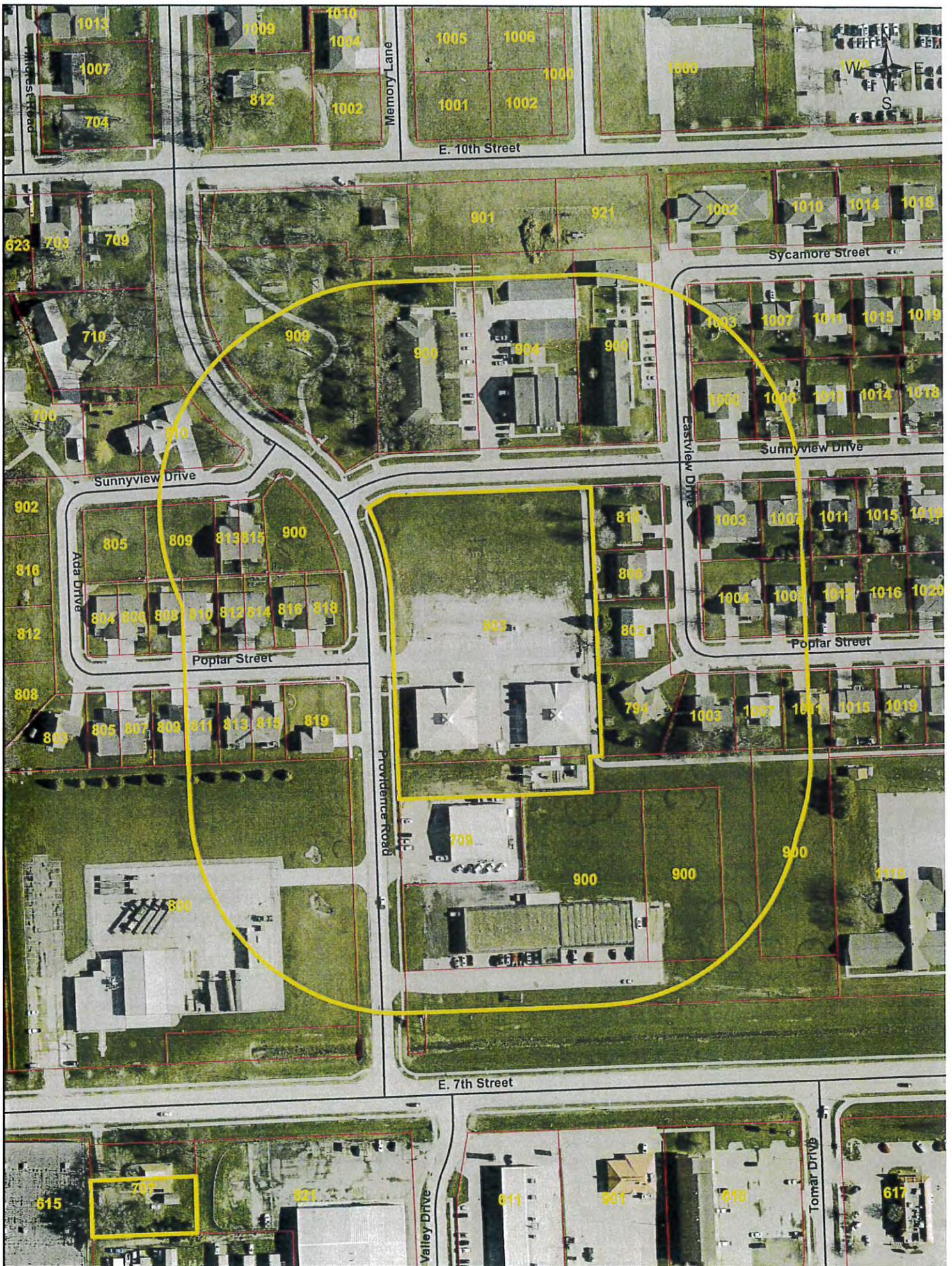
(2) After expiration, a new application is required if construction has not started and processed according to the provisions outlined in this chapter.

Date Use By Exception Request Approved/Denied by Planning Commission July 6, 2020

Date Use By Exception Request Approved/Denied by City Council _____

Conditions Placed On Use By Exception (see attached sheet, if any) NONE BY PC

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)



152.080 B-1 Highway Business District

(A) *Intent.* The B-1 District is intended primarily for application to areas along major highway entrances to the city in accord with policies of the Comprehensive Plan where controlled access to the highway is afforded and offering a desired convenience to the motoring public.

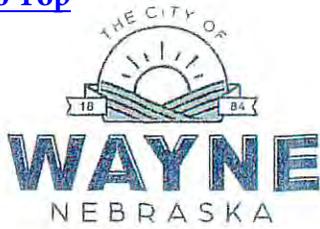
(E) *Special conditions and conditions for granting exceptions.* Notwithstanding the requirements of §§ 152.195 through 152.202 of this chapter, the following regulations shall apply as minimum requirements for all uses in the B-1 District.

(1) Where a site adjoins or is located across an alley from any residential district, a solid wall or fence, vine-covered open fence or compact evergreen hedge six feet in height shall be located on the property line common to such districts, except in a required front yard.

(2) Open storage of materials attendant to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence six feet in height; provided that, no materials or equipment shall be stored to a height greater than that of the wall or fence.

(3) No use shall be permitted and no process, equipment or materials shall be used which are found by the Board of Adjustment to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibrations, illumination, glare or unsightliness or to involve any hazard or fire or explosion.

(4) Any proposed use which is otherwise permitted in the B-1 zone which requires, uses or proposes to construct or use a drive-up, drive-through or drive-in intended to provide customers in-vehicle access to a product or service shall be considered a use by exception. Together with the provisions of §§ 152.195 through 152.202 of this chapter, the Council shall consider whether sufficient vehicle stack or queue space is provided on site. In addition to the space at which the product or service is dispensed, at least three stack or queue spaces will be provided, as a minimum. No stack or queue is permitted to occupy public right-of-way.



REQUEST FOR REZONING PROPERTY

Applicant NATHAN LINDLEY / SCOOTERS COFFEE **Date** 6/18/2020

Address 527 E 7th St, Wayne, NE

Legal Description 0-0-0 LOTS 1-2 & 17 BLK 1 EAST ADDITION

Rezoning Change From B-1 - Highway Business **To** B-3 - Neighborhood Commercial

Reason for Rezoning Due to the small footprint of property, Scooter's Coffee is proposing to rezone parcels 0004207 and 0004207.1 to reduce the front yard setback requirement from 100' from center line of street highway to an 80' setback from centerline of street highway. The proposed use will be a Scooter's Coffee drive-thru coffee kiosk.


Applicant's Signature

Summary of Chapter 152 – Zoning

From time to time changes in the boundaries of the existing Zoning Districts may be made. The changes can be initiated by the City Council, Planning Commission, or by the owner of the property involved in the change. A Request for Rezoing is first submitted to the Planning Commission for consideration and their recommendation is submitted to the City Council for final action. If passed, the zoning change becomes an Ordinance and is recorded n the public records.

Rezoning procedures begin with the property owner submitting an application to the City Planner. This Rezoning Request gives the legal description of the property, the zoning change, and reasons for the rezoning. In addition to the Rezoning Request, a list of property owners with 300 feet of the proposed rezoning must be submitted. The list must include the property owner and a mailing address.

The Rezoning Request and list must be filed with the City Planner at least 15 days prior to the Planning Commission meeting along with a filing fee, currently \$200 per hearing. The Rezoning Request is then placed on the agenda. At least 10 days prior to the Planning Commission meeting the adjacent property owners are notified of the proposed rezoning along with the School District. A public notice is published in the local newspaper.

The Planning Commission may rule on the Rezoning Request immediately following the Public Hearing or table the item until the next meeting. The recommendation by the Planning Commission is then presented to the City Council at their next meeting for final action. The City Council shall approve or disapprove the Rezoning Request or return it to the Planning Commission.

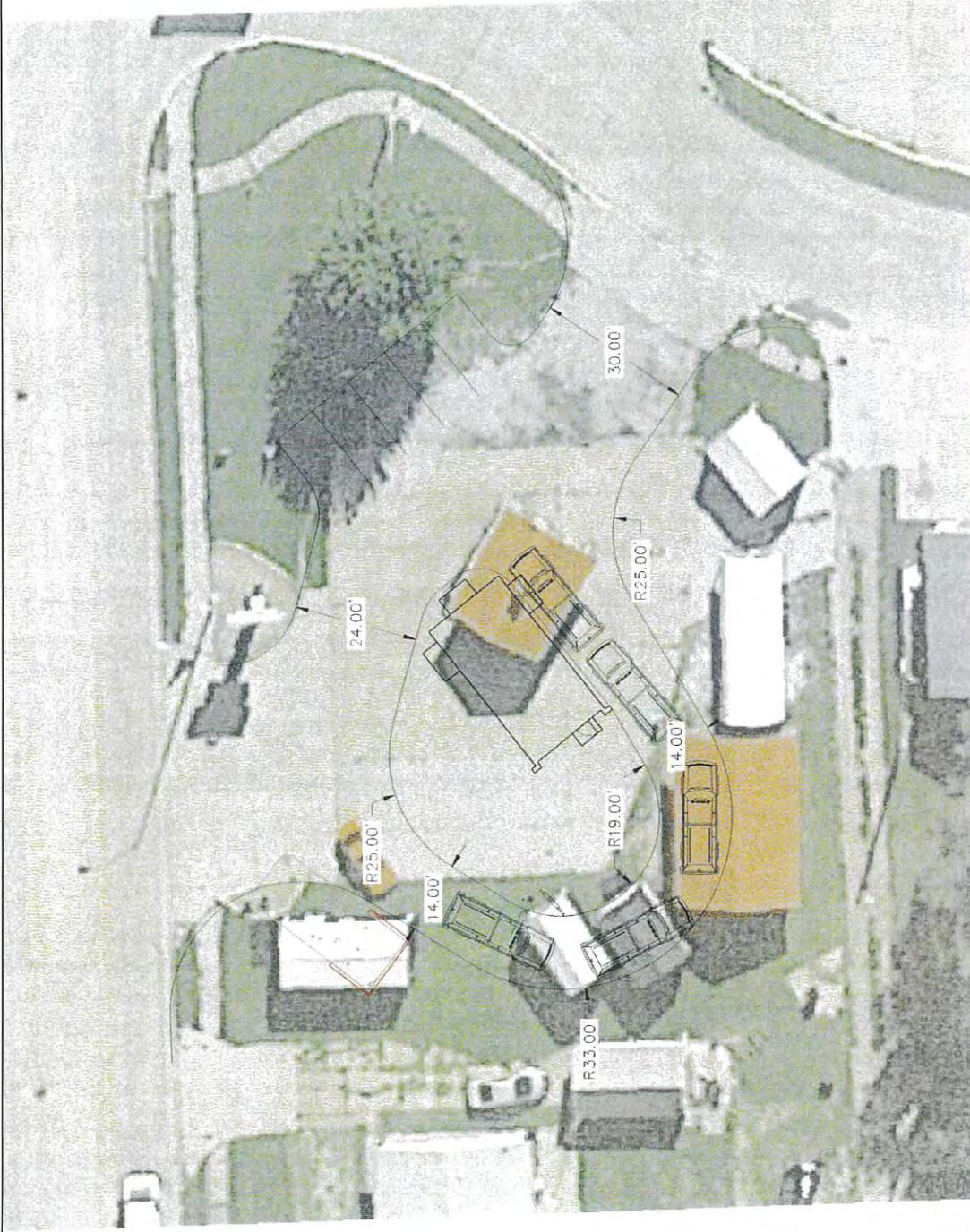
Date Rezoning Request Approved Denied by Planning Commission July 6, 2020

Date Rezoning Request Approved/Denied by City Council _____

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)
306 Pearl Street
Wayne, NE 68787 No Conditions By Planning Commission
402.375.1733
cityofwayne.org



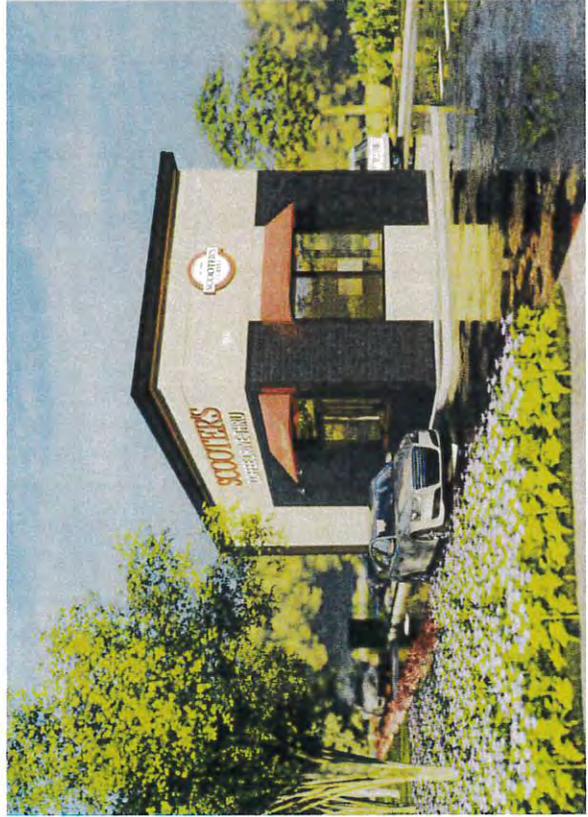
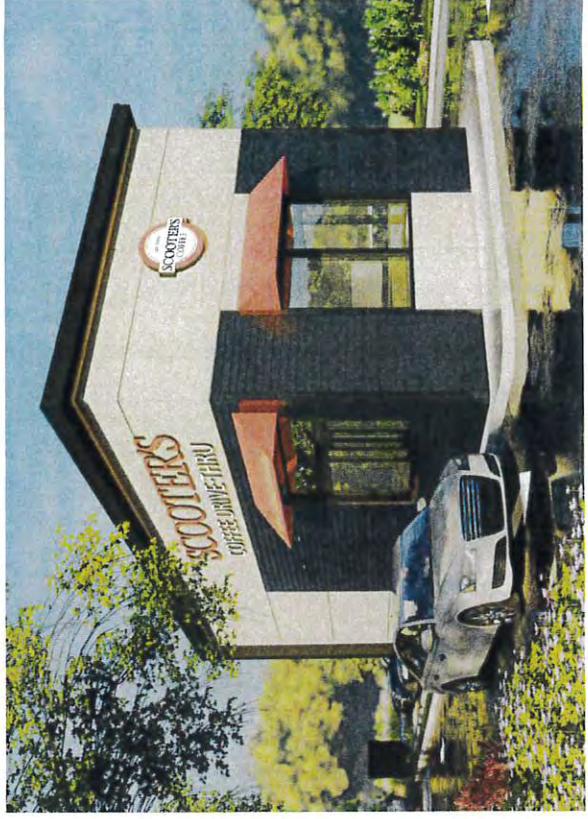
DWG: G:\OKC\Teams\IDVP\Proposals\Scooter's\06 Prelim Site Layouts\NF, Wayne 527 F 7th SI\Drawing3.dwg
 DATE: Jun 11, 2020 1:07pm XREFS:
 USER:

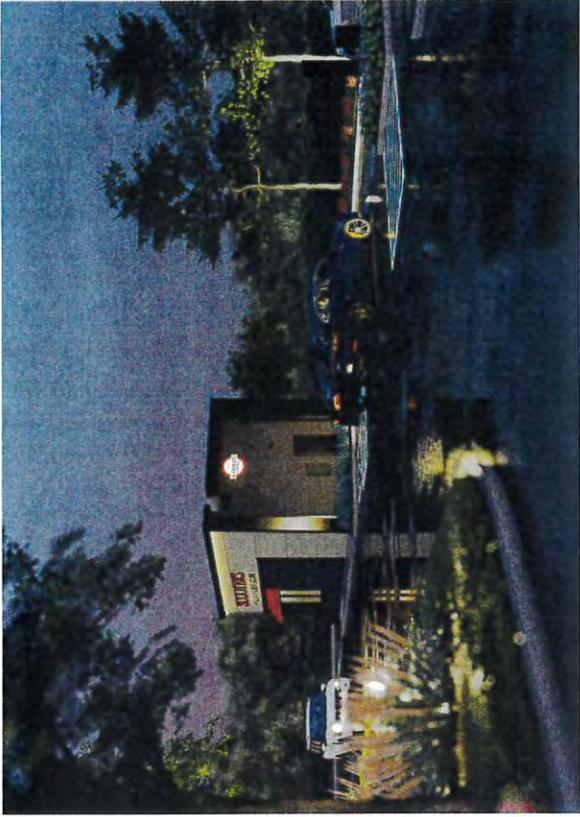


PROJECT NO:
 DRAWN BY: MTC
 DATE: 06.11.2020

SCOOTER'S COFFEE
WAYNE, NE

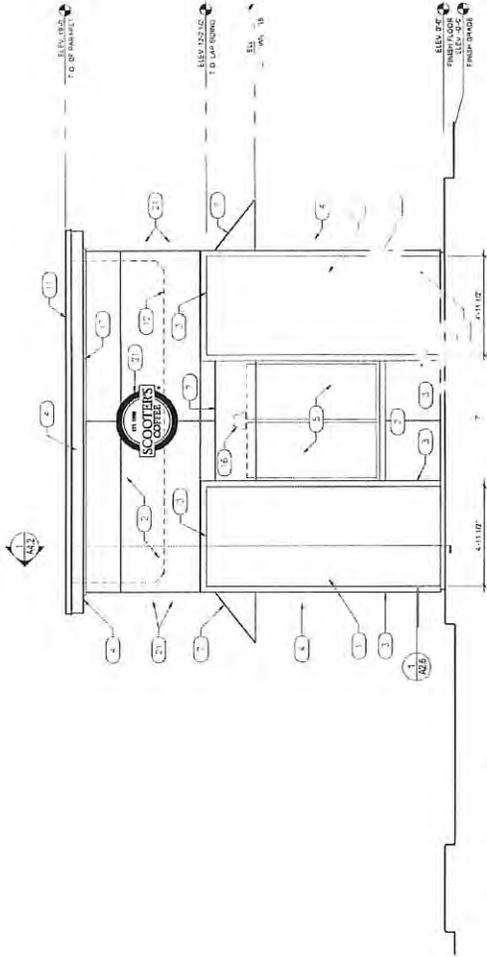
olsson
 11800 Broadway, Ekt.
 Suite 300, City, OK 73114
 TEL 405.242.6600
 EXHIBIT
 1



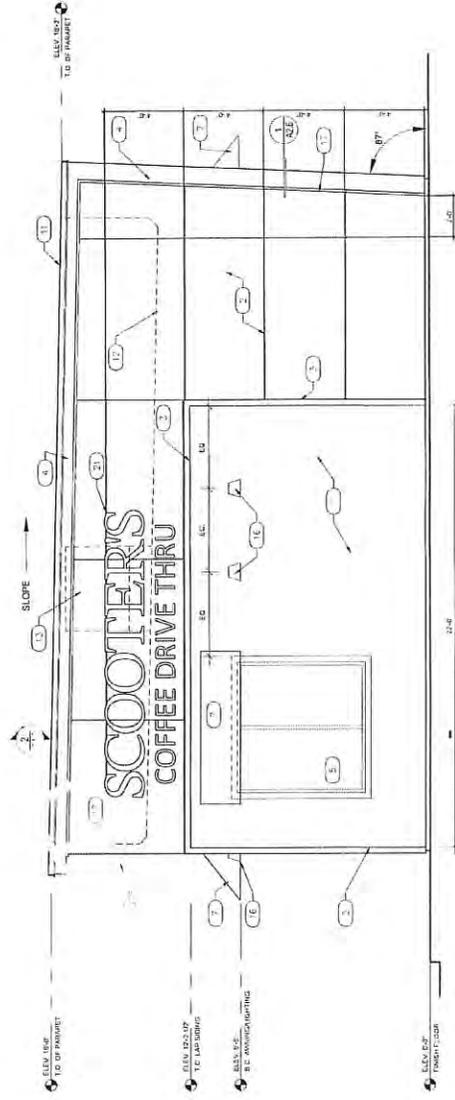


KEYNOTES

1. HANDLE AND KNOBS: SEE HANDLE DETAIL SHEET A65 - COLOR: SHERWIN WILLIAMS SWARTHPANEL, EGGSHELL, N192P.
2. HANDLE RECALL PANEL SYSTEM: SEE HANDLE DETAIL SHEET A65 - COLOR: COBALT COLLECTION.
3. 2 1/2" PANEL FROM A65 - HANDLE DETAIL SHEET A65 - COLOR: SHERWIN WILLIAMS SWARTHPANEL.
4. 2 1/2" PANEL FROM A65 - HANDLE DETAIL SHEET A65 - COLOR: SHERWIN WILLIAMS SWARTHPANEL.
5. METAL SCREWS AND SCREWS: COLOR: BLACK.
6. DISCRETE KNOB/KNIFE: COLOR: BLACK.
7. FINISHES BY OTHERS: COLOR: MET.
8. FINISHED W/ALUMINUM METAL DOOR AND TRIMS: COLOR: SHERWIN WILLIAMS SWARTHPANEL, EGGSHLL.
9. KEYP-HOLE OR DOOR HANDLE: AS PER.
10. DOOR BELT.
11. METAL SHAMMET CAP.
12. LINE OF BEST FITTING.
13. RAMP FOR SLOPE: SEE MECHANICAL DRAWING.
14. RAMP SUPPORT AND COMPART: SEE DETAIL A64.1.
15. WALL MOUNTED DOWEL.
16. WALL MOUNTED LIGHT FIXTURE: SEE ELECTRICAL DRAWINGS.
17. LED LIGHT BAND: SEE ELECTRICAL DRAWINGS.
18. LED PANEL: SEE ELECTRICAL DRAWINGS.
19. ELECTRICAL OUTLETS: SEE ELECTRICAL DRAWINGS.
20. HOSE FIBER: SEE PLUMBING DRAWINGS.
21. SIGNAGE BY OTHERS: UNDER A SEPARATE PERMIT.



2 EXTERIOR ELEVATIONS
SCALE: 3/8" = 1'-0"



1 EXTERIOR ELEVATIONS
SCALE: 3/8" = 1'-0"

RESOLUTION NO. 2020-37

A RESOLUTION APPROVING THE APPLICATION OF SUNNYVIEW PLACE LLC FOR A ZONING USE BY EXCEPTION PERMIT FOR A DRIVE-THRU AT PROVIDENCE COMMUNITY PHARMACY AT 803 PROVIDENCE ROAD.

WHEREAS, the Planning Commission has considered an application for a zoning use by exception permit submitted by Sunnyview Place LLC for a drive-thru at Providence Community Pharmacy at 803 Providence Road; and

WHEREAS, the Planning Commission, subsequent to a public hearing held on July 6, 2020, recommended approval of the use by exception permit request under Section 152.080 (E)(4) of the B-1 Highway Business District, Special Conditions and Conditions for granting Exceptions, subject to the following "Findings of Fact:"

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

WHEREAS, the City Council considered the aforesaid application for a drive-thru at Providence Community Pharmacy at 803 Providence Road subsequent to a public hearing held on July 21, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Council accepts the recommendation of the Planning Commission and approves the use by exception permit application, subject to the above-stated "Findings of Fact."

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

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2020-15

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY OR AREA KNOWN AS LOTS 1, 2, AND 17, BLOCK 1, EAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM B-1 HIGHWAY BUSINESS DISTRICT TO B-3 NEIGHBORHOOD COMMERCIAL DISTRICT.

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

Section 1. That the real estate area shown on the attached map be changed and rezoned from B-1 (Highway Business) to B-3 (Neighborhood Commercial). The area being rezoned is described as:

Lots 1, 2, and 17, Block 1, East Addition to the City of Wayne, Wayne County, Nebraska.

Section 2. That the Planning Commission held a public hearing on July 6, 2020, regarding this rezoning request, and have recommended approval thereof, with the "Findings of Fact" being:

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

Section 3. The official zoning map shall be forthwith changed by the zoning officials to properly show the real estate hereinabove described as now in a B-3 (Neighborhood Commercial District) zone.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 5. 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

RESOLUTION NO. 2020-38

A RESOLUTION APPROVING INTERLOCAL COOPERATION AGREEMENT AND SPECIAL OPERATION AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF WAYNE AND THE LOWER ELKHORN NATURAL RESOURCE DISTRICT FOR THE “WAYNE PEDESTRIAN TRAIL – PHASE II PROJECT.”

WHEREAS, the City of Wayne, Nebraska, has been informed that its application for funding through the Lower Elkhorn NRD’s Urban Conservation Assistance Program for the “Wayne Pedestrian Trail – Phase II Project” has been approved; and

WHEREAS, the City of Wayne wishes to enter into an Interlocal Cooperation Agreement and Special Operation and Maintenance Agreement with the Lower Elkhorn Natural Resource District for the “Wayne Pedestrian Trail – Phase II Project.”

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Interlocal Cooperation Agreement and Special Operation and Maintenance Agreement with the Lower Elkhorn Natural Resource District for the “Wayne Pedestrian Trail – Phase II Project,” copies of which are attached hereto, be and the same are hereby approved as written, and that the City Administrator and/or Mayor are authorized and directed to execute said Agreements on behalf of the City.

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

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

INTERLOCAL COOPERATION AGREEMENT

Comes now the Lower Elkhorn Natural Resources District, hereinafter referred to as the "LENRD", and the local governmental unit or public agency described on Exhibit "A" attached hereto and made a part hereof, hereinafter described as the "Public Agency", and pursuant to the Nebraska Interlocal Cooperation Act, hereby agree as follows:

1. It is in the best interests of the LENRD and such Public Agency to enter into this agreement to provide certain services and other benefits to the parties to this agreement, for the duration and purposes set forth on such Exhibit "A".
2. The manner of financing this undertaking and a budget for the same is as set forth on Exhibit "A", as agreed to by the parties herein.
3. In the event no separate legal entity to conduct the joint or cooperative undertaking contemplated by this agreement is created herein, then the administrator or joint board responsible for administering such undertaking is as set forth on Exhibit "A".
4. In the event real and personal property is used in such undertaking, the manner of acquiring, holding and disposing of the same is as set forth on Exhibit "A" attached hereto.
5. Time is of the essence of this agreement.
6. This agreement shall be binding upon the parties hereto and interpreted under Nebraska Law.

Dated this _____ day of _____, 2020.

LOWER ELKHORN NATURAL RESOURCES DISTRICT

BY _____
Chairman of the Lower Elkhorn NRD Board

Authorized Representative of Public Agency on behalf
of such Public Agency

EXHIBIT "A"

1. Public Agency: City of Wayne
2. Duration of this Agreement: Is for two years (Expires June 30, 2022)
3. This agreement forms no separate entity.
 - A. Lower Elkhorn NRD administers the Recreation Area Development Program.
 - B. City of Wayne is responsible for acquisition of any necessary property by deed or easement from landowners and will terminate such easements when no longer needed.
4. This agreement sets forth the terms under which Lower Elkhorn NRD and City of Wayne cooperate on:
 - A. Acquisition, planning, and development of public recreation areas which are agreed to by both parties.
5. Financing and budget: Lower Elkhorn NRD and City of Wayne each agree:
 - A. Lower Elkhorn NRD will reimburse City of Wayne 50% of eligible costs up to a limit of \$26,000.00 on approved projects.
6. Termination: Either party to this agreement may terminate the same upon completion of the same or a violation of the agreement by the other party.

Upon any termination, any property that is a part of the joint or cooperative undertaking shall be disposed of as follows:

All easements shall terminate as provided by law.

**LOWER ELKHORN NATURAL RESOURCE DISTRICT
Recreation Area Development Program**

Special Operation and Maintenance Agreement

This agreement is made between the LOWER ELKHORN NATURAL RESOURCES DISTRICT (hereinafter "the District"), acting under authority of Section 2-3235 R.R.S., 1943 and City of Wayne (hereinafter "the Sponsor") which sponsor intends to carry out the following described project: Wayne Pedestrian Trail – Phase II (hereinafter "the Project") located in Wayne County, Nebraska.

It is agreed that, if the District furnishes financial aid to the Sponsor for the Project, in consideration thereof: 26,000.00

1. The Sponsor warrants that it now has, or can obtain the resources, ability, and authority, and will obtain the additional funds, permits, services, materials, and land rights necessary to complete the Project, without additional cost to the District.
2. The Sponsor shall operate, maintain, and repair the Project after completion in accordance with accepted engineering standards and practices, without additional cost to the District. If the Project is either removed or improperly maintained within a period of ten (10) years following completion, the Sponsor will, upon request of the District, refund all or a portion of the District's cost share funds.
3. The Sponsor shall indemnify and hold the District harmless from and against all liability and damages resulting from the design, construction, operation, or maintenance of the Project, and against all demands, causes of action, and claims arising therefrom, except as may be caused by negligence of the District, its agents, representatives, or employees.

The effective date of this Agreement shall be June 30, 2020

SPONSOR:

_____ Attest: _____

By: _____

Date: _____

LOWER ELKHORN NATURAL RESOURCES DISTRICT

By: _____ Attest: _____

Date: _____



July 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:

The project is nearing completion and all pipe has been laid. Also, pressure testing of the mainline pipe was completed and was found to be satisfactory. The remaining two elements are installation of one insertion valve and completion of bacteriological testing. The valve is scheduled to be completed today and samples have been submitted to the lab and we are waiting of the results.

Enclosed is Application of Payment No. 3 in the amount of \$340,30753. JEO recommends approval of this pay application.

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

Sincerely,

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

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

RSP:skw
Enclosures

182177LTR01620-PA3.docx

Contractor's Application for Payment No. 3

Application Period: May 8 - July 14 2020 Application Date: 7/14/2020	Via (Engineer): JEO Consulting Group, Inc. Engineer's Project No.: 182177
To (Owner): City of Wayne, Nebraska Project: 2019 Water Transmission Main DWSRF No. 311643	From (Contractor): Rujens Construction, Inc. Contract: 2019 Water Transmission Main DWSRF No. 311643
Owner's Contract No.:	Contractor's Project No.:

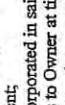
Application For Payment Change Order Summary

Approved Change Orders Number	Additions	Deductions	
1	\$4,845.00		1. ORIGINAL CONTRACT PRICE..... \$ 2,166,877.91
2	\$12,398.00		2. Net change by Change Orders..... \$ 15,832.50
3		\$1,410.50	3. Current Contract Price (Line 1 ± 2)..... \$ 2,182,710.41
			4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates)..... \$ 2,136,826.65
5. RETAINAGE:			
		a. 10% X \$1,091,355.21	Work Completed..... \$ 109,135.52
		b. X	Stored Material..... \$
		c. Total Retainage (Line 5.a + Line 5.b).....	\$ 109,135.52
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)..... \$ 2,027,691.13
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 1,687,383.60
			8. AMOUNT DUE THIS APPLICATION..... \$ 340,307.53
			9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above)..... \$ 155,019.28
TOTALS		\$17,243.00	
NET CHANGE BY CHANGE ORDERS		\$15,832.50	

Contractor's Certification
 The undersigned Contractor certifies, to the best of its knowledge, the following:
 (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
 (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
 (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Address: _____
 Contractor Signature:  Date: 7/15/2020

Payment of: \$ 340,307.53
 (Line 8 or other - attach explanation of the other amount)

is recommended by:  (Engineer) 7/15/2020 (Date)

Payment of: \$ 340,307.53
 (Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) (Date)

Approved by: _____ Funding or Financing Entity (if applicable) (Date)

Progress Estimate

Contractor's Application

For (Contract):		2019 Water Transmission Main DWSRF No. 311643		Application Number: 3													
Application Period:		May 8 - July 14 2020		Application Date: 7/14/2020													
Item		Contract Information		A		B		C		D		E		F		G	
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Insulated to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F/B)	Balance to Finish (B-F)						
1	MOBILIZATION	1	LS	\$47,250.00	\$47,250.00	1	\$47,250.00		\$47,250.00	100.0%							
2	BONDING AND INSURANCE	1	LS	\$15,150.00	\$15,150.00	1	\$15,150.00		\$15,150.00	100.0%							
3	16" PVC WATER MAIN, DR 18, R.I.	29,265	LF	\$96.81	\$1,076,324.46	29,240	\$1,076,324.40		\$1,076,324.40	99.9%	\$957.06						
4	16" PVC WATER MAIN, DR 18, R.I.	480	LF	\$93.40	\$44,832.00	500	\$46,700.00		\$46,700.00	104.2%	-\$1,868.00						
5	16" PVC WATER MAIN, DR 18, R.I., DIRECTIONALLY BORED	1,128	LF	\$118.65	\$133,837.20	1,260	\$149,499.00		\$149,499.00	111.7%	-\$15,661.80						
6	12" PVC WATER MAIN, DR 18	1,597	LF	\$26.00	\$41,522.00	1,597	\$41,522.00		\$41,522.00	100.0%							
7	16"x16"x16" TEE, M.J., R.I.	4	EA	\$2,050.00	\$8,120.00	3	\$6,090.00		\$6,090.00	75.0%	\$2,030.00						
8	16"x12"x16" TEE, M.J., R.I.	1	EA	\$1,975.00	\$1,975.00	1	\$1,975.00		\$1,975.00	100.0%							
9	16"x6"x16" TEE, M.J., R.I.	6	EA	\$1,666.00	\$9,996.00	6	\$9,996.00		\$9,996.00	100.0%							
10	12"x12"x12" TEE, M.J., R.I.	1	EA	\$1,102.00	\$1,102.00	1	\$1,102.00		\$1,102.00	100.0%							
11	12" X 6" X 12" TEE, M.J., R.I.	1	EA	\$1,011.00	\$1,011.00	1	\$1,011.00		\$1,011.00	100.0%							
12	16"x10" REDUCER M.J., R.I.	2	EA	\$915.00	\$1,830.00	2	\$1,830.00		\$1,830.00	100.0%							
13	16" 11.25 BEND, M.J., R.I.	8	EA	\$1,414.00	\$11,312.00	7	\$9,898.00		\$9,898.00	87.5%	\$1,414.00						
14	16" 22.5 BEND, M.J., R.I.	1	EA	\$1,415.00	\$1,415.00	1	\$1,415.00		\$1,415.00	100.0%							
15	16" 45 BEND, M.J., R.I.	1	EA	\$1,516.00	\$1,516.00	1	\$1,516.00		\$1,516.00	100.0%							
16	16" 90 BEND, M.J., R.I.	4	EA	\$1,815.00	\$7,260.00	4	\$7,260.00		\$7,260.00	100.0%							
17	16" GATE VALVE AND BOX, M.J., R.I.	9	EA	\$6,889.00	\$62,001.00	9	\$62,001.00		\$62,001.00	100.0%							
18	16" INSERTION VALVE	2	EA	\$31,750.00	\$63,500.00	2	\$63,500.00		\$63,500.00	100.0%							
19	16" FOSTER ADAPTOR	9	EA	\$775.00	\$6,975.00	9	\$6,975.00		\$6,975.00	100.0%							
20	16" PLUG, M.J., R.I.	1	EA	\$875.00	\$875.00	1	\$875.00		\$875.00	100.0%							
21	12" GATE VALVE AND BOX, M.J., R.I.	2	EA	\$2,645.00	\$5,290.00	2	\$5,290.00		\$5,290.00	100.0%							
22	12" FOSTER ADAPTOR	2	EA	\$515.00	\$1,030.00	2	\$1,030.00		\$1,030.00	100.0%							
23	10" GATE VALVE AND BOX, M.J., R.I.	1	EA	\$2,201.00	\$2,201.00	1	\$2,201.00		\$2,201.00	100.0%							
24	10" LINE STOP	1	EA	\$10,000.00	\$10,000.00	1	\$10,000.00		\$10,000.00	100.0%							
25	10" FOSTER ADAPTOR	1	EA	\$525.00	\$525.00	1	\$525.00		\$525.00	100.0%							
26	AIR RELEASE MANHOLE, COMPLETE	11	EA	\$17,750.00	\$195,250.00	11	\$195,250.00		\$195,250.00	100.0%							
27	FLAT TOP AIR RELEASE MANHOLE, COMPLETE	1	EA	\$17,550.00	\$17,550.00	1	\$17,550.00		\$17,550.00	100.0%							
28	WATER VALVE MANHOLE, COMPLETE	2	EA	\$39,482.00	\$78,964.00	2	\$78,964.00		\$78,964.00	100.0%							
29	CONNECT TO EXISTING WATER MAIN	6	EA	\$1,101.00	\$6,606.00	5	\$5,505.00		\$5,505.00	83.3%	\$1,101.00						
30	FIRE HYDRANT ASSEMBLY	7	EA	\$3,715.00	\$26,005.00	7	\$26,005.00		\$26,005.00	100.0%							
31	24" PVC CASING, R.I., DIRECTIONALLY BORED	871	LF	\$210.00	\$182,910.00	871	\$182,910.00		\$182,910.00	100.0%							
32	1" WATER SERVICE SADDLE	1	EA	\$291.00	\$291.00	2	\$462.00		\$462.00	200.0%	-\$231.00						
33	1" CORPORATION STOP	1	EA	\$245.00	\$245.00	2	\$490.00		\$490.00	200.0%	-\$245.00						
34	1" SERVICE LINE	67	LF	\$14.00	\$938.00	70	\$980.00		\$980.00	104.5%	-\$42.00						
35	BORE WATER SERVICE LINE	55	LF	\$15.00	\$825.00	55	\$825.00		\$825.00	100.0%							
36	1" CURB STOP AND BOX	2	EA	\$350.00	\$700.00	2	\$700.00		\$700.00	100.0%							
37	ENTRANCE CROSSING (TYPE 1)	16	EA	\$350.00	\$5,600.00	17	\$5,950.00		\$5,950.00	106.3%	-\$350.00						
38	ENTRANCE CROSSING (TYPE 2)	2	EA	\$250.00	\$500.00	2	\$500.00		\$500.00	100.0%							
39	ENTRANCE CROSSING (TYPE 3)	2	EA	\$300.00	\$600.00	2	\$600.00		\$600.00	100.0%							
40	12" CMP COUVERT	40	LF	\$36.00	\$1,440.00	40	\$1,440.00		\$1,440.00	100.0%							
41	GRAVEL SURFACE COURSE	713	TONS	\$28.00	\$19,964.00	1016	\$28,448.00		\$28,448.00	142.5%	-\$8,484.00						

3.75

Progress Estimate

Contractor's Application

For (Contract):		2019 Water Transmission Main		Application Number: 3						
DWSRF No. 311643		Application Date: 7/14/2020								
Application Period: May 8 - July 14 2020										
Bid Item No.	Item Description	Contract Information				Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
		Item Quantity	Units	Unit Price	Total Value of Item (\$)					
42	EROSION CONTROL MAT	8,039	SY	\$1.25	\$10,048.75	\$10,048.75		\$10,048.75	100.0%	
43	CLEARING AND GRUBBING	1	LS	\$5,500.00	\$5,500.00	\$5,500.00		\$5,500.00	100.0%	
44	SEEDING (ESTABLISHED QTY)	23	AC	\$1,250.00	\$28,750.00	\$28,750.00		\$28,750.00	100.0%	
45	SILT FENCE, HIGH POROSITY	1,065	LF	\$2.10	\$2,236.50	\$1,260.00		\$1,260.00	56.3%	\$976.50
46	TEMPORARY TRAFFIC CONTROL MEASURES	1	LS	\$2,000.00	\$2,000.00	\$2,000.00		\$2,000.00	100.0%	
47	STAKING	1	LS	\$5,500.00	\$5,500.00	\$5,500.00		\$5,500.00	100.0%	
48	POWER POLE BRACING	1	LS	\$5,500.00	\$5,500.00					\$5,500.00
49	24" DIA. MANHOLE RISER ADJUSTMENT RING - 4" TALL	3	EA	\$55.00	\$165.00					\$165.00
50	24" DIA. MANHOLE RISER ADJUSTMENT RING - 8" TALL	3	EA	\$85.00	\$255.00			\$340.00	133.3%	-\$85.00
51	24" DIA. MANHOLE RISER ADJUSTMENT RING - 12" TALL	3	EA	\$210.00	\$630.00			\$420.00	66.7%	\$210.00
52	60" DIA. MANHOLE BARREL SECTION - 16" TALL	2	EA	\$260.00	\$520.00			\$260.00	50.0%	\$260.00
53	60" DIA. MANHOLE BARREL SECTION - 32" TALL	2	EA	\$955.00	\$1,910.00					\$1,910.00
54	60" DIA. MANHOLE BARREL SECTION - 48" TALL	2	EA	\$1,025.00	\$2,050.00					\$2,050.00
55	FIRE HYDRANT EXTENSION - 6"	1	EA	\$850.00	\$850.00					\$850.00
56	FIRE HYDRANT EXTENSION - 12"	1	EA	\$910.00	\$910.00					\$910.00
57	FIRE HYDRANT EXTENSION - 18"	1	EA	\$985.00	\$985.00					\$985.00
58	FIRE HYDRANT EXTENSION - 24"	1	EA	\$1,000.00	\$1,000.00					\$1,000.00
59	FIRE HYDRANT EXTENSION - 48"	1	EA	\$1,615.00	\$1,615.00					\$1,615.00
ALTERNATE BID										
60	PIPE CLEANING STATION	3	EA	\$15,100.00	\$45,300.00	\$60,400.00		\$60,400.00	133.3%	-\$15,100.00
Change Order No. 1 Drain Tile										
Change Order No. 2 6" Water Main										
Change Order No. 3 Change Order 2 Quantities / Additional Drain Line										
Totals					\$2,182,710.41	\$2,136,826.65		\$2,136,826.65	97.9%	\$45,883.76



MEMO

To: City of Wayne
From: Jon Mooberry – JEO Project manager
Date: July 16, 2020
Subject: Project Status Update

The construction of Nebraska Street Improvement project is approximately 50% complete with Phase I of construction from 2nd Street to 4th Street being completed, except for seeding and retaining wall work. The Contractor plans to resume work on Phase 2 of the project from 4th Street to 7th Street in July and substantially complete construction by September 1, 2020. Final completion of the project is October 1, 2020.

Construction of the project is progressing on schedule and the quality of work to date has been meeting the project specifications and JEO's expectations. Utility conflicts encountered during construction have required field adjustments with plan revisions to storm sewer improvements, as well as water main and service reconstruction. JEO, Woehler & Sons Construction, City staff, and utility providers have been working through conflicts identified to find solutions and resolutions acceptable to all parties.

Pay Application No. 5 accompanying this project status update has been submitted for Council review and approval. The pay application provides payment for all work completed through 7/10/20 and includes a correction to an item inadvertently paid for under Pay Application No. 4. Item No. 7 for Subgrade Stabilization was inadvertently paid and is deducted/removed in Pay Application No. 5. To further clarify, subgrade stabilization is different than subgrade preparation and is to provide payment for use of fly ash to stabilize the subgrade, if required. Per the project Specifications, subgrade preparation is subsidiary to the paving pay item. Following soil proctors taken at the start of the project, it was determined no "Subgrade Stabilization" was required for Phase 1 construction. For Phase 2, the existing soils will be evaluated for determination if fly ash subgrade stabilization is necessary.

JEO anticipates the project to be completed on schedule and is pleased with the quality of construction to date. We will continue to work with the Contractor, City staff, and stakeholders to meet the City's expectations.

Progress Estimate

Contractor's Application

For (Contract): 2019 Nebraska Street Improvements
CDBG No. 16-CD-208

Application Number: 5

Application Period: 6/10/2020 - 7/10/2020

Application Date: 7/21/2020

Item No.	Item Description	Contract Information				C	D	E	F		G
		Item Quantity	Units	Unit Price	Total Value of Item (\$)				Total Completed and Stored to Date (D + E)	% (F / B)	
GROUP B											
1	Mobilization	1	LS	\$50,000.00	\$50,000.00	1.00	\$50,000.00		\$50,000.00	100.0%	
2	Temporary Traffic Control Measures	1	LS	\$7,500.00	\$7,500.00	0.50	\$3,750.00		\$3,750.00	50.0%	\$3,750.00
3	Clearing and Grubbing	1	LS	\$4,500.00	\$4,500.00	0.50	\$2,250.00		\$2,250.00	50.0%	\$2,250.00
4	Excavation, Established Quantity	1,060	CY	\$10,600.00	\$10,600.00	500.00	\$5,000.00		\$5,000.00	47.2%	\$5,600.00
5	Remove Pavement	6,957	SY	\$5.00	\$34,785.00	3,253	\$16,265.00		\$16,265.00	46.8%	\$18,520.00
6	Remove Concrete Sidewalk	3,946	SF	\$2.00	\$7,892.00	2,125.00	\$4,250.00		\$4,250.00	53.9%	\$3,642.00
7	Subgrade Stabilization	6,504	SY	\$14.16	\$92,096.64						\$92,096.64
8	8" Concrete Pavement	6,504	SY	\$67.50	\$439,020.00	3,144.00	\$212,220.00		\$212,220.00	48.3%	\$226,800.00
9	6" Concrete Driveway	768	SY	\$64.46	\$49,505.28	319.8	\$20,614.31		\$20,614.31	41.6%	\$28,890.97
10	5" Concrete Sidewalk	4,229	SF	\$6.86	\$29,010.94	2,304.00	\$15,805.44		\$15,805.44	54.5%	\$13,205.50
11	Detectable Warning Panels	256	SF	\$44.00	\$11,264.00	128	\$5,632.00		\$5,632.00	50.0%	\$5,632.00
12	Crushed Rock Surface Course	21	TONS	\$55.00	\$1,155.00	20.00	\$1,100.00		\$1,100.00	95.2%	\$55.00
13	Modular Block Retaining Wall	120	SF	\$75.00	\$9,000.00						\$9,000.00
14	Remove Storm Sewer Pipe	2,504	LF	\$10.00	\$25,040.00	1,289.00	\$12,890.00		\$12,890.00	51.5%	\$12,150.00
15	Remove Storm Sewer Structure (< 6' deep)	19	EA	\$500.00	\$9,500.00	11.00	\$5,500.00		\$5,500.00	57.9%	\$4,000.00
16	Remove Storm Sewer Structure (> 6' deep)	5	EA	\$1,000.00	\$5,000.00	3.00	\$3,000.00		\$3,000.00	60.0%	\$2,000.00
17	Storm Sewer Manhole, 72"x54"	1	EA	\$6,000.00	\$6,000.00	1.00	\$6,000.00		\$6,000.00	100.0%	
18	Storm Sewer Manhole, 72"x42"	1	EA	\$5,500.00	\$5,500.00	1.00	\$5,500.00		\$5,500.00	100.0%	
19	Storm Sewer Manhole, 72"x36"	1	EA	\$5,000.00	\$5,000.00	1.00	\$5,000.00		\$5,000.00	100.0%	
20	Storm Sewer Manhole, 60"x36"	5	EA	\$4,500.00	\$22,500.00	3.00	\$13,500.00		\$13,500.00	60.0%	\$9,000.00
21	Storm Sewer Manhole, 54"x36"	1	EA	\$4,250.00	\$4,250.00	1.00	\$4,250.00		\$4,250.00	100.0%	
22	Storm Sewer Manhole, 42"x36"	1	EA	\$4,000.00	\$4,000.00						\$4,000.00
23	Drop Curb Inlet w/ Grate	1	EA	\$4,500.00	\$4,500.00	0.50	\$2,250.00		\$2,250.00	50.0%	\$2,250.00
24	Steel Curb Inlet w/ Grate	1	EA	\$5,000.00	\$5,000.00	1.00	\$5,000.00		\$5,000.00	100.0%	
25	Curb Inlet (y=8')	19	EA	\$4,500.00	\$85,500.00	8.50	\$38,250.00		\$38,250.00	44.7%	\$47,250.00
26	48" RCP, Class III	386	LF	\$150.00	\$57,900.00	384.00	\$57,600.00		\$57,600.00	99.5%	\$300.00
27	42" RCP, Class III	653	LF	\$125.00	\$81,625.00	474.00	\$59,250.00		\$59,250.00	72.6%	\$22,375.00
28	36" RCP, Class III	517	LF	\$100.00	\$51,700.00						\$51,700.00
29	30" RCP, Class III	55	LF	\$80.00	\$4,400.00	55.00	\$4,400.00		\$4,400.00	100.0%	
30	24" RCP, Class III	204	LF	\$60.00	\$12,240.00	3.00	\$180.00		\$180.00	1.5%	\$12,060.00
31	18" RCP, Class III	180	LF	\$40.00	\$7,200.00	45.00	\$1,800.00		\$1,800.00	25.0%	\$5,400.00
32	15" RCP, Class III	284	LF	\$35.00	\$9,940.00	168.00	\$5,880.00		\$5,880.00	59.2%	\$4,060.00
33	Concrete Collar, 48"	1	EA	\$1,000.00	\$1,000.00	1.00	\$1,000.00		\$1,000.00	100.0%	
34	Concrete Collar, 30"	1	EA	\$750.00	\$750.00	1.00	\$750.00		\$750.00	100.0%	

Progress Estimate

Contractor's Application

For (Contract):		2019 Nebraska Street Improvements CDBG No. 16-CD-208		Application Number: 5						
Application Period:		6/10/2020 - 7/10/2020		Application Date: 7/21/2020						
Item No.	Item Description	Contract Information			C	D	E	F		G
		Item Quantity	Units	Unit Price				Total Value of Item (\$)	Total Completed and Stored to Date (D + E)	
35	Concrete Collar, 24"	1	EA	\$600.00	\$600.00	1.00	\$600.00	\$600.00	100.0%	
36	Concrete Collar, 15"	1	EA	\$500.00	\$500.00	1.00	\$500.00	\$500.00	100.0%	
37	Storm Sewer Tap, 15"	1	EA	\$1,000.00	\$1,000.00	1.00	\$1,000.00	\$1,000.00	100.0%	
38	Remove Water Main	175	LF	\$12.00	\$2,100.00	83.00	\$996.00	\$996.00	47.4%	\$1,104.00
39	6" PVC Water Main, DR 18	45	LF	\$45.00	\$2,025.00	22.00	\$990.00	\$990.00	48.9%	\$1,035.00
40	Water Main Loop, 6"	40	LF	\$135.00	\$5,400.00	61.00	\$8,235.00	\$8,235.00	152.5%	-\$2,835.00
41	Water Main Loop, 8"	90	LF	\$105.00	\$9,450.00					\$9,450.00
42	1" PE Water Service (SDR 11)	251	LF	\$18.00	\$4,518.00	259.00	\$4,662.00	\$4,662.00	103.2%	-\$144.00
43	6" x 1" Saddle	1	EA	\$450.00	\$450.00	1.00	\$450.00	\$450.00	100.0%	
44	1" Curb Stop and Box	1	EA	\$500.00	\$500.00	1.00	\$500.00	\$500.00	100.0%	
45	Water Service Loop, 1"	220	LF	\$24.81	\$5,458.20	20.00	\$496.20	\$496.20	9.1%	\$4,962.00
46	4" Insulation of Water Main	2	EA	\$350.00	\$700.00	2.00	\$700.00	\$700.00	100.0%	
47	6" Gate Valve and Box, MJ	1	EA	\$1,800.00	\$1,800.00	1.00	\$1,800.00	\$1,800.00	100.0%	
48	Adjust Manhole to Grade	5	EA	\$1,000.00	\$5,000.00	5.00	\$5,000.00	\$5,000.00	100.0%	
49	Adjust Valve Box to Grade	8	EA	\$250.00	\$2,000.00	3.00	\$750.00	\$750.00	37.5%	\$1,250.00
50	Adjust Curb Stop to Grade	1	EA	\$150.00	\$150.00					\$150.00
51	Curb Inlet Sediment Filter	21	EA	\$200.00	\$4,200.00	8.00	\$1,600.00	\$1,600.00	38.1%	\$2,600.00
52	Seeding, Fertilizer	3,850	SY	\$1.25	\$4,812.50					\$4,812.50
53	Erosion Control Mat, Class 1D	3,850	SY	\$1.75	\$6,737.50					\$6,737.50
Group C										
1	Cold Milling - Salvage to Owner	6,504	SY	\$3.75	\$24,390.00	6,504	\$24,390.00	\$24,390.00	100.0%	
Totals							\$1,236,665.06	\$621,555.95	50.3%	\$615,109.11