

**MINUTES
CITY COUNCIL MEETING
October 6, 2020**

The Wayne City Council met in regular session in the Community Room of the Wayne Community Activity Center on October 6, 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, 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 September 24, 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 Community Room of the Wayne Community Activity Center, 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 Brodersen made a motion, which was seconded by Councilmember Eischeid, to approve the minutes of the meetings of September 15, 2020, and September 29, 2020, and to waive the readings 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:

APPROVED 9/16/20: M & B QUALITY CONCRETE, SE, 98955.00; ROBERT WOehler & SONS, SE, 170,851.91

VARIOUS FUNDS: ACE HARDWARE & HOME, SU, 64.87; ALL HOURS TOWING, SE, 240.76; AMAZON, SU, 1,163.03; AMERITAS, SE, 72.00; AMERITAS, SE, 2347.40; AMERITAS, SE, 101.21; AMERITAS, SE, 187.21; APPEARA, SE, 94.29; APPEARA, SE, 164.07; BENSCOTER, LOUIS, RE, 100.00; BIG RIVERS ELECTRIC CORPORATION, SE, 254856.89; BLACK HILLS ENERGY, SE, 270.81; BLACKSTONE PUBLISHING, SU, 96.83; BOMGAARS, SU, 1727.11; BOMGAARS, SU, 31.98;

BORDER STATES INDUSTRIES, SU, 457.10; BRASCH, IMOGENE, RE, 150.00; BSN SPORTS, SU, 310.53; BSN SPORTS, SU, 359.14; CARHART KITCHEN & BATH, SU, 5917.00; CARHART LUMBER, SU, 242.66; CARROLL, SHANNON, RE, 150.00; CENTURY LUMBER, SU, 1763.27; CENTURLINK, SE, 423.61; CITY EMPLOYEE, RE, 18.00; CITY EMPLOYEE, RE, 87.71; CITY EMPLOYEE, RE, 1109.42; CITY EMPLOYEE, RE, 210.55; CITY EMPLOYEE, RE, 695.77; CITY OF WAYNE, PY, 84438.18; CITY OF WAYNE, RE, 1186.68; CITY OF WAYNE, RE, 1109.42; COLONIAL RESEARCH, SU, 497.80; COMMERCIAL RECREATION SPECIALISTS, SU, 24830.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 14633.89; CORE & MAIN, SU, 997.92; COVER ONE, SU, 659.00; CREATIVE PRODUCT SOURCE, SU, 150.37; DANKO EMERGENCY EQUIPMENT, SU, 142.37; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEMCO, SU, 1277.25; DGR & ASSOCIATES, SE, 1617.43; DISCOUNT PLAYGROUND SUPPLY, SU, 2032.75; DOESCHER REPAIR, SE, 91.50; DUTTON-LAINSON, SU, 795.54; DUTTON-LAINSON, SU, 1929.22; EAKES OFFICE PLUS, SE, 1996.02; ECHO GROUP, SU, 138.37; ED M. FELD EQUIPMENT, SU, 705.60; ED M. FELD EQUIPMENT, SU, 952.15; ENGINEERED CONTROLS, SE, 2290.00; FIRST CONCORD GROUP, SE, 2697.80; FLOOR MAINTENANCE, SU, 752.87; FLOOR MAINTENANCE, SU, 275.59; FREDRICKSON OIL, SU, 1120.35; GALE/CENGAGE LEARNING, SU, 148.79; GALE/CENGAGE LEARNING, SU, 24.69; GERHOLD CONCRETE, SU, 1212.56; GERHOLD CONCRETE, SU, 110.72; GERHOLD CONCRETE, SU, 4076.56; GROSSENBURG IMPLEMENT, SU, 198.89; GROSSENBURG IMPLEMENT, SE, 200.00; GROSSENBURG IMPLEMENT, SU, 8500.00; HILAND DAIRY, SE, 250.99; HILAND DAIRY, SE, 314.69; HIX, DAVE, RE, 100.00; HOLIDAY INN EXPRESS-FREMONT, SE, 239.90; HOMESTEAD HOMES, RE, 500.00; HYDRO OPTIMIZATION, SU, 741.39; HYPERION, SE, 605.00; ICMA, SE, 7859.14; INGRAM LIBRARY SERVICES, SU, 650.66; IRS, TX, 175.72; IRS, TX, 751.42; IRS, TX, 1.50; IRS, TX, 624.52; IRS, TX, 3121.98; IRS, TX, 10006.30; IRS, TX, 13349.00; IRS, TX, 6.38; JACK'S UNIFORMS, SU, 255.75; JEO CONSULTING GROUP, SE, 15710.30; JMB CONTRACTING, SE, 1304.25; KELLY SUPPLY COMPANY, SU, 463.81; KLUTE TRUCK EQUIPMENT, SU, 7490.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 395.00; LINDAU, SHERYL, RE, 190.67; MARCO, SE, 175.92; METERING & TECHNOLOGY SOLUTIONS, SU, 879.35; MIDWEST TAPE, SU, 62.96; MIDWEST TAPE, SU, 11.99; MUNICIPAL SUPPLY, SU, 189.46; MUNICIPAL SUPPLY, SU, 943.62; N.E. NE AREA ON AGING, SE, 300.00; NE DEPT OF REVENUE., TX, 4214.43; NE DEPT OF REVENUE, TX, 264.29; NE DEPT OF TRANSPORTATION, SE, 68178.64; NE DEPT OF TRANSPORTATION, SE, 139259.90; NE DHHS, FE, 260.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 92.00; NORTHEAST NE INS AGENCY, SE, 3799.67; NORTHEAST POWER, SE, 44593.76; NORTHWEST ELECTRIC, SU, 1033.93; NOVA FITNESS EQUIPMENT, SE, 3270.29; ;OCC BUILDERS, RE, 250.00; O'KEEFE ELEVATOR COMPANY, SE, 2964.00; ONE CALL CONCEPTS, SE, 204.28; O'REILLY AUTOMOTIVE STORES, SU, 30.79; POLLARD PUMPING, SE, 1155.00; RODRIGUEZ, NANCY, SE, 85.00; RON'S RADIO, SU, 66.25; SIMPSON, JEFF, RE, 100.00; SKARSHAUG TESTING LAB, SE, 212.68; STADIUM SPORTING GOODS, SE, 48.00; STADIUM SPORTING GOODS, SE, 40.00; STADIUM SPORTING GOODS, SU, 144.00; STATE NEBRASKA BANK-PETTY CASH, RE, 48.73; STATE NEBRASKA BANK-PETTY CASH, RE, 31.26; STATE NEBRASKA BANK-PETTY CASH, RE, 433.23; STATE TREASURER OF NE, RE, 734.44; THE GLASS EDGE, SU, 2923.00; THRASHER, RE, 500.00; TINT SPECIALTIES, RE, 500.00; TNEMEC COMPANY, SU, 256.12; TRUCK CENTER COMPANIES, SU, 207.26; US FOODSERVICE, SU, 1890.35; WAYNE COMMUNITY SCHOOLS, FE, 126.00; WAYNE HERALD, SE, 105.00; WELLINGTON, SONDRRA, RE, 150.00; WESCO, SU, 117.70; WIGMAN COMPANY, SU, 157.62; ACES, SE, 928.29; AMERICAN BROADBAND, SE, 2409.70; BLUE CROSS BLUE SHIELD, SE, 50388.43; DEARBORN LIFE INSURANCE COMPANY, SE, 96.82; GFOA, FE, 170.00; HOMETOWN LEASING, SE, 436.02; LEO A DALY, SE, 6750.00; MILLER LAW, SE, 5416.67; NORTHEAST NE INS AGENCY, SE, 89379.00; PROVIDENCE MEDICAL CENTER, SE, 71651.00; QHA CLEANING, SE, 1375.00; VIAERO, SE, 66.95; WAED, SE, 8592.41; WAYNE COUNTY COURT, RE, 1000.00; WAYNE HERALD, SE, 36.00

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, the Mayor declared the motion carried.

Al Hottovy, Engineer with Leo A Daly, presented Application and Certificate of Payment No. 5 (Final) in the amount of \$130,337.98 to M&B Quality Concrete for the “Restoration of Walking Trail Project.” He also updated the Council on the project.

Councilmember Spieker noted a discrepancy on page 2 (Item no. 15) of said pay application.

Councilmember Spieker made a motion, which was seconded by Councilmember Eischeid, approving Application and Certificate of Payment No. 5 (Final) for \$130,337.98 to M&B Quality Concrete for the “Restoration of Walking Trail Project,” contingent upon Page 2 being amended/corrected to reflect the proper amount. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The Council approved JEO Consulting Group, Inc., as the special engineer on the “2021 Pine Heights Road Improvements, 9th to 10th Street Project” back in March, 2020, after going through a “Request for Qualification” process. The following Resolution would reaffirm their appointment, as well as approve the final plans, specifications and opinion of probable cost for this project. Once the Council approves the same, the project will be advertised for bids.

Jon Mooberry, representing JEO Consulting Group, Inc., the City’s engineer on the project, reviewed the plans and specifications, as well as updated them on the project. The estimated construction cost is \$709,000, with the estimated total project cost being \$931,880. The tentative start date is April 1, 2021, with final completion being November 1, 2021.

Councilmember Eischeid introduced Resolution No. 2020-47 and moved for its approval, Councilmember Karsky seconded.

RESOLUTION NO. 2020-47

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2021 PINE HEIGHTS ROAD IMPROVEMENTS, 9TH TO 10TH STREET PROJECT” – CDBG NO. 19-PW-017, AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

The following Resolution would approve the “Construction Engineering Services Agreement - Supplemental Agreement No. 2” between the City and Olsson relating to the Wayne Trail – Phase 2 Project. This is a result of adding additional work to the project. The fee for this additional work is estimated to be \$6,401.20.

Joel Hansen, Street and Planning Director, explained the change order, which is an alignment modification due to the erosion of the bank along the north side of Logan Creek and an alignment modification to avoid a shallow electrical line.

Councilmember Brodersen introduced Resolution No. 2020-48 and moved for its approval, Councilmember Buck seconded.

RESOLUTION NO. 2020-48

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

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

The following Resolution would amend the 1998 Problem Resolution Team Resolution pursuant to the recommendations brought forward at Council Retreat.

Councilmember Sievers introduced Resolution No. 2020-49 and moved for its approval, Councilmember Spieker seconded.

RESOLUTION NO. 2020-49

A RESOLUTION AMENDING RESOLUTION 1998-22 PERTAINING TO THE ESTABLISHMENT OF A PROBLEM RESOLUTION TEAM (PRT) TO ADDRESS ISSUES INVOLVING NUISANCE PROPERTIES, BLIGHTED OR SUBSTANDARD HOUSING, HEALTH DEPARTMENT AND HEALTH & HUMAN SERVICES NON-CRIMINAL REFERRALS.

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

Discussion took place regarding Ordinance 2020-11 amending Wayne Municipal Code, Title VII Traffic Code, Section 78-174 Truck Parking; Where Designated. This is the third and final reading.

Eric Smith was present to voice his concerns regarding the truck parking ordinance.

After further discussion, Councilmember Brodersen made a motion to table action on Ordinance 2020-11 until the next meeting; Councilmember Spieker seconded.

ORDINANCE NO. 2020-11

AN ORDINANCE TO AMEND SECTION 78-174 OF TITLE VII TRAFFIC CODE OF THE WAYNE MUNICIPAL CODE RELATING TO TRUCK PARKING; WHERE DESIGNATED; 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 was all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen introduced Ordinance 2020-12, and moved for approval of the second reading thereof; Councilmember Spieker seconded.

ORDINANCE NO. 2020-12

AN ORDINANCE TO AMEND 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; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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.

Councilmember Eischeid introduced Ordinance 2020-13, and moved for approval of the second reading thereof; Councilmember Buck seconded.

ORDINANCE NO. 2020-13

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Administrator Blecke advised the Council that in order to provide full-time police coverage at this time, we are unable to grant most requests for vacation leave. Under the City's current policy, employees that have accumulated 280 hours of unused vacation leave can no longer accrue additional vacation leave until they use some of that 280 hours up. He recommended that the City temporarily pay out the vacation time the employees are unable to use each pay period until there is enough staff in place to allow vacation leave when requested. This would be addressed again at the end of December.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, authorizing the City Administrator to temporarily pay out police department (officers) vacation leave in the amount over the accrual limit at current wage rates. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:44 p.m.