

AGENDA
CITY COUNCIL MEETING
COMMUNITY ROOM
WAYNE COMMUNITY ACTIVITY CENTER
February 2, 2021

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 – January 19, 2021](#)
3. [Approval of Claims](#)
4. Update from Richard Koenig, Water Supply Specialist, NHHS, DPH, Drinking Water Program, on the New Water Transmission Main, Chlorination, etc.
5. [Action on the request of Barb Engebretsen \(Voices for Vision Coalition\) to name the trail system](#)

Background: A group called Voices for Vision Coalition (VVC), led by Barb Engebretsen, is proposing that the Wayne City Council name the Wayne Trail System “The Freedom Trail.” This would be in addition to any phases that are currently named or that would be named in the future. (Please see VVC’s letter in the packet.)

In 2010, Phases I and II were named by Council action for individuals in the community. Phase I is named after Will Wiseman for his work with the Trail committee for years, and Phase II is named after Leila Maynard who served in the US military during World War II and was a prisoner of war. If the master trail plan is ever completed around the community (Phases III and IV), I would anticipate each of those phases would have names associated with them as well.

When I started working at Wayne in June of 2000, Will Wiseman led a major effort through the City Council’s long-range strategic plan, requesting that we form the Pedestrian Trail Committee, holding City of Wayne town hall meetings, and get the support of the Wayne healthcare community in order to access the federal funding and develop some safe and alternative pedestrian pathways. That process developed the community Master Trail Plan working JEO and the trail committee. The property acquisition and funding requirements for the Phase I and II trails have taken a long time and Will has persevered behind the scenes making the personal presentations to the major funding agencies, helping negotiate trail easements and keeping the lengthy process energized and moving.

The City has no formal policy on naming City assets. It is a case-by-case approval by City Council at this point.

6. Report – Lowell Heggemeyer, Park and Recreation Director
7. [Action on the request by Kari Patefield, owner of IKT, for a Sign Permit pursuant to Wayne Municipal Code Section 154.01 Permit Required](#)
8. Public Hearing: One and Six Year Street Improvement Program (Advertised Time: 5:30 p.m.)

Background: This Plan is required to be submitted to NDOR each February to be eligible for approximately \$460,000 in NDOR Highway Allocation funds for Wayne. This Plan was developed and recommended to you based on retreat goals, plus input from the Public Works Department regarding work needed to be done. This is the opportunity for the public to share their input regarding the projects listed and/or projects they would like to see incorporated into the plan.

9. [Resolution 2021-8: Approving One and Six Year Street Improvement Program](#)
10. Public Hearing: To consider the Planning Commission’s recommendation in regard to a Final Plat for “Greenwood Addition.” The applicant is the City of Wayne, and the area is located in the E1/2SE1/4SW1/4 of Section 12, T26N, R3E of the 6th P.M., Wayne County, Nebraska. (Advertised Time: 5:30 p.m.)

Background: The Planning Commission is scheduled to take action on the Final Plat at their meeting Monday evening for recommendation to you.

This plat, when finalized, will allow the City to take ownership of the west driveway in the cemetery which provides access to the west water tower. The preliminary plat shows the layout of the existing driveway lays within the platted outlot. By taking ownership of the outlot as shown, the City would have the ability to improve the concrete driveway this summer.

11. [Resolution 2021-9: Approving the Final Plat for “Greenwood Addition”](#)
12. [Resolution 2021-10: Approving Final Acceptance of Project Construction – Wayne Trail Phase II Project](#)

Background: This Resolution provided by the State will accept the Wayne Trail Phase II Project.

13. [Resolution 2021-11: Approving Interlocal Agreement between the City of Wayne and Wayne County for the Centennial Road Paving Project](#)

Background: Staff has conferred with the County and the projected cost-share for this project will be two-thirds (City), one-third (County). Attorney Miller has prepared the Interlocal agreement and the same is included in the packet for your review.

14. [Ordinance 2021-3: Amending Wayne Municipal Code, Title VII Traffic Code, Chapter 78 Parking, Section 78-126 Prohibited Parking; Northeast Quadrant of the City \(Third and Final Reading\)](#)

15. [Review of the City of Wayne Employee Personnel Policy – Chapters 14-22](#)

Background: Attached are the next sections of the Personnel Manual for your review. Again, a seven-member committee was established to review and make recommended changes to the City of Wayne’s Personnel Manual. Once those changes were made, the manual was given to City Administrator Blecke and City Attorney Miller to review. The manual has now been brought to you in three sections for review - this is Part 3. The entire manual will be brought forward in its entirety for approval by Resolution at the next meeting.

16. [Discussion/Update on COVID-19 and current face covering requirement \(Ordinance No. 2020-22\)](#)

Background: The face covering requirement is set to sunset on February 2nd. A few possible actions taken by Council could be the following:

1. Allow the sunset to occur, which would end the face covering requirement (but face coverings could still be highly encouraged);
2. Extend the requirement to a certain date or to a certain trigger point (i.e. local case numbers, percentage of local vaccinations); or
3. Allow city-wide requirement to sunset, but keep certain locations/activities with requirements (i.e. city-owned facilities or certain business types).

Dr. Melissa Dobbins (Faith Regional Physician Services) and Julie Rother (Northeast Nebraska Public Health) plan to be at the meeting in person or via Zoom to discuss the current numbers and the latest on vaccine distribution.

17. [Ordinance 2021-5: Amending Title IX General Regulations, Chapter 94, Health & Sanitation, Prevention of COVID-19, Sec. 94.50 Sunset Provision](#)

18. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
January 19, 2021**

The Wayne City Council met in regular session in the Community Room of the Wayne Community Activity Center on January 19, 2021, 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, Nick Muir, Yasuko Taoka, Jason Karsky, and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmembers Chris Woehler and Matt Eischeid.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 7, 2021, 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 Buck, to approve the minutes of the meeting of January 5, 2021, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Woehler and Eischeid who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ACE HARDWARE & HOME, SU, 438.68; AMAZON.COM, SU, 1448.97; APPEARA, SE, 184.13; ARBOR DAY FOUNDATION, FE, 100.00; ARNIE'S FORD, SE, 254.30; BAKER & TAYLOR BOOKS, SU, 604.62; BLUE CROSS BLUE SHIELD, SE, 50005.40; BORDER STATES INDUSTRIES, SU, 293.18; BROWN SUPPLY, SU, 1035.87; CITY EMPLOYEE, RE, 16.80; CITY EMPLOYEE, RE, 671.70; CITY EMPLOYEE, RE, 21.83; CITY OF WAYNE, RE, 955.45;

CONSOLIDATED MANAGEMENT, SE, 63.51; COPY WRITE PUBLISHING, SU, 612.06; CORE & MAIN LP, SU, 1267.69; COTTONWOOD WIND PROJECT, SE, 16394.32; DANKO EMERGENCY EQUIPMENT, SU, 24.00; DEARBORN LIFE INSURANCE COMPANY, SE, 2597.75; DUTTON-LAINSON COMPANY, SU, 13982.99; ECHO GROUP INC JESCO, SU, 36.23; EMPLOYERS MUTUAL CASUALTY, RE, 2001.74; FAIR MANUFACTURING, SE, 1763.04; FAITH REGIONAL PHYSICIAN SERV, SE, 199.00; FIRST CONCORD GROUP, SE, 168.00; FIRST CONCORD GROUP, SE, -168.00; FLOOR MAINTENANCE, SU, 204.86; FREDRICKSON OIL, SU, 1465.20; GILL HAULING, SE, 261.25; HILAND DAIRY, SE, 211.08; HOMETOWN LEASING, SE, 436.02; ICMA, SE, 8437.91; INGRAM LIBRARY SERVICES, SU, 703.95; JACK'S UNIFORMS, SU, 215.80; JOHN'S WELDING AND TOOL, SU, 393.14; JOHNSON'S PLUMBING & HEATING, SU, 530.81; KLEIN ELECTRIC, SE, 4134.00; LINCOLN WINWATER WORKS CO, SU, 484.99; LINDLEY, NATE, RE, 900.00; LOGIC LAWNS, SE, 195.00; LUTT OIL, SU, 5225.21; MALLOY ELECTRIC, SU, 65.85; MATHESON-LINWELD, SU, 35.06; MIDWEST LABORATORIES, SE, 321.00; MUNICIPAL SUPPLY, SU, 2336.68; NE DEPT OF REVENUE, TX, 171.35; NE DEPT OF REVENUE-GAMING DIVISION, TX, 907.00; NE HARVESTORE, SU, 168.02; NPPD, SE, 28303.58; NEBRASKA RECYCLING COUNCIL, FE, 200.00; NORFOLK DAILY NEWS, SE, 40.00; NOVA FITNESS EQUIPMENT, SU, 4228.60; OCC BUILDERS LLC, SU, 20240.00; ONE CALL CONCEPTS, SE, 32.67; O'REILLY AUTOMOTIVE STORES, SU, 30.97; QUADIENT FINANCE USA, SU, 1000.00; QUALITY 1 GRAPHIC, SU, 25.00; QUALITY FOOD CENTER, SU, 18.73; QUALITY FOOD CENTER, SU, 56.79; ROCKMOUNT RESEARCH AND ALLOYS, SU, 261.27; SALT CREEK SOFTWARE, SE, 2140.00; SKARSHAUG TESTING LAB, SE, 222.91; STAPLES, SU, 34.86; STATE NEBRASKA BANK & TRUST, SE, 66.40; TYLER TECHNOLOGIES, SE, 2171.25; US BANK, SU, 4896.63; US FOODSERVICE, SE, 1411.61; VERIZON, SE, 416.68; VILLAGE OF CONCORD, SU, 260.00; WATCHGUARD VIDEO, SE, 4750.00; WAYNE AUTO PARTS, SU, 1280.01; WAYNE COUNTY CLERK, SE, 50.00; WAYNE HERALD, SE, 210.00; WAYNE HERALD, SE, 748.72; WAYNE VETERINARY CLINIC, SE, 154.00; WESCO, SU, 581.33; WAPA, SE, 21559.44; Y & Y LAWN SERVICE, SE, 380.00; AMERITAS, SE, 208.22; AMERITAS, SE, 2594.30; AMERITAS, SE, 72.00; AMERITAS, SE, 47.89; APPEARA, SE, 114.03; BIG RIVERS ELECTRIC CORPORATION, SE, 129122.89; BORDER STATES INDUSTRIES, SU, 132.14; CITY EMPLOYEE, RE, 85.62; CITY EMPLOYEE, RE, 5.07; CITY OF WAYNE, PY, 85679.64; CONSOLIDATED MANAGEMENT, SE, 106.10; DAS STATE ACCTG-CENTRAL FINANCE, SE, 61.04; DAVE'S DRY CLEANING, SE, 45.00; FIRST CONCORD GROUP, SE, 168.00; FLOOR MAINTENANCE, SU, 295.58; GRAINLAND ESTATES, RE, 2436.05; HAWKINS, SU, 1588.19; HILAND DAIRY, SE, 151.95; HOEPPNER, CHAD, RE, 500.00; HYDRO OPTIMIZATION, SE, 400.00; IRS, TX, 11438.65; IRS, TX, 14577.12; IRS, TX, 3409.08; KELLY SUPPLY COMPANY, SU, 322.45; NE DEPT OF REVENUE, TX, 4822.41; PEERLESS WIPING CLOTH, SU, 427.00; STAPLES, SU, 39.04; STATE NEBRASKA BANK-PETTY CASH, RE, 91.26; STEFFEN TRUCK EQUIPMENT, SU, 1045.51; WAYNE COMMUNITY SCHOOLS, RE, 4809.00

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 Councilmembers Woehler and Eischeid who were absent, the Mayor declared the motion carried.

Brian Kesting, Information Technology Specialist, gave a report on what is taking place in his department.

Councilmember Eischeid arrived at 5:45 p.m.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation in regard to a request to rezone property from A-1 (Agriculture) to A-2 (Agriculture Residential). The applicant, Layne Mann, is seeking the request to separately parcel the house and outbuildings on a 2.5 acre lot. The requested area to be rezoned is more accurately described as: A tract of land located in the North 1/2 of the Northeast 1/4 of Section 1, T26N, R3E of the 6th P.M., Wayne County, Nebraska.

Joel Hansen, Street and Planning Director, advised the Council that the Planning Commission held a public hearing on January 11, 2021, regarding this rezoning request, and their recommendation, which was different than what was requested, was to rezone the area north and east of the centerline of Dog Creek A-2 Agriculture Residential and to zone the area south and west of the centerline of Dog Creek A-1 Agriculture, with the "Findings of Fact" being:

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

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Buck introduced Ordinance No. 2021-4 and moved for its approval; Councilmember Brodersen seconded.

Mr. Hansen recommended that the motion clarify the recommendation of the Planning Commission, if that is what the Council wished to do.

Councilmember Buck then reintroduced Ordinance No. 2021-4 and moved for its approval, with the amendment that it include the Planning Commission's recommendation which was "***to rezone the area north and east of the centerline of Dog Creek A-2 Agriculture Residential and to zone the area south and west of the centerline of Dog Creek A-1 Agriculture;***" Councilmember Brodersen seconded the motion.

ORDINANCE NO. 2021-4

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 26 NORTH, RANGE 3 EAST OF THE 6TH P.M., WAYNE COUNTY, NEBRASKA, FROM A-1 AGRICULTURE DISTRICT TO A-2 AGRICULTURE RESIDENTIAL DISTRICT.

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, 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 Councilmember Woehler who was absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to move for final approval of Ordinance No. 2021-4. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Woehler who was absent, the Mayor declared the motion carried.

Mayor Giese then declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the "Final Plat for the Beckman Farm Subdivision." The applicant for the request is Mann Acres, LLC. The area of the subdivision is more particularly described as: A tract of land located in the North 1/2 of the Northeast 1/4 of Section 1, T26N, R3E of the 6th P.M., Wayne County, Nebraska.

Joel Hansen, Street and Planning Director, stated the Planning Commission held a public hearing on this matter on January 11, 2021, and approved the same, with the "Findings of Fact" being:

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

This is the same area that was rezoned in the previous agenda item. This will create the 2.5 acre lot the property owners wish to sell. The plat will include the entire property so the owners have the ability to sell off a few more lots if they wish in the future via an administrative subdivision.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Eischeid introduced Resolution 2021-4, and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2021-4

A RESOLUTION APPROVING THE FINAL PLAT FOR THE "BECKMAN FARM SUBDIVISION," WAYNE COUNTY, NEBRASKA.

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

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Preliminary Plat for "Greenwood Addition." The applicant for the request is the City of Wayne. The area is located in the East Half of the Southeast Quarter of the Southwest Quarter of Section 12, T26N, R3E of the 6th P.M., Wayne County, Nebraska.

Joel Hansen, Street and Planning Director, stated the Planning Commission held a public hearing on this matter on January 11, 2021, and approved the same, with the "Findings of Fact" being:

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

This plat, when finalized, will allow the City to take ownership of the west driveway in the cemetery which provides access to the west water tower. The preliminary plat shows the layout of the existing driveway and how it lays within the platted outlot. By taking ownership of the outlot as shown, the City would have the ability to improve the concrete driveway this summer.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Spieker introduced Resolution 2021-5, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2021-5

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR "GREENWOOD ADDITION," CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Mayor Giese, in regard to the following ordinance, asked staff to notify those affected by this ordinance of the restrictions being placed on their streets.

Councilmember Spieker introduced Ordinance No. 2021-3, and moved for approval of the second reading thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2021-3

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.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Woehler who was absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

The following Resolution would approve an agreement with McLaury Engineering, Inc., for the design services for the 4th Street, Thorman Street and Cityside Drive Projects. The total fee for said services is \$66,900.

Kim McLaury, representing McLaury Engineering, Inc., was present to answer questions.

The scope of services provides design of the following:

- 4th Street – Storm Sewer, Street and Water Main
- Thorman Street – Storm Sewer and Street
- Cityside Drive (Now Joel Street and Erin Street) – Storm Sewer, Street, Sanitary Sewer and Water Main

This is in an effort to have shovel-ready projects in case the new Biden administration comes out with stimulus funds.

The start date is set for April 15, 2021, with the completion date being August 1, 2021.

Councilmember Eischeid introduced Resolution 2021-6, and moved for its approval;
Councilmember Buck seconded.

RESOLUTION NO. 2021-6

A RESOLUTION ACCEPTING PROPOSAL AND APPROVING AGREEMENT BETWEEN THE CITY OF WAYNE AND MCLAURY ENGINEERING, INC., FOR ENGINEERING SERVICES RELATING TO THE "4TH STREET (STORM SEWER, STREET & WATER MAIN), THORMAN STREET (STORM SEWER & STREET) AND CITYSIDE DRIVE (STORM SEWER, STREET, SANITARY SEWER & WATER MAIN) PROJECTS."

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

The following Resolution would approve the appointment of Amy K. Miller as City Attorney and also approve the Retainer Agreement for her services.

Councilmember Spieker introduced Resolution 2021-7, and moved for its approval;
Councilmember Buck seconded.

RESOLUTION NO. 2021-7

A RESOLUTION APPROVING THE APPOINTMENT OF AMY K. MILLER AS CITY ATTORNEY AND RETAINER AGREEMENT.

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

Council reviewed and discussed Chapters 7-13 of the City of Wayne Employee Personnel Manual.

Discussion took place concerning possible shovel-ready projects – one being 21st and Centennial Road. Joel Hansen, Street and Planning Director, and City Administrator Blecke updated the Council on their discussion with the County Commissioners. They were agreeable to having the City/County Attorney prepare an Interlocal Agreement for sharing 25% of the design cost to be acted upon at the next meeting. After discussion, direction was given to City Staff to negotiate with the County Commissioners on behalf of the City and to obtain estimates from engineers for design services.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:38 p.m.



Vendor	Payable Description	Payment Total
ACES	ACES WIND ENERGY SERVICE AGREEMENT	956.14
AMAZON.COM, LLC	DVD'S/FRAME/ENVELOPES	619.38
APPEARA	MAT SERVICE	44.40
ARC-HEALTH & SAFETY	CPR TESTING	32.00
BECKER, JOHANNA	CAC COUCH	150.00
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	50,005.40
BOMGAARS	TOOLS/FILTER/OIL/CLAMPS	1,568.27
BORDER STATES INDUSTRIES, INC	DUSK TO DAWN LIGHTS/PEDESTAL CONNECTORS	1,022.32
CENTURYLINK	TELEPHONE CHARGES	426.31
CITY EMPLOYEE	SAFETY BOOTS	132.67
CITY OF WAYNE	WAED MEDICAL REIMBURSEMENT	671.70
CIVICPLUS	2020 & 2021 ANNUAL FEES	8,875.00
CONSOLIDATED MANAGEMENT CO	TRAINING CENTER MEALS	67.45
COPY WRITE PUBLISHING	FRAME/MATTING	133.87
DEMCO INC	BOOK ENDS/SHELF	486.95
FLOOR MAINTENANCE	PAPER TOWELS/TOILET PAPER	195.03
FRANK, JIM	BUILDING PERMIT DEPOSIT REFUND	500.00
GALE/CENGAGE LEARNING	BOOKS	74.72
GERHOLD CONCRETE CO INC.	FILL SAND/CONCRETE	378.55
H2I GROUP, INC.	LIBRARY SHELVING	4,379.51
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	21.02
INTERSTATE BATTERY SYSTEM	EMERGENCY LIGHT BATTERIES	167.00
JACK'S UNIFORMS	UNIFORM PANTS	179.85
LEAGUE OF NEBRASKA MUNICIPALITIES	2021 VIRTUAL MIDWINTER CONFERENCE	395.00
LIFE LINE SCREENING	AUDITORIUM DEPOSIT REFUND	150.00
MARCO INC	COPIER LEASE	175.92
MARCO TECHNOLOGIES LLC	COPIER LEASE	191.17
NE DEPT OF ENVIRONMENTAL QUALITY	WASTEWATER TRAINING-MULLEN	150.00
NE LAW ENFORCEMENT	DEFENSIVE TACTICS RECERTIFICATION	216.00
NE LIBRARY COMMISSION	ONE NE LIBRARY CONSORTIUM DUES	750.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	1,416.00
NE STATE FIRE MARSHAL	CAC BOILER INSPECTION	244.00
NORTHEAST NE INS AGENCY INC	INSURANCE	97,359.00
O'REILLY AUTOMOTIVE STORES, INC.	BATTERY	132.37
POLICE OFFICERS' ASSOCIATION OF NE	ANNUAL DUES	90.00
RIEKES EQUIPMENT CO	ANNUAL HOIST INSPECTION	286.76
SIRSIDYNIX	SOFTWARE MAINTENANCE	6,996.41
STADIUM SPORTING GOODS	STAFF SHIRTS	209.00
STAPLES, INC	OFFICE SUPPLIES	125.04
TOM'S BODY & PAINT SHOP	FENDER REPAIR	32.50

Vendor	Payable Description	Payment Total
TRI-STATE COMMUNICATIONS, INC.	WAVE ANTENNA/MOUNT	32.00
UTILITY EQUIPMENT CO	BUSHINGS/FITTINGS/DEEP SOCKET	1,495.80
WISNER WEST	FD GASOLINE	127.39
ZEE MEDICAL SERVICE CO	FIRST AID SUPPLIES	295.85
	Grand Total:	181,957.75

Request to Wayne City Council, February 2, 2021

From: Voices for Vision Coalition (VVC)

Re: Trail System Name Proposal - The Freedom Trail

The Voices for Vision Coalition (VVC), is a community group that came together last summer in response to racial tensions with the dual goals of acknowledging our nation's systemic racism and promoting inclusive community.

This past Memorial Day, we faced a renewed awareness of persistent racial and social injustices across our nation. As concerned friends gathered in solidarity, we wondered what our community could do. Calling ourselves the Voices for Vision Coalition, and desiring to build bridges among all community members, we affirmed that we must actively acknowledge our racism and promote understanding and inclusion in our community. The Trail beckons such an acknowledgment and activity.

Wayne has recently completed Phase II of the Walking-Biking Trail. With gratitude to the City of Wayne, we note the underpass near the high school and Community Activity Center, the restoration of the underpass south of town following the floods of 2019, and the new trails in our neighborhoods. They are an invitation to everyone to venture out to explore. We are excited about Phase I and newly completed Phase II Trails which now connect all quadrants of the Wayne Community in a system that is about 6 miles in total.

In June we approached Wayne Mayor Cale Giese, and City Administrator Wes Blecke to ask about the possibility of proposing a name for the trail system, and if possible, how to proceed. While names have been dedicated to Phase I (Will Wiseman) and Phase II (Leila Maynard), they were enthusiastic about proposing a Trail System Name, with the trail head being the 'old pool' location, for which the city plans to renovate the pool as a social/educational center. They also identified that showing community support for the name would help the council in their deliberations.

After numerous coalition conversations including discussions with community groups and individuals, "The Freedom Trail" was chosen as a name to represent the aspirations of all Americans, and especially those Americans of whom we were so compellingly reminded with the death of George Floyd on Memorial Day; Americans whose aspirations have been disallowed and dismissed throughout our collective history.

The hope is to encourage community members to use the trail as a place to inspire activities and events that promote reconciliation, inclusion, and civil justice.

The VVC envisions a Trail Team, much like the spectacularly successful Green Team, to oversee the development of trail activities according to the hopes that have been expressed in this proposal. The Coalition would like to collaborate with the City Council and other stakeholders to write a mission statement that would guide the efforts of the Trail Team.

Therefore we request that the Wayne City Council consider our proposal to name the Wayne Trail System "The Freedom Trail" and permission to form a representative Trail Team. This proposal is requesting no financial commitment from the City of Wayne.

Thank you for your consideration of this proposed community effort.

On Behalf of the Voices for Vision Coalition,

Darius Agoumba, Carolyn Albrecht, Lidice Aleman, Bonnie Anderson, Charlette Bowens, Endia Casey-Agoumba, Meena Dalal, Sherry Dorman, Barbara Engebretsen, Gordon Granberg, Karen Granberg, Leah Keino, Sheryl Lindau, Mitiku Mamo, Angela Lee Nuss, and Ellie Tran.

Community Members Supporting This Proposal Include:

Charlene Rasmussen
Heather Headley
Sharon Carr
Kim Warner
Charissa Loftis
Bob Ensz
Dave and Kaki Ley
Dr. Becky Zavada
Karl Kolbeck
Gary F. Weddel
Patty Wieland
Dr. Mytzy Rodriguez
Andy Alexander
Kris Kinzie
Katie Wynia
Jason Barelman
Linda Kruckenberg
Wayne Briner
Audra Miller
Kathy Mohlfeld
Susan Boust
Lin Brummels
Michelle Meyer
Deb Weber
WSC President's Council for Diversity
Kevin McClain
Pearl Street Counseling, LLC
Bill Engebretsen

BUILDING PERMIT APPLICATION

Jurisdiction of THE CITY OF WAYNE

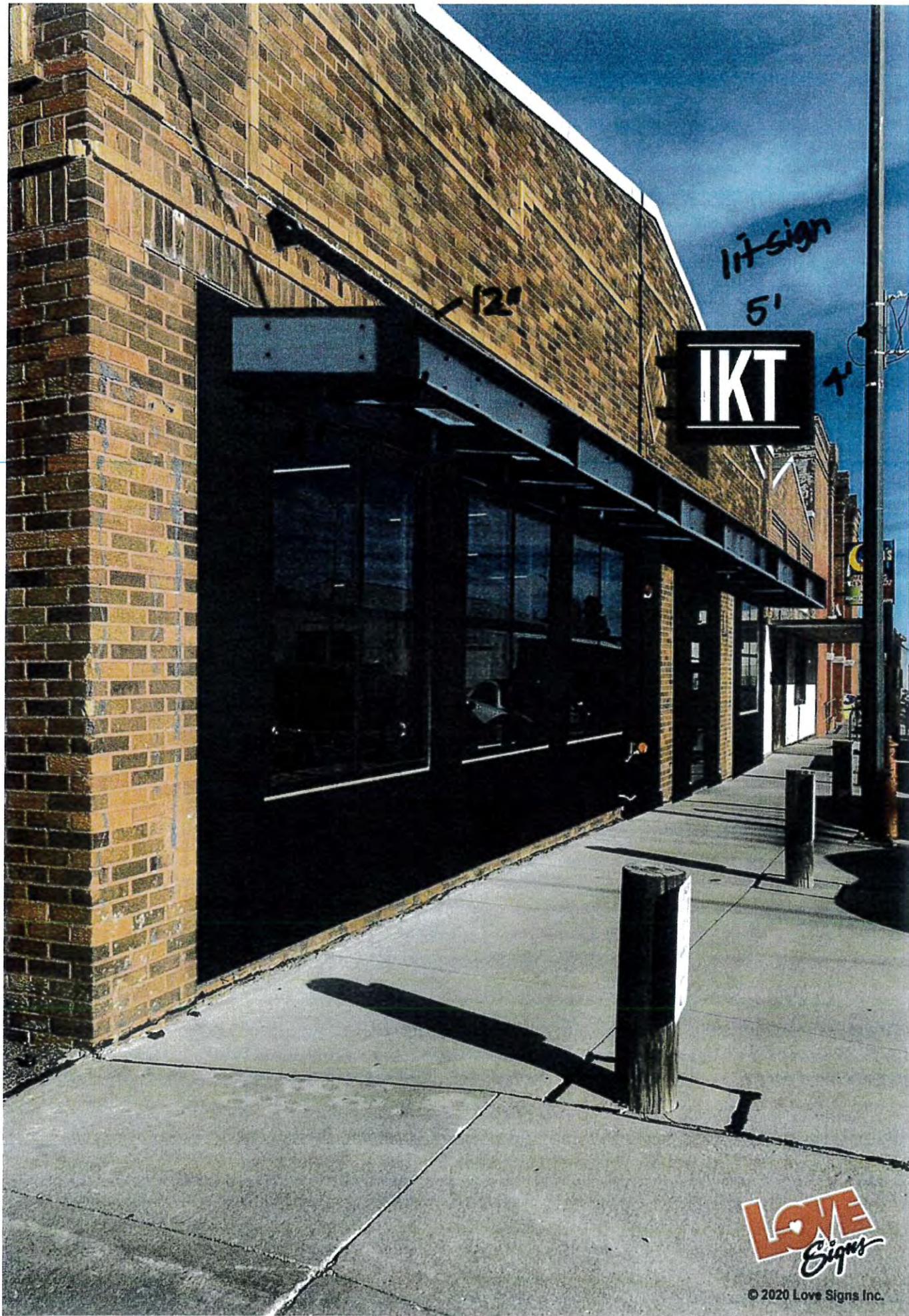
Applicant to complete number spaces only

PERMIT NO.

1. Job Address <i>112 East 2nd St. Wayne</i>			
2. Legal Descr.	Lot No.	Blk.	Tract
3. Owner <i>Kari Palefield JKT</i>	Mail Address <i>112 East 2nd St Wayne</i>		Zip <i>08787</i>
Phone/Cell <i>402-841-1977</i>			
4. Contractor <i>Love Signs Inc</i>	Mail Address <i>PO Box 807 Norfolk Ne</i>		Zip <i>68701</i>
Phone/Cell <i>402-371-4074</i>			
5. Architect or Designer <i>Love Signs</i>	Mail Address		Zip
Phone/Cell			
6. Engineer	Mail Address		Zip
Phone/Cell			
7. Electrical	Mail Address		Zip
Phone/Cell			
8. Plumbing	Mail Address		Zip
Phone/Cell			
9. Class of Work: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE <input type="checkbox"/> ELEC/PLUMB			
10. Description of work: <i>decorative aluminum awning and lit sign</i>			
<i>canopy - 12" x 56' x 4' projection Sign - LED - 4'x5'</i>			
<i>final electrical hookup by others</i>			
11. Valuation of work: \$ <i>18,202 -</i>	Permit Fee:	Energy Code Compliance Certificate <input type="checkbox"/> Yes <input type="checkbox"/> No	Code Edition:
12. Completion Date Proposed _____ Not Later Than <i>3/15/21</i>	Type of Const. <i>signage</i>	Occupancy Group <i>by others</i>	Division
Size of Bldg. (Total) Sq. Ft.	Use Zone	Max Occ. Load	Fire Sprinklers Required <input type="checkbox"/> Yes <input type="checkbox"/> No
Code Edition			
Inspector's Notes/Comments:			
NOTICE		BUILDING PERMIT DEPOSIT INFORMATION	
<p>THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.</p> <p>I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.</p>		Permit Deposit Amount	
		Deposit Shall be Returned to:	
<p>Signature of Contractor of Authorized Agent _____ (Date) <i>1-20-21</i></p> <p>Signature of Owner (if owner builder) _____ (Date)</p>		a. Owner <input type="checkbox"/>	
		Signature of Owner _____	
<p>Signature of Contractor of Authorized Agent _____ (Date)</p> <p>Signature of Owner (if owner builder) _____ (Date)</p>		b. Contractor <input type="checkbox"/>	
		Signature of Contractor _____	
Authorized to Refund Permit Deposit		Date Permit Deposit Refunded	
Amount Refunded:		Certificate of Occupancy Issue Date	

WHEN PROPERLY VALIDATED (IN THIS SPACE) THIS IS YOUR PERMIT

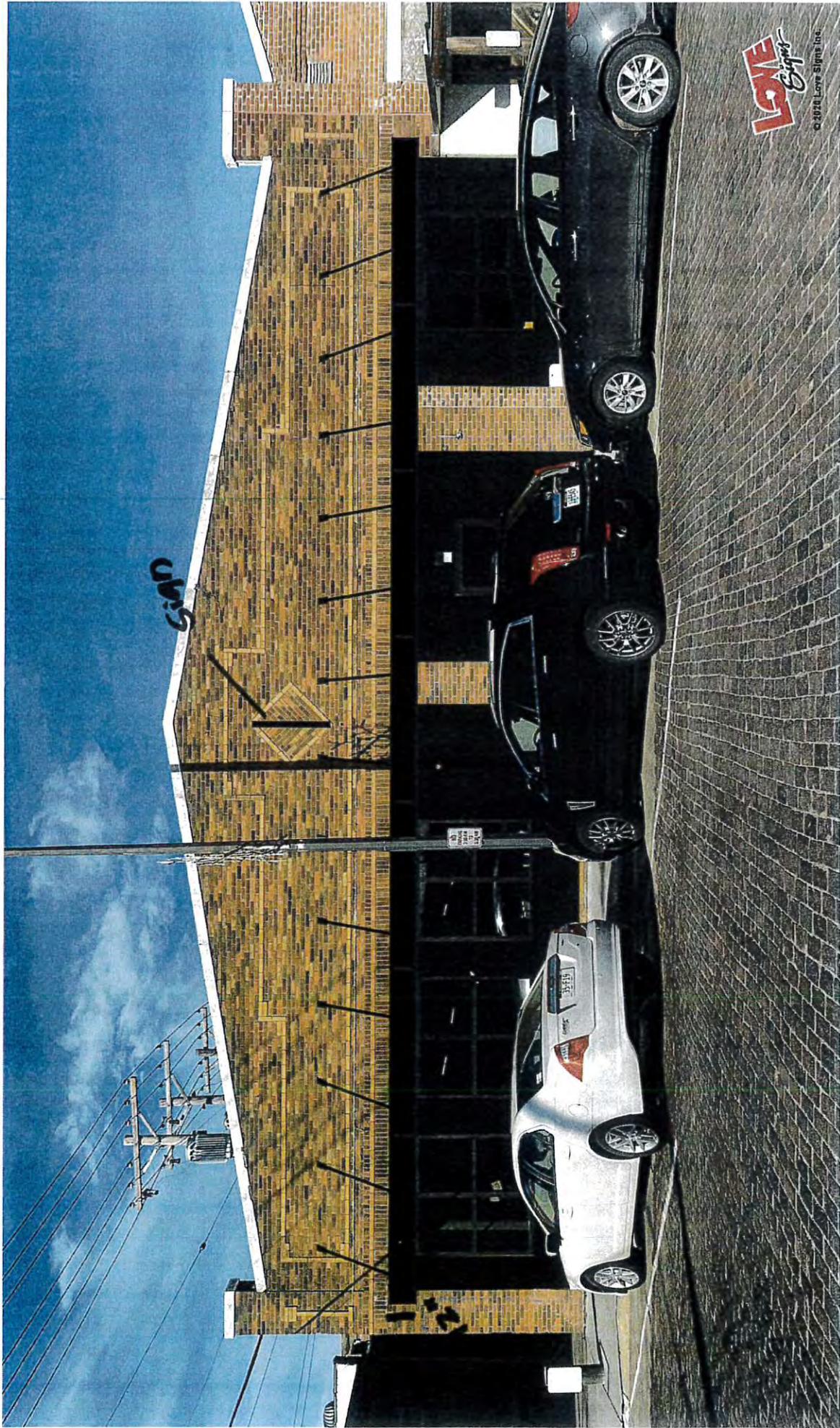
APPROVED BY:	DATE:
--------------	-------



LOVE
Signs

© 2020 Love Signs Inc.

9' above side walks



12" x 56' x 4' projection

Sign + 4,794⁰⁰
Caravan + 13,468

RESOLUTION NO. 2021-8

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM.

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the One and Six Year Street Improvement Program, as prepared by the Street and Planning Director and City Administrator of the City of Wayne, Nebraska, and attached hereto, be approved and adopted.

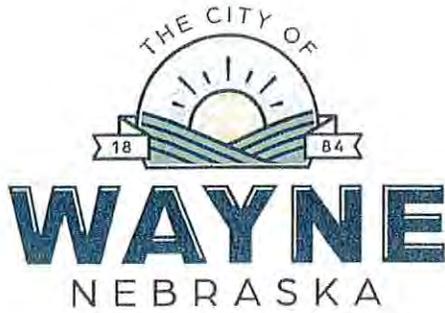
PASSED AND APPROVED this 2nd day of February, 2021.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



PROPOSED AMENDED ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM FOR THE
CITY OF WAYNE, NEBRASKA

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>

M-617(128)	2021	Pine Heights Road from E. 9 th to E. 10 th and East 10th from Pine Heights Road west 220' – 780' Construct Concrete Paving, Curb & Gutter	\$630,000

M-617(129)	2022	Fairgrounds Avenue from S. Main to S. Nebraska – 415' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$195,000
M-617(115)	2022	W. 3 rd Street from Oak Dr. to 250' E. of Oak Dr. – 250' Construct Concrete Paving, Curb & Gutter	\$ 70,000

M-617(132)	2023	E. 4 th Street and Thorman Street – 2,300' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$900,000
M-617(127)	2023	Downtown Alleys – 2,880' Overlay and Concrete Paving	\$480,000

M-617(107)	2024	Clark Street & S. Pearl Street . – 745' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$350,000
M-617(114)	2024	W. 2 nd Street from Blaine St. to 360' E of Blaine St. – 380' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$180,000
M-617(131)	2024	E. 21 st Street from Vintage Hill Drive to Centennial Road and Centennial Road from E. 14 th to E. 21 st – 4,500' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$ 1,300,000

M-617(98)	2025	Sherman Street from W. 5 th St. to W. 6 th St. – 300' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$140,000
M-617(113)	2025	Sherman Street from W. 3 rd St. to W. 4 th St. – 300' Construct Concrete Paving, Curb & Gutter	\$140,000

Continued on Page 2

No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.



M-617(112)	2026	Lagoon Streets – 2,500’ Construct Concrete Paving	\$900,000
M-617(130)	2026	W. 11 th Street from Main to Sherman – 1,550’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$850,000
M-617(89)	2026	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$400,000
M-617(120)	2026	Northern Ridge Drive from Highway 15 to W. 21 st St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Sewer	\$800,000
M-617(104)	2026	S. Lincoln Street from W. 1 st St. to 300’ S. of W. 1 st St. – 300’ Construct Concrete Paving, Curb & Gutter	\$90,000
M-617(116)	2026	W. 7 th Street from Haas Avenue to Pheasant Run – 1,650’ Storm Sewer & Sidewalk	\$110,000
M-617(119)	2026	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000

No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.

306 Pearl Street
Wayne, NE 68787
402-375-1733
cityofwayne.org

HISTORIC | HEART | HOME

RESOLUTION NO. 2021-9

A RESOLUTION APPROVING THE FINAL PLAT FOR “GREENWOOD ADDITION,” CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

WHEREAS, the Planning Commission, upon review of the Final Plat of “Greenwood Addition,” City of Wayne, Wayne County, Nebraska, legally described as:

Legal Description:

A tract of land located in the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 12, T26N, R3E of the 6th P.M., Wayne County, Nebraska, more particularly described as follows:

Commencing at the Southeast Corner of the Southwest 1/4 of Section 12, T26N, R3E of the 6th P.M., Wayne County, Nebraska; thence N 02°06'27" W on an assumed bearing on the East line of the Southeast 1/4 of the Southwest 1/4 of said Section 12, 33.00 feet to a point on the North Right-of-Way line of Hwy. #35, said point being the Point of Beginning; thence N 02°06'27" W on said East line, 23.10 feet to a point on said North Right-of-Way line; thence S 88°05'16" W on said North Right-of-Way line, 329.41 feet to the Southwest corner of Greenwood Cemetery, said point being 55.30 feet North of the South line of the Southwest 1/4 of said Section 12; thence N 02°08'14" W on the West line of said Greenwood Cemetery, 1264.97 feet to the Northwest corner of said Greenwood Cemetery and the Northeast corner of Western Ridge II Addition; thence S 87°40'29" W on the North line of said Western Ridge II Addition, 75.02 feet to the Southwest corner of Tax Lot 11; thence N 02°06'27" W on the West line of said Tax Lot 11 and parallel to the East line of said Southwest 1/4, 208.71 feet to the Northwest corner of said Tax Lot 11; thence N 87°36'33" E on the North line of said Tax Lot 11, 208.71 feet to the Northeast corner of said Tax Lot 11; thence S 02°06'27" E on the East line of said Tax Lot 11 and parallel to the East line of said Southwest 1/4, 208.71 feet to a point on the North line of said Greenwood Cemetery; thence N 87°34'22" E on said North line, 856.46 feet to the Northeast corner of said Greenwood Cemetery; thence S 02°21'36" E on the East line of said Greenwood Cemetery, 1290.36 feet to the Southeast corner of said Greenwood Cemetery, said point being on the North Right-of-Way line of Hwy. #35 and 33.00 feet North of the South line of the Southeast 1/4 of said Section 12; thence S 87°31'00" W on said North Right-of-Way line and parallel to said South line, 665.78 feet to the Point of Beginning, containing 30.23 acres, more or less,

on February 1, 2021, recommended approval thereof, based upon the following “Findings of Fact:”

- Consistency with the Comprehensive Plan and the future land use map; and
- Staff’s recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Final Plat of “Greenwood Addition,” City of Wayne, Wayne County, Nebraska, be approved subject to the recommendations of the Planning Commission and the foregoing “Findings of Fact.”

PASSED AND APPROVED this 2nd day of February, 2021.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION

FINAL ACCEPTANCE OF PROJECT CONSTRUCTION

City of Wayne)

Resolution No. _____

Whereas: City of Wayne (City) and State entered into an LPA Program Agreement for State to assist City in the development and construction of an LPA Federal-aid transportation project;

Whereas: The project construction has been tentatively accepted and the State, on LPA's behalf, has recommended that the project is ready for final acceptance;

Whereas: The LPA Program Agreement requires the city to review and formally approve State's recommendation that the project is ready for final acceptance;

Whereas: City has reviewed the State's recommendation and agrees that the project has been constructed according to the plans, specifications and any change order(s) and that the construction is ready for final acceptance;

Whereas: City believes that the traffic control and permanent signs on the project are appropriate, have been properly placed and are acceptable to the City.

Be It Resolved by the City Council of the City of Wayne that:

The Mayor, Cale Giese, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the City's final acceptance of the project construction.

The permanent signing and traffic control on the project are appropriate, have been properly placed and are acceptable to City. The City hereby accepts maintenance of the project and agrees to meet all environmental and other commitments related to the project.

NDOR Project Number: STPB-90(4)

NDOR Control Number: 31777

NDOR Project Description: Wayne Trail Phase II

Adopted this _____ day of _____, _____ at _____, Nebraska.
(Month) (Year)

The City Council of the City of Wayne, Nebraska

Board/Council Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call: _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed and billed as adopted

CITY OF WAYNE
CALE GIESE

Mayor

Attest:

City Clerk Signature

RESOLUTION NO. 2021-11

A RESOLUTION APPROVING INTERLOCAL COOPERATION ACT AGREEMENT BY AND BETWEEN THE COUNTY OF WAYNE, NEBRASKA, AND THE CITY OF WAYNE, NEBRASKA.

WHEREAS, the City of Wayne is desirous to enter into an Interlocal Cooperation Act Agreement with the County of Wayne, Nebraska, to share in the engineering and design cost of paving the gravel portions of Centennial Road and 21st Street; and

WHEREAS, a copy of the proposed Interlocal Cooperation Act Agreement 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 the Interlocal Cooperation Act Agreement by and between the County of Wayne, Nebraska, and the City of Wayne, Nebraska, is hereby approved and the Mayor and City Clerk are hereby authorized to execute the same.

PASSED AND APPROVED this 2nd day of February, 2021.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

**INTERLOCAL COOPERATION ACT AGREEMENT
BY AND BETWEEN THE COUNTY OF WAYNE, NEBRASKA
AND THE CITY OF WAYNE, NEBRASKA**

This agreement is entered into by and between the **County of Wayne, Nebraska**, hereinafter referred to "County," and the **City of Wayne, Nebraska**, hereinafter referred to as "City."

RECITALS:

1. This agreement is made pursuant to the Nebraska Interlocal Cooperation Act, Neb. Rev. Stat. Section 13-801, et seq. R.R.S. 1943, as amended.

2. The purpose of this agreement is to authorize the parties hereto to unite their efforts and resources to accomplish the intent of this agreement.

3. Commencing at the intersection of Centennial Road at 14th Street and continuing North to the intersection of Centennial Road and East 21st Street, the City is the owner of approximately 300 feet of Centennial Road, and the County is the owner of the remainder of Centennial Road; and

4. Commencing at the intersection of East 21st Street and Claycomb Road and continuing East to the intersection Centennial Road and East 21st Street, the City is the owner of approximately 600 feet of East 21st Street, and the County is the owner of the remainder of East 21st Street; and

5. The City is desirous, in anticipation of paving the gravel portions of Centennial Road and East 21st Street as outlined above to better accommodate further development; and

6. The County and City recognize the benefit to both parties to pave the roadways as above-described, and are desirous to enter into a mutual agreement for the engineering and design cost to effectuate this agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and their mutual covenants hereinafter expressed, the parties agree as follows:

a. **Duration**: This agreement will be effective as of the date of its execution by the parties hereto and remain in effect until the completion of the engineering and design, or for a period of two years, whichever shall first occur.

b. **Applicable Law**. This agreement is entered into pursuant to and governed by the laws of the State of Nebraska, and in particular under the authority of Neb. Rev. Stat. 13-801 et seq., R.R.S. 1943, and as amended, otherwise known as the Nebraska Interlocal Cooperation Act.

c. **Obligations of Each Party.**

City: The City hereby agrees to retain an engineering firm, at City's discretion, to design and engineer the infrastructure and paving of Centennial Road from 14th Street to East 21st Street, and East 21st Street from Claycomb Road to Centennial Road, in anticipation of further development. Design and engineering costs as outlined in this agreement shall be defined as the costs necessary to make this project "shovel ready," or the point when construction is ready to begin. City shall keep County apprised of all estimates and costs as they become known to City.

Nothing in this agreement is intended to obligate the other party to move forward with the construction phase of the engineered plans or specs, or to cost share for any costs of actual construction, paving, or development. This agreement is limited to the engineering and design phase only.

County: The County agrees to reimburse the City for one-third (1/3) of the cost of the above-referenced design and engineering. Any claim shall be submitted by the City to the County, and paid in a timely manner after approval by the County Board of Commissioners.

IN WITNESS WHEREOF, the parties have executed this agreement on this ____ day of February, 2021.

ATTEST:

WAYNE COUNTY BOARD
OF COMMISSIONERS,

By _____
Debra Finn, Wayne County Clerk

Terry Sievers, Chairman

ATTEST:

CITY OF WAYNE, NEBRASKA,

By _____
Betty McGuire, City Clerk

Cale Giese, Mayor

ORDINANCE NO. 2021-3

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:

§ 78-126 PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY.

(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 north side of the centerline of Vintage Hill Drive from the east line of Claycomb Road east to a point 117 feet east of the east line of Claycomb Road
The south side of the centerline of East 21st Street from the east line of Main Street east to the city limits
The north side of the centerline of East 21st Street from the east line of Main Street east to the city limits
The south side of the centerline of Adam Drive from the east line of Claycomb Road east to the west line of Vintage Hill Drive
The east side of the centerline of Jordan Drive from the north line of Adam Drive north to a point 155 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 north 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
The east side of the centerline of Industrial Drive from the north line of East 7 th 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; Ord. 2020-1, passed 6/16/20)

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 2nd day of February, 2021.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

CHAPTER FIFTEEN ~~FOURTEEN~~

CONFERENCES AND TRAVEL

Sec. 14.1 Approval

Approval for travel shall be received in advance through the Department Head and the City Administrator. Reimbursable expenses may include travel, meals, lodging, registration fees, and other miscellaneous expenses.

Sec. 14.2 Transportation

Reimbursement shall be made for the cost of travel tickets, parking expenses, and other related to City or rental vehicles.

Sec. 14.3 Lodging

Lodging expenses shall be documented by receipts. Individuals shall attempt to stay at the most reasonably priced hotel or motel. Individuals are encouraged to stay at the location of any convention or meeting. City representatives shall ask for government rates whenever registering and are encouraged to make all reservations through the Personnel Office to ensure the tax exemption, where practicable on the lodging. ~~Lodging shall be double occupancy, except as may be permitted by the City Administrator.~~

Sec. 14.4 Meals

Reimbursement guidelines for individual meal expenses shall be: **Itemized** receipts shall be required for all meal expenses. ~~within a 200 mile radius. Reimbursement for individual meal expenses related to travel beyond a 200 mile radius shall not exceed \$42.00 per day unless accompanied by receipts. Receipts must be submitted for consideration of an exception or when they represent meals for more than one person.~~

The reimbursement guidelines for individual meal expenses shall be the same for the Fire Department personnel.

Sec. 14.5 Mileage

Mileage reimbursement will be consistent with the Federal established rate when personal vehicles are approved for use in City business.

Sec. 14.6 Registration Fees

All registration fees may be reimbursed.

Sec. 14.7 Miscellaneous

All other expenses will be categorized as miscellaneous and will need to be documented by receipts and receive administrative approval before receiving reimbursement.

Sec. 14.8 Payment Procedures

Upon returning from an approved meeting, the individual shall summarize all of his or her expenses on the City's approved expense report and submit it to the Department Head for approval. The Department Head will submit all approved expense vouchers to the City Administrator for approval, prior to being submitted to the Payroll Department for payment.

Sec. 14.9 Travel Advances

The City Administrator may authorize advance travel monies for an employee to attend a scheduled school or conference, in an amount not to exceed the estimated cost of the trip, through the employee's payroll check that comes immediately before the scheduled meeting, provided it is requested and approved by the City Administrator prior to the cutoff date for the affected pay period.

CHAPTER SIXTEEN FIFTEEN

SAFETY

Sec. 15.1 Training

Department heads, ~~division heads~~ and other supervisors shall train subordinate employees to observe prudent safety precautions at all times. Each employee shall be responsible for following established safety rules and procedures and for observing traffic regulations when operating City vehicles and other motorized equipment. Department ~~and division~~ heads shall ensure that first aid supplies are maintained in clearly marked locations as appropriate and that employees have been instructed on procedures to be followed in the event of fire, tornado, or other emergency.

Sec. 15.2 Accident and Injury Reporting

Employees shall immediately report all job accidents and injuries to their supervisors, ~~division heads~~, or department heads. Within 24 hours of an employee accident or injury, his/her department ~~or division~~ head shall notify the City's insurance carrier and file a report with the City Clerk's office. A minor injury may be treated at the scene. Otherwise the victim may be transported to a medical location for treatment.

An employee operating a City vehicle who is involved in an accident, no matter how minor, shall first notify a law enforcement agency and then his or her supervisor, ~~division head~~, or department head. The supervisor, ~~division~~ or department head shall then notify the City's insurance carrier and City Clerk.

Sec. 15.3 Health and Safety

Accident prevention is essential to a successful operation. The City is concerned about the health and safety of its employees. It is important that all employees become safety conscious and that basic safety rules be followed at all times. It is the responsibility of each employee to observe all safety rules.

Each employee shall participate with the supervisor to prevent unsafe or potentially unsafe conditions from occurring by immediately reporting any such conditions to the supervisor.

Any violation of safety rules will result in the employee receiving appropriate discipline, including possible termination.

Sec. 15.4 Emergency Evacuation

For your safety and well being, the City has developed an emergency evacuation procedure. This procedure will help you know what to do in case an emergency requires evacuation from City premises.

CHAPTER SEVENTEEN SIXTEEN

MISCELLANEOUS PROVISIONS

Sec. 16.1 Personnel Records

The Personnel Officer shall maintain the official personnel records for all City employees. An employee shall have the right to inspect his or her official personnel records under the supervision of the Personnel Officer. Departments ~~and divisions~~ may maintain such working files as are necessary for day-to-day administration.

Sec. 16.2 Status Changes

An employee shall promptly inform his or her supervisor, ~~division head~~, or department head of any change in name, address, telephone number, marital status, number of dependents, or other aspects of personal status impacting on personnel, insurance, or payroll records. The supervisor, ~~division head~~, or department head shall ensure that the Personnel Officer is notified of each change.

~~Sec. 16.30. Suggestions.~~

~~Employee suggestions for improving the efficiency, economy, and effectiveness of City government shall be encouraged. Employees may submit written suggestions to their supervisors, division heads, or department heads or to the City Administrator. Suggestions shall be acknowledged.~~

Sec. 16.3 Duty of Loyalty

The employees shall not disclose confidential information gained by reason of employment with the City, nor use such information for personal gain or benefit.

Employees shall not have any interest in or engage in any business or transaction or special activity or incur any obligation of any nature, directly or indirectly, which is in conflict with the proper discharge of the duties of the position to which the employee is assigned with the City.

Employees shall conduct themselves in a positive and businesslike manner that will reflect favorably on the City. They shall be conscious of performing all duties in the best interest of the City and its clients and customers.

CHAPTER EIGHTEEN SEVENTEEN

PURCHASING PROCEDURES

Sec. 17.1 Cost Quotations; Commodities Under \$340,000.00 in Value

Prices of goods or services under \$340,000.00 in value should be determined or checked by telephone or through the use of the **"Request for Quotation" Quote Request Form**. Items available from a number of vendors must be opened and reviewed for competitive quotation, providing quality and service are comparable. The total cost of any commodity shall include all shipping charges or installation costs.

- (a) ~~Telephone quotations shall be obtained from at least three vendors, if available, in the City of Wayne for purchases in an amount between \$100.00 and \$500.00. Copies of the tabulation of the quotation shall accompany the purchase order form to the City Administrator.~~
- (a) Written quotations shall be obtained from at least three vendors, if available, for purchases between \$1,500.00 and \$29,999.99. Such quotations will be tabulated and forwarded with the tabulation and the purchase order form to accounting and the City Administrator.

Sec. 17.2 Excise or Sales Tax

The City is exempt from excise or sales tax, except electric, water, sewer, pool, and where an admission is charged, which is subject to Nebraska Sales Tax.

Sec. 17.3 Competitive Bids

The City Administrator may, at his option, open for competitive bids, any item on the purchase order or combine with orders for the same item or service from other departments to achieve the lowest possible cost consistent with quality. Purchase of vehicles or other major equipment ~~under \$10,000~~ shall be purchased by competitive quotations or bids and presented to the City Council for award.

Sec. 17.4 Competitive Bids; Commodities over \$340,000 in Value

No commodity or service aggregating more than \$340,000 in value shall be purchased without competitive bidding, excluding electrical energy purchases and contracts related to the municipal electric utility. Competitive bidding shall be in compliance with the laws of the State of Nebraska. Department heads initiating the request for quantity and commodity shall submit said proper documentation to the City Administrator for approval who will present it to the City Council for advertising. Bids will be received until a specified date, at which time an award will be made to the lowest and best bid or bids will be rejected by the City Council. Splitting purchase orders to circumvent the \$340,000.00 minimum shall not be permitted.

~~Sec. 17.50. Standing Orders; Commodities of \$100 or Less in Value.~~

~~Whenever numerous small purchases are made from one supplier, standing orders may be~~

~~authorized. This must be kept at a strict minimum and purchase orders aggregating no more than \$100 shall be issued per unit. The vendors copy may be signed by the department head, if the City Administrator or his authorized representative is not available, such as nights, weekends, or holidays. The remaining parts of the purchase order shall be processed in the usual way. This order must be designated as "Standing Order for the Month of _____, 20__", or "During the Period of _____ to _____, 20__", as the case may be.~~

~~Exceptions: The City Administrator may authorize a standing order for a larger amount than \$100.~~

Sec. 17.5 Authorization Required

All purchase orders shall be signed in the appropriate space by the initiating department head (lower left corner). It shall then be transmitted to the City for processing. Approval will be indicated on the purchase order by the City Administrator or his authorized personal representative. After approval of the City Administrator, the purchase order will be issued. The orders will be processed daily, and the appropriate copies returned to the initiating department heads.

The City Administrator will normally approve or disapprove all purchase orders involving total cost of ~~\$500~~ **\$1,500** or more, or involving any capital improvement or improvements. The authorized representative of the City Administrator may normally approve or disapprove all other purchase orders.

Sec. 17.6 ~~The Purchase Order.~~ **Purchase Orders**

Issuance and Distribution. The purchase orders shall be serially numbered and prefixed by the fund number and issued in sufficient copies.

- (a) ~~Type all information as required. Pen or pencil will not register on all copies.~~ **Complete all information as required.**
- (b) Date - current date.
- (c) Ship To - show the department and address.
- ~~(d) Delivery required — show the date that it is desired for delivery of merchandise, if any time is necessary.~~
- (d) Vendor - give the full name, address, telephone number, and vendor number.
- (e) Appropriation number - give the number assigned to the budgetary appropriation for which the expenditure is to be made. This must be correct. Appropriation numbers cannot be changed or added after purchase order has been processed.
- ~~(f) Shipping instructions — show the means of transportation, if a particular way is desired.~~
- (g) Item - if the order contains more than one item, then number the items in serial order.
- (h) Quantity - show the number of units of the same kind required, expressed in numbers.

- (i) Unit - show the measurement of the items required.
- (j) Description - describe the item required in specific terms. Use part or catalog numbers, if required. Be sure to describe fully and in detail. Return of merchandise due to improper or incomplete description is not only a waste of time, but expensive.
- (k) Unit price - show the cost per ton, dozen, pound, etc., whatever the unit used might be. Prices must be shown if at all possible.
- (l) Amount - extend the unit price by showing the total cost derived by multiplying quantity by unit price. It is important that all of this information is provided. Anticipate, if possible, discounts and freight charges, noting them upon the form. If the order contains more than one item, add all of the item amounts and show the total amount.
- (m) After completion of the purchase order, the department head shall sign in the appropriate space, lower left corner, and forward all copies to accounting division for processing.
- (n) **~~Distribution—the copies shall be distributed as follows: (1) Original to vendor; (2) Second copy to accounting; (3) Third copy to be returned to issuing department for reporting goods received and then transmitted to accounting; (4) Fourth copy returned for issuing department records.~~**

Sec. 17.7 Procedure Prior to Receipt of Order

The Purchase Order shall be retained by accounting for encumbering purposes and filed in an orders pending file. The signature of the City Administrator, or his authorized representative, is authorization of the purchase.

- ~~(a) — A copy shall be retained by accounting for encumbering purposes and to be filed in an orders pending file. The signature of the City Administrator, or his authorized representative, in the lower right corner is authorization for the purchase.~~
- ~~(b) — A copy shall be returned to the issuing department to be held until the order is completed and then transmitted to accounting with a copy of the delivery slip.~~
- ~~(c) — A copy shall be retained by the issuing department to be filed numerically, alphabetically, or by account number at the department head's option.~~

Sec. 17.8 Procedure Upon Receipt of Complete Order

Upon receipt of the complete order, the department head, or his authorized representative, shall carefully check the items received against the purchase order with particular attention to the quantity and condition of the items. If all of the items are accounted for and in good condition, the receiver shall indicate the same on a copy of the purchase order, adding the date of signature and his signature. He shall then transmit this copy of the purchase order, with all delivery slips, to accounting immediately at the time merchandise is delivered, received, or obtained. The receiver shall identify the department and sign the delivery slip submitted for that purpose.

Accounting shall withdraw a copy from the pending file, and conform the same with received copy. Upon receipt of the vendor's invoice by accounting, all papers shall be carefully reviewed as to number, kind, and cost of items. A copy with the original invoices will be attached to a claim blank and filed in the "Accounts Payable" file for payment. Extreme care should be taken to take advantage of all discounts.

Sec. 17.9 Procedure Upon Receipt of Partial Order

Upon receipt of a partial or incomplete order, the department head shall check the items received against the purchase order ~~as described in Sec. 18.100~~. He may report the receipt of partial order ~~upon the "Report of Materials Received" form and transmit this report~~ to accounting. Accounting will review and match the reports of partial orders of items received with a copy of the purchase order, checking off the items received, and attach a report of partial order to a claim and place in "Accounts Payable" file for payment. At such time as the entire shipment has been received or the balance of the order has been canceled, the department head will ~~submit the pink copy to~~ **notify** accounting ~~to be processed~~ with the invoice designating that the final shipment has been received or canceled. If orders are canceled, the copy must be marked "Canceled," and returned to accounting so that the encumbrance can be liquidated.

Sec. 17.10 Emergency Purchases

Under exceptional circumstances, emergency purchases may be authorized by the City Administrator without the issuance of a purchase order. This order should be prepared as soon as time permits, marked "Emergency Purchase Authorized by City Administrator _____, 20 ____" and processed in the prescribed manner.

In the event that the City Administrator, or his authorized representative, is unavailable, the department head may authorize the purchase, following the preceding procedure.

Sec. 17.11 ~~Minor Purchases. (Amended by Res. No. 91-61, 9/24/91)~~ Petty Cash

Minor purchases, in the amount of ~~\$25.00~~ **\$100.00** or less, other than regular sources of supply, may be made ~~without the issuance of a purchase order~~ **using petty cash**. A greater amount may be submitted on a group basis where meals, etc., pertaining to City business, are involved. ~~Minor purchases of more than \$25.00 and less than \$50.00, without the authority of a purchase order, may be authorized by the City Administrator under exceptional circumstances. The purchaser will, however, pay cash for such items at the time of purchase, which will be reimbursed upon presentation of the receipted bill to accounting.~~

~~Items charged without the authority of a purchase order or the approval of the City Administrator shall be the personal responsibility of the purchaser.~~ The receipted bill must be attached to the signed petty cash voucher. The voucher must show both the signature of the issuing agent and a person receiving the disbursement. These vouchers are subject to the approval of the City Administrator.

Sec. 17.12 Mailing and Notices

All invoices and statements shall be addressed to the City of Wayne, Nebraska, Accounting. Copies of processed invoices shall be furnished to department heads upon request. All notices shall be addressed to the City of Wayne, Nebraska, City Administrator.

Sec. 17.13 Cooperative Purchasing

Certain types of commodities, such as fuel oil, gasoline, motor oil, traffic paint, signs, fire hose, etc., may be purchased cooperatively with other local governmental agencies or other municipalities to achieve better quantity discounts. All department heads are requested to project their requirements as far in advance of use as possible and to explore the potentialities of making substantial cost savings through cooperative purchasing without sacrificing quality.

CITY OF WAYNE
QUOTE REQUEST FORM

DEPARTMENT: _____

BUDGET LINE ITEM: _____

DEPARTMENT HEAD APPROVAL: _____

CITY ADMINISTRATOR APPROVAL: _____

DATE: _____

VENDOR NAME: _____

VENDOR EMPLOYEE NAME: _____

TELEPHONE: _____

QUOTE FOR: _____

QUOTE INCLUDES:

Item Totals

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

GRAND TOTAL: \$ _____

Quote Excludes: _____

Delivery Date: _____ Shipped By: _____

City Employee Obtaining Quote: _____

CHAPTER NINETEEN ~~EIGHTEEN~~

MUNICIPAL EMPLOYEE AWARD PROGRAM

Sec. 18.1 Scope and Purpose

The Municipal Employee Awards Program has been established to recognize those City employees who have performed or provided service for the City of Wayne. Any City employee (management or non-management, full-time, ~~or~~ part-time ~~or temporary~~) of the municipality may participate in the program.

Sec. 18.2 Responsibility

The City Administrator or his designee shall be responsible for program administration. The City Administrator, with approval of the City Council, reserves the right to amend, or revise this program at his discretion.

Sec. 18.3 Employee Recognition

This portion of the awards program is geared to recognize an employee's continued service with the City and productivity. All employees of the City are eligible to receive the following recognitions:

- (a) Service Awards. All employees may be recognized for their years of service to the City, starting from 5 years to 50 years, in 5 year consecutive service increments, as follows:
 - (1) 5 years - Certificate and one day off
 - (2) 10 years - Certificate and one day off
 - (3) 15 years - Certificate, one day off and \$50 ~~Savings Bond~~
 - (4) 20 years - Certificate, one day off and \$100 ~~Savings Bond~~
 - (5) 25 years - Certificate, one day off and \$150 ~~Savings Bond~~
 - (6) 30+ years - Certificate, one day off and \$200 ~~Savings Bond~~

**** Day off must be taken within thirty days of anniversary date. Certificate and Savings Bond monetary gift will be presented at the Annual ~~Christmas Banquet~~/Awards Presentation.**

- (b) Retirement Award. Any retiring employee who has faithfully served the City for 10 years or more is eligible for this award. The City Administrator or Mayor shall issue a letter and certificate of service to the employee and shall present a special award not to exceed \$~~200~~ 100 in value to the retiree.
- (c) ~~Disability Recognition. Any employee forced to leave City employment because of disability is eligible for this award. The City Administrator or Mayor shall issue a letter and certificate of service to the employee and shall present a special award to~~

the employee.

- (d) ~~Letter of Appreciation.~~ This may be issued to an employee or department who has demonstrated an above average performance or service while performing assigned or special duties. The letter may be issued by an immediate supervisor or the City Administrator.
- (e) ~~Distinguished Service Citation for Valor.~~ This award will be presented by the City Administrator to an employee who performs an act of heroism in the face of personal injury or risk of life.

Sec. 18.40. — Department Recognition.

Any City department may be recognized by the City Administrator for the following:

- (a) ~~Safety Citation.~~ May be awarded to one or more departments that have demonstrated consistent safe practices. This award will be presented to the Department Director at the annual Christmas Banquet/Awards Presentation by the City Administrator.
- (b) ~~Outstanding Improvement Award.~~ This award may be presented to a department or departments which have demonstrated excellent service to the public, have met their department goals and have demonstrated cost reduction in their departments. This award will be presented to the Department Director at the annual Christmas Banquet/Awards Presentation by the City Administrator.

Sec. 18.4 Annual ~~Christmas Banquet~~/Awards Presentation.

~~Christmas Banquet~~/Awards Presentation will be held once a year, ~~on the first Saturday in the month of December~~, of which the cost of the meal will be paid for by the City to the extent permitted by State Statute.

Sec. 18.60. — ~~Inter-Departmental Recognition Coffee.~~ (Amended by Res. No. 92-57, 12/8/92.)

~~A department may be permitted by the City Administrator to hold a "good-bye coffee" for any employee leaving the employment of the City of Wayne during normal business hours for a period not to exceed thirty (30) minutes of time; the cost of said "coffee" shall be borne by the department employees.~~

Sec. 18.70. — Publicity.

~~Every attempt should be made to publicize the presentation of these awards.~~

CHAPTER TWENTY NINETEEN

DRUG-FREE WORKPLACE POLICY

Sec. 19.1 Statement of Purpose

The City of Wayne shall attempt to increase employee's awareness of the dangers involved with the use of alcohol and drugs. The City of Wayne shall prohibit the abuse of alcohol, illegal drugs, prescription drugs, or any other substance which could impair an employee's ability to perform safely and effectively the functions of any given job. The purpose of this policy is as follows:

- (a) To establish and maintain a safe, healthy, working environment for its employees.
- (b) To provide public services to the residents of Wayne in a safe, responsible manner.
- (c) To meet Federal government requirements for maintenance of a Drug-free Workplace Policy.

All City of Wayne employees, including volunteer firefighters, are covered by this policy and should be aware that violation of this policy may result in discipline up to and including job termination.

Sec. 19.2 Definitions

Alcohol shall mean any product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, synthetic ethyl alcohol, the four varieties of liquor defined in Subdivisions (2) to (5) of Section 53-103 of the Nebraska statutes, alcohol, spirits, wine, and beer, every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer, and alcohol used in the manufacture of denatured alcohol, flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, and toilet preparations.

Drug shall mean any substance, chemical, or compound as described, defined, or delineated in Sections 28-405 and 28-419 of the Nebraska statutes, or any metabolite or conjugated form thereof, except that any substance, chemical or compound containing any product defined as alcohol in this policy may also be defined as alcohol.

Alcohol or drug abuse shall mean an employee's alcohol or drug use, dependence, or addiction of sufficient severity to have the effect of impairing the performance of official duties or job behavior. Drug abuse is further defined as use of legal (over the counter or prescribed) drugs in a manner and under circumstances other than the way they were prescribed to be used and resulting in impairment of the performance of official duties or job behavior.

Reasonable suspicion shall mean facts, circumstances, physical evidence, physical signs and symptoms or a pattern of performance or behavior that would cause a trained supervisor reasonably to conclude that an employee is impaired by the use of drugs or alcohol. Reasonable suspicion includes carefully considering the totality of the circumstances whenever there is an accident involving a fatality or serious bodily injury requiring emergency medical treatment to determine if persons involved in the accident might have violated the Drug-free Workplace Policy.

On duty shall mean the regular time or overtime an employee is performing his/her work responsibilities either on City premises or traveling to another location or working at another location other than the City

premises. It does not apply to the time an employee is on administrative leave (as generally defined in the City of Wayne Personnel Manual).

Sec. 19.3 Policy

- (a) Employees of the City of Wayne, while on duty, shall not use, possess, sell, manufacture, or provide to another alcohol or any illegal drug. Exceptions to this policy may be made for police officers operating in their capacity as drug and alcohol enforcement officers.
- (b) Employees of the City of Wayne, while on duty, shall not be impaired by the use of drugs or alcohol. A City employee who is taking necessary medications, prescribed or non-prescribed, which may interfere with the safe and effective performance of duties or operation of City equipment, is required to advise his/her supervisor of that fact, before beginning work.

An employee who is called in to work from an "on call" status is expected to notify either his/her supervisor or the person initiating the work duty if he/she is unable to perform work duties or operate City equipment in a safe and effective manner. When an "on call" employee is called in to work, he/she is considered to be "on duty" and must abide by the Drug-free Workplace Policy as long as he/she remains on duty.

- (c) Supervisors shall be responsible for reporting to their immediate supervisor any employee for which there is reasonable suspicion to conclude that his/her work is impaired by alcohol or drugs. If the immediate supervisor is not available, another department head should be notified.

Employees are urged to report to their immediate supervisor or department head any witnessed violations of the Drug-free Workplace Policy. This is not grounds for reasonable suspicion testing, however. It is the supervisor's responsibility to monitor the employee reported in violation of the policy to determine if there is reasonable suspicion to conclude that an employee's work is impaired by alcohol or drugs or that he/she is in violation of the Drug-free Workplace Policy.

- (d) Drug and/or alcohol testing shall be required for any employee whose immediate supervisor and department head have reasonable suspicion to believe that he/she is in violation of the Drug-free Workplace Policy. If the department head is not available or the immediate supervisor is the department head, then another department head should be recruited to participate in making the decision on testing an employee. (See Procedures for Identifying Drug/Alcohol Abuse)
- (e) As a condition of employment, job applicants for full-time employment with the City of Wayne must consent to drug testing prior to beginning a work assignment.
- (f) In the event of any accident which results in injury or death to another person, City employees whose negligence is found to be the cause of the accident may be required to submit to a drug and/or alcohol test.
- (g) Employees of the City, as a condition of employment, shall notify the City of any criminal drug statute convictions no later than five days after the conviction and must participate successfully in a drug abuse assistance or rehabilitation program approved by

the City within 30 days after the conviction.

- (h) As a condition of employment, all employees of the City of Wayne must sign an acknowledgment that they have read the Drug-free Workplace Policy and will abide by it.
- (i) Employees who possess a Commercial Drivers License (CDL) or who are required to operate a commercial vehicle on an on-call, emergency, or unscheduled basis, and/or employees who perform safety sensitive functions as may be defined by Federal law shall be subject to the requirements of Federal law in addition to the requirements otherwise included in this Policy.

Sec. 19.4 Procedures for Identifying Drug/Alcohol Abuse

Any time a supervisor has reasonable suspicion to believe an on duty employee is impaired by alcohol or drugs, he/she shall immediately place such employee on special assignment in order to protect the employee, fellow employees, and the public from harm. The supervisor shall immediately notify his/her supervisor of such action. If his/her supervisor is not available, another department head should be notified. Both supervisors will interview the employee and if both supervisors believe, based upon reasonable suspicion, that the employee is impaired by the use of alcohol or drugs, the employee shall be ordered to submit to a test of his/her blood, breath, and/or urine and shall be transported to the designated testing facility by the immediate supervisor. The immediate supervisor may direct whether the test shall be of blood, breath, and/or urine.

Sec. 19.5 Disciplinary Action

The City of Wayne reserves the right to impose disciplinary action up to and including termination:

- (a) For any employee whose ability to perform his/her job is impaired by alcohol or drugs based on observation and confirmed by drug and/or alcohol testing.
- (b) For any employee who fails to notify the City of any criminal drug statute convictions no later than five days after the does conviction.
- (c) For any employee who, within 30 days of notification of any criminal drug statute convictions, does not participate successfully in a drug counseling or drug rehabilitation program approved by the City.
- (d) For any employee who is found to be using, possessing, selling, manufacturing, or distributing illegal drugs or alcohol in the workplace.
- (e) For any employee who refuses to submit to a drug and/or alcohol test which is ordered based on reasonable suspicion of drug/alcohol abuse.
- (f) For any employee who refuses to submit to a drug and/or alcohol test, and the same may be required under Federal law, which is ordered based on a random selection method, involvement in a fatality accident or receipt of a ticket in a recordable accident.
- (g) For any employee who fails to pass a required drug or alcohol test.

Factors to be considered in determining appropriate discipline include, but are not limited to, the following:

- (a) The position held by the employee and the resulting danger to the health and safety of the employee or public by such an employee's use of drugs or alcohol.
- (b) The impact of an employee's use of drugs or alcohol on the employee's ability to perform his or her job in the future.
- (c) The employee's past and current job performance.
- (d) The extent and nature of past violation of the City's policy regarding alcohol and drugs shall result in termination.

Section 19.6 Compliance with Testing Requirements

All safety-sensitive and non-safety-sensitive employees will be subject to urine drug testing and breath alcohol testing as a condition of employment. Any safety-sensitive or non-safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and their employment terminated. Any safety-sensitive or non-safety-sensitive employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of these actions will result in the employee's removal from duty and their employment terminated. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Sec. 19.7 Employee Rehabilitation

The City of Wayne shall make every effort to assist the employee who is in violation of the Drug-free Workplace Policy to enroll in an approved drug abuse assistance or rehabilitation program. The employee shall be referred to a State-certified professional drug and alcohol assessment service to be evaluated through interviews, written tests, and physical examinations, as to the extent of his/her drug or alcohol problem. This assessment service will recommend a course of treatment and advise the employer whether the employee can return to work. Upon completion of the program, the employee may be required to resubmit to drug and/or alcohol testing before being fully reinstated to normal work duties. The costs of the assessment service and treatment program are totally the responsibility of the employee. The costs of any and all drug and/or alcohol testing required by this Section or by Federal law following return to work are totally the responsibility of the employee.

Sec. 19.8 Employee Education/Training

In order to make employees aware of abuse and to help them understand the City's Drug-free Workplace Policy, an orientation briefing shall be provided to all new employees within the first week of employment. In the case of existing employees, this orientation shall be provided shortly after the policy is formally adopted by the City.

In addition to the employee orientation, brochures, displays, and fact sheets will be made available to employees to heighten the awareness of the effects of drug and alcohol and use/abuse, to explain

applicable Federal testing regulations, and to explain the City policy with regard to the regulations.

Sec. 19.9 Supervisory Training

As soon as possible after the adoption of the City of Wayne Drug-free Workplace Policy, all supervisors, who shall include the City Administrator, and Department ~~and Division~~ Heads, shall be provided training on detecting manifestations and behavioral clues indicative of drug and alcohol use/abuse. New supervisors shall be provided training as soon as possible after being hired or promoted to a supervisory position.

Sec. 19.10 Alcohol/Drug Testing

Drug and/or alcohol testing required under Federal law shall be pre-emptive when applicable and additional to the requirements set out in this Section.

Drug and/or alcohol testing shall be done only after an employee has signed a consent form authorizing the test and permitting release of confidential test results to a designated City official. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the City's drug/alcohol testing policy.

Alcohol levels found to be greater than seven hundredths of one gram or more by weight of alcohol per: (1) 100 milliliters of his or her blood, (2) 210 milliliters of his or her breath, or (3) 100 milliliters of his or her urine, shall constitute impairment. Alcohol testing will be handled by the City of Wayne Police Department personnel who are certified by the State of Nebraska to perform alcohol breath tests. Any employee may immediately request further confirmation of any breath testing results by a blood sample, if the employee voluntarily submits to give a blood sample taken by qualified medical personnel in accordance with the rules and regulations adopted and promulgated by the Nebraska Department of Health. If the confirmatory blood test results do not confirm a violation, any disciplinary or administrative action shall be rescinded.

All drug testing will be conducted using specimen collection procedures which assure the integrity of the specimen and using DHHS-certified laboratories. Any employee testing positive for drugs can request another test at his/her own expense.

The City of Wayne shall not release or disclose the test results to the public, except that such results shall be released as required by law or to the employee upon request. Test results may be released to those officers, agents, or employees of the City who need to know the information for reasons connected with their employment.

Costs of pre-employment drug testing and initial drug/alcohol tests with negative results for all other causes shall be borne by the City of Wayne. Tests, other than pre-employment, with positive results shall be charged to the employee. Costs for all confirmatory drug/alcohol tests requested by employees shall be borne by the employee requesting the test.

CHAPTER ~~THIRTY~~ TWENTY

ACCEPTABLE USE GUIDELINES FOR COMPUTERS AND INTERNET SERVICES & E-MAIL AND TELEPHONIC COMMUNICATIONS

Sec. 20.1 General Principles

Computers and Internet services are provided by the City of Wayne to support open communications and exchange of information and the opportunity for collaborative government-related work. The City of Wayne encourages the use of electronic communications by its departments and employees. Although access to information and information technology is essential to the missions of government agencies and their users, use of computers and Internet services is a revocable privilege. Conformance with acceptable use, as expressed in this policy statement, is required. City departments are expected to maintain and enforce this policy. Abuse of the Internet access provided by the City in violation of law or City policy will result in disciplinary action, up to and including termination of employment. Employees may be held personally liable for any violations of this policy.

During business hours computer use, and Internet communications to and from City employees and with outside government agencies, are presumed to be work related. City computers and data stored in them are the property of the City, and may be accessed at any time by authorized City officials. The equipment, services, and technology provided to access the Internet offered by the City remain at all times property of the City. As such, the City reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through their online connections and stored in their computer systems. Employees should not expect privacy in the use of City computers.

At a minimum, users of computers and Internet services provided by the City of Wayne are expected to:

Make a reasonable effort to inform themselves of this acceptable use policy, and acceptable and unacceptable uses of computer equipment and the Internet in general. This burden of responsibility is on the user as to acceptable and unacceptable uses prior to use. Compliance with all applicable acceptable use restrictions is mandatory.

During on-duty hours City provided computers and Internet services are to be used only for City government-related activities.

In the event that before or after-hours job related use of city-provided computers, cell phones, **or other electronic devices or BlackBerry-type devices** by non-exempt employees is required, but the employee is not called back to duty, non-exempt employees are required to accurately record the time that they spend using the devices in quarter hour increments and submit that time worked for compensation.

The City Library provides use of computers and Internet services to the public free of charge. Therefore, no charge will be assessed to employees who use the computers and these Internet services during off-duty hours for personal business of a legal/ethical nature.

Respect the legal protection provided by copyright and license of programs and data.

Respect the privileges of other users.

Respect the integrity of computing systems connected to the Internet.

Know and follow generally accepted etiquette of the Internet. For example, always use civil forms of communication and avoid being drawn into “flame wars.”

Avoid uses of the network that reflect poorly on other agencies or on the City.

During normal requirements of the various jobs within the City, protection of programs, data and select files may be required. Encrypting and/or use of passwords may be necessary to protect sensitive data. Sensitive data to be defined as personnel records, any information used in pending legal action, draft materials, and/or any information that if released prior to appropriate action may be detrimental to any City function. All passwords and/or encrypting methods including encrypting programs in use on City of Wayne owned or leased computerized equipment must be on file with the Department Head or City Administrator. Such passwords shall be listed on forms provided by City offices. The password or encrypting information must be filed and available within three working days from the date the password or encryption is used. When changing or updating passwords, the three working days is from the date that change is made.

Evaluation of the guidelines of this acceptable use policy may require the City Administrator, Department Heads or supervisors to view any document, program or materials displayed on any City computer, terminal or monitor on request.

Users should remember that the City of Wayne’s personnel rules and regulations on employee conflict of interest, legal/ethical conduct, and appropriate use of City property apply to the use of electronic communications systems supplied by the City.

Sec. 20.2 Specifically Acceptable Uses

1. Communication and information exchange directly related to the mission and goals of the City and work tasks of its departments.
2. Communications and exchange for continuing professional development, to maintain currency of training and education, or to discuss issues related to the user’s City activities.
3. Application for or administration of grants or City contracts.
4. Utilization for advisory, standards, research, analysis, and professional society activities related to the user’s City work tasks and duties.
5. Announcement of new City regulations, ordinances, procedures, policies, rules, services, programs, information, or activities.
6. Any other City administrative communications not requiring a high level of security.
7. Communication incidental to otherwise acceptable use, except for illegal or specifically unacceptable uses.

Sec. 20.3 Specifically Unacceptable Uses for City Internet Usage

1. Any purpose which violates a federal, state or local law.

2. Any for-profit activities unless specific to the mission, goals or duties of the City, or related work tasks of a department.

3. Purposes not directly related to the City's mission and goals or department's work tasks during normal business hours.

4. Using the City's time and resources for personal gain.

5. Access to and distribution of: (a) patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated offensive representations or descriptions of excretory functions, masturbation, or lewd exhibition of the genitals, (b) material sent or received in violation of the Protection of Children Against Sexual Exploitation Act of 1977, as amended, 18 U.S.C. 2252.

An exemption is allowed for authorized City law enforcement officers searching for information pertaining to specific criminal activity directly related to active investigations within the jurisdiction of the City of Wayne.

6. Access to and distribution of computer games that have no bearing on the City's mission and goals or a department's work tasks. Some games that help teach, illustrate, train, or simulate City related issues may be acceptable.

7. Interference with or disruption of network users, services or equipment.

8. Intentionally seeking out information on, obtain copies of, or modify files and other data which are confidential under federal, state, or local law, unless specifically authorized to do so once the legal conditions for release are satisfied.

No intentional copy is to be made of any software, electronic file, program or data using City provided Internet services without a prior, good faith determination that such copying is, in fact, permissible. Any efforts to obtain permission should be adequately documented.

9. Intentionally seeking information on, obtaining copies of, or modifying files or data belonging to others without authorization of the file owner. Seeking passwords of others or the exchanging of passwords is specifically prohibited.

10. Users intentionally representing themselves electronically as others, either on the City Internetwork or elsewhere on the Internet unless explicitly authorized to do so by those other users. Users shall not circumvent established policies defining eligibility for access to information or systems.

11. Intentionally developing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter software components of same.

12. Fund raising or public relations activities not specifically related to City activities.

13. Using the Internet for political causes or activities, religious activities, or any sort of gambling.

14. Sending or posting discriminatory, harassing, or threatening messages or images.

15. Sending or posting messages or material that could damage the City's image or reputation.
16. Participating in the viewing or exchange of pornography or obscene materials.
17. Refusing to cooperate with a security investigation.

Sec. 20.4 Additional Guidelines

1. Computer Viruses on Downloaded Software. Any software obtained from outside City government should be virus checked prior to use. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

2. Use by Contractors. Contractors and other non-City employees may be granted access to City provided Internet services at the discretion of the City Administrator. Acceptable use by contractors and other non-City employees working for the City is the responsibility of the contract administrator. The contract administrator is expected to provide contractors who use City Internet services with this information.

3. Passwords. Use passwords associated with the City information system only on that system. When setting up an account at a different information system that will be accessed using the Internet, choose a password different from ones used on City information systems. Do not use the same password for both local and remote Internet accessed site.

4. Logoff (Exiting). Always make a reasonable attempt to complete the logoff or other termination procedure when finished using a remote, Internet accessed system or resource. This will help prevent potential breaches of security.

5. E-mail Security. Unencrypted electronic mail sent or received outside any department and on the Internet cannot be expected to be secure.

6. Large File Transfers and Internet Capacity. The Internet connection is a shared resource. While routine electronic mail and file transfer activities will not impact other users much, large file transfers and intensive multimedia activities will impact the service levels of other users.

Users contemplating file transfers over ten megabytes per transfer or interactive video activities should, to be considerate of other users, schedule these activities early or late in the day.

7. Disclaimers. Users should avoid being drawn into discussions where disclaimers like "this represents my personal opinion and not that of my Department or the City of Wayne" need to be used. When you are using Internet services provided by the City, users need to remember that they are representing the City of Wayne.

Sec. 20.5 Procedures

The City Administrator, department head or their delegated representative are responsible for their employees' compliance with the provisions of this policy and for investigating non-compliance. When an instance of non-compliance with this policy is discovered or suspected, the management shall take

action in accord with City personnel policies. Suspension of service to users may occur when deemed necessary to maintain the operation and integrity of the City of Wayne Internetwork. User accounts and password access may be withdrawn without notice if a user knowingly violates the acceptable use policy. Discipline may be appropriate in cases of criminal or civil action where laws are violated.

Sec. 20.6 E-Mail and Telephonic Communications

All electronic and telephonic communication systems and all information transmitted by, received from and stored in these systems, including e-mail, voice-mail, and text messages, are the property of the City of Wayne (the "City"). These systems are to be used solely for job-related purposes and not for personal purposes. There is no expectation of privacy in connection with the use of this equipment or with the transmission, receipt, or storage of information in this equipment.

Employees shall not use a code, access a file, or retrieve any stored communication unless authorized. The City may monitor an employee's use of this equipment at any time at its discretion. Such monitoring may include printing and reading all e-mail messages entered or stored in these systems or retrieving voice-mail messages or other information.

The City may tape, record, videotape or otherwise monitor an employee's conversations or communications with other employees or non-employees for legitimate business purposes, such as for evaluation and training. An employee may be notified when such recording occurs. However, that notice may not be given to an employee in certain circumstances such as when the City is conducting an investigation into alleged policy or contractual violations.

CHAPTER ~~THIRTY-ONE~~ TWENTY-ONE

SOCIAL MEDIA TERMS OF USE

The City of Wayne utilizes multiple social media sites, including Facebook, Twitter, and Instagram. *This site is intended to serve as a mechanism for communication between the public and the City of Wayne, on the listed topics, and is designated as a **Limited Public Forum** to further the mission of the City.*

We encourage members of the public to like our page, respectfully interact and share ideas as long as they follow the City's terms of use. This page is monitored and managed by the employees of the City of Wayne.

Prior to posting comments on this **Limited Public Forum**, users must review and agree to the Community Standards of Facebook at <https://www.facebook.com/communitystandards>, Twitter Rules and Policies at <https://help.twitter.com/en/rules-and-policies/twitter-rules>, Instagram Terms of Use at <https://help.instagram.com/581066165581870>, and also the Terms of Use of the City of Wayne social media pages. A submitted comment or posting on this page shall constitute an acknowledgement and agreement of these standards. The City of Wayne has a right to report violations of Terms of Use to the respective social media forums.

Sec. 21.1 Denial of Access

The City of Wayne welcomes a person's right to express his or her opinion. However, all comments and posts to this page are monitored and reviewed by each department for compliance with our terms of use. The City of Wayne reserves the right to restrict, remove or delete any comments or posts found to be in violation of its guidelines. Violations of any of these terms may result in a person being banned from posting on the City of Wayne's social media pages.

Individuals who follow the City of Wayne's social media pages and repeatedly violate the terms of use may be banned and prohibited from posting future comments.

The City of Wayne is not responsible for any postings or comments deemed inappropriate that cannot be removed in a timely fashion.

Sec. 21.2 Terms of Use Guidelines

Consistent with the purpose of this **Limited Public Forum**, prohibited content includes, but is not limited to, the following comments or posts that contain:

- Profanity, offensive language or sexual content
- Discriminatory language or promotes discrimination based on race, color, creed, age, gender, religion, physical or mental disability or sexual orientation

- Commercial solicitations or links
- Links to websites that may be offensive or inappropriate
- Spam
- Personal identifying information or a victim's name, which is not subject to being released under open record laws
- Words that incite, encourage or solicit violent or illegal acts
- Language that is off topic
- Information that might compromise the safety and security of members of the department or the public
- Information that violates the legal ownership or interest of another party or infringes on copyrights, trademarks or intellectual property
- The City of Wayne reserves the right to remove photos or videos by the general public

Sec. 21.3 Endorsements

Following or friending persons, a business or an organization is not an endorsement by the City of Wayne. Instead, it is only intended as a means of communication.

A comment posted by a member of the public on any City of Wayne social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Wayne, nor do such comments necessarily reflect the opinions or policies of the City of Wayne.

Sec. 21.4 Emergency or Non-Emergency Requests for City Assistance

This page should not be used to report crime. In case of an emergency, please call 9-1-1. If you post information related to a crime on this page, you may be placing yourself in the position of becoming a witness to a crime and subject yourself to subpoena where you can/will be called in to court as a witness to give testimony under oath.

CHAPTER ~~THIRTY-ONE~~ TWENTY-TWO

CREDIT CARD POLICY

Sec. 22.1 General Terms and Conditions

1. All cardholders must sign and accept the terms and conditions of the City of Wayne Credit Cardholder Agreement
2. All purchase transactions processed against the credit card must be made by the individual whom the card is issued.
3. Purchases must be for the use and benefit of the City of Wayne and must follow the City of Wayne procurement policies.
Personal purchases are not allowed.
The purchase card cannot be used for the following transactions:
 - ~~Alcoholic beverages, drugs, or pharmaceutical products.~~
 - ~~Flowers, holiday decorations, or personal items.~~
 - ~~Items that would be given away for promotional purposes~~
 - ~~Gifts, donations or contributions to individuals or organizations~~
 - ~~Cash advances~~
 - ~~Unauthorized purchases~~
4. All credit card transactions **in excess of \$1,500 shall follow purchase order policies and procedures.** ~~for acceptable commodities cannot are not to exceed \$500 \$1,500 per transaction (including all delivery, shipping and/or handling charges).~~ **Charges in excess of \$1,500 require notification of the accounting department.**
5. It is the cardholder's responsibility to provide the documentation for all transactions to the accounting department.
6. It is the cardholders responsibility to report the loss of the card immediately to (1) the issuing bank (US Bank 800-847-2911) and (2) the City of Wayne Treasurer.
7. The Department Head is responsible for ensuring that purchases are charged to the proper general ledger account number.
8. Violating any of these policies will result in the immediate termination of the privilege to use the credit card.
9. Fraudulent use of the credit card will result in corrective action in accordance with the policies of the City of Wayne Personnel Manual.

Sec. 22.2 Ordering Process

The City credit card provides another option to the existing purchasing procedures regarding transactions for goods and services valued at less than ~~\$500.00~~ **\$1,500** (including all delivery, shipping, etc.).

~~A Purchase Order is still required for orders over \$100.~~

Please be sure to follow these procedures when using the City credit card:

1. Determine if the purchase is appropriate for a credit card transaction. ~~Check the list of restricted commodities.~~
2. Determine if your transaction total is ~~\$500.00~~ **\$1,500** or less. If not, ~~the transaction must be attempt to proceed with order~~ in accordance with established purchasing/disbursement policies and procedures. **If purchases over \$1,500 need to be made on the credit card, please notify accounting department.**
3. Contact the vendor/supplier and:
 - State that you are calling from the City of Wayne and you will be making a Visa purchase.
 - Emphasize that the City of Wayne is sales tax exempt, unless it is for the Water Department or the Electric Department
 - If the vendor/supplier requests the City of Wayne's sales tax exempt number, please tell them that a Nebraska Resale or Exempt Sale Certificate Form 13 will be provided via mail or fax. You will need to contact the accounting department to have the Form 13 completed and provided to the vendor/supplier.
 - Order item(s).
 - Give vendor/supplier the credit card number and expiration date.
 - Give vendor/supplier your name, the department name, and complete delivery address. (Please provide complete shipping address to insure proper delivery)
 - Indicate to vendor to only bill for exact items shipped.

When receiving a shipment, it is the responsibility of the cardholder to properly inspect the shipment of purchased goods. All invoices, cash receipts or packing slips must be coded and turned into the accounting department. In case of returns, the cardholder is responsible for coordinating the return directly with the vendor/supplier and for contacting the accounting department with any unresolved issues.

Sec. 22.3 Credit Card Program Cardholder Agreement.

The City of Wayne is pleased to present you with a City credit card. It represents the City's confidence in you as a responsible employee of the City of Wayne entrusted to safeguard and protect City of Wayne assets.

I hereby acknowledge receipt of a City of Wayne Credit Card, card number _____. I understand that the City of Wayne is liable to U.S. Bank Visa for all charges made by me.

As the holder of this credit card, I agree to accept responsibility for the protection and proper use of this card as outlined in this Agreement and the User Guide. I understand that the City of Wayne will audit the use of this credit card. I also understand that I cannot use the credit card for the purchase of restricted commodities.

I further understand that improper or fraudulent use of this credit card may result in corrective action in accordance with the policies of the City of Wayne. Should I fail to use this credit card properly, I authorize the City of Wayne to deduct from my salary or from any other amounts payable to me, an amount equal to the total of the improper purchases. I also agree to allow the City of Wayne to collect any amounts owed by me even if I am no longer employed by the City of Wayne. If the City of Wayne initiates legal proceedings to recover amounts owed by me under this agreement, I agree to pay legal fees incurred by the City of Wayne in such proceedings.

I understand that the City of Wayne may terminate my right to use the credit card at any time for any reason. I agree to return the card to the City of Wayne immediately upon request or upon termination of employment.

APPLICANT:

Signature: _____

Print Name: _____

Social Security Number: _____

Date: _____

Department: _____

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA TO AMEND TITLE IX GENERAL REGULATIONS, CHAPTER 94 HEALTH & SANITATION, BY ADDING A SECTION OF THE OFFICIAL CITY CODE ENTITLED "PREVENTION OF COVID-19;" TO PROVIDE LEGISLATIVE FINDINGS AND INTENT; TO REQUIRE INDIVIDUALS TO WEAR FACIAL COVERINGS AND EXCEPTIONS THEREOF; TO PROVIDE FOR THE ENFORCEMENT OF VIOLATIONS AND PENALTIES; TO ESTABLISH A SUNSET PROVISION; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. That as a result of Novel Coronavirus (COVID-19) pandemic and with an increased number of confirmed COVID-19 cases within the city limits of the City of Wayne and the closing of numerous city and private facilities, an emergency exists authorizing action by the city. This ordinance seeks to impose a nonpharmaceutical intervention to combat the spread of COVID-19 and to halt the progression thereof.

Section 2. That Chapter 94 of the Official City Code be and the same is hereby enacted to add the following:

Chapter 94

HEALTH AND SANITATION

PREVENTION OF COVID-19

Sec. 94.40 Legislative findings and intent.

(a) The council hereby finds and declares, based upon the scientific and medical evidence before it, that:

- (1) the Novel Coronavirus (COVID-19) has impacted and continues to dramatically impact the citizens of the city; and
- (2) an exposure to COVID-19 presents a risk of death or serious long-term disability; the exposure is widespread and poses significant risk of harm, including death, to people in the general population of the city; there is a particular subset of the population that is more vulnerable to the threat and thus at an increased risk; and the threat is from a novel infectious disease; and

- (3) information from the World Health Organization, the Centers for Disease Control and Prevention, Nebraska Department of Health and Human Services, the Northeast Nebraska Public Health Department, local public health departments throughout Nebraska, and members of the City of Wayne and Wayne County medical community indicate that citizens of the city have been and will continue to be exposed due to community transmissions of COVID-19; and
- (4) the manner in which the spread of COVID-19 cases in the city has occurred creates an unacceptable risk to the health, safety, and welfare of the citizens of the city; and
- (5) the number of COVID-19 infections within the city continues to increase; and
- (6) COVID-19 constitutes a public nuisance and a threat to the health, safety, and welfare of the city; and
- (7) The Director of the United States Centers for Disease Control and Prevention (CDC), the medical advisor for the city, doctors and infectious disease experts from the University of Nebraska Medical Center and Nebraska Medicine, have concluded that the wearing of face coverings by every individual while in public is one of the best methods to slow and stop the spread of COVID-19; and
- (8) the wearing of face coverings by every individual while indoors in public places in the city will reduce community transmissions of COVID-19, resulting in fewer deaths, serious health complications, and will ease the strain on hospitals and other medical offices and facilities; and
- (9) the wearing of face coverings by every individual while indoors in public places in the city will help keep businesses open and operating, encouraging economic growth, and preventing prolonged economic harm; and
- (10) it is just and proper for the council to exercise the authority granted to it by Nebraska statutes in furtherance of protecting the public health, safety, and welfare.

Sec. 94.41 Definitions.

For purposes of this Article, the following terms are defined as follows:

Face covering: A face covering is defined as a covering which, when worn properly, must cover the nose and mouth completely and can include a paper or disposable face mask, a cloth face mask, a scarf, a bandanna, a neck gaiter, or a religious face covering. Medical-grade masks and respirators are sufficient face coverings, but to preserve adequate supplies, their purchase and use is discouraged for those who do not work in a health care setting or in other occupations that require medical-grade personal protective equipment. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

Premises that are open to the general public: Premises that are open to the general public are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, nonprofit entities, regular commercial or business establishments private clubs

religious centers or buildings public transportation (including buses, taxis, ride-sharing vehicles, or vehicles used for business purposes), and any place which is generally open to the public, including educational institutions..

Sec. 94.42 Individual facial coverings required.

All individuals age five and older shall wear a face covering over their mouth and nose while indoors in a premises that is open to the general public including, but not limited to, educational institutions, unless the individual maintains a minimum of six feet of separation or social distance at all times from anyone who is not a member of the individual's household, except face coverings will not be required if the individual:

- (1) is seeking federal, state, or county services; or
- (2) is seated at a bar, restaurant, or their seat at an arena to eat or drink, or while immediately consuming food or beverages; or
- (3) is engaged in an occupation preventing the wearing of a face covering; or
- (4) is obtaining a service or purchasing goods or services that requires the temporary removal of the face covering; or
- (5) is asked to remove a face covering to verify an identity for lawful purposes; or
- (6) is providing a speech, lecture, or broadcast to an audience so long as six feet of distancing from other individuals is maintained; or
- (7) cannot otherwise wear a face covering because of a medical condition, a mental health condition, or a disability that makes it unreasonable for the individual to wear a face covering.

Nothing in this section shall prohibit the owner or person in charge of a premises that is open to the general public from requiring an individual to wear a face covering during any of the circumstances enumerated above or from implementing a more restrictive face covering policy.

Sec. 94.43 Premises that are open to the public – duty to require facial coverings.

Any individual or entity which maintains premises that are open to the general public including, but not limited to, educational institutions, shall require all individuals age five and older to wear a face covering over their mouth and nose while indoors in said premises, unless the individual maintains a minimum of six feet of separation or social distance at all times from anyone who is not a member of the individual's household, except face coverings will not be required if the individual:

- (1) is seeking federal, state or county services; or
- (2) is seated at a bar or restaurant to eat or drink, or while immediately consuming food or beverages; or
- (3) is engaged in an occupation preventing the wearing of a face covering; or

- (4) is obtaining a service or purchasing goods or services that requires the temporary removal of the face covering; or
- (5) is asked to remove a face covering to verify an identity for lawful purposes; or
- (6) is providing a speech, lecture, or broadcast to an audience so long as six feet of distancing from other individuals is maintained; or
- (7) cannot otherwise wear a face covering because of a medical condition, a mental health condition, or a disability that makes it unreasonable for the individual to wear a face covering.

Nothing in this section shall prohibit the owner or person in charge of a premises that is open to the general public from requiring an individual to wear a face covering during any of the circumstances enumerated above or from implementing a more restrictive face covering policy.

Sec. 94.44 Notice of face covering requirements.

Any individual or entity which maintains premises that are open to the general public, including but not limited to educational institutions, must post one or more signs that are visible to all persons — including workers, customers, and visitors instructing them to wear face coverings as required by this Article.

Sec. 94.45 Exceptions.

The provisions of this Article shall not apply to:

- (1) Courts of law; public utilities or federal, state, county, or city operations; medical providers, facilities, or pharmacies; congregate living centers or facilities; group homes and residential drug and/or mental health treatment facilities; shelters; airport travel; election offices; polling places on an election day; or to residential dwelling units.
- (2) Children under the age of five. While children ages three and four may wear a face covering if that child can remove the face covering without assistance, guidance from the CDC states that children two years old and under should never wear a face covering due to the risk of suffocation.
- (3) Federal and state activities. Nothing in this Article shall be construed to limit, prohibit, or restrict in any way the operations of the federal or state government or the movement of federal or state officials in the city while acting in their official capacity, including federal and state judicial, legislative, and executive staff and personnel.
- (4) Individuals at their workplace when wearing a face covering would create a job hazard for the individual or others as determined by federal, state, or local regulators or workplace safety and health standards and guidelines.
- (5) Individuals who are alone in an office, room, a vehicle, the cab of heavy equipment or machinery, or an enclosed work area. In such situations, the individual should still carry

a face covering to be prepared for person-to-person interactions and to be used when the individual is no longer alone.

- (6) Individuals who are seated at a desk or standing at a stationary workstation, provided that the desk or workstation has a solid Plexiglas or plastic barrier installed upon it which cannot be moved.
- (7) Individuals who are officiating at a religious service.
- (8) Individuals communicating with other individuals who are deaf or hard of hearing or who have a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult, provided that minimum social distancing of six feet or more is maintained to the extent possible between persons who are not members of the same household.
- (9) Individuals who are engaged in activities, such as swimming or showering, where the face covering will get wet.
- (10) Individuals who are exercising in an indoor business or indoor space such as a gym or fitness center, while the level of exertion makes it difficult to wear a face covering, provided that minimum social distancing of six feet or more is maintained at all times.
- (11) Individuals in an indoor premises that is generally open to the public while playing a musical instrument that cannot be played when a face covering is worn, provided that a minimum social distancing of six feet or more is maintained at all times.
- (12) Public safety workers actively engaged in a public safety role, including but not limited to law enforcement personnel, fire fighters, or emergency medical personnel, in situations where wearing a face covering would seriously interfere in the performance of the individual's public safety responsibilities.
- (13) Participants in a sporting event **or a live theatrical performance**, but only while they are playing the game **or performing**, if the school or sponsoring organization does not require facial coverings, however, spectators, coaches, and non-participants would be required to wear facial coverings.

Sec. 94.46 Public nuisance declared.

Any individual or entity which maintains premises that are open to the general public who fails to comply with the requirements of Sec. 94-43 is hereby declared to be a nuisance and a danger to the public health, safety, and welfare.

Sec. 94.47 Application.

The provisions of this Article shall only apply to all persons and property within the corporate limits of the city and shall not extend into the two-mile extraterritorial jurisdiction of the city.

Sec. 94.48 Penalty.

Any individual or person who is found to have violated any of the provisions of this Article shall be guilty of an infraction for each offense and shall be subjected to a fine of \$25 for the initial offense. Each instance of violation of this Article may be considered to be a separate offense.

Sec. 94.49 Civil abatement.

In addition to any other penalty sought or obtained under this Article or other applicable law, the city attorney may institute injunctive or other appropriate civil proceedings necessary to obtain compliance with this Article or to abate any nuisance resulting from violations of this Article.

Sec. 94.50 Sunset provision.

The requirements imposed by this Article shall expire and terminate at 11:59 p.m. on **February 2, 2021**, or earlier as decided by the council in consultation and coordination with the medical community, or may otherwise be extended by ordinance of the council.

Section 3. The sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid, unenforceable, or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unenforceability, or unconstitutionality shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses, or phrases of this Ordinance.

Section 4. This Ordinance, being emergency in nature, shall be in full force and take effect three (3) days from and after the date of its passage.

Section 5. That this Ordinance shall be published in pamphlet form as required by law.

PASSED AND APPROVED this 1st day of December, 2020.

ATTEST:

Cale Giese, Mayor

Betty McGuire, City Clerk

Approved as to form: _____
Amy K. Miller, City Attorney