

**MINUTES
CITY COUNCIL MEETING
November 16, 2021**

The Wayne City Council met in regular session at City Hall on November 16, 2021, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order, followed by the Pledge of Allegiance, with the following in attendance: Councilmembers Brendon Pick, Terri Buck, Nick Muir, Chris Woehler, Jason Karsky, Matt Eischeid, and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance thereof by publication in the Wayne Herald, Wayne, Nebraska, the designated method of giving notice, as shown by Affidavit of Publication. In addition, notice was given to the Mayor and all members of the City Council, and a copy of their acknowledgement of receipt of notice and agenda is on file with the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Council Chambers, as well as on the City of Wayne website 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.

Mayor Giese requested Council consideration to the appointment of Dallas Dorey as Councilmember for Ward 3.

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the mayoral appointment of Dallas Dorey as Councilmember for Ward 3. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Attorney Miller then gave the Oath of Office to Dallas Dorey as Councilmember for Ward 3.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meeting of November 2, 2021, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AMERITAS, SE, 175.46; AMERITAS, SE, 2987.76; AMERITAS, SE, 72.00; AMERITAS, SE, 126.25; APPEARA, SE, 102.66; BATTERY SOLUTIONS, SU, 204.00; BRAUN, ZAC, SE, 54.00; BRENTLINGER, CASEY, SE, 40.00; CITY EMPLOYEE, RE, 19.71; CITY EMPLOYEE, RE, 131.00; CITY EMPLOYEE, RE, 291.95; CITY EMPLOYEE, RE, 108.63; CITY EMPLOYEE, RE, 74.38; CITY OF WAYNE, PY, 85363.83; CITY OF WAYNE, RE, 1096.36; COMFORT INN, SE, 116.95; CONSOLIDATED MANAGEMENT, SE, 93.42; CONTINENTAL FIRE SPRINKLER, SE, 215.00; COTTONWOOD WIND PROJECT, SE, 15629.49; DANKO EMERGENCY EQUIPMENT, SE, 5098.30; DAS STATE ACCTG-CENTRAL FINANCE, SE, 67.79; DEARBORN LIFE INSURANCE COMPANY, SE, 2649.81; ECHO GROUP, SU, 9.46; ELKINS PORTABLE RESTROOMS, SE, 270.00; FAITH REGIONAL PHYSICIAN SERV, SE, 99.50; FLOOR MAINTENANCE, SU, 997.26; GERHOLD CONCRETE, SU, 643.57; GLOBAL PAYMENTS INTEGRATED, SE, 233.95; GREENFIELD, BRETT, SE, 78.00; HILAND DAIRY, SE, 153.65; HOLIDAY INN EXPRESS-FREMONT, SE, 279.90; HOLIDAY INN OF KEARNEY, SE, 229.90; ICMA, SE, 375.83; ICMA, SE, 34.38; ICMA, SE, 145.28; ICMA, SE, 159.20; ICMA, SE, 7916.38; ICMA, SE, 1619.90; ICMA, SE, 112.52; ICMA, SE, 366.40; ICMA, SE, 55.00; ICMA, SE, 124.70; INGRAM LIBRARY SERVICES, SU, 766.16; IRS, TX, 3431.94; IRS, TX, 10998.34; IRS, TX, 14674.36; KEPSCO ENGRAVING, SU, 21.10; KERKMAN, BRYCE, SE, 78.00; L.G. EVERIST, SU, 171.37; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 456.52; LUTT OIL, SU, 13012.41; MATHESON-LINWELD, SU, 35.06; MERIT MECHANICAL, SE, 2653.25; MIDWEST ALARM SERVICES, SE, 777.62; MIDWEST LABORATORIES, SE, 26.00; MUNICIPAL SUPPLY, SU, 1113.42; MYERS CONSTRUCTION COMPANY, SE, 324613.27; NDEE-FISCAL SERVICES, FE, 690.00; NE DEPT OF REVENUE, TX, 4793.21; NE HARVESTORE, SU, 41.69; NE LAW ENFORCEMENT, SE, 75.00; NPPD, SE, 25646.74; NMPP ENERGY, FE, 125.00; NOVA FITNESS EQUIPMENT, SE, 463.13; OCC BUILDERS, SE, 204.00; OCLC, FE, 343.33; ONE OFFICE SOLUTION, SU, 1480.00; OVERDRIVE, SU, 518.47; PAC N SAVE, SU, 124.90; PAC N SAVE, SU, 852.42; PATEFIELD, PARKER, SE, 135.00; PATEFIELD, WILLIAM, SE, 80.00; PCAN, FE, 50.00; PEPSI COLA OF SIOUXLAND, SU, 350.70; QUADIANT FINANCE USA, SU, 1000.00; QUALITY FOOD CENTER, SU, 26.41; RERUCHA, MICHAEL, SE, 72.00; ROBERTS, NOAH, SE, 36.00; SCOTT, GREG, SE, 145.00; SOUTHEAST COMMUNITY COLLEGE, FE, 342.00; STAPLES, SU, 722.30; STATE FARM INSURANCE, FE, 563.00; STATE NEBRASKA BANK & TRUST, SE, 58.64; STATE NEBRASKA BANK-PETTY CASH, RE, 97.72; THAYER, NATE, SE, 36.00; THE RADAR SHOP, SE, 343.00; TOTAL GRAPHICS, SU, 20.00; US FOODSERVICE, SU, 1330.21; VERIZON, SE, 522.73; WATCHGUARD VIDEO, SE, 6775.00; WAYNE AUTO PARTS, SU, 1042.67; WAYNE HERALD, SE, 110.50; WAYNE HERALD, SE, 95.00; WAYNE HERALD, SE, 828.81; WAYNE VETERINARY CLINIC, SE, 182.00; WESCO, SU, 2080.85; WAPA, SE, 15955.50; WIGMAN COMPANY, SU, 331.95; WISNER WEST, SU, 141.26; ACE HARDWARE & HOME, SU, 348.25; ALTEC INDUSTRIES, SU, 208.07; ANDERSON, DEREK, SE, 120.00; APPEARA, SE, 50.66; BAKER & TAYLOR BOOKS, SU, 1037.52; BIG RIVERS ELECTRIC CORPORATION, SE, 83182.60; BORDER STATES INDUSTRIES, SU, 586.36; CHEMQUEST, SE, 695.00; CONSOLIDATED MANAGEMENT, SE, 88.62; DISPLAY SALES, SU, 131.00; ECHO GROUP, SU, 368.94; ELLIS HOME SERVICES, SE, 400.00; FAIRFIELD INN – KEARNEY, SE, 749.70; FLOOR MAINTENANCE, SU, 579.03; GALE/CENGAGE LEARNING, SU, 99.41; GRAINLAND ESTATES, RE, 2467.22; GREENFIELD, BRETT, SE, 36.00; INTERSTATE ALL

BATTERY, SU, 199.60; JEO CONSULTING GROUP, SE, 19373.25; JOHN'S WELDING AND TOOL, SU, 192.92; MARCO TECHNOLOGIES, SE, 200.61; NDEE-FISCAL SERVICES, FE, 230.00; OLSSON ASSOCIATES, SE, 13450.00; RODRIGUEZ, NANCY, SE, 87.50; WESCO, SU, 115.56

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to approve the claims. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen introduced Ordinance No. 2012-14 and moved for approval of the second reading thereof; Councilmember Woehler seconded.

ORDINANCE NO. 2021-14

AN ORDINANCE ADOPTING OFFICIAL CITY OF WAYNE WARD MAP.

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

Tim Sutton, Electric Distribution Superintendent, and Casey Junck, Water/Wastewater Superintendent, were present to advise the Council that they obtained two bids for the purchase of a new backhoe loader. After reviewing the bids and visiting the dealers to look at the machines, their recommendation is to accept the low bid for the John Deere provided by Murphy Tractor & Equipment for \$97,400. This includes the trade-in of the 1999 John Deere 310SE backhoe of \$26,500. The new backhoe is comparable in size to the old one. The departments will reuse the roller packer and small backhoe bucket they already have. The new backhoe will accommodate a breaker and will have a forklift attachment. This will be shared 1/3 by the three departments (Electric, Water & Sewer).

Councilmember Eischeid introduced Resolution No. 2021-66 and moved for its approval; Councilmember Karsky seconded the motion.

RESOLUTION NO. 2021-66

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A JOHN DEERE 310SL BACKHOE LOADER AND RELATED EQUIPMENT THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM MURPHY TRACTOR & EQUIPMENT (\$97,400).

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

In September, 2021, the Nebraska Department of Economic Development updated its procurement requirements as it relates to development districts. Those changes were outlined in the CDBG manual, which now states that the Interlocal Agreement must specifically address the issue of CDBG administration. NNEDD has updated the Interlocal Agreement by simply adding these three words, “including CDBG administration” at the end of the last paragraph on page one. Due to these changes, NNEDD is asking its members to approve the updated Interlocal Agreement that specifically addresses the issue of CDBG administration.

Councilmember Karsky introduced Resolution No. 2021-67 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2021-67

A RESOLUTION AUTHORIZING PARTICIPATION IN THE NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD).

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

Discussion took place on possibly changing from voting for Councilmembers by ward to voting for Councilmembers by ward (4) and at-large (4).

Mayor Giese stated this is something that has been talked about briefly in the past, but tonight he wanted to get a feel from the Council as to their thoughts (pros and cons) in changing.

After discussion, consensus was to have this matter brought back for Council action on the next agenda.

Discussion took place regarding the sales tax ballot question proposal.

Administrator Blecke stated the City is currently at 1.5% for sales tax. .5% is used for the pool. This will expire as soon as the bonds are paid off, which should be somewhere in 2024-2025. The other 1% sunsets in June, 2024. That currently is split 60% for capital improvements and 40% to LB840

(economic development). To go for an additional .5% sales tax, the same would have to be a ballot question, and we would have to enter into an interlocal agreement with another political subdivision. The interlocal agreement merely needs to say that the entities are supportive of the project and are willing to be on a committee. We would have to set up a separate administrative entity which relates to a public infrastructure project, which would need to meet annually to talk about the project. It would be very simple. Specifics can be outside of the interlocal agreement.

Over the past 5 years, we have averaged almost a 6% increase per year in sales tax revenue. The question is whether or not the Council wants to pursue the excess of 1.5% to get to the 2% sales tax. Some of the capital projects completed using the sales tax was the park tower in Sunnyview and Hank Overin lighting. Mr. Blecke reviewed/presented a couple of options for Council to consider.

Mark Lenihan, Superintendent of Wayne Public Schools, as well as School Board members Jodi Pulfer, Justin Davis and Lynn Junck, were present for the sales tax discussion. The timing of this does not align with some of the things the School has been working on. However, the project does. They have talked about the need for additional space (gym). Dr. Lenihan has not discussed this with either the Facility Committee or the School Board until the last month or so. In January, they should have a draft of their strategic plan based on the data and the needs they have heard not only from the community meetings, but all of the surveys that have been conducted.

Because of a timing schedule, the discussion on the sales tax matter ended and the Mayor then went on to Agenda Item No. 11 – Joint meeting with the Community Redevelopment Authority to discuss goals.

Mike Powicki, representing the Wayne Community Redevelopment Authority, spoke to the Council regarding their goals or what the perceived goals of the organization are and the mission thereof, which is to redevelop property for the betterment of the greater Wayne area. Over the past 12 months, the CRA has strategically looked at different areas around Wayne to acquire and redevelop. The CRA wants to be good stewards of the resources the City has given them. However, it seems there can be at times a disconnect between the City and the CRA. He noted the CRA would like to hear from the Council whether

or not the direction the CRA is heading does or does not align with what the Council seems to think is appropriate.

Luke Virgil, Director of Wayne Area Economic Development, stated he thinks this group (the CRA) has a lot more latitude by State Statute by design than what the City Council has or any other public entity has, so they can see quicker flips of properties, etc.

Council consensus seemed to be that they liked the direction the CRA has been heading/going.

There being no further discussion on that agenda item, discussion then continued on the sales tax. Bond counsel has advised that for something to be placed on the ballot in May, it has to be to the County Clerk's office by March 1st. The Council would have to pass a Resolution sometime in February to get it on the ballot. In addition, the Council would have to have an Interlocal Agreement signed in January/February.

Lynn Junck, Wayne Community School Board Member, stated the discussion is valid if it is about addressing the needs of the school. However, he did not think the timeline proposed was going to work. This is a discussion that the current School Board members has not had, and they cannot make a decision right away. They need time to finish the process they are in at this time.

It was noted that discussion could and would continue with the School on a timeline. It was also noted this may have to and could be pushed off until the fall. A few representatives of the Council could come to a School Board meeting to discuss the matter.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:39 p.m.