

**AGENDA  
CITY COUNCIL MEETING  
COUNCIL CHAMBERS – CITY HALL  
306 PEARL STREET  
February 15, 2022**

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

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

The City Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

3. [Approval of Minutes – February 1, 2022](#)
4. [Approval of Claims](#)
5. [Presentation of FY20-21 Audit – Marcy Luth of AMGL](#)
6. [Update and possible action on the Water Transmission Main Project](#)

**Background:** Roger Protzman with JEO will be present to update Council on the water transmission main project. He has also included a memo of activities trying to get the main to pass testing. City staff has discussed the project with 2 additional engineering firms and another engineer, and all say we are doing what they would suggest us to do to clean the line. Our next step might be to contract with a 3<sup>rd</sup> party to super chlorinate using a precise method.

7. Public Hearing: [City-Wide Sales Tax Usage Plan \(LB840 Economic Development Plan\)](#)  
(Advertised Time: 5:30 p.m.)
8. [Resolution 2022-10: To adopt an Economic Development Plan](#)
9. [Resolution 2022-11: Calling an election on the proposition of extending the City's existing additional sales and use tax and increasing the sales and use tax upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a tax](#)

**Background:** This Resolution places the sales tax questions on the ballot. There will be 4 propositions included on the ballot.

- **Proposition A** - 1% tax (85% of that 1% will go to "Capital Expenditures" and 15% of that 1% will go to LB 840) [this tax is currently split 60/40 for capital improvements and LB 840];
- **Proposition B** - LB 840 (Wayne Economic Development Program) program approval with an estimated \$2,250,000 collected for the fund over 15 years;
- **Proposition C** - .5% tax for Parks and Recreation purposes [this tax is currently used for swimming pool bonds and is likely to be paid off in September 2024]; and,

- **Proposition D** - .5% tax for “Public Infrastructure Improvements,” which shall include recreational facilities (this is the additional .5% with the school to update and add on to the CAC).

Each .5% is expected to average about \$500,000 per year over the 15 years. The entire 2.0% would generate an estimated \$30,000,000 over the same time period.

10. **Public Hearing:** **To consider the Planning Commission’s recommendation in regard to amending the Future Land Use Map of the Comprehensive Plan for the City of Wayne. The applicant for the request is the City of Wayne. (Advertised Time: 5:30 p.m.)**

**Background:** The Planning Commission does an annual review of the “Future Land Use Map” and has brought forth revisions, which will place the zoning request to follow in compliance with the new “Future Land Use Map” should you approve the change. The revisions include 7 areas throughout Wayne that are outlined in the packet.

11. **Ordinance: 2022-2** **Amending the Future Land Use Map of the Comprehensive Plan for the City of Wayne**

12. **Public Hearing:** To consider the Planning Commission’s recommendation in regard to a request to rezone Block 8, Crawford & Brown’s Addition and the West Half of Block 12, North Addition, from B-2 Central Business District to B-3 Neighborhood Commercial District. The applicant, Sanctuary Apartments, LLC, wishes to rezone the area to allow for the conversion of the former Baptist Church into residential apartments with no commercial tenants. (Advertised Time: 5:30 p.m.)

**Background:** The applicant is seeking this rezoning request to allow for the conversion of the former Baptist Church into residential apartments, with no commercial tenants. Rezoning this area to B-3 will not create spot zoning, as there is currently B-3 adjacent to this request on the north side. The Planning Commission recommended approval of this rezoning request at their public hearing held on February 7<sup>th</sup>.

13. **Ordinance 2022-3:** **Amending the Zoning Map (Sanctuary Apartments, LLC)**

14. **Public Hearing:** To consider the Planning Commission’s recommendation in regard to annexing a parcel of land containing 1.02 acres more or less to the City of Wayne. The applicant is the City of Wayne. The City wishes to annex the parcel on which the Dollar General at 1915 E. 7<sup>th</sup> Street is located, more particularly described as Lot 1, Logan Valley Industrial Park, Wayne County, Nebraska. (Advertised Time: 5:30 p.m.)

15. **Ordinance 2022-4:** **Annexing Real Estate – Lot 1, Logan Valley Industrial Park, Wayne County, Nebraska**

**Background:** This action only annexes one property in the industrial area. There will likely be another ordinance for annexation at the 2<sup>nd</sup> meeting in March after the Planning Commission discusses to annex property south of Grainland Road.

16. Public Hearing: One and Six Year Street Improvement Program (Advertised Time: 5:30 p.m.)

**Background:** This Plan is required to be submitted to NDOT each February to be eligible for approximately \$460,000 in NDOT 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.

17. [Resolution 2022-12: Approving One and Six Year Street Improvement Program](#)
18. [Resolution 2022-13: Authorizing the sale of Lot 3, Southeast Addition to the City of Wayne, Wayne County, Nebraska, to R. Perry Construction](#)
19. [Ordinance 2022-5: Directing the sale of Lot 3, Southeast Addition to the City of Wayne, Wayne County, Nebraska, to R. Perry Construction](#)
20. [Resolution 2022-14: Approving Purchase Agreement with R. Perry Construction – Lot 3, Southeast Addition to the City of Wayne, Wayne County, Nebraska](#)

**Background:** This would obviously commit both parties. The agreement has a contingency of the buyer securing Tax Increment Financing. Also, there is a reversion clause that will hold the buyer to develop as they have proposed. The purchase agreement in this packet is a rough draft. Hopefully, the finalized agreement will be available at meeting time.

21. [Resolution 2022-15: Approving the plans, specifications and estimate of cost for the “2022 Chicago Street Improvements Project” and authorizing the City Clerk to advertise for bids](#)
22. Discussion regarding “Lake Development” on the Lagoon Property

**Background:** Olsson provided an estimate for a 4-acre lake, including a new well and rip rap. Council can discuss this and consider the next steps to the process.

23. Adjourn

**MINUTES  
CITY COUNCIL MEETING  
February 1, 2022**

The Wayne City Council met in regular session at City Hall on February 1, 2022, at 5:30 o'clock P.M.

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

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 Pro Tempore Eischeid advised the public that a copy of the Open Meetings Act was located on the southwest wall of 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.

Councilmember Woehler made a motion, which was seconded by Councilmember Dorey, to approve the minutes of the meeting of January 18, 2022, and to waive the reading thereof. Mayor Pro Tempore Eischeid stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Brodersen who were absent, the Mayor Pro Tempore declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** ACES, SE, 1021.15; AMAZON, SU, 1141.46; APPEARA, SE, 164.18; ARBOR DAY FOUNDATION, FE, 100.00; ARC-HEALTH & SAFETY, SU, 40.00; BAKER & TAYLOR BOOKS, SU, 562.42; BLUE CROSS BLUE SHIELD, SE, 50689.59; BOMGAARS, SU, 994.19; BORDER STATES INDUSTRIES, SU, 174.24; CENTURYLINK, SE, 424.51; CITY EMPLOYEE, RE, 516.32; CITY EMPLOYEE, RE, 1111.06; CITY EMPLOYEE, RE, 4.56; CITY EMPLOYEE, RE, 41.64; CITY OF WAYNE, PY, 605.40; CITY OF WAYNE, RE, 71.88; CIVICPLUS, FE, 4725.00; COLONIAL RESEARCH, SU, 120.16; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 103.20; ECHO GROUP, SU, 864.16; ECHO GROUP, SU, 189.95; EXHAUST PROS TOTAL CAR CARE, SE, 85.00; FLOOR MAINTENANCE, SU, 266.15; FLOOR MAINTENANCE, SU, 160.91; GROSSENBURG IMPLEMENT, SE, 4051.45; HAWKINS, SU, 2197.62; HILAND DAIRY, SE, 148.50; HILAND DAIRY, SE, 113.02; HYDRO OPTIMIZATION, FE, 400.00; HYPERION, SE, 876.55; IRS, TX, 5.36; IRS, TX, 1.26; JOHNSON HARDWARE, SU, 60.82; KELLY SUPPLY COMPANY, SU, 473.51; KTCH AM/FM RADIO, SE, 150.00; MARCO, SE, 289.34; MARCO TECHNOLOGIES, SE, 255.50; NO SWETT FENCING, SU, 6575.00; NOTARY PUBLIC UNDERWRITERS, SU, 121.00; O'REILLY AUTOMOTIVE STORES, SU, 53.62; PEERLESS WIPING CLOTH CO, SU, 485.00; QUALITY 1 GRAPHIC, SU, 35.00; REINHARDT, TIM, RE, 250.00; SIRSI CORPORATION, SE, 7608.35; SKARSHAUG TESTING LAB, SE, 241.09; STAPLES, SU, 65.89; WAYNE COMMUNITY SCHOOLS, RE, 5987.50; WAYNE COUNTRY CLUB, SE, 713.75; WAYNE COUNTY TREASURER, FE, 1159.00; WESTERN IOWA TECH, FE, 475.00; AMERICAN BROADBAND, SE, 1443.30; AMERICAN PUBLIC POWER ASSOCIATION, FE, 4132.76; AMERITAS, SE, 3058.12; AMERITAS, SE, 114.36; AMERITAS, SE, 72.00; AMERITAS, SE, 191.74; BLACK HILLS ENERGY, SE, 2678.62; CARHART LUMBER, SU, 897.29; CITY EMPLOYEE, RE, 965.24; CITY EMPLOYEE, RE, 417.49; CITY OF PONCA, RE, 24885.14; CITY OF WAYNE, PY, 92539.07; CITY OF WAYNE, RE, 325.70; CITY OF WEST POINT, RE, 31603.83; CITY OF WISNER, RE, 12251.38; CUMMINS CENTRAL POWER, SE, 1374.19; ECHO GROUP, SU, 425.08; FLOOR MAINTENANCE, SU, 239.00; GPM ENVIRONMENTAL SOLUTIONS, SU, 240.00; GROSSENBURG IMPLEMENT, SU, 253.22; HOMETOWN LEASING, SE, 436.02; ICMA, SE, 128.40; ICMA, SE, 65.00; ICMA, SE, 115.88; ICMA, SE, 387.46; ICMA, SE, 8568.75; ICMA, SE, 163.92; ICMA, SE, 149.64; ICMA, SE, 387.10; ICMA, SE, 35.42; ICMA, SE, 1561.62; IRS, TX, 15733.56; IRS, TX, 11648.17; IRS, TX, 3679.66; JEO CONSULTING GROUP, SE, 10444.94; KELLY SUPPLY COMPANY, SU, 45.90; L.G. EVERIST, SU, 795.80; LUHR, STEVEN, RE, 500.00; MILLER LAW, SE, 5416.67; MUNICIPAL SUPPLY, RE, 212.62; NE DEPT OF REVENUE, TX, 5162.28; NE RURAL WATER, FE, 275.00; NORTHEAST NE INS AGENCY, SE, 104005.00; O'REILLY AUTOMOTIVE STORES, SU, 21.69; PATEFIELD, DAVID, FE, 100.00; PONCA RURAL FIRE BOARD, RE, 13563.22; POSTMASTER, SU, 942.53; SARGENT DRILLING, SE, 4562.14; SVEHLA, SED, FE, 100.00; T & S TRUCKING, SE, 239.87; TOM'S BODY & PAINT SHOP, SE, 424.00; TYLER TECHNOLOGIES, SE, 200.00; US BANK, SU, 6246.34; VIAERO, SE, 66.18; VILLAGE OF WINSIDE, RE, 14762.77; WAED, SE, 8592.41; WAED, FE, 35.00; WAYNE COMMUNITY HOUSING, SE, 25600.00

Councilmember Karsky made a motion, which was seconded by Councilmember Woehler, to approve the claims. Mayor Pro Tempore Eischeid stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Brodersen who were absent, the Mayor declared the motion carried.

Mayor Pro Tempore proclaimed "March" as Problem Gambling Awareness Month.

Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), was present requesting Council consideration to closing off a portion of East 10<sup>th</sup> Street from Angel Avenue to Hillside Drive for an electric vehicle power drive rally (State Championship) on Saturday, April 30<sup>th</sup>, from 7:00 a.m. until 5:00 p.m. In addition, he was requesting that port-a-potties be provided as in the past.

Councilmember Karsky made a motion, which was seconded by Councilmember Woehler, approving the request of Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), to close off East 10<sup>th</sup> Street 200' east of Angel Avenue to Hillside Drive for the 2022 Power Drive State Championship on Saturday, April 30<sup>th</sup>, from 7:00 a.m. until 5:00 p.m. Mayor Pro Tempore Eischeid stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Brodersen who were absent, the Mayor Pro Tempore declared the motion carried.

The following Resolution would approve the mutual aid agreement between the City of Wayne and the Northeast Nebraska Mutual Aid District (NNMAD). The NNMAD includes the communities and rural fire districts of Allen, Bancroft, Concord, Dakota City, Dixon, Emerson, Homer, Laurel, Martinsburg, Newcastle, Pender, Ponca, Rosalie, South Sioux City, Thurston, Wakefield, Walthill and Winnebago, who agree to respond to other members' emergency fire calls if there is a fire or disaster too big for the local firefighters to control.

Councilmember Karsky introduced Resolution 2022-9, and moved for its approval; Councilmember Muir seconded.

#### RESOLUTION NO. 2022-9

A RESOLUTION APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF WAYNE VOLUNTEER FIRE DEPARTMENT AND THE NORTHEAST NEBRASKA MUTUAL AID DISTRICT.

Mayor Pro Tempore Eischeid stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Brodersen who were absent, the Mayor Pro Tempore declared the motion carried.

Luke Virgil, Director of Wayne Area Economic Development, gave his semi-annual LB840 report to the Council.

Administrator Blecke presented the draft of "The City of Wayne LB840 Economic Development Plan 2024-2025." This document is very similar to what the City is currently operating under. At the next Council meeting, we will hold a public hearing on this plan, which is required to place this matter on the May primary ballot. Staff, with the assistance from the City Attorney, made minor changes thereto.

It was noted that it has always been believed the amount to be allocated to economic development was capped at \$3,200,000.00. This has been the assumption from when this economic development plan was passed back in 2008. Once the capped amount of \$3.2 million was met, then any amount received over that \$3.2 million would go into the General Fund. However, after reading through the plan and the previous ballot language, staff is of the opinion since the \$3.2 million was an "estimated amount," monies can still be allocated to economic development over and above that "estimated amount."

There being no further business to come before the meeting, Mayor Pro Tempore Eischeid declared the meeting adjourned at 5:49 p.m.



Vendor	Payable Description	Payment Total
ACE HARDWARE & HOME	BALL VALVE/BRACKET/CHISEL/BITS	590.85
AMGL	AUDIT OF FINANCIAL STATEMENTS	30,050.00
APPEARA	LINEN & MAT SERVICE	108.82
APPEARA	STREET MAT SERVICE	59.57
BORDER STATES INDUSTRIES, INC	SWITCHGEAR	14,883.77
BROWN, SANDY	GREENTEAM FACEBOOK ADS	106.84
CARHART KITCHEN & BATH	AUDITORIUM BATHROOM COUNTERTOPS	2,730.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	62.40
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	2,837.02
CITY EMPLOYEE	PLANK RENTAL	75.00
CITY OF WAYNE	UTILITY REFUNDS	635.21
CITY OF WAYNE	WAED MEDICAL REIMBURSEMENT	2,837.02
COPY WRITE PUBLISHING	OFFICE SUPPLIES/SHIPPING CHARGES	136.11
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	54.00
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY INSURANCE	2,836.90
FLOOR MAINTENANCE	PLATES/NAPKINS/GLOVES	242.20
GALE/CENGAGE LEARNING	BOOKS	74.07
GLOBAL PAYMENTS INTEGRATED	CAC CREDIT CARD TRANSACTION FEES	337.92
GROSSENBURG IMPLEMENT INC	TRACTOR CLUTCH/HYDRAULIC REPAIRS	1,395.00
HATTIG CONSTRUCTION CO	GUTTER REPAIR	255.00
HEIKES AUTOMOTIVE LLC	REPLACED TRANSMISSION	3,655.96
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	110.23
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	142.25
HYDRO OPTIMIZATION	SUBMERSIBLE LEVEL TRANSMITTER	788.70
ICC	MEMBERSHIP DUES	145.00
INGRAM LIBRARY SERVICES	BOOKS	704.22
JOHN'S WELDING AND TOOL LLC	STEEL PLATE	2,280.96
JOHNSON'S PLUMBING & HEATING	BOILER REPAIR	752.00
KORN, RICHARD	VOLUNTEER FIREFIGHTER CONFERENCE REIMBURSEMENT	866.94
L & L THOMPSON CONSTRUCTION	AUDITORIUM BATHROOM SINK REPLACEMENT	500.00
L.G. EVERIST	CRUSHED QUARTZITE	491.08
LEY, MATT	MEN'S LEAGUE REF	25.00
LIBERAL GASKET MFG	FIBER RINGS	63.97
LINDNER, DAVID	BUILDING PERMIT DEPOSIT REFUND	500.00
LOFFLER	COPY CHARGES	271.89
LUEDERS, RYAN	ENERGY INCENTIVE	500.00
LUTT OIL	GASOLINE	4,844.70
LYNN PEAVEY CO	BLOOD/ALCOHOL KITS	51.60
MARCO TECHNOLOGIES LLC	COPY CHARGES	542.64
MATHESON-LINWELD	OXYGEN	35.06
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	36.46

Vendor	Payable Description	Payment Total
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	3,447.11
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	1,102.74
MIDWEST ALARM SERVICES	FIRE ALARM SERVICES	777.62
MIDWEST LABORATORIES, INC	WASTEWATER ANALYSIS	26.00
MUNICIPAL SUPPLY INC	WATER METERS	3,586.42
NAVIGTOR CO2 VENTURES	AUDITORIUM DEPOSIT REFUND	200.00
NE STATE FIRE MARSHAL	ANNUAL ELEVATOR INSPECTION	120.00
NEBRASKA PUBLIC POWER DIST	TRANSMISSION SUBSTATION CHARGES	7,526.00
NEXIC, INC	EMAIL LICENSES	-910.00
NORTHEAST POWER	ELECTRICITY	6,978.00
ONE CALL CONCEPTS, INC	DIGGERS HOTLINE	27.58
O'REILLY AUTOMOTIVE STORES, INC.	AIR FILTER/FUSE HOLDER	35.14
OVERDRIVE, INC.	AUDIO/E BOOKS	676.47
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	892.54
PATEFIELD, DAVID	MEN'S BASKETBALL REF	100.00
QHA CLEANING LLC	JANITORIAL CLEANING SERVICE	1,618.95
QUALITY FOOD CENTER	COFFEE/ICE /FREEZER BAGS	34.89
SCHMITZ, CINDY	FIRE HALL RENTAL CLEANING	45.00
STAPLES, INC	OFFICE SUPPLIES	81.13
STATE NEBRASKA BANK & TRUST	MONTHLY ACH FEE	60.16
SVEHLA, SED	MEN'S LEAGUE REF	40.00
US FOODSERVICE, INC.	SENIOR CENTER NOON MEAL SUPPLIES	1,683.87
VAKOC	WINDOW BLINDS	363.80
VERIZON WIRELESS SERVICES LLC	CELL PHONES	544.52
WAYNE AUTO PARTS	FILTERS/TIE RODS/WATER PUMP	841.66
WAYNE COUNTY CLERK	FILING FEES	64.00
WAYNE HERALD	ADS AND NOTICES	994.72
WAYNE HERALD	CAC ADS	92.50
WESTERN AREA POWER ADMIN	ELECTRICITY	20,458.24
	<b>Grand Total:</b>	<b>129,125.42</b>

	Reference	2021	2020	2019	2018	2017
Population		5,973	5,666	5,666	5,666	5,665
Valuation Per Capita		\$ 328,576,928 \$ 61,476	\$ 249,253,762 \$ 42,021	\$ 226,544,459 \$ 39,983	\$ 217,869,565 \$ 38,452	\$ 208,729,770 \$ 36,846
1) Unrestricted Net Assets/Total Net Assets						
Government Wide	Page 22	35%	27.43%	31.94%	29.23%	27.10%
Governmental Activities	Page 22	25%	6.38%	15.77%	13.87%	12.96%
Business-Type Activities	Page 22	40%	51.99%	50.45%	47.01%	42.52%
2) Top 6 Sources of Revenues - Governmental Activities						
Sales Tax	Page 10	\$ 232	\$ 217	\$ 201	\$ 203	\$ 186
Property Taxes		\$254 per Capita 169	175	166	156	149
In Lieu of Tax Payments		\$110 per Capita 178	184	175	172	157
State Allocation		\$177 per Capita 233	216	210	197	189
Charges for Services		\$100 per Capita 131	106	130	136	126
Grants		\$235 per Capita 618	392	133	150	65
3) State Allocations						
Highway Allocation		\$ 105	\$ 96	\$ 97	\$ 90	\$ 86
Municipal Equalization		\$ 101	\$ 92	\$ 86	\$ 80	\$ 77
4) Governmental Expenses (Excludes capital outlay)						
Administration	Pages 86 & 87	\$ 40	\$ 39	\$ 42	\$ 42	\$ 44
Community Center		53	53	52	51	51
Public Building		14	16	23	16	24
Recreation		105	75	125	114	68
Library		47	47	45	46	45
Public Works		93	111	103	104	103
Public Safety		239	245	241	228	188
5) Outstanding GO Debt/Valuation	Page 15	< 5%-Good < 3%-Excellent	1.90%	1.56%	2.00%	2.28%
6) Unassigned Fund Balance/General Fund Expenditures	Pages 24 & 26	30%	4.85%	28.07%	42.36%	0.00%

	Reference	Recommended	2021	2020	2019	2018	2017
7) Months Expense in Street Cash Reserve	Pages 24 & 26	12.0	16.7	18.9	13.5	8.0	13.6
8) Levy Rates							
General		0.38	0.365290	0.369242	0.365861	0.364127	0.360197
Debt Service		\$228/Capita 0.08	\$ 152 0.030812	\$ 155 0.042421	\$ 146 0.044583	\$ 140 0.046358	\$ 133 0.049107
Total Levy		\$47/Capita	\$ 13 0.396102	\$ 18 0.411663	\$ 18 0.410444	\$ 18 0.410485	\$ 18 0.409304
9) Net Depreciable Capital Assets/Original Cost							
Governmental Activities	Page 59	> 35%	45.83%	45.07%	47.09%	47.96%	50.85%
Business-type Activities	Page 61	> 35%	39.19%	41.28%	39.68%	41.81%	44.12%
Component Unit	Page 62	> 35%	64.65%	67.93%	70.74%	73.42%	77.25%
10) Operating Income/Total Operating Revenue							
Electric Fund	Page 29	15.00%	11.23%	13.59%	6.84%	-2.96%	0.38%
Water Fund		15.00%	36.37%	55.09%	30.17%	20.10%	14.17%
Sewer Fund		15.00%	19.57%	18.30%	13.45%	6.13%	-25.12%
Transfer Station		10.00%	38.93%	6.21%	-79.75%	-117.29%	-106.33%
Internal Service Fund		5.00%	9.83%	11.80%	12.26%	8.12%	11.76%
11) Debt Coverage Ratio							
Electric	Pages 29 & 30	1.50	6.39	0.65	5.31	1.32	2.98
Water		1.50	3.86	7.86	0.56	6.15	5.89
Sewer		1.50	1.88	1.61	1.37	1.15	0.29
12) Cash, Investments & Treasurer Cash							
Governmental Activities:	Pages 24/26/59						
Operating		2,635,000					
Replacement		995,000					
Budgetary Stabilization (\$1,057,394)		3,630,000	648,501	264,292	1,069,924	1,530,515	-
Business-type Activities (Excluding Depreciation/Amortization)	Pages 28/29/61						
Operating		4,430,000					
Restricted		805,000					
Replacement (\$1,417,963 in construction in progress)		4,790,000					
		10,025,000	12,401,946	10,327,629	8,776,019	7,663,987	6,597,068



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## MEMO

To: Mayor and City Council, Wayne, NE  
From: Roger Protzman, PE  
Date: February 10, 2022  
Subject: Water Transmission Main, Wayne, NE

### Update:

The following is an update on the water transmission main project since the last update of June 2021. Previous tasks are not reiterated.

At the end of June 2021, we had identified the following objectives we wanted to complete.

1. Disassemble the vent piping and observe air release/vacuum valve operation.
2. Disassemble two valves and inspect for contamination.
3. Install just air releases in the first 1 to 2 miles and see if this resolves the problem.
4. Consult with HHS to see if they would send an engineer onsite to see if they observe anything unusual.
5. Contact another consulting firm to potentially for third party review.

**Item 1 and 2:** The air release/vacuum valves were disassembled and one unit was shipped to the factory. The valve was tested and operated within specified parameters. In disassembling the air release valves we did find some water on top of some of the valves. The interior of the valves did look clean and the paint coating system looked new.

**Item 3:** JEO provided smaller air release valves and eliminated the vacuum function in the first 2.5 miles from Well 9 to Dog Creek. Subsequent testing has shown this area has had a lower bacteria values over the last six months but this change has not completely eliminated the problem.

**Item 4:** NDEE (formerly HHS) has indicated they do not review post construction operational details. Field staff have been onsite to observe at occasionally and have participated in several discussions with staff.

**Item 5:** The city contacted another engineering firm and the City of Hastings who has had a similar experience. The consultant asked a variety of questions but the ideas offered were ideas that had already been tried. The staff in Hastings recommended continued flushing efforts and the use of more aggressive pigs for cleaning the inside of the water main pipe.

More pigs were purchased as recommended by Hastings. The new pigs were stiffer and included rubber brushes on the outside of the pig. A light and medium density pig were purchased. The pigs used previously were more like a sponge or swab that had no outer coating and are flexible.

**February 10, 2022**

RE: Water Transmission Main

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The contractor has flushed these pigs from north to south and from south to north. In addition, the contractor tried super-chlorinating the line from north to south recently. The effort produced slightly better results but the NDEE standard is zero; thus, the ultimate goal was not achieved.

The following table summarizes recent results

<b>Locations</b>	<b>861 Rd</b>	<b>859 Rd</b>	<b>857 Rd</b>
<b>Dates:</b>	Results (MPN)	Results (MPN)	Results (MPN)
September 14, 2021 (New Valves)	0 & 1	2 & 2	2 & 1
December 8, 2021 (North to South Pigs)	0 & 6	20 & 29	79 & 110
December 22, 2021 (South to North Pigs)	7 & 4	7 & 12	51 & 43
January 7, 2022 (Flush South to North plus super-chlorination)	1 & 0	2 & 9	12 & 24

MPN – Most probable number

All parties want a solution to this problem. The one option identified that has not been tried is the use of an outside third-party company that specializes in chlorinating water lines. Chlor-serv is a company from Texas that has completed projects around the United States including in Nebraska. They have offered to complete their process and Rutjens Construction has offered to pay for the work if the third-party are able to achieve passing results. However, Rutjens has indicated that if they pay for the third-party chlorination, they want to be released of any future warranty responsibility for the project. We are in the process of obtaining an agreement to be executed by the respective parties.

In addition, Casey has asked that the original air release/vacuum valves be reinstalled so that the transmission main operates as designed. Rutjens staff has reinstalled the original valves.

**RESOLUTION NO 2022-10**

**A RESOLUTION TO ADOPT AN ECONOMIC DEVELOPMENT PLAN.**

**WHEREAS**, the Nebraska State Legislature adopted the Local Option Revenue Act authorizing cities and villages to impose a sales and use tax upon the same transactions within the municipality upon which the state of Nebraska is authorized to impose a tax; and

**WHEREAS**, Nebraska State Legislature adopted the Local Option Municipal Economic Development Act authorizing cities and villages to collect and appropriate local option sales tax revenues for economic development programs; and

**WHEREAS**, The City of Wayne recognizes that the attraction of new business and industry to a community, or the expansion of existing business or industry, takes place in a very competitive market; and

**WHEREAS**, to help ensure the success of that economic future, the City of Wayne Economic Development Plan has been prepared, a notice of a public hearing was published in the Wayne Herald on February 3, 2022, and a public hearing was held on February 15, 2022; and

**WHEREAS**, the Mayor and City Council desire to proceed with a local sales and use tax partly to fund capital improvements and partly to fund the economic development program based upon this economic development plan.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Wayne, Nebraska, that:

**Section 1.** That the proposed City of Wayne Economic Development Plan be marked as Exhibit “A” and attached hereto and incorporated herein by this reference, is hereby adopted and that a copy of such Exhibit “A” shall be filed with the City Clerk for public review and inspection at the City Clerk’s office during regular business hours.

**Section 2.** Any Resolutions or parts of Resolutions in conflict with this Resolution are hereby repealed.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT “A”**

**CITY OF WAYNE**

**LB840**

**ECONOMIC**

**DEVELOPMENT**

**PLAN**

**2024**

Pursuant to the Local Option Municipal Economic Development Act

Neb.Rev.Stat. §§18-2701 to 18-2738

**CITY OF**  
**WAYNE, NEBRASKA**  
**LB840**  
**ECONOMIC DEVELOPMENT PLAN**

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# **CITY OF WAYNE, NEBRASKA**

## **ECONOMIC DEVELOPMENT PLAN**

Nebraska's voters enacted a constitutional amendment in November, 1990, granting cities and villages the power to use local sources of revenue for economic or industrial projects and programs. In 1991, the Unicameral implemented this amendment with the passage of Legislative Bill 840, the Local Option Municipal Economic Development Act.

The Local Option Municipal Economic Development Act is based on the premise that communities should use their own tax dollars in ways that best meet local needs. While ongoing planning processes in many towns have identified development, job creation, and increased economic opportunity as their highest priority for the future, a variety of constitutional and legislative prohibitions kept them from investing local public funds in development programs. The removal of these limitations, gives municipalities greater latitude in determining and acting upon local needs.

As towns have witnessed population declines and a loss of younger people, they have thought about their futures and the types of actions and investments needed to reverse these past trends. At the same time, smaller towns and cities are beginning to realize a period of significant opportunity. In a period of uncertainty, complexity, and growing concern about the problems and quality of urban life, including cost and relative safety, the advantages offered by the smaller cities have become uniquely attractive. At the same time, the revolution in information and communication technology as well as goods distribution has reduced the isolation of small towns. As a result, it is increasingly possible to operate a significant business in growth areas outside of major urban centers.

### **GENERAL COMMUNITY AND ECONOMIC DEVELOPMENT STRATEGY**

Wayne's community and economic development strategy involves building on our strengths to promote existing industries and the retention of jobs and to recruit new industries and jobs to the community. The principal strategy is directed at maintaining a good quality of life for our citizens and a strong workforce; developing community resources; attracting new capital investment; broadening the community's tax base; and ensuring economic stability and viability for Wayne.

Economic diversification will continue to be a critical priority for Wayne's economic development program. Diversification will be strengthened by the recruitment of new business from outside and development of new businesses from inside the city. A small business and microenterprise development program can establish the city as a nurturing environment for small business and microenterprise and as a center for

economic opportunity. This atmosphere, in turn, can encourage people with skills and ideas to move or return to Wayne to make a start in business.

In addition to recruitment, the city can create job opportunities by helping existing businesses in the city to expand their markets and compete more successfully. The successful marketing of Wayne as a center for opportunity is important to the city's effort to expand its labor force and attract new residents.

The City of Wayne recognizes that the attraction of new business and industry to a community, or the expansion of existing business or industry, takes place in a very competitive market place. In order to keep Wayne, Nebraska as competitive as possible in that market place the community will strive to use all financial and human resources available in a partnership using federal, state, municipal and private sources.

### **STATEMENT OF PURPOSE, GENERAL INTENT AND GOALS**

The City of Wayne has adopted a comprehensive plan. This Comprehensive Plan was the culmination of a planning process that also involved citizens of the city to define its future. It is important in preparation of an economic development plan that, in addition to soliciting specific input for the plan, an effort be made to ensure consistency with other plans and goals of the city.

It is the intent of the City of Wayne, Nebraska, to implement an economic development program, the purpose and goals of which will be: to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne and Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne and the surrounding area.

### **ELIGIBILITY**

#### **Eligible Activities**

Eligible activities under the economic development program may include, but shall not be limited to, the following:

- 1) The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
- 2) Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.
- 3) Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.

- 5) Headquarters facilities relating to eligible activities as listed in this section
- 6) Telecommunications activities
- 7) Tourism-related activities
- 8) Any business that derives its principal source of income from the construction or rehabilitation of housing.
- 9) Retail businesses.
- 10) Any other business deemed as a qualifying business through future action of the legislature.

B. A qualifying entity must be located within the zoning jurisdiction of the city unless a variance is granted for special circumstances.

If a business which would otherwise be a qualifying business employs people and carries on activities in more than one city in Nebraska or will do so at any time during the first year following application for participation in the Program, it shall be a qualifying business only if, in each such city, it maintains employment for the first two years following the date on which such business begins operations in the city as a participant in its Program at a level not less than its average employment in such city over the twelve-month period preceding participation.

### **OPERATION OF THE REVOLVING LOAN FUND**

This section will describe details of the operation of the revolving loan fund. The size and special features of this fund, combined with the requirement of LB 840, requires that its operation be outlined.

#### **A. General Guidelines:**

1. The amount of funds available for any single project shall not exceed the amount of funds available under the Economic Development Program during the project term, nor shall it provide for more than fifty percent (50%) of applicant's total project costs. An applicant must provide participation and evidence of participation through private funding as distinguished from Federal, State, or Local funding in the minimum amount of ten percent (10%) equity investment. The right is reserved to negotiate the terms and conditions of the loan with each applicant, which terms and conditions may differ substantially from applicant to applicant.

2. The interest rate shall be fixed and negotiated on an individual basis; usually one-half the rate of the lending rate for the project at a traditional banking source. The term shall not exceed twenty (20) years for loans used for capital assets and ten (10) years for loans involving any other asset category. Security for loans will include, but will not be limited to, Promissory Notes, Mortgages or Deeds of Trust, and personal and/or corporate guarantees as appropriate and may be in a subordinate position to the primary lender.
3. If the loan is approved as performance based, a qualifying business may be approved to recapture a portion of the loan amount on a grant basis. The recaptured amount will be determined by the City Council, based upon job creation or retention and economic impact on the project to the community.
4. A loan repayment schedule providing for monthly, quarterly, or annual payments will be approved in conjunction with project approval. Repayment will be held in the revolving loan fund for future projects when approved.
5. The Economic Development Director or contracted loan administrator is responsible for auditing and verifying job creation and retention and determining grant credits toward any loans made. No grant credits are available unless pre-approved in the initial application and project approval. No grant credits will be made available beyond the level initially approved.
6. The Revolving Loan Fund will be audited annually by a selected firm of certified public accountants.
7. It is anticipated that the Program can be fully administrated by the Director of the Economic Development or contracted loan administrator. Administration costs for the loan fund will be defrayed by loan fees and the portion of sales tax revenue directed to administration expenses as outlined in the Plan budget.

**B. Eligible Applicants:**

The revolving loan fund can provide loans or loan guarantees to any entity eligible for assistance under LB 840. While not meant to restrict the scope or flexibility of the fund, evaluation of applications should give special priority to businesses which meet one or more of the following criteria:

1. Businesses which create one job for each \$35,000 or less in public financing assistance or whatever DED fund limitations proscribe, as they may change from time to time.

2. Applications which provide for the expansion or enhancement of existing businesses in Wayne or its surroundings.
3. New business starts.
4. Businesses that in the opinion of the loan committee have unusual potential for growth.
5. Businesses that are relocating from outside Nebraska.
6. Business that provide for important local or regional needs.

**C. Application Requirements:**

1. Complete an application that may be obtained from the office of the City of Wayne, 306 N. Pearl, Wayne NE 68787.
2. Submit the completed application together with all information as set out below to the office of the City of Wayne. The application will then be reviewed by the program administrator and the loan committee, and upon completion of the review; the committee will make a final decision on the project.
3. The Program Administrator will notify any applicant of the decision of the committee.

**D. Information Required:**

The qualifying business shall provide the following information before the Program Administrator and the Loan Committee considers any application:

1. Sole Proprietorship:
  - a. Submit a Wayne Economic Development Program loan fund application.
  - b. Business plan.
  - c. Credit Bureau Report (CBR)
  - d. Other information as requested.
2. "S" Corporation:
  - a. Submit a Wayne Economic Development Program loan fund application.

- b. Business plan.
  - c. Two years complete individual federal tax returns, if over 25% ownership (signed).
  - d. Two years complete corporate tax returns (signed).
  - e. Current year to date profit and loss statement (signed).
  - f. Recent balance sheet (signed).
  - g. Articles of Incorporation, By-Laws, and Minutes of last meeting.
  - h. Corporate Resolution authorizing loan application and execution of required documents.
  - i. Credit Bureau Report (CBR) for Shareholders with over 25% ownership.
3. "C" Corporation:
- a. Submit a Wayne Economic Development Program loan fund application.
  - b. Business plan.
  - c. Two years complete individual federal tax returns, if over 25% ownership (signed).
  - d. Two years complete corporate tax returns (signed).
  - e. Current year to date profit and loss statement (signed).
  - f. Recent balance sheet (signed).
  - g. Articles of Incorporation, By-Laws, and Minutes of last meeting.
  - h. Corporate Resolution authorizing loan application and execution of required documents.
  - i. Credit Bureau Report (CBR) for Shareholders with over 25% ownership.
  - j. Other information as requested.

4. General Partnership:

- a. Submit a Wayne Economic Development Program loan fund application.
- b. Business plan.
- c. Two years complete individual federal tax returns, if over 25% ownership (signed).
- d. Two years complete partnership returns (signed).
- e. Current year-to-date profit and loss statement (signed).
- f. Recent balance sheet (signed).
- g. Complete partnership agreement.
- h. Credit Bureau Report (CBR) for general partners.
- i. Other information as requested.

5. Limited Partnerships:

- a. Submit a Wayne Economic Development Program loan fund application.
- b. Business plan.
- c. Two years complete individual federal tax returns for general partners and for limited partners, of over 25% ownership, and partnerships tax returns (signed).
- d. Complete copy of partnership agreement.
- e. Credit Bureau Report (CBR) for general partners.
- f. Other information as requested.

6. Limited Liability Companies:

- a. Submit a Wayne Economic Development Program loan fund application.
- b. Business plan.

- c. Two years complete individual federal tax returns, of over 25% ownership (signed).
  - d. Two years complete entity tax returns (signed).
  - e. Current year-to-date profit and loss statement (signed).
  - f. Recent balance sheet (signed).
  - g. Credit Bureau Report (CBR) for managers.
  - h. Other information as requested.
7. Limited Liability Partnership:
- a. Submit a Wayne Economic Development Program loan fund application.
  - b. Business plan.
  - c. Two years complete individual federal tax returns, if over 25% ownership (signed).
  - d. Two years complete entity tax returns (signed).
  - e. Current year-to-date profit and loss statement (signed).
  - f. Recent balance sheet (signed).
  - g. Credit Bureau Report (CBR) for managers.
  - h. Other information as requested.

**E. Constitution of Loan Committee:**

The Economic Development Board or other individuals appointed by the City Council shall comprise the Loan Committee.

**F. Evaluation and Approval of Assistance:**

The loan committee will evaluate each application according to the following criteria:

- 1. Eligibility under LB 840.
- 2. Soundness and credibility of the business proposal.

3. If the business fits into one of the priority categories established by the plan for assistance.
4. Track record, credibility, and credit worthiness of applicant.
5. Ability to leverage significant private financing.
6. Probability that the business assistance will be repaid.
7. Other criteria that the loan committee may establish for application review.

**G. Types of Financing Available:**

1. Low interest loans, subordinated to a loan from private sources. The revolving loan fund may provide a blended loan at lower than market interest, repaid simultaneously with the private financing, or may accept sequential payment, being repaid following full payment of the private loan. The committee will negotiate specific loan terms.
2. Loan guarantees, by which a portion of the revolving loan fund proceeds are pledged against private financing. Guarantees make private financing more available with the minimum expenditures of public funds. The committee will negotiate fees and other considerations for guarantees.

**BUDGET**

This section describes a preliminary source of funds and budget for Wayne's Economic Development Program. It is important to note that this budget must be developed annually and may be modified from time to time by the City Council. In the field of economic development, it is impossible to anticipate every condition or requirement. The city should maintain the flexibility to respond to specific requirements and opportunities on a short-term basis.

**Proposed Funds to be Collected and Length of Time the Plan Will Exist**

The city source of public funds for the Wayne Economic Development Program will be three-twentieths (3/20) of one percent, or fifteen percent (15%) of one percent, local option sales tax. If approved by the voters, this tax will remain in force for a period of fifteen (15) years, beginning on July 1, 2024. The local options sales tax will go out of existence on June 30, 2039. The total amount to be collected from a three-twentieths (3/20), or fifteen percent (15%), of one percent sales tax is estimated to be \$2,250,000.00 (based on current retail sales and projections) over the fifteen (15) year period. The annual amount that will be budgeted for Economic Development in Wayne is tied to the City of Wayne's valuation each year. The amount shall not exceed 0.4 percent of

Wayne's annual valuation. Any excess funds above the 0.4 percent amount shall be appropriated to the general fund of the City on an annual basis. However, uncommitted funds and revenues including but not limited to repayment of loans, return on investments, fees for activities such as loan guarantees, and sales proceeds from properties, may continue to be used for activities contained within the Economic Development Program for an additional fifteen (15) year period. This program shall be in effect July 1, 2039 and ending June 30, 2054.

### **Bond Authority**

Wayne may have a business opportunity or other economic development project that requires initial funds that exceed the single year proceeds of the local option sales tax. In order to take advantage of such an opportunity, Wayne should have the ability to issue bonds. These bonds are then retired by future sales tax receipts. The City Council may authorize the issuance of bonds to carry out the economic development program, following a public hearing.

### **APPLICATION PROCESS**

The City of Wayne will contract with a qualified entity (herein referred to as "Program Administrator") to administer the Economic Development Program.

To be considered for direct financial assistance under this plan, an applicant must provide to the following unless waived by the Program Administrator:

- 1) A detailed description of the proposed project;
- 2) A business plan, including employment and financial projections; current financial statements, financing requirements for the project, total project cost;
- 3) A completed City of Wayne Local Option Municipal Economic Development Program Application for Financial Assistance.

Additional information, as necessary, to determine the economic viability of the proposed projects(s) may be requested by Program Administrator and/or by the City Council.

Program Administrator will review applications and requests for direct financial assistance in the order in which they are received by Program Administrator. Application review and approval, or disapproval, by Program Administrator will be based on project feasibility as determined by review of the applicant's business plan and other requested information by Program Administrator and the potential future economic benefit to the community of Wayne.

Program Administrator will be responsible for verification of information in the applications of those eligible businesses.

In the event of termination of the contractual relationship between the City and the Program Administrator, the above-described responsibilities will be carried out by another entity, by existing city staff or by an economic development specialist hired by the city.

Upon completion of the negotiations on the terms and conditions of assistance between the Program Administrator and the applicant, the project will be submitted to the City Council for its review and approval. The Council will consider the overall benefits to the community, and will provide the Program Administrator a decision that fits within the time frame suitable to meet the business requirements of the applicants. Once approved, the City Attorney or the Program Administrator will take the necessary actions to execute the agreements made.

### **ADMINISTRATION OF ECONOMIC DEVELOPMENT PROGRAM**

It is the intent of the program that the majority of the funds be used for supporting eligible activities and only the minimum required amount is to be spent to assist in the administration of the program. Three separate groups share the administration of the program. These are:

#### **A. Program Administrator:**

1. Will be responsible for the day-to-day activities of administering the program.
2. Assists applicants and conducts active recruiting for potential applicants.

#### **B. Citizens Advisory Review Committee:**

1. A group of citizens who are registered voters of the City, who will review the functioning and progress of the economic development program and advise the City Council with regard to the program.
2. Committee organization will consist of:
  - i. Seven (7) members appointed by the Mayor and approved by the City Council; the seven (7) shall consist of two (2) from the Economic Development Board or Committee, one (1) from the Wayne Community Housing Development Corporation Board, and four (4) from the community at large.

Terms shall be for four (4) years except that initial terms shall be established on a staggered basis to provide continuity on the committee.

- ii. At least one individual on the committee must have expertise or experience in the field of business, finance or accounting.
  - iii. The City Administrator who will serve as ex-officio member.
3. No member of the citizen advisory review committee shall be an elected or appointed city official, an employee of the city, a participant in a decision making position regarding expenditures of program funds, or an official or employee of any qualifying business receiving financial assistance under the economic development program or of any financial institution participating directly in the economic development program.
  4. The Citizens Advisory Review Committee will meet regularly as required to review the program and will report to the City Council at least once in every six month period on its findings and suggestions at a public hearing called for that purpose.

**C. City Council:**

1. Will have final authority on expenditure of funds in support of the economic development program.
2. Will have ultimate responsibility for the economic development program.

**PROCESS TO INSURE CONFIDENTIALITY OF  
BUSINESS INFORMATION RECEIVED**

In the process of gathering information about a qualifying business, the city may receive information about the business which is confidential and, if released, could cause harm to the business or give unfair advantage to its competitors. State law authorizes cities and other public entities to maintain the confidentiality of business records which come into their possession.

To protect the businesses applying for funds and to encourage them to make full and frank disclosures of business information relevant to their application, the city may take the following steps to ensure the confidentiality of the information it receives:

- 1) The adoption of an ordinance which makes such information confidential and punishes disclosure;
- 2) A restriction on the number of people with access to the files with the program administrator primarily responsible for their safe-keeping, and
- 3) A requirement that personnel involved in the program sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

### **IDENTIFICATION OF REAL ESTATE**

Continued development will exhaust space in the available industrial park well before the end of the planning period. Therefore, the City and the Program Administrator should provide for the acquisition of industrial and commercial land and provide for supporting infrastructure.

Eligible activities include the purchase directly or indirectly through the City and Program Administrator of commercial or industrial site(s) and obtaining options for the purchase of such real estate. Land to be purchased or optioned may be within or outside the corporate limits of the City of Wayne and will be identified through local analysis by the City of Wayne and/or Industrial Site Evaluation teams organized by the City of Wayne or the administrator of the Economic Development Program. These identified sites may then be considered for option or purchase and further development.

In addition, the funds may be used to provide the infrastructure to these sites or other sites to make them attractive to new or expanding businesses. Eligible infrastructure improvements will include, but not be limited to, street, storm drainage, water, sewer, gas, electric or railroad extension. Infrastructure improvements and costs may extend beyond the corporate limits of the City of Wayne.

The funds may also be used to construct facilities, structures, and/or appurtenances for new or proposed development or to attract new business or industry. These facilities, structures and appurtenances are not required to be within the corporate limits of Wayne, Nebraska.

These sites and facilities will improve the attractiveness of Wayne, Nebraska, as a location for new business and industry and may be used as an incentive to aid in the location, relocation or expansion of a business. These sites and facilities may be sold or leased at a price at or below current market value. The proceeds from the sale of lease of land purchased and developed with funds generated by LB 840 may be used for the purchase and development of additional land and may be used for all other eligible activities.

The attraction of a new business or industry may require an incentive to ensure its location in Wayne. Any investment in land and infrastructure can provide that incentive while at the same time providing a benefit that will remain in the community. Developed industrial sites, buildings, and infrastructure will be of long term benefit to the community regardless of future ownership.

### **INVESTMENT OF ECONOMIC DEVELOPMENT FUNDS**

The Program Administrator will establish a separate Economic Development Fund.

1. The money from the Economic Development Fund shall not be commingled with any other City of Wayne fund.
2. Any money in the Economic Development Fund not currently required or committed for the purposes of Economic Development shall be invested by the Program Administrator or representative of the City.
3. In the event that the Economic Development program is terminated, any funds not committed will be transferred as provided by the statute to the General Fund of the City and may be used on an installment basis to reduce the property tax levy of the City as provided by the Act.
4. If there is a conflict between this plan and State Statute, the State Statute will control.

### **LEGAL AND REGULATORY COMPLIANCE**

In Order to ensure that all laws and regulations are being complied with, the City Attorney will review the Economic Development Program and all laws and regulations pertaining to it annually.

**RESOLUTION NO. 2022-11**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, CALLING AN ELECTION ON THE PROPOSITION OF EXTENDING THE CITY'S EXISTING ADDITIONAL SALES AND USE TAX AND INCREASING THE SALES AND USE TAX, UPON THE SAME TRANSACTIONS WITHIN THE CITY OF WAYNE ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX.**

**BE IT RESOLVED** by the Mayor and Council of the City of Wayne, Nebraska (the “City”) as follows:

**Section 1. Extend Current 1.50% Sales and Use Tax.** The Mayor and City Council find and determine (1) that the City currently levies and collects a total of 1.50% sales and use tax Nebraska Local Option Revenue Act, Nebraska Revised Statutes § 77-27,142, et seq., (the “Act”) previously approved by the electors of the City of Wayne and there has not been submitted to the electors of the City a proposition on the question of the levy of sales and use tax within the 23 months last past, which has failed to receive a majority vote of the electors at such sales and use tax election; (2) that 1.00% of the current total 1.50% sales and use tax described above shall terminate by its term on June 30, 2024, and 0.50% of the current total 1.50% sales and use tax described above shall terminate upon collection of funds to pay off associated bonds which is currently expected to be by September 30, 2024; and (3) that the City’s has in place an Economic Development Program approved by the electors of the City which the City proposes to continue and amend.

**Section 2. Add an Additional 0.50% Sales and Use Tax.** Upon affirmative vote of at least 70% of the members of the City Council of the City, the Act authorizes the City to submit to voters at a primary election held within the City a proposal to approve a modification of the existing City sales and use tax to a rate greater than one and one-half percent (1.50%); the City Council finds that it is necessary to fund the costs of public infrastructure improvements of the City, which shall include recreational facilities of the City, (the “Facilities”) by increasing the sales and use tax by one-half of one percent (0.5%) (the “Additional 0.50% Sales Tax”) to a rate of two percent (2.0%); and no reductions or elimination of other taxes or fees are expected to result from the imposition of the Additional 0.50% Sales Tax, and no savings or efficiencies are expected to result from the Facilities.

**Section 3. Ballot Propositions for May 10th Primary Election.** An election is hereby called to be held on May 10, 2022, in conjunction with the statewide primary election to be held on such date, at which there shall be submitted to the qualified electors of the City the following propositions:

Proposition A:

“Shall the City of Wayne, Nebraska, be authorized to continue to impose a sales and use tax of one percent (1.00%), upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a sales and use tax, and shall the City of Wayne, Nebraska increase its budgeted restricted funds for the fiscal year 2022-2023 by seven hundred thirty-six thousand dollars (\$736,000.00), or forty percent (40%), over the current years’ restricted funds, subject to the following terms and conditions?

- (1) Period of Tax. The city sales and use tax referred to in Proposition A above shall continue from and after the expiration date of the existing sales and use tax on July 1, 2024, and shall automatically terminate at the end of fifteen years thereafter on June 30, 2039, unless the tax is extended by a vote of the electorate prior to the end of such period.
- (2) Purpose of Tax. During the existence of the City sales and use tax referred to in this Proposition A, the revenue received by the City of Wayne on such sales and use tax shall be divided eighty-five percent (85%) for general capital expenditures to include, but not limited to, property development, infrastructure, fire, police, and street improvements, and fifteen percent (15%) to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan set out in Proposition B.”

VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one percent (1.0%) in the City of Wayne local sales and use tax under such terms and conditions
- I vote AGAINST authorizing the continuation of the existing one percent (1.0%) in the City of Wayne’s local sales and use tax under such terms and conditions

*If a majority of the votes cast upon such question shall be in favor, then the governing body of the City of Wayne shall be empowered as provided by Section 77-27,142 to continue the levy of said sales and use tax and shall proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of Wayne shall not continue to impose such sales and use tax after expiration of the current tax.*

Proposition B:

“Shall the City of Wayne continue and amend its existing Economic Development Program as described below by appropriating annually from local sources of revenue an estimated \$2,250,000.00 for fiscal years 2024 through 2039 (approximately \$150,000.00 per year), as may be generated for the term of the tax set out in Proposition A?”

VOTE FOR or AGAINST

- I vote FOR continuation and amendment of such Economic Development Program
- I vote AGAINST continuation and amendment of such Economic Development Program

Description of Economic Development Program:

- (1) Goals and Eligible Activities of The Economic Development Program. The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area. Eligible activities under the economic development program may include, but shall not be limited to, the following:
  - a. The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
  - b. Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.
  - c. Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.
  - d. The authority to issue bonds pursuant to the act subject to City Council approval.
  - e. Grants or agreements for job training.
  - f. Small business and microenterprise development including expansion of existing businesses.
  - g. Interest buy-down agreements or loan guarantees.
  - h. Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.
  - i. Development of housing related programs to foster population growth.
  - j. Activities to revitalize and encourage growth in the downtown area.
  - k. May contribute to or create a revolving loan fund from which low interest or performance-based loans will be made to qualifying entities on a match basis.
- (2) Length of Time of the Program. The Economic Development Program shall continue to operate from and after July 1, 2024, until June 30, 2039, an additional fifteen-year period.
- (3) The Years the Funds Shall be Collected. Collection of funds for the Program shall be on all taxable sales continuing from the 1<sup>st</sup> day of July, 2024, and shall end on the 30<sup>th</sup> day of June, 2039 (fifteen years).
- (4) Source from Which Funds Shall Be Collected. The source of public funds for the Economic Development Program to be collected shall be fifteen percent (15%) of the proposed one percent (1%) city sales and use tax provided for in Proposition A above.
- (5) Amount to Be Collected. The total amount to be collected from the city sales and use tax is estimated to be \$2,250,000.00 over the fifteen-year period, or approximately \$150,000.00 annually for each fiscal year in which the tax is in place or such greater amount, subject only to statutory limitations, as may be generated.
- (6) Additional Funds from Private Sources. Additional funds from private sources may be sought beyond those derived by public sources of revenue.
- (7) Issuance of Bonds. The City proposes to issue bonds pursuant to the Local Option Municipal Development Act to provide funds to carry out the Economic Development Program.

Proposition C:

"Shall the City of Wayne, Nebraska, be authorized to continue to impose a sales and use tax of one-half of one percent (0.50%), upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a sales and use tax, with said sales and use tax to commence on the termination date of the City's previously authorized one-half of one percent sales and use tax, provided such one-half of one percent (0.50%) sales and use tax shall be used to parks and recreation purposes for the City, with said sales and use tax to remain in effect for a period from its date of commencement until June 30, 2039?"

VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one-half of one percent (0.50%) in the City of Wayne local sales and use tax under such terms and conditions
- I vote AGAINST authorizing the continuation of the existing one-half of one percent (0.50%) in the City of Wayne's local sales and use tax under such terms and conditions

*If a majority of the votes cast upon such question shall be in favor, then the governing body of the City of Wayne shall be empowered as provided by Section 77-27,142 to continue the levy of said sales and use tax and shall proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of Wayne shall not continue to impose such sales and use tax after expiration of the current tax.*

Proposition D:

"Shall the City Council of the City of Wayne, Nebraska, increase the local sales and use tax rate by one-half of one percent (0.50%) upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a tax, with all revenues generated by the additional one-half of one percent (0.50%) to be used for public infrastructure improvements of the City, which shall include recreational facilities of the City, under the following terms and conditions?"

- (1) Purpose of Tax. Revenues generated by the additional one-half of one percent (0.50%) shall be used to pay the costs to construct, acquire, improve, furnish, and equip public infrastructure improvements of the City, which shall include recreational facilities of the City.
- (2) Period of Tax. The increased sales and use tax rate will be implemented and related revenues collected beginning as soon as practicable after voter approval and continuing for a period of ten (10) years, unless bonds are issued with some or all of the additional revenues pledged for payment of such bonds, in which case the increased sales and use tax rate will remain in effect and additional revenues will be collected until payment in full of such bonds and any refunding bonds.

- (3) Interlocal Agreement. The City of Wayne and Wayne County School District 0017 have entered into an Interlocal Agreement for the long-term development of unified governance of public infrastructure projects in the City. Additional revenue collected from the additional one-half of one percent (0.50%) sales and use tax will not be used for the purposes of such Interlocal Agreement, but will be used for the public infrastructure projects of the City of Wayne as described above.”

VOTE FOR or AGAINST

- I vote FOR authorizing an increase of one-half of one percent (0.50%) in the City of Wayne’s local sales and use tax under such terms and conditions
- I vote AGAINST authorizing an increase of one-half of one percent (0.50%) in the City of Wayne’s local sales and use tax under such terms and conditions

*If a majority of the votes cast upon such question shall be in favor, then the governing body of the City of Wayne shall be empowered as provided by Section 77-27,142 to levy said sales and use tax and shall proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of Wayne shall not impose such sales and use tax.*

**Section 4.** Notice of said election shall be given to the qualified electors of said City by publication at least one time not more than thirty days nor less than ten days previous to the election in the *Wayne Herald*, a newspaper published in and of general circulation in said City, and the City Clerk of the City be and hereby is directed to cause such notice and sample ballot to be published.

**Section 5.** The City Clerk of the City shall be and hereby is authorized and directed to certify a copy of this Resolution to the County Clerk/Election Commissioner of Wayne County not later than March 1, 2022, who shall designate polling places and determine voting procedures as set out in the Election Act, appoint the election officials and otherwise conduct the election as provided by law. The City does hereby agree to reimburse said County Clerk for the expenses of conducting the election. As required by the Election Act, the County Clerk/Election Commissioner shall provide for publication of the Notice of Election in a newspaper designated by the County Clerk/Election Commissioner no later than forty-two (42) days prior to the day of said election.

**Section 6.** The form of ballot and form of notice of said election shall be substantially in the form submitted to this meeting, a copy of which forms shall be made a part of the minutes. The City Clerk is hereby authorized and directed, in conjunction with the County Clerk/Election Commissioner conducting the election, to arrange for the printing of the necessary ballots for said election and to do all other things and take all other action appropriate or necessary in order to cause said proposition to be submitted to the qualified electors of the City as above provided.

**PASSED AND APPROVED** this 15<sup>th</sup> day of February, 2022.

**CITY OF WAYNE, NEBRASKA**

(SEAL)

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**NOTICE OF ELECTION  
CITY OF WAYNE, NEBRASKA**

Public Notice is hereby given to the qualified electors of the City of Wayne, Nebraska, that an election has been called and will be held in the City of Wayne, Nebraska, on Tuesday, May 10, 2022, in conjunction with the Statewide Primary Election, at which there shall be submitted to the qualified electors of said City the following propositions:

Proposition A:

“Shall the City of Wayne, Nebraska, be authorized to continue to impose a sales and use tax of one percent (1.00%), upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a sales and use tax, and shall the City of Wayne, Nebraska increase its budgeted restricted funds for the fiscal year 2022-2023 by seven hundred thirty-six thousand dollars (\$736,000.00), or forty percent (40%), over the current years’ restricted funds, subject to the following terms and conditions?

- (1) Period of Tax. The city sales and use tax referred to in Proposition A above shall continue from and after the expiration date of the existing sales and use tax on July 1, 2024, and shall automatically terminate at the end of fifteen years thereafter on June 30, 2039, unless the tax is extended by a vote of the electorate prior to the end of such period.
- (2) Purpose of Tax. During the existence of the City sales and use tax referred to in this Proposition A, the revenue received by the City of Wayne on such sales and use tax shall be divided eighty-five percent (85%) for general capital expenditures to include, but not limited to, property development, infrastructure, fire, police, and street improvements, and fifteen percent (15%) to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan set out in Proposition B.”

VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one percent (1.0%) in the City of Wayne local sales and use tax under such terms and conditions
- I vote AGAINST authorizing the continuation of the existing one percent (1.0%) in the City of Wayne’s local sales and use tax under such terms and conditions

*If a majority of the votes cast upon such question shall be in favor, then the governing body of the City of Wayne shall be empowered as provided by Section 77-27,142 to continue the levy of said sales and use tax and shall proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of Wayne shall not continue to impose such sales and use tax after expiration of the current tax.*

Proposition B:

“Shall the City of Wayne continue and amend its existing Economic Development Program as described below by appropriating annually from local sources of revenue an estimated \$2,250,000.00 for fiscal years 2024 through 2039 (approximately \$150,000.00 per year), as may be generated for the term of the tax set out in Proposition A?”

VOTE FOR or AGAINST

- I vote FOR continuation and amendment of such Economic Development Program
- I vote AGAINST continuation and amendment of such Economic Development Program

Description of Economic Development Program:

Goals and Eligible Activities of The Economic Development Program. The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area.

Eligible activities under the economic development program may include, but shall not be limited to, the following:

- a. The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
  - b. Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.
  - c. Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.
  - d. The authority to issue bonds pursuant to the act subject to City Council approval.
  - e. Grants or agreements for job training.
  - f. Small business and microenterprise development including expansion of existing businesses.
  - g. Interest buy-down agreements or loan guarantees.
  - h. Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.
  - i. Development of housing related programs to foster population growth.
  - j. Activities to revitalize and encourage growth in the downtown area.
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is estimated to be \$2,250,000.00 over the fifteen-year period, or approximately \$150,000.00 annually for each fiscal year in which the tax is in place or such greater amount, subject only to statutory limitations, as may be generated.

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VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one-half of one percent (0.50%) in the City of Wayne local sales and use tax under such terms and conditions
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- I vote FOR authorizing an increase of one-half of one percent (0.50%) in the City of Wayne’s local sales and use tax under such terms and conditions
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The polling places will be such places as shall be determined by the County Clerk/Election Commissioner of Wayne County. Such polling places will be open continuously from 8:00 a.m. to 8:00 p.m. on said date. Such polling places are accessible to individuals with physical mobility limitations.

Qualified electors wishing to vote early, as permitted by law, may do so in person or by requesting a ballot for early voting from the County Clerk/Election Commissioner of Wayne County, at such County Clerk/Election Commissioner’s offices in Wayne, Nebraska, 510 Pearl Street, Wayne, Nebraska 68787.

BY ORDER OF THE MAYOR AND CITY COUNCIL OF SAID CITY.

**POST – in County Clerk's office at least 42 days prior to election**

**PUBLISH – One time at least 42 days prior to election – County Clerk**

**PUBLISH – one time at least 10 but not more than 40 days immediately prior to election (City Clerk)**

**(SAMPLE BALLOT)**  
**ELECTION**  
**CITY OF WAYNE, NEBRASKA**  
**TUESDAY, MAY 10, 2022**

Proposition A:

“Shall the City of Wayne, Nebraska, be authorized to continue to impose a sales and use tax of one percent (1.00%), upon the same transactions within the City of Wayne on which the State of Nebraska is authorized to impose a sales and use tax, and shall the City of Wayne, Nebraska increase its budgeted restricted funds for the fiscal year 2022-2023 by seven hundred thirty-six thousand dollars (\$736,000.00), or forty percent (40%), over the current years’ restricted funds, subject to the following terms and conditions?”

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- (2) Purpose of Tax. During the existence of the City sales and use tax referred to in this Proposition A, the revenue received by the City of Wayne on such sales and use tax shall be divided eighty-five percent (85%) for general capital expenditures to include, but not limited to, property development, infrastructure, fire, police, and street improvements, and fifteen percent (15%) to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan set out in Proposition B.”

VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one percent (1.0%) in the City of Wayne local sales and use tax under such terms and conditions
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“Shall the City of Wayne continue and amend its existing Economic Development Program as described below by appropriating annually from local sources of revenue an estimated \$2,250,000.00 for fiscal years 2024 through 2039 (approximately \$150,000.00 per year), as may be generated for the term of the tax set out in Proposition A?”

VOTE FOR or AGAINST

- I vote FOR continuation and amendment of such Economic Development Program
- I vote AGAINST continuation and amendment of such Economic Development Program

Description of Economic Development Program:

- (1) Goals and Eligible Activities of The Economic Development Program. The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area. Eligible activities under the economic development program may include, but shall not be limited to, the following:
- a. The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
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  - g. Interest buy-down agreements or loan guarantees.
  - h. Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.
  - i. Development of housing related programs to foster population growth.
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VOTE FOR or AGAINST

- I vote FOR authorizing the continuation of the existing one-half of one percent (0.50%) in the City of Wayne local sales and use tax under such terms and conditions
- I vote AGAINST authorizing the continuation of the existing one-half of one percent (0.50%) in the City of Wayne's local sales and use tax under such terms and conditions

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VOTE FOR or AGAINST

- I vote FOR authorizing an increase of one-half of one percent (0.50%) in the City of Wayne’s local sales and use tax under such terms and conditions
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**PUBLISH – One week immediately prior to election.**

**CERTIFICATE OF FILING**

STATE OF NEBRASKA                    )  
  )  
COUNTY OF WAYNE                    )        ss.

I, the undersigned, the duly qualified and acting Clerk of the City of Wayne, Nebraska, do hereby certify that attached hereto is a true and correct copy of a Resolution of the Mayor and City Council of the City of Wayne, calling an election to be held in the City of Wayne, in conjunction with the Statewide Primary Election on the 10<sup>th</sup> day of May 2022.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of my office this \_\_\_\_\_ day of February, 2022.

\_\_\_\_\_  
Betty A. McGuire, City Clerk

[SEAL]

I, the undersigned, the duly qualified and acting County Clerk/Election Commissioner of the County of Wayne, in the State of Nebraska, do hereby acknowledge receipt of the aforesaid Resolution calling an election to be held in the City of Wayne, Nebraska, in conjunction with the Statewide Primary Election on the 10<sup>th</sup> day of May 2022.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of my office this \_\_\_\_\_ day of February, 2022.

\_\_\_\_\_  
County Clerk/Election Commissioner,  
Wayne County, Nebraska

[SEAL]

**CITY OF WAYNE  
INTEROFFICE MEMORANDUM**

**DATE:** February 8, 2022

**TO:** Cale Giese, Mayor  
Wayne City Council

**FROM:** Wayne Planning Commission  
Joel Hansen, Staff Liaison



At their meeting held on February 7, 2022, the Wayne Planning Commission made recommendations on the following public hearings; the results of those recommendations are as follows:

**Public Hearing: Amending the Future Land Use Map of the Comprehensive Plan for the City of Wayne**

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Sorenson and seconded by Commissioner Giese to approve and forward a recommendation of approval to the City Council for the amended future land use map to the Comprehensive Plan for the City of Wayne, with the findings of fact being, staff's recommendation as outlined in the attached document. Chair Melena stated the motion and second; all were in favor, motion approved and carried.

**Public Hearing: Request to Rezone Block 8, Crawford and Brown's Addition and the West Half of Block 12, North Addition from B-2 Central Business District to B-3 Neighborhood Commercial District; Applicant: Sanctuary Apartments, LLC**

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Chair Melena and seconded by Commissioner Sorenson to approve and forward a recommendation of approval to the City Council for the request to rezone Block 8, Crawford and Brown's Addition and the West Half of Block 12, North Addition from B-2 Central Business District to B-3 Neighborhood Commercial District, with the findings of fact being, consistency with the current and future land use maps and staff's recommendation. Chair Melena stated the motion and second; all were in favor, motion approved and carried.

Memo to Mayor and City Council  
February 8, 2022  
Page Two

**Public Hearing: Annexing a Parcel of Land Containing 1.02 Acres More or Less to the City of Wayne**

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Giese and seconded by Commissioner Schultz to approve and forward a recommendation of approval to the City Council to annex Lot 1, Logan Valley Industrial Park, Wayne County, Nebraska, containing 1.02 acres more or less to the City of Wayne, with the findings of fact being staff's recommendation. Chair Melena stated the motion and second; all were in favor, motion approved and carried.

JH:cb

## 2022 Proposed Changes to Future Land Use Map

#1 – First Baptist Church and adjoining house

Change from Public/Quasi-Public to Mixed Use Residential/Commercial

#2 – West ½ of block between Main-Logan and 5<sup>th</sup>-6<sup>th</sup> Streets

Change from Commercial to Mixed Use Residential/Commercial

#3 – Cup of Grace

Change from Mixed Use Residential/Commercial to Public/Quasi-Public

#4 – WSC Criminal Justice House

Change from Mixed Use Residential/Commercial to Public/Quasi-Public

#5 – Houses at 1603, 1615, and 1701 Main

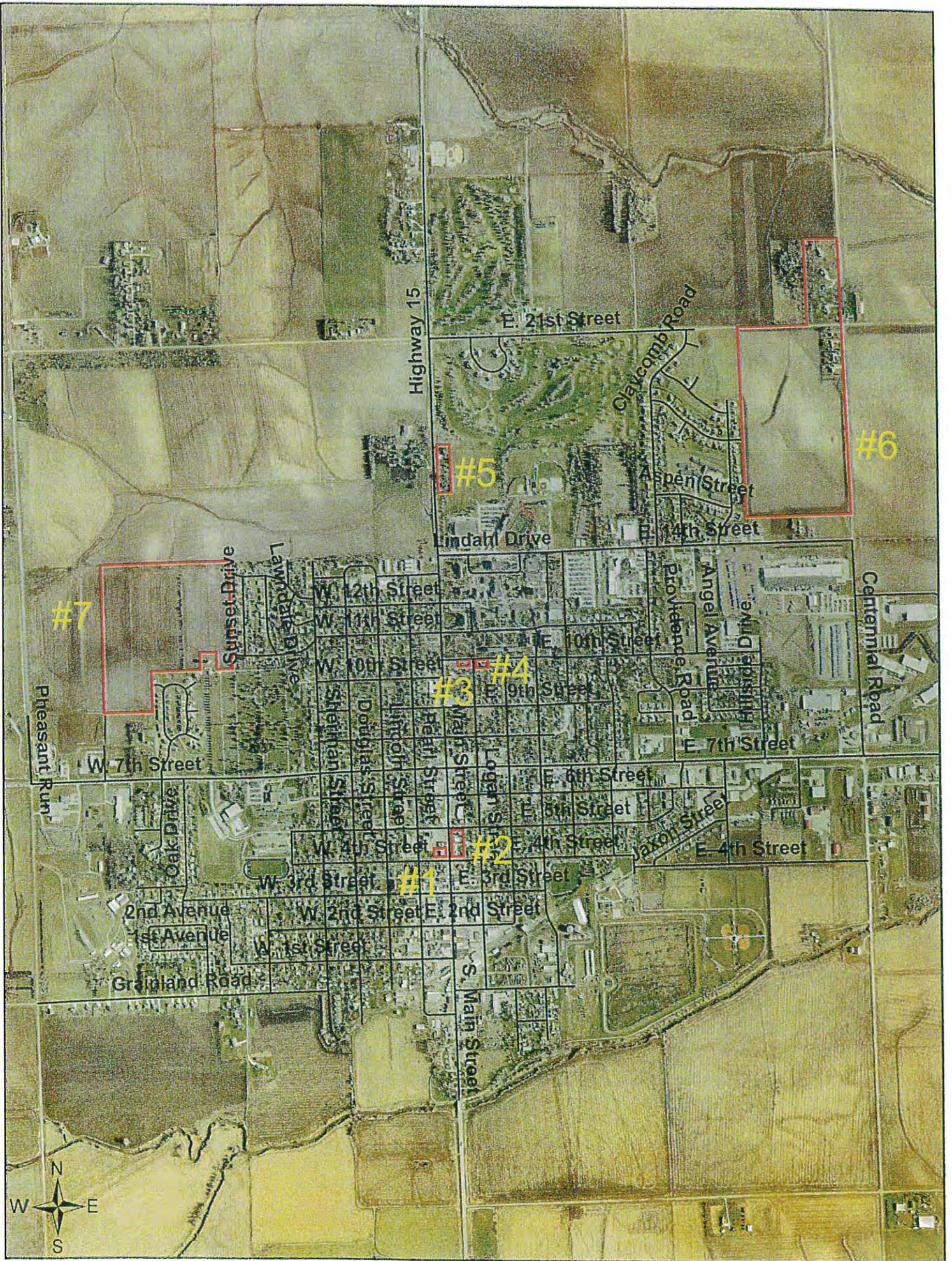
Change from Single Family Residential to Parks/Recreation

#6 – Virgil Kardell land by Vintage Hill 3<sup>rd</sup> Addition and houses at 1918, 2002, 2006, 2010, 2100, 2112, 2116, and 2300 Centennial Road

Add to Areas Targeted for Annexation

#7 – Ley property north of Greenwood Cemetery and east ½ of Pick/Meyer property west of Western Ridge II Addition

Add to Areas Targeted for Annexation



Highway 15

E. 21st Street

Claycomb Road

#5

#6

Aspen Street

Lindahl Drive

E. 14th Street

#7

Sunset Drive

Lawdale Drive

W. 12th Street

W. 11th Street

W. 10th Street

Sherman Street

Douglas Street

Lincoln Street

Bell Street

W. 8th Street

W. 7th Street

W. 6th Street

W. 5th Street

W. 4th Street

W. 3rd Street

W. 2nd Street

W. 1st Street

#3

#4

E. 9th Street

E. 8th Street

E. 7th Street

E. 6th Street

E. 5th Street

E. 4th Street

E. 3rd Street

E. 2nd Street

#2

#1

Providence Road

Angel Avenue

Hillside Drive

Centennial Road

Pheasant Run

Oak Drive

2nd Avenue

1st Avenue

Grainland Road

Main Street

Jaxon Street

E. 4th Street



# FUTURE LAND USE MAP

CORPORATE LIMITS

Wayne, Nebraska  
2027

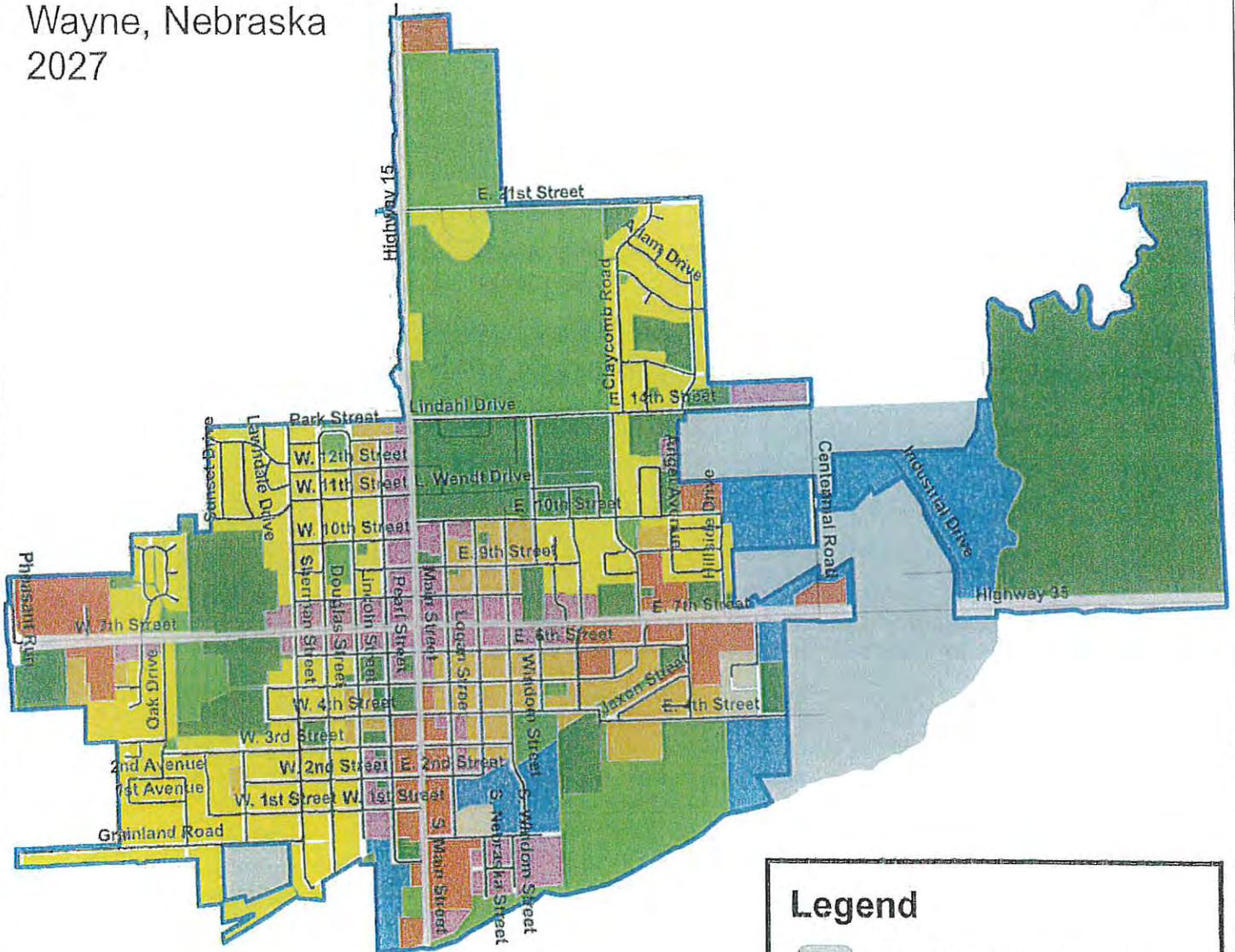


ILLUSTRATION 4.6

# FUTURE LAND USE MAP

TWO-MILE PLANNING JURISDICTION

Wayne, Nebraska

2027

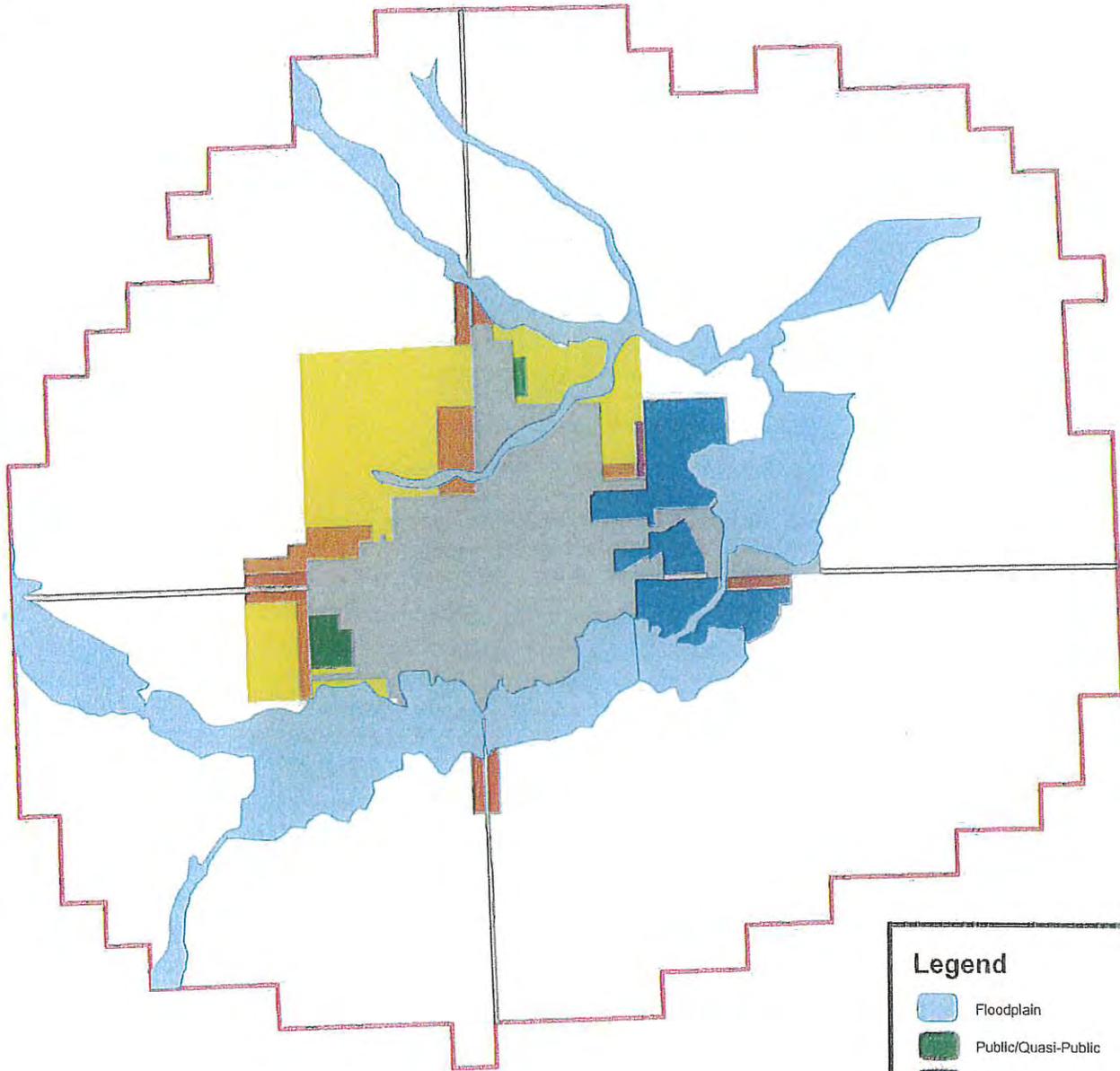


ILLUSTRATION 4.7



REQUEST FOR REZONING PROPERTY

Applicant SANCTUARY APARTMENTS, LLC Date 01-20-22

Address 400 MAIN ST

Legal Description Block 8, Crawford & Brown's Addition West 1/2 of Block 12, North Addition

Rezoning Change From B-2 To B-3

Reason for Rezoning OWNER WISHES TO CONVERT EXISTING CHURCH TO RESIDENTIAL APARTMENTS WITH NO COMMERCIAL TENANT.

Applicant's Signature [Handwritten Signature]

\*Does this Request comply with the Future Land Use Map YES X NO

\*\*\*\*\*

Summary of Chapter 152 – Zoning

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

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

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

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

\*\*\*\*\*

Date Rezoning Request Approved/Denied by Planning Commission February 7, 2022

Date Rezoning Request Approved/Denied by City Council

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

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



W. 6th Street

E. 6th Street

W. 5th Street

E. 5th Street

W. 4th Street

E. 4th Street

W. 3rd Street

E. 3rd Street

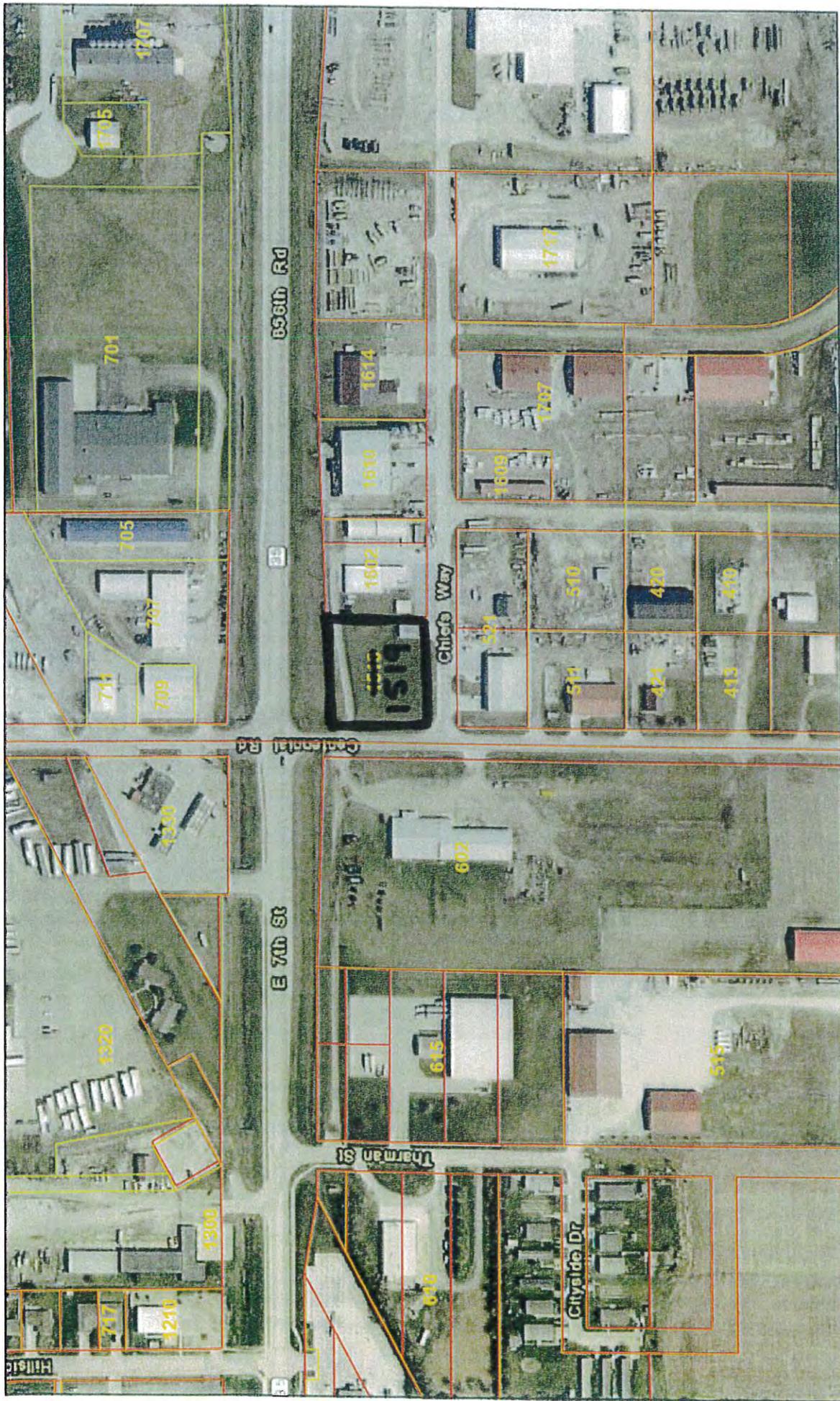
E. 3rd Street

Logan Street

Main Street



City of Wayne



**ORDINANCE NO. 2022-2**

**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF WAYNE.**

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

Section 1. On July 18, 2017, the City of Wayne adopted the “Comprehensive Plan” for the City of Wayne, Nebraska, and then approved the amendments thereto on May 19, 2020, and January 5, 2021.

Section 2. The Planning Commission, upon review of the “Future Land Use Map” of the Comprehensive Plan at their public hearing held on February 7, 2022, recommended approval of amendments thereto, based upon the following “Finding of Fact:”

➤ Staff’s recommendation.

Section 3. The existing “Future Land Use Map” of the Comprehensive Plan for the City of Wayne, Nebraska, is hereby repealed, and the amended “Future Land Use Map” of the Comprehensive Plan for the City of Wayne, Nebraska, of which a copy thereof is attached hereto and incorporated herein by reference, shall now be made a part of said Comprehensive Plan.

Section 4. This Ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2022-3**

**AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF BLOCK EIGHT (8), CRAWFORD & BROWN'S ADDITION, AND THE WEST HALF (W1/2) OF BLOCK TWELVE (12) NORTH ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM B-2 CENTRAL BUSINESS DISTRICT TO B-3 NEIGHBORHOOD COMMERCIAL DISTRICT.**

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

Section 1. That the real estate area shown on the attached map be changed and rezoned from B-2 (Central Business District) to B-3 (Neighborhood Commercial District). The area being rezoned is legally described as:

Block 8, Crawford & Brown's Addition and the W1/2 of Block 12, North Addition to the City of Wayne, Wayne County, Nebraska.

Section 2. That the Planning Commission held a public hearing on February 7, 2022, regarding this rezoning request, and have recommended approval thereof, with the "Findings of Fact" being:

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

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

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

Section 5. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2022-4**

**AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE SOUTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE.**

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

Section 1. The City of Wayne does hereby find and declare that the following described real estate:

Lot 1, Logan Valley Industrial Park, Wayne County, Nebraska,

is immediately adjoining and contiguous to the corporate limits of the City of Wayne, Nebraska.

Section 2. The Planning Commission held a public hearing on February 7, 2022, regarding the proposed annexation, and have recommended approval thereof, with the "Finding of Fact" being staff's recommendation.

Section 3. Therefore, the above described real estate is annexed to the City of Wayne, Nebraska, and is declared to be within the corporate limits of the City of Wayne, Nebraska, pursuant to Section 19-916 (R.R.S. 1943).

Section 4. The corporate limits of the City of Wayne, Nebraska, are hereby extended to include said real estate.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

City of Wayne



[Back to Top](#)

**RESOLUTION NO. 2022-12**

**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 15<sup>th</sup> day of February, 2022.

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)	2022	Chicago Street from S. Lincoln to S. Sherman – 800’ South Lincoln Street from W. 1 <sup>st</sup> to Chicago – 475’ Construct Concrete Paving, Curb & Gutter	\$800,000
*****			
M - 617(129)	2023	Fairgrounds Avenue from S. Main to S. Nebraska – 415’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$395,000
M - 617(115)	2023	W. 3 <sup>rd</sup> Street from Oak Dr. to 250’ E. of Oak Dr. – 250’ Construct Concrete Paving, Curb & Gutter	\$ 70,000
*****			
M - 617(132)	2024	E. 4 <sup>th</sup> Street and Thorman Street – 2,300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$900,000
M - 617(127)	2024	Downtown Alleys – 2,880’ Overlay and Concrete Paving	\$480,000
*****			
M - 617(107)	2025	Clark Street & S. Pearl Street . – 745’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$350,000
M - 617(114)	2025	W. 2 <sup>nd</sup> Street from Blaine St. to 360’ E of Blaine St. – 380’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$180,000
M - 617(131)	2025	E. 21 <sup>st</sup> Street from Vintage Hill Drive to Centennial Road and Centennial Road from E. 14 <sup>th</sup> to E. 21 <sup>st</sup> – 4,500’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$ 1,300,000
*****			
M - 617(98)	2026	Sherman Street from W. 5 <sup>th</sup> St. to W. 6 <sup>th</sup> St. – 300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$140,000
M - 617(113)	2026	Sherman Street from W. 3 <sup>rd</sup> St. to W. 4 <sup>th</sup> 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)	2027	Lagoon Streets – 2,500’ Construct Concrete Paving	\$900,000
M - 617(130)	2027	W. 11 <sup>th</sup> Street from Main to Sherman – 1,550’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$850,000
M - 617(89)	2027	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$400,000
M - 617(120)	2027	Northern Ridge Drive from Highway 15 to W. 21 <sup>st</sup> St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Sewer	\$800,000
M - 617(116)	2027	W. 7 <sup>th</sup> Street from Haas Avenue to Pheasant Run – 1,650’ Storm Sewer & Sidewalk	\$110,000
M - 617(119)	2027	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000
M - 617(133)	2027	E. 10 <sup>th</sup> Street from Schreiner Drive to east end of Viken Park Reconstruct Concrete Paving, Curb and Gutter – 200’	\$500,000

\*\*\*\*\*

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**







SHEET  
1 of 1

PROPOSED LAYOUT  
 ROY PERRY DEVELOPMENT  
 WAYNE, NEBRASKA

REV. NO.	DATE	REVISIONS DESCRIPTION

NO. DATE DESCR. REVISIONS

**PRELIMINARY**  
 NOT TO BE USED FOR CONSTRUCTION  
 February 03, 2022  
 DATE PRINTED  
 OLSSON

olsson

1707 Dakota Avenue  
 South Sioux City, NE 68775-2356 TEL 402.494.3059 www.olsson.com

**RESOLUTION NO. 2022-13**

**A RESOLUTION AUTHORIZING THE SALE OF LOT THREE (3), SOUTHEAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO R. PERRY CONSTRUCTION, INC.**

**WHEREAS**, the City of Wayne is the owner of the following described property, to-wit:

**Lot Three (3), Southeast Addition to the City of Wayne, Wayne County, Nebraska; and**

**WHEREAS**, there are no current delinquent real estate taxes or special assessments payable to Wayne County, Nebraska.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and the Council of the City of Wayne, Nebraska, that the City Clerk is directed to prepare an ordinance directing the sale of a tract of land legally described as follows:

**Lot Three (3), Southeast Addition to the City of Wayne, Wayne County, Nebraska,**

to R. Perry Construction, Inc., for the sum of \$1.00 and other valuable consideration.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2022-5**

**AN ORDINANCE DIRECTING THE SALE OF LOT THREE (3), SOUTHEAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO R. PERRY CONSTRUCTION, INC.**

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

Section 1. The Mayor and City Council are directed to convey by Warranty Deed to R. Perry Construction, Inc., a tract of land legally described as:

Lot Three (3), Southeast Addition to the City of Wayne, Wayne County, Nebraska,

for the sum of \$1.00 and other valuable consideration.

Section 2. Notice of the sale and the terms contained in Section 1 shall be published for three consecutive weeks in the Wayne Herald, provided that if a remonstrance against said sale signed by legal electors thereof equal in number to 30% of the electors of the City voting at the last regular municipal election held therein, be filed with the governing body within thirty days of the passage and publication of this ordinance, said property shall not then, nor within one year thereafter, be sold.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2022-14**

**A RESOLUTION APPROVING PURCHASE AGREEMENT BETWEEN THE CITY OF WAYNE AND R. PERRY CONSTRUCTION, INC.**

WHEREAS, the City of Wayne is desirous of entering into a Purchase Agreement with R. Perry Construction, Inc., to purchase and develop Lot 3, Southeast Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, a copy of said Purchase 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 Purchase Agreement between R. Perry Construction, Inc., and the City of Wayne, Nebraska, is approved as written, and the Mayor is hereby authorized and directed to execute the said Purchase Agreement on behalf of the City.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## PURCHASE AGREEMENT

This agreement is made and entered into by and between **The City of Wayne, Nebraska, a municipal corporation**, hereinafter referred to as "Seller," and **R Perry Construction, LLC, a Nebraska Limited Liability Company**, hereinafter referred to as "Buyer."

Seller and Buyer agree as follows:

1. **Property Purchased.** Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the following **described property, to-wit:**

Lot Three (3), Southeast Addition to the City of Wayne, Wayne County, Nebraska,

including all fixtures and equipment permanently attached to the property. The only personal property included is: None.

2. **Purchase Price.** Buyer agrees to pay to Seller, as full consideration for the above described premises, the sum of \$1.00, payable as follows:

\$1.00 to be paid in full at time of closing. All payments are to be made in cash, money order, or certified bank draft.

3. **Title.** Seller shall provide proof of marketable title in fee simple and furnish to Buyer an abstract certified to date or a commitment for title insurance insuring merchantability. In the event that title insurance is used, the cost of such title insurance policy shall be paid by Buyer. Buyer shall be responsible for the cost of any additional title endorsements or riders required as a condition of Buyer's loan. Buyer agrees that should a valid defect exist, Seller shall have a reasonable time to correct said defect, not to exceed 30 days from the date of the title commitment. If there are defects that cannot be reasonably corrected within 30 days, this agreement shall be null and void and any earnest money paid upon execution shall be refunded.

4. **Deed.** Seller agrees to convey the property to Buyer, or Buyer's nominee, by warranty deed, free and clear of all liens and encumbrances, special assessments, levied or assessed, except any special assessments resulting from assessments from districts that may be created or ordered constructed subsequent to the date of acceptance of this purchase agreement, and subject to all easements and restrictions of record and any applicable zoning regulations.

5. **Taxes.** Buyer shall pay all real estate taxes up to and including for the calendar year of 2022, as the property is currently tax exempt.

6. **Buyer's Inspection.** This offer is based upon the Buyer's personal inspection or investigation of the premises and not upon any representation or warranty of condition by Seller. Buyer agrees that the property is being sold in its present condition. Seller shall maintain the property until delivery of possession.

7. **Risk of Loss.** This agreement shall in no manner be construed to convey the property or to give any right of possession. Risk of loss or damage to the property prior to date of closing shall rest with the Seller.

8. **Closing and Possession.** The Parties agree to close the purchase on or before June 1, 2022. Possession of the property shall be given to Buyer at time of closing upon payment of the full purchase price herein.

9. **Liquidated Damages.** If Buyer fails to consummate this purchase according to the terms of this agreement, Seller may, at Seller's option, utilize such legal remedies as are available to Seller by reason of such failure.

10. **Contingencies.**

a. This agreement is contingent upon Buyer obtaining approval for Tax Increment Financing (TIF) as set out in Buyer's TIF proposal.

b. This agreement is contingent upon Seller's approval, as well as the approval of the Architectural Design Committee, of Seller's building proposal. Said proposal and approval shall be in writing prior to closing.

11. **Right of Reversion.** Buyer shall provide a detailed building plan for construction of several apartment units on the above-described property, along with proposed dates of completion, all of which shall be approved by Seller. A copy of the proposal is attached hereto, and made a part of the agreement as Buyer's consideration. Buyer agrees to execute a performance Deed of Trust in the amount of \$500,000.00, secured by the above-described property. In the event Buyer fails to perform according to the attached proposal, Seller may use any remedy available by law to enforce this agreement and the Deed of Trust.

12. **Binding Agreement.** This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each party.

13. **Original Counterparts.** This agreement may be executed in one or more counterparts. Each such counterpart shall be considered an original and all of such counterparts shall constitute a single agreement binding all the parties as if all had signed a single document. Faxed signatures, or scanned and electronically transmitted signatures, on this Agreement or any notice delivered pursuant to this Agreement, shall be deemed to have the same legal effect as original signatures on this Agreement.

**In witness whereof**, the parties have hereunto set their hands on this \_\_\_\_ day of February, 2022.

\_\_\_\_\_  
Cale Giese, Mayor \_\_\_\_\_,  
o/b/o The City of Wayne, Nebraska,  
a municipal corporation, Seller

\_\_\_\_\_  
President, o/b/o R Perry  
Construction, LLC, a Nebraska Limited Liability  
Company, Buyer

\_\_\_\_\_ Date

\_\_\_\_\_ Date

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF WAYNE    )

SUBSCRIBED and sworn to before me this \_\_\_\_\_ day of February, 2022, by Cale Giese, Mayor, o/b/o the City of Wayne, Nebraska, a municipal corporation, Seller.

\_\_\_\_\_  
**Notary Public**

STATE OF NEBRASKA    )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

SUBSCRIBED and sworn to before me this \_\_\_\_\_ day of February, 2022, by \_\_\_\_\_, o/b/o R Perry Construction, LLC, a Nebraska Limited Liability Company, Buyer.

\_\_\_\_\_  
**Notary Public**

**RESOLUTION NO. 2022-15**

**A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2022 CHICAGO STREET IMPROVEMENTS PROJECT,” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.**

BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the hiring of Olsson as engineers for the “2022 Chicago Street Improvements Project,” is hereby reaffirmed, and that the plans, specifications and estimate of construction cost of \$780,000, as prepared by the City’s engineer and filed in the office of the City Clerk for the said project, are hereby approved, and the City Clerk is directed to advertise for bids in the form of the notice prepared by the City’s Engineer.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

THE CITY OF WAYNE, NEBRASKA

BY \_\_\_\_\_  
Mayor

ATTEST:

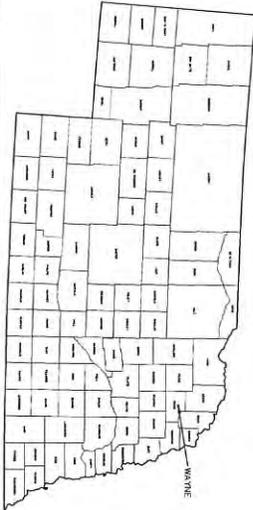
\_\_\_\_\_  
City Clerk

# WAYNE CHICAGO STREET

## S. SHERMAN STREET TO S. LINCOLN STREET

### WAYNE, NEBRASKA

2022



VICINITY MAP  
NOT TO SCALE



### LEGEND

- PROPERTY/ROW LINE
- SECTION LINE
- SEWER LINE
- STORM SEWER PIPE
- WATER MAIN
- SANITARY SEWER MAIN
- UNDERGROUND POWER LINE
- FIBER OPTIC LINE
- GAS LINE
- FENCE
- BAND WIRE FENCE
- SIEN
- SANITARY SEWER MANHOLE
- WATER VALVE
- REG. TROUSERT
- STORM DRAIN MANHOLE
- STORM DRAIN MANHOLE
- CONTROL POINT
- MALIBOX
- SANITARY SEWER CLEANOUT
- TRANSFORMER
- TELEPHONE RISER
- POWER POLE
- WATER MAIN
- BSW/REE

Sheet List Table		
Sheet Number	1	COVER SHEET
2	SITE LAYOUT & NOTES	
3	REMOVALS	
4	DETAILS PAVING	
5	DETAILS STORM & SANITARY	
6	DETAILS WATER	
7	GRADING & EROSION CONTROL PLAN	
8	ROAD & SANITARY PLAN & PROFILE	
9	ROAD & SANITARY PLAN & PROFILE	
10	STORM SEWER PLAN & PROFILE	
11	STORM SEWER PLAN & PROFILE	
12	WATER MAIN PLAN & PROFILE	
13	WATER MAIN PLAN & PROFILE	
14	CROSS SECTIONS	
15	CROSS SECTIONS	
16	CROSS SECTIONS	
17	CROSS SECTIONS	

TABLE OF APPROXIMATE QUANTITIES

NO.	DESCRIPTION	UNIT	QUANTITY
1	MOBILIZATION	LS	1
2	TRAFFIC CONTROL	LS	1
3	LABOR/WORK	LS	1
4	REMOVE FENCE	LF	450
5	REMOVE STORM SEWER PIPE	LF	602
6	REMOVE STORM SEWER STRUCTURE	EA	5
7	REMOVE WATER MAIN PIPE	LF	205
8	REMOVE WATER MAIN PIPE	LF	205
9	REMOVE ROAD SERVICE UNDERPAVEMENT	CS	100
10	REMOVAL INVENTORY	EA	1
11	REMOVAL INVENTORY	EA	1
12	REMOVAL INVENTORY	EA	1
13	REMOVAL INVENTORY	EA	1
14	REMOVAL INVENTORY	EA	1
15	REMOVAL INVENTORY	EA	1
16	REMOVAL INVENTORY	EA	1
17	REMOVAL INVENTORY	EA	1
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42	REMOVAL INVENTORY	EA	1
43	REMOVAL INVENTORY	EA	1
44	REMOVAL INVENTORY	EA	1
45	REMOVAL INVENTORY	EA	1

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**Nebraska 811**  
 Know what's below. Call before you dig.



- GENERAL NOTES:**
1. THE CONTRACTOR SHALL PROTECT THE EXISTING SPRINKLER HEADS AND LINES. THE CONTRACTOR SHALL REPAIR ALL DAMAGED SPRINKLER SYSTEMS. THIS WORK SHALL BE CONSIDERED SEPARATE FROM THE PROJECT.
  2. THE LOCATION OF ALL Aerial AND UNDERGROUND UTILITIES MAY NOT BE INDICATED ON THESE PLANS. THE CONTRACTOR SHALL VERIFY THE LOCATION (INCLUDING DEPTH OR CONSTRUCTION) OF ALL UTILITIES. NO EXCAVATION WILL BE PERMITTED IN THE AREA OF THE UNDERGROUND UTILITIES UNLESS THE CONTRACTOR HAS BEEN ADVISED BY THE UTILITY FACILITY. THE CONTRACTOR SHALL USE EXTREME CAUTION IN THE AREA OF ALL EXISTING UTILITIES, AND SHALL BE RESPONSIBLE FOR ANY DAMAGES. THE CONTRACTOR SHALL NOTIFY THE CONTRACTOR IMMEDIATELY OF ANY DAMAGE TO EXISTING UTILITIES.
  3. THE CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS AND SHALL PAY THE COST OF ALL FEES.
  4. THE CONTRACTOR SHALL PRESERVE ALL PROPERTY CORNER MONUMENTS. PROPERTY CORNERS DISTURBED DURING CONSTRUCTION SHALL BE RESET BY A REGISTERED LAND SURVEYOR AT THE CONTRACTOR'S EXPENSE.
  5. ALL SURFACES THAT ARE DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO PRE-CONSTRUCTION CONDITION. THIS WORK SHALL BE CONSIDERED INCIDENTAL AND NOT REPAIRED OR PAID FOR BY THE OWNER.
  6. ANY TRAFFIC CONTROL DEVICES OR SAFETY EQUIPMENT NEEDED TO CONSTRUCT THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. ALL ITEMS NECESSARY TO CONSTRUCT THIS PROJECT SHALL BE CONSIDERED SEPARATE FROM THE PROJECT. ALL TRAFFIC CONTROL DEVICES AND PLANS SHALL BE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE MANUAL OF PRACTICE FOR TRAFFIC CONTROL DEVICES AND PLANS.
  7. THE CONTRACTOR SHALL REMOVE ALL SIGNS THAT ARE IN CONFLICT WITH THE CONSTRUCTION. STORAGE SPACES SHALL BE RESTORED TO THE WALKER OF PROPER FOR STORAGE DURING THE DURATION OF CONSTRUCTION. ALL SIGNS SHALL BE REINSTALLED UPON COMPLETION AS DIRECTED BY THE ENGINEER. SIGN REMOVAL, STORAGE, AND REINSTALLATION SHALL BE CONSIDERED SEPARATE FROM TRAFFIC CONTROL.
  8. THIS PROJECT REQUIRES A PERMIT FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITY FROM THE STATE'S GOVERNING AUTHORITY. THE CITY OF SIOUX CITY WILL BE RESPONSIBLE FOR OBTAINING A PERMIT. CONTRACTOR TO COME ON THIS SITE ONLY AFTER AN ACTIVE PERMIT NUMBER HAS BEEN OBTAINED FROM THE STATE'S GOVERNING AUTHORITY.
  9. THE CONTRACTOR SHALL REMOVE AND/OR REPAIR ANY UTILITIES THAT ARE IN CONFLICT WITH CONSTRUCTION. REMOVE AND/OR REPAIR TO THE OWNER. MAJORITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGES TO EXISTING UTILITIES.
  10. THE CONTRACTOR SHALL REMOVE AND/OR REPAIR ANY UTILITIES THAT ARE IN CONFLICT WITH CONSTRUCTION. REMOVE AND/OR REPAIR TO THE OWNER. MAJORITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGES TO EXISTING UTILITIES.
  11. THE CONTRACTOR SHALL REMOVE AND/OR REPAIR ANY UTILITIES THAT ARE IN CONFLICT WITH CONSTRUCTION. REMOVE AND/OR REPAIR TO THE OWNER. MAJORITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGES TO EXISTING UTILITIES.
  12. REMOVE CONDUITS TO THEIR RESPECTIVE OWNERS AFTER PREPARE. THIS WORK TO BE CONSIDERED SEPARATE TO BID PACKAGE.
  13. REMOVALS SHALL BE COORDINATED WITH ENGINEER. CONTRACTOR SHALL REMOVE/REMOVE PAVEMENT ALONG EXISTING DENTS WHERE POSSIBLE.
  14. SANDWITS SHALL BE CONSIDERED SEPARATE TO REMOVE PAVEMENT BID ITEM.
  15. CONTRACTOR SHALL COORDINATE WITH THE CITY WHEN WORKING AROUND LIGHT AND POWER POLES.
  16. CAST IRON SIGNS, COVERS, FRAMES AND GRATES FOR STORM SEWER STRUCTURES WILL NOT BE PAID FOR SEPARATELY.
  17. IF UNSUITABLE SOILS ARE ENCOUNTERED, CONTRACTOR TO CONTACT ENGINEER, REMOVE, AND REPLACEMENT OF THESE UNSUITABLE SOILS WILL BE AT THE DISCRETION OF THE ENGINEER AND ONLY APPROVED SOILS TO BE REMOVED AND REPLACED BY THE ENGINEER WILL BE PAID FOR.
  18. FLASHES MAY BE USED AS AN ALTERNATE TO THE SURFACE PREPARATION BID ITEM BOTH ITEMS WILL NOT BE PAID OUT FOR THE SAME AREA OF THE PROJECT.
  19. PRIOR TO WORKING OFF THE JOB, THE CONTRACTOR SHALL NOTIFY THE ENGINEER FOR A FINAL WALK-THROUGH OF THE PROJECT. THE CONTRACTOR SHALL CONDUCT THE FINAL WALK-THROUGH WITH THE ENGINEER AND CITY.

Chicago Street Alignment		Douglas Street Alignment						
NO.	STATION	NORTHING	EASTING	LENGTH	LINE/CHORD BEARING	DELTA	TANGENT	RADIUS
L1	100+00.00	888399.2107	2447034.3449	821.13'	N59°05'07"E			
L1	108+21.13	888321.0725	2447728.8182	90.00'	N23°31'36"E	6107°01'	44.28'	75.00'
L2	109+01.13	888388.0784	2447775.3288	305.96'	N23°01'55"W			
L2	112+63.66	888750.0853	2447792.2928					

SUBGRADE PREP		REMOVE & REPLACE UNSUITABLE SOILS	
STATION TO STATION	SIZE	STATION TO STATION	SIZE
104+00 - 111+50	RT & LT	104+50 - 111+50	RT & LT
105+00 - 111+50	RT & LT	105+00 - 111+50	RT & LT
106+00 - 111+50	RT & LT	106+00 - 111+50	RT & LT
107+00 - 111+50	RT & LT	107+00 - 111+50	RT & LT
108+00 - 111+50	RT & LT	108+00 - 111+50	RT & LT
109+00 - 111+50	RT & LT	109+00 - 111+50	RT & LT
110+00 - 111+50	RT & LT	110+00 - 111+50	RT & LT
111+00 - 111+50	RT & LT	111+00 - 111+50	RT & LT
112+00 - 111+50	RT & LT	112+00 - 111+50	RT & LT

NOTE: SEE GRADING SHEET FOR EARTHWORK INFORMATION.

**SITE LAYOUT & NOTES**

WAYNE CHICAGO STREET

WAYNE, NEBRASKA

2022

REVISIONS

REV. NO. DATE REVISIONS DESCRIPTION

1. DATE 2022.02.11

2. DATE 2022.02.11

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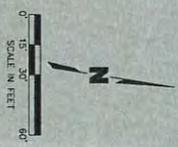
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REV. NO.	DATE	REVISIONS DESCRIPTION

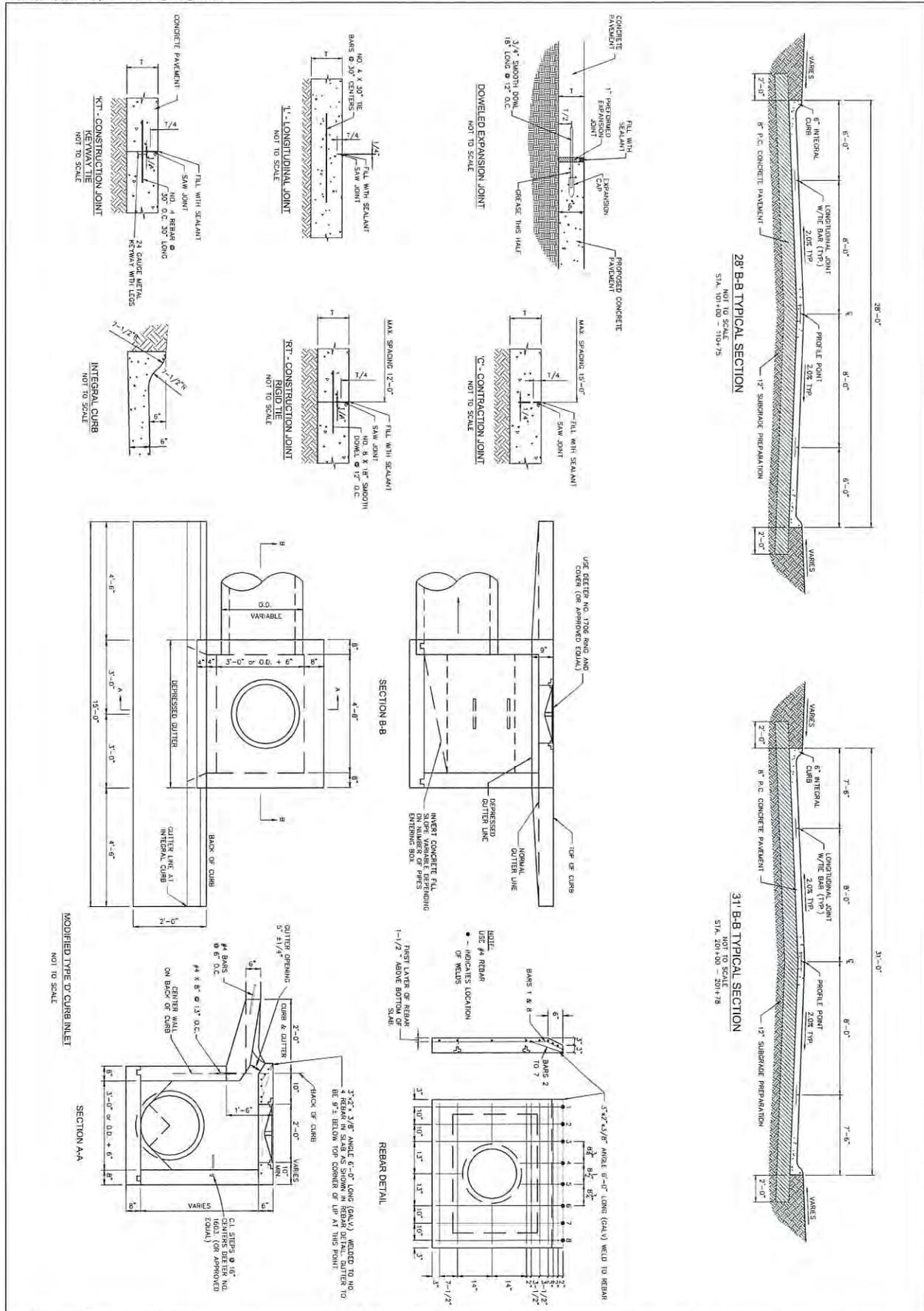
NO.	DATE	REVISION

**PRELIMINARY**  
 NOT TO BE USED FOR CONSTRUCTION  
 February 11, 2022  
 DATE PLOTTED  
 OLSSON

**olsson**

1707 Dakota Avenue  
 South Sioux City, NE 68776-2356 TEL 402.454.2056 www.olsson.com

REMOVALS  
 WAYNE CHICAGO STREET  
 WAYNE, NEBRASKA  
 2022  
 SHEET  
 3 of 17



REV. NO.	DATE	REVISIONS DESCRIPTION

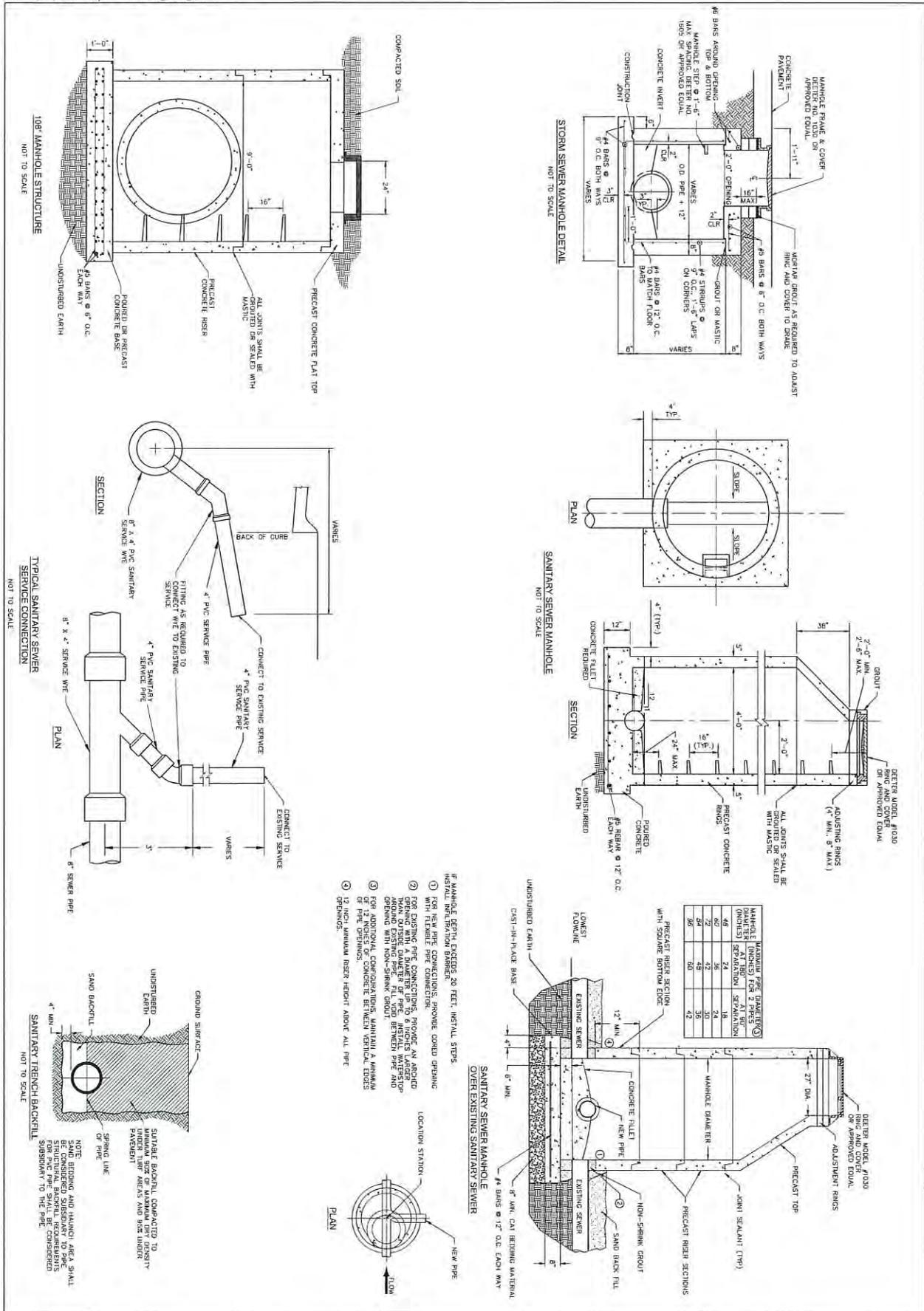
  

NO.	DATE	REVISIONS

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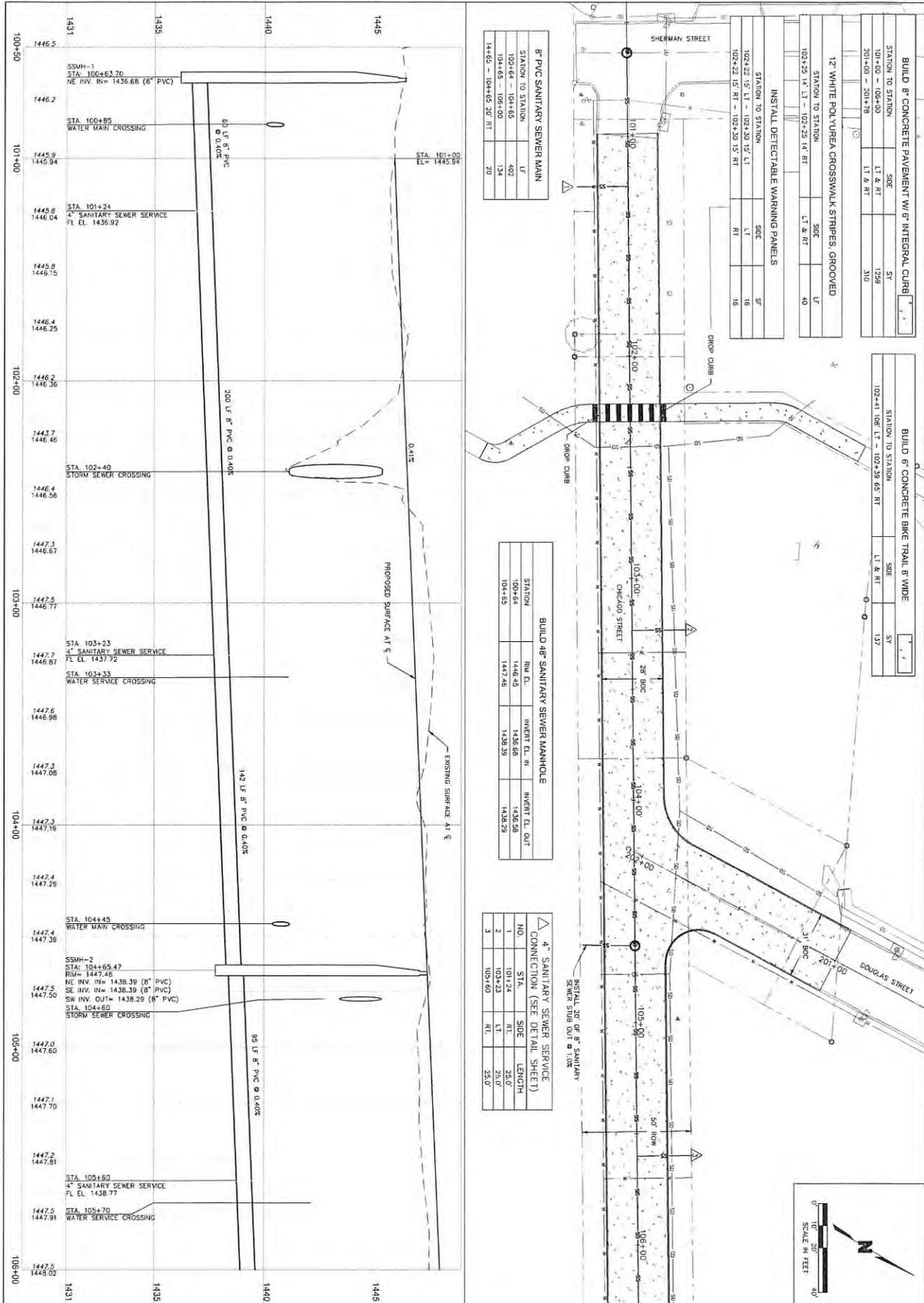
**olsson**

1107 Dakota Avenue  
 South Sioux City, NE 68776-2356 TEL 402.484.3056 www.olsson.com









6" PVC SANITARY SEWER MAIN

STATION TO STATION	LF
100+64 - 104+65	402
104+65 - 106+00	134
1+4+65 - 104+65 20' RT	20

BUILD 48" SANITARY SEWER MANHOLE

STATION	INVERT E.L.	INVERT E.L. IN	INVERT E.L. OUT
100+65	1447.40	1438.39	1438.29
104+65	1447.40	1438.39	1438.29

4" SANITARY SEWER SERVICE CONNECTION (SEE DETAIL SHEET)

NO.	STA.	SIDE	LENGTH
1	101+24	RT	25.0'
2	103+23	LT	25.0'
3	105+60	RT	25.0'

BUILD 8" CONCRETE PAVEMENT W/ 6" INTEGRAL CURB

STATION TO STATION	SOE	SY
101+00 - 104+30	LT & RT	1299
201+00 - 201+78	LT & RT	310

12" WHITE POLYUREA CROSSWALK STRIPES GROOVED

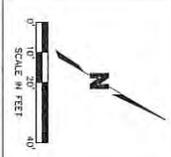
STATION TO STATION	SOE	SY
102+25 1/4' LT - 102+25 1/4' RT	LT & RT	40

INSTALL DETECTABLE WARNING PANELS

STATION TO STATION	SOE	SY
102+22 1/2' LT - 102+20 1/2' LT	LT	16
102+22 1/2' RT - 102+20 1/2' RT	RT	16

BUILD 6" CONCRETE BIKE TRAIL 8" WIDE

STATION TO STATION	SOE	SY
102+41 10E' LT - 102+39 65' RT	LT & RT	137

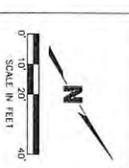
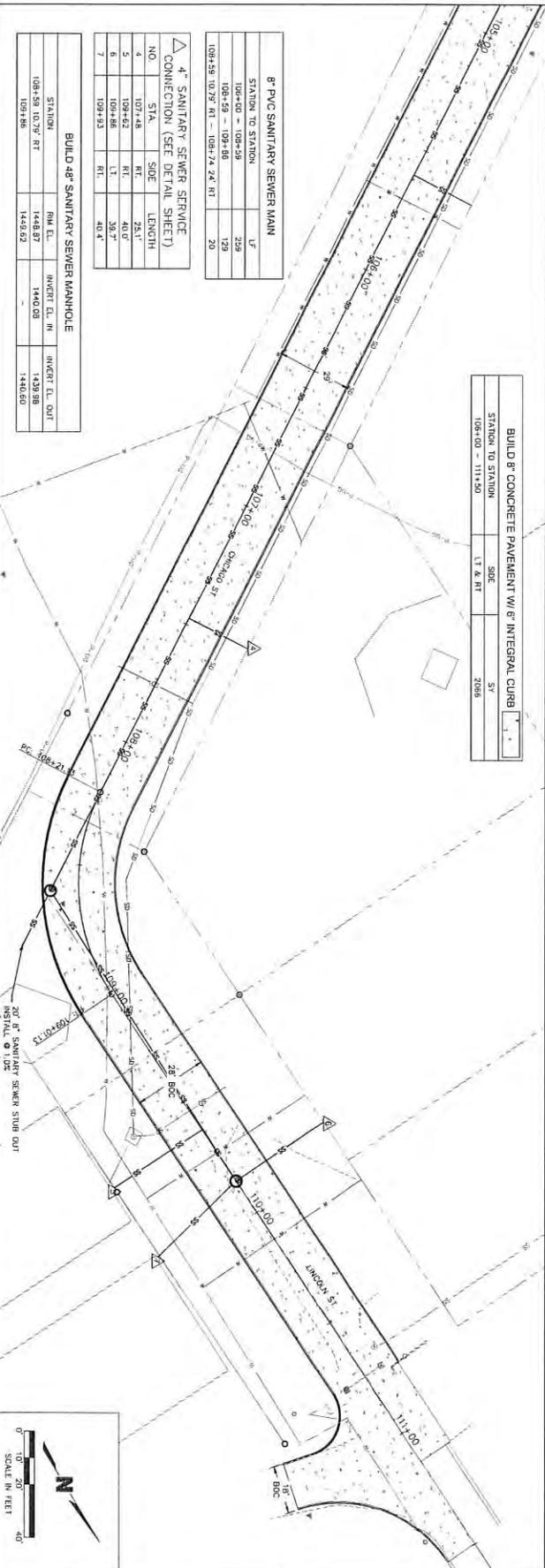
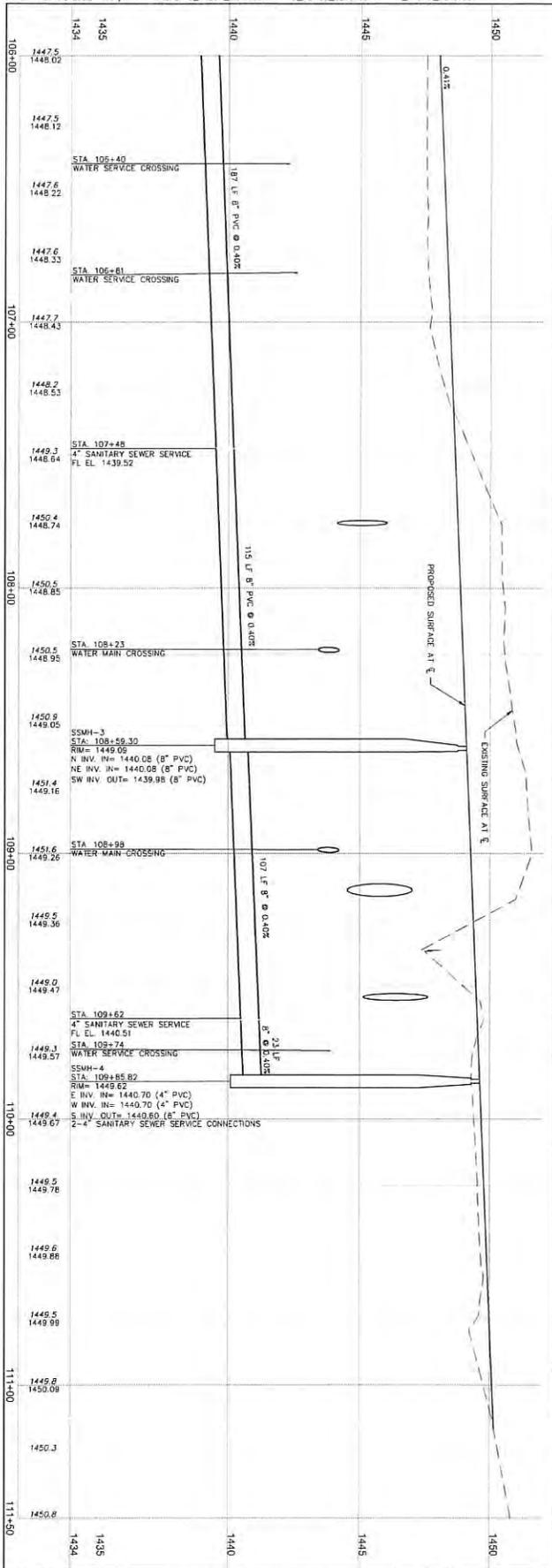


ROAD & SANITARY PLAN & PROFILE		REV. NO.	DATE	REVISIONS DESCRIPTION
WAYNE CHICAGO STREET				
WAYNE, NEBRASKA		2022		

**PRELIMINARY**  
 NOT TO BE USED FOR CONSTRUCTION  
 February 11, 2022  
 DATE PRINTED  
 OLSSON

**olsson**  
 1707 Dakota Avenue  
 South Sioux City, NE 68776-2256 TEL 402.484.3355 www.olsson.com

8 of 17 SHEET



4" SANITARY SEWER SERVICE CONNECTION (SEE DETAIL SHEET)			
NO	STA	SIZE	LENGTH
4	107+48	RT	25.1'
5	109+52	RT	40.0'
6	109+52	RT	40.0'
7	109+53	RT	40.4'

BUILD 48" SANITARY SEWER MANHOLE			
STATION	RHL EL.	INVERT EL. IN	INVERT EL. OUT
109+58	1437.87	1440.08	1439.98
109+66	1443.52	1440.08	1440.60

8" PVC SANITARY SEWER MAIN			
STATION TO STATION	LF	DI	DI
109+00 - 109+25	250	24"	24"
109+25 - 109+50	250	24"	24"
109+50 - 109+75	250	24"	24"
109+75 - 110+00	250	24"	24"
110+00 - 110+25	250	24"	24"
110+25 - 110+50	250	24"	24"
110+50 - 110+75	250	24"	24"
110+75 - 111+00	250	24"	24"
111+00 - 111+25	250	24"	24"
111+25 - 111+50	250	24"	24"

BUILD 8" CONCRETE PAVEMENT W/ 6" INTEGRAL CURB			
STATION TO STATION	SOE	ST	ST
109+00 - 111+50	L1 & R1	2088	2088

REV. NO.	DATE	REVISIONS DESCRIPTION

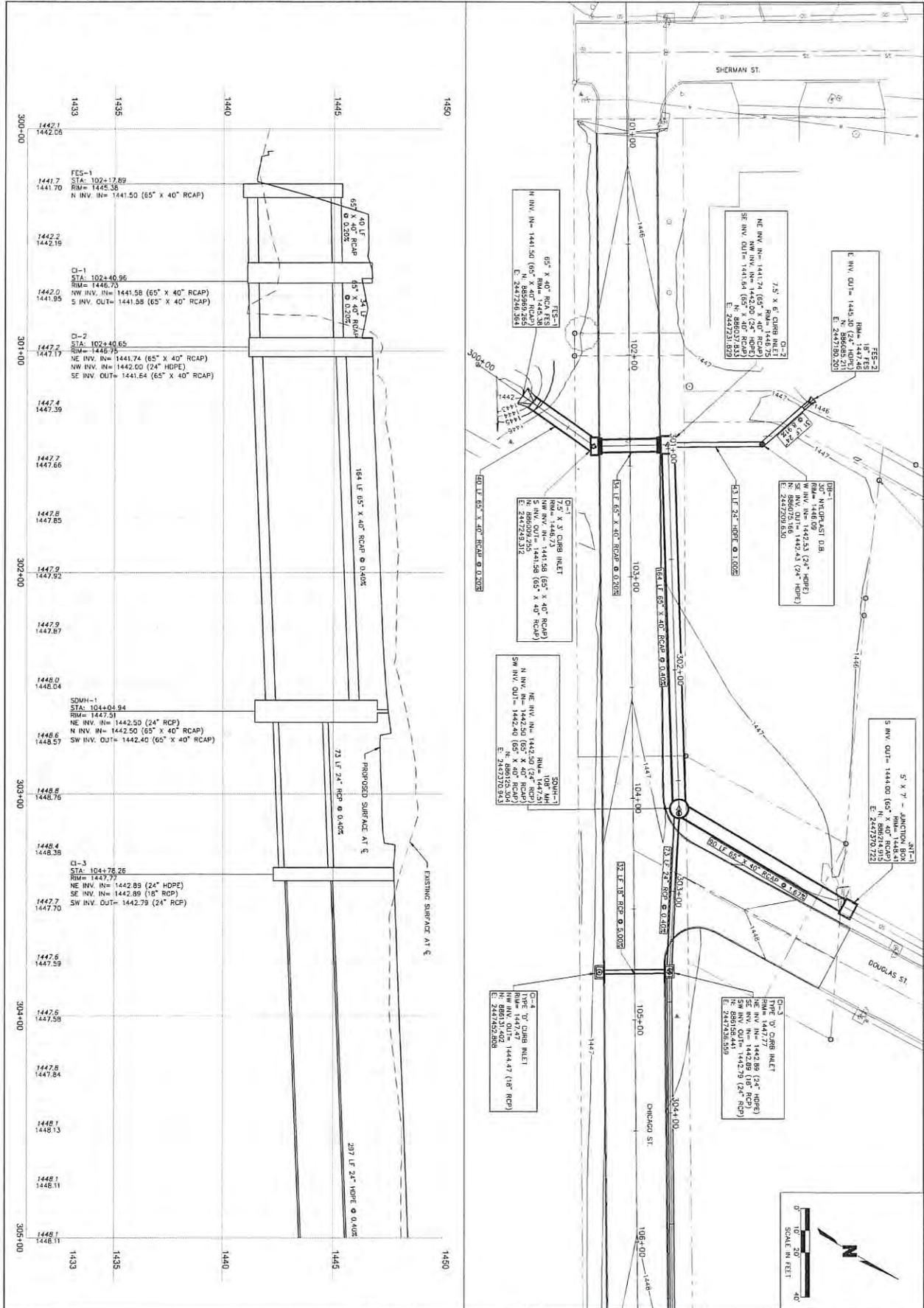
  

NO.	DATE	REVISOR

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NO.	DATE	ISSUED	REVISIONS

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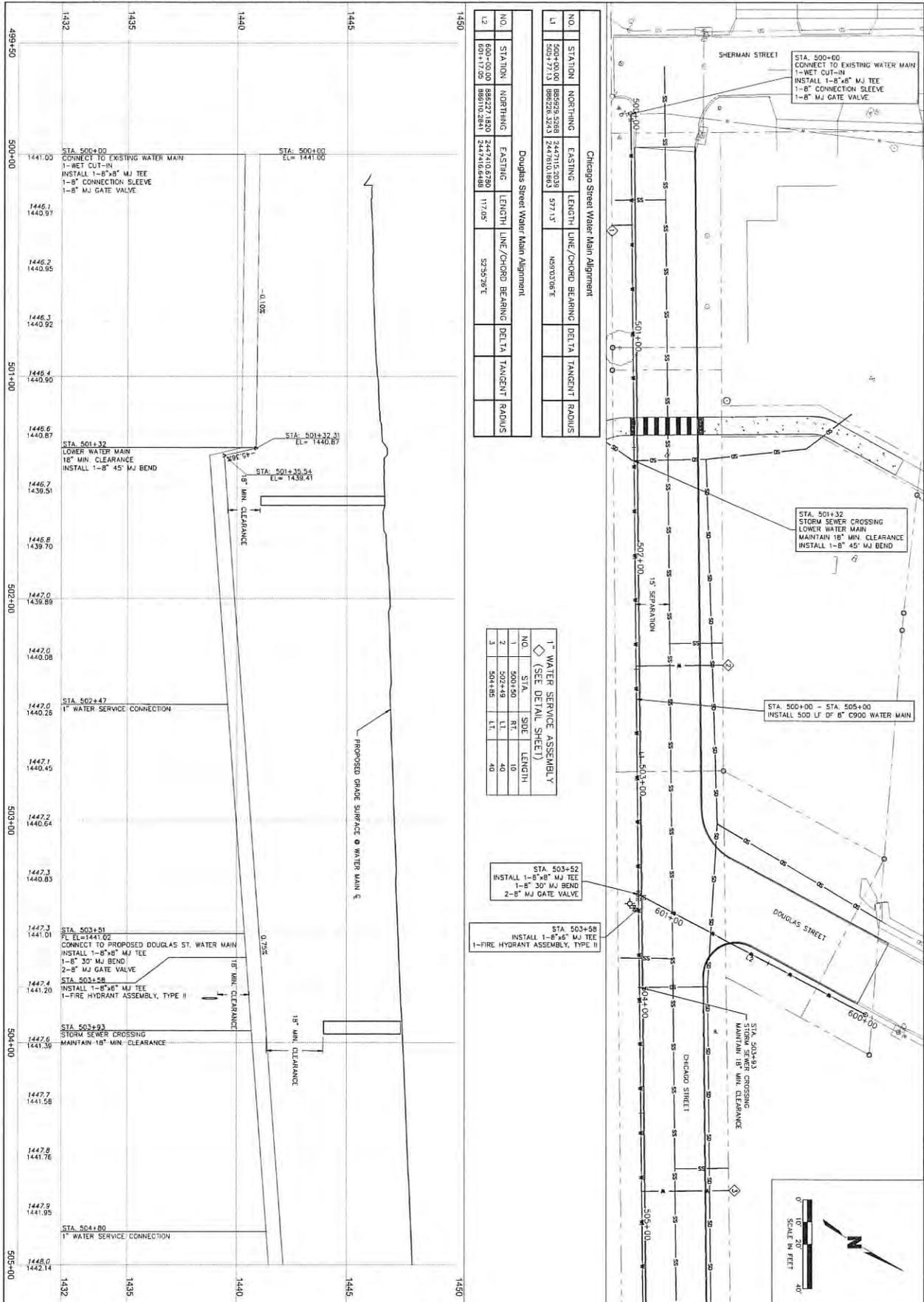
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STORM SEWER PLAN & PROFILE  
 WAYNE CHICAGO STREET  
 WAYNE, NEBRASKA

10 of 17





NO.	STATION	NORTHING	EASTING	LENGTH	LINE/CHORD BEARING	DELTA	TANGENT	RADIUS
L1	500+00.00	88595.928	244715.203	9771.3'	N69°03'06"E			
L2	501+17.13	88628.523	244780.883					

NO.	STATION	NORTHING	EASTING	LENGTH	LINE/CHORD BEARING	DELTA	TANGENT	RADIUS
L1	500+00.00	88595.928	244715.203	9771.3'	N69°03'06"E			
L2	501+17.13	88628.523	244780.883					

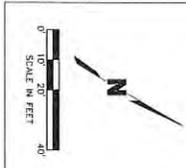
NO.	STA.	RT.	LD	LENGTH
1	500+90	RT	10	40
2	502+49	LT	40	40
3	504+85	LT	40	40

1" WATER SERVICE ASSEMBLY  
 (SEE DETAIL SHEET)

STA 503+52  
 INSTALL 1-8"x8" MJ TEE  
 1-8" 30" MJ BEND  
 2-8" MJ GATE VALVE

STA 503+58  
 INSTALL 1-8"x6" MJ TEE  
 1-FIRE HYDRANT ASSEMBLY, TYPE II

STA 504+83  
 STORM SEWER CROSSING  
 MAINTAIN 18" MIN. CLEARANCE



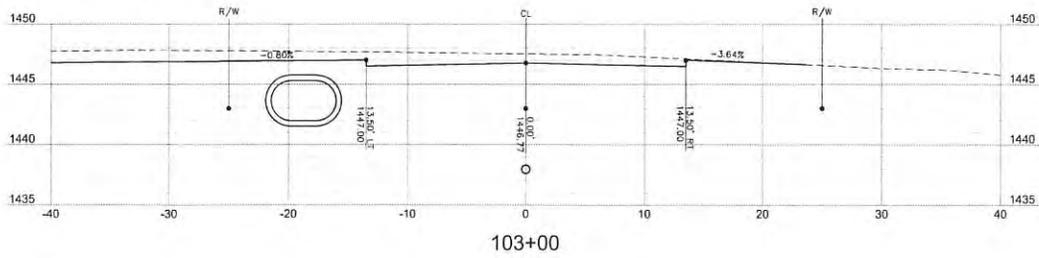
SHEET 12 of 17	WATER MAIN PLAN & PROFILE STA. 500+00 - 505+00		REV. NO.    DATE    REVISIONS DESCRIPTION
	WAYNE CHICAGO STREET		NO.    DATE    REVISIONS DESCRIPTION
WAYNE, NEBRASKA		2022	REVISIONS

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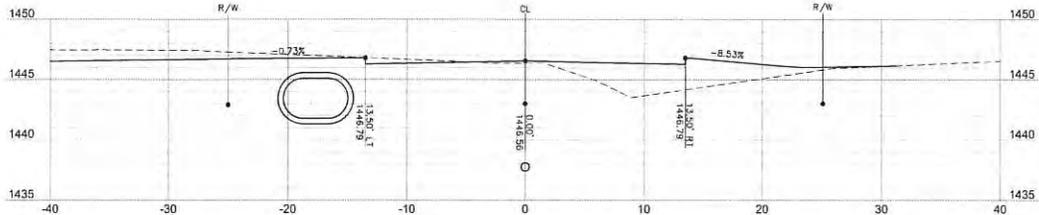
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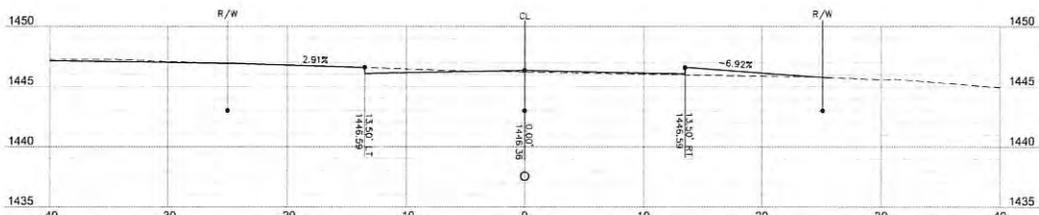




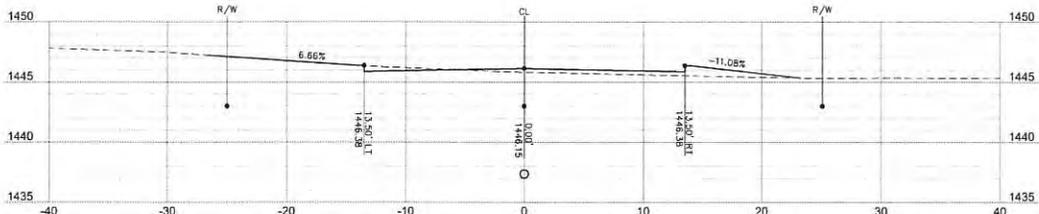
103+00



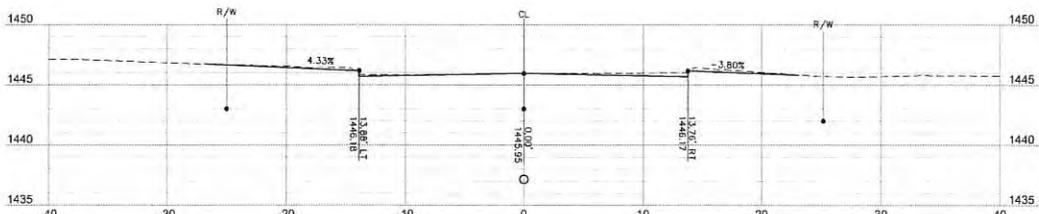
102+50



102+00



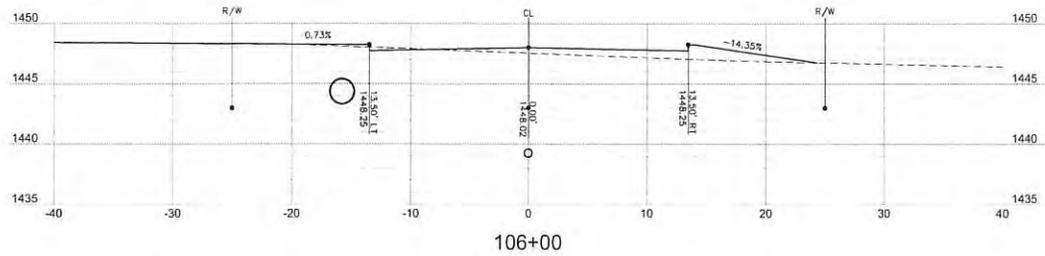
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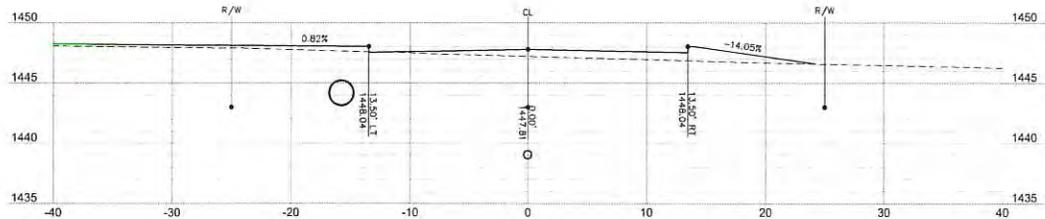
101+00

SHEET 14 of 17	CROSS SECTIONS  WAYNE CHICAGO STREET	REV. NO.    DATE    REVISIONS DESCRIPTION	<div style="border: 2px solid red; padding: 5px; color: red; font-weight: bold;">                     PRELIMINARY                      NOT TO BE USED FOR CONSTRUCTION                      February 11, 2022                      DATE PUBLISHED                      OLSSON                 </div>	
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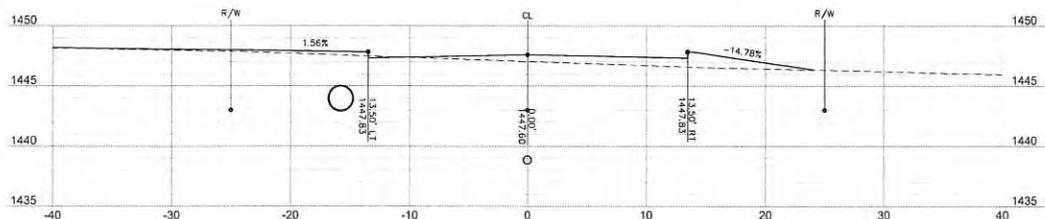
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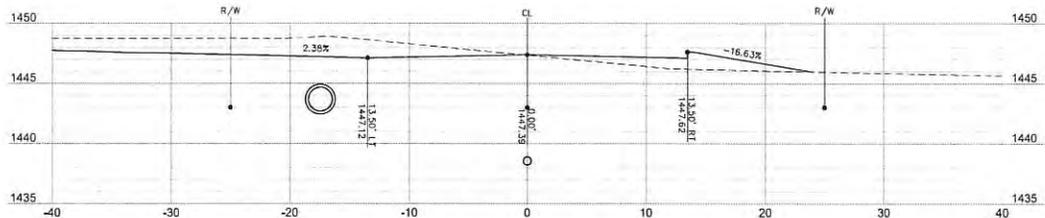
106+00



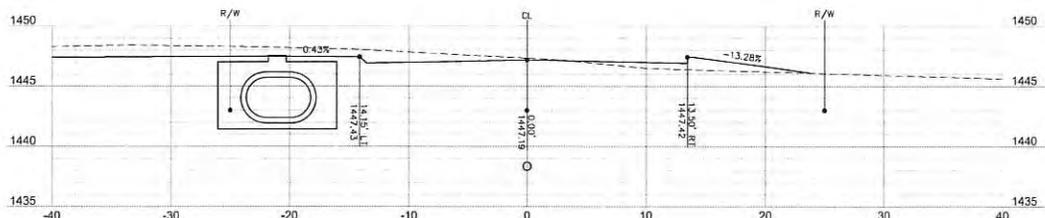
105+50



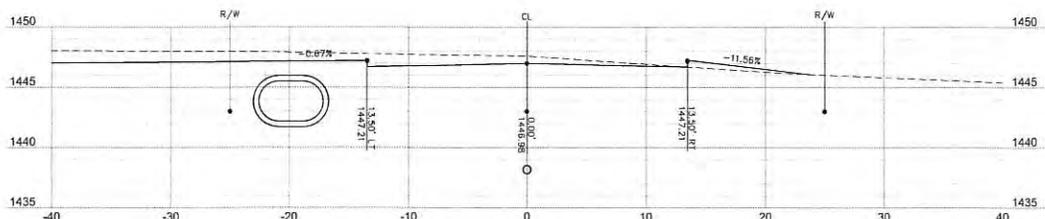
105+00



104+50

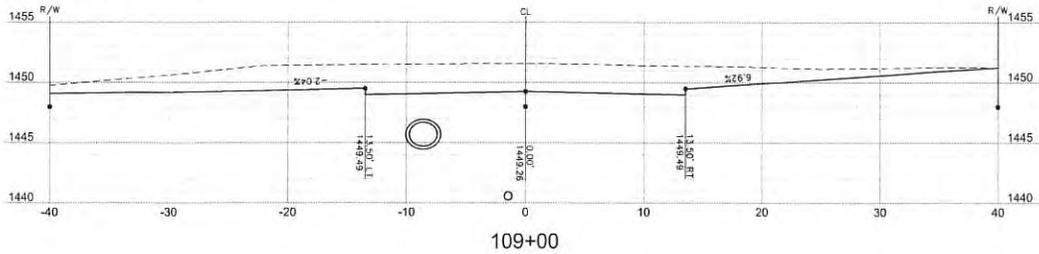


104+00

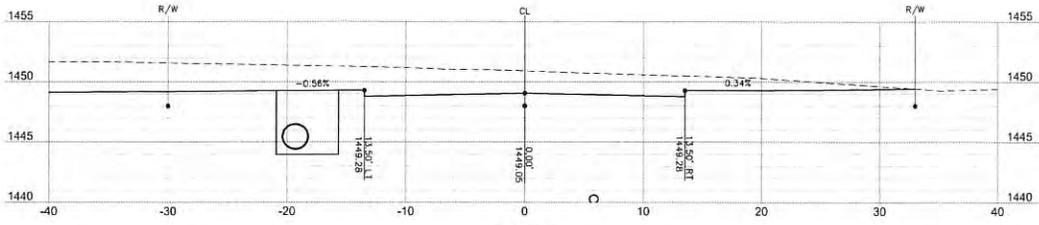


103+50

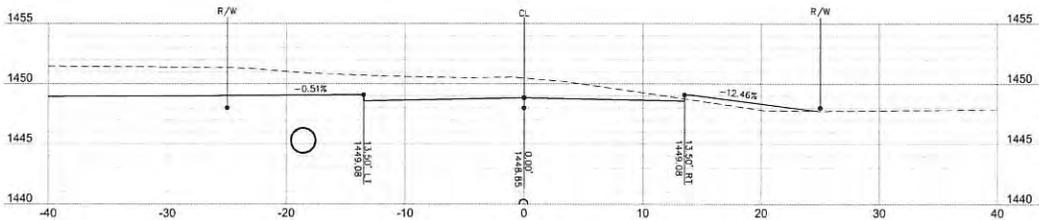
SHEET 15 of 17	CROSS SECTIONS  WAYNE CHICAGO STREET	REV. NO.    DATE    REVISIONS DESCRIPTION	<div style="border: 2px solid red; padding: 5px; color: red; font-weight: bold;">                     PRELIMINARY                      NOT TO BE USED FOR CONSTRUCTION                      February 11, 2022                      DATE PRINTED                      OLSSON                 </div>	
	WAYNE, NEBRASKA    2022	NO.    DATE    REVISIONS DESCRIPTION		



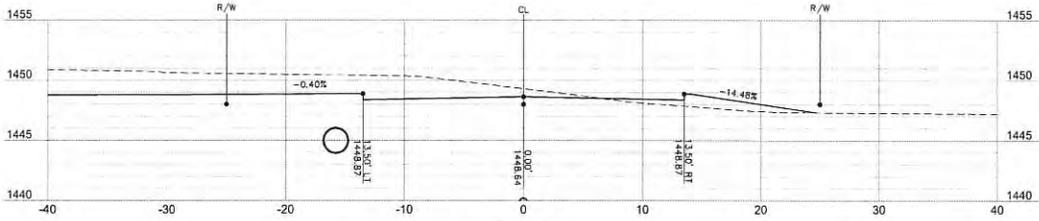
109+00



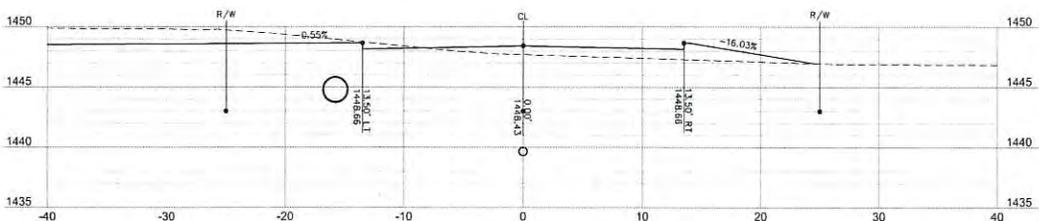
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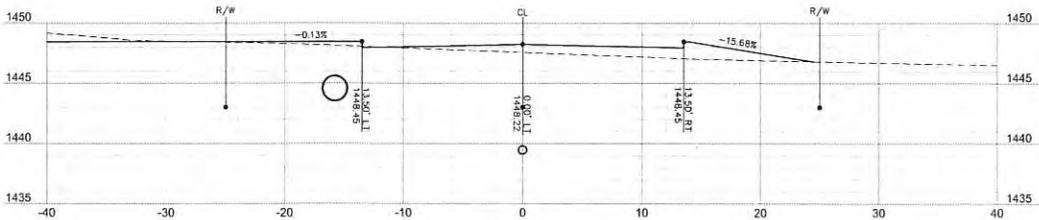
108+00



107+50



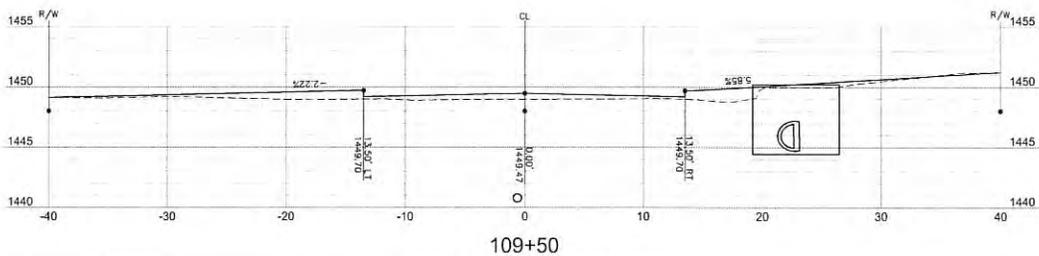
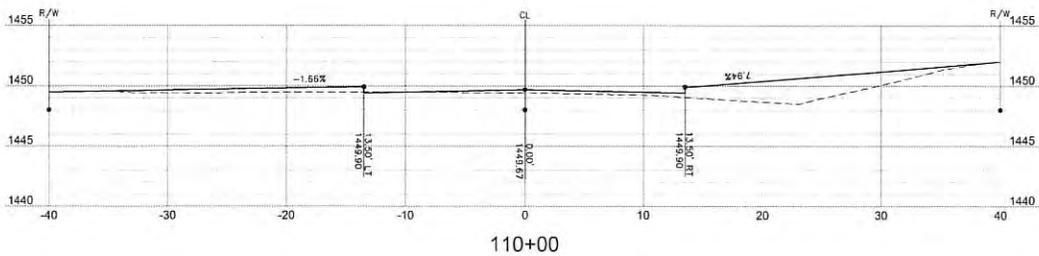
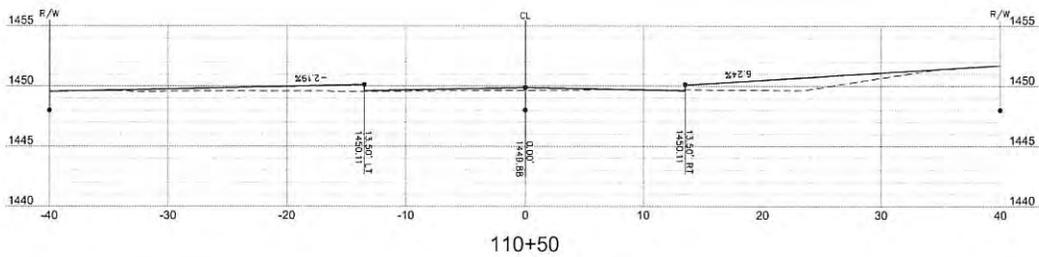
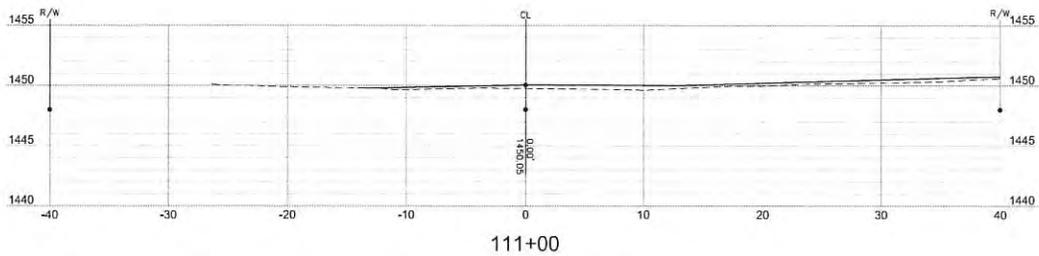
107+00



106+50

SHEET 16 OF 17	CROSS SECTIONS  WAYNE CHICAGO STREET	REV. NO.    DATE    REVISIONS DESCRIPTION	<div style="border: 2px solid red; padding: 5px; color: red; font-weight: bold;">                     PRELIMINARY                      NOT TO BE USED FOR CONSTRUCTION                      February 11, 2022                      DATE PRINTED                      OLSSON                 </div>	
	WAYNE, NEBRASKA    2022	NO.    DATE    DESCR.    REVISIONS		

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WAYNE CHICAGO STREET				
WAYNE, NEBRASKA		2022		

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