

**AGENDA  
CITY COUNCIL MEETING  
COUNCIL CHAMBERS – CITY HALL  
306 PEARL STREET  
April 5, 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 – March 15, 2022 and March 29, 2022](#)

4. [Approval of Claims](#)

5. [Proclamation – April 29<sup>th</sup> as “Abor Day”](#)

6. [Action on the request to approve a fireworks display on Saturday, July 23, 2022, for the Wayne County Fair in the field east of Bomgaars and behind Herman Chiropractic — Matt Haschke](#)

7. [Update on the Wayne Municipal Airport MayDay STOL Event \(Airplane Drag Races\) – May 20<sup>th</sup> – May 22<sup>nd</sup>, 2022 — Travis Meyer](#)

8. [Action on the Special Designated Liquor Permit for the Wayne Airport Authority on May 19, 20, 21, and 22, 2022, for the Wayne Municipal Airport MayDay STOL Event \(Airplane Drag Races\)](#)

9. [Action on Liquor License Manager Application of Chad J Hoepfner for the Eagles FO Wayne Arie 3757](#)

10. [Public Hearing: Application for Class A \(Beer Only\) Liquor License – Emperatriz Nunez, d/b/a “Lunas Mexican Restaurant” \(Advertised Time: 5:30 p.m.\)](#)

11. [Resolution 2022-26: Approving Application for Class A Liquor License — Emperatriz Nunez, d/b/a “Lunas Mexican Restaurant”](#)

12. [Public Hearing: Workforce Housing Incentive Plan \(Advertised Time: 5:30 p.m.\)](#)

**Background:** The 2018 Nebraska Legislature passed Legislative Bill 496 which amended the Nebraska Community Development Law. The Bill was signed by the Governor in May of 2019. Before the Bill was passed, tax increment financing was generally limited to pay costs of site purchase, utility extension, public infrastructure, sidewalks, planning and certain rehabilitation expenditures. The Bill, among other items, provided that TIF may be used for the actual construction of new workforce

housing and rehabilitation costs exceeding 50% of assessed valuation on residential workforce housing units.

Prior to utilizing TIF for workforce housing, the City must (a) receive a housing study within the last 24 months and (b) hold a hearing on an incentive plan for the use of TIF for workforce housing.

This is the next step in the process to use TIF for workforce housing.

13. [Resolution 2022-27: Approving Workforce Housing Incentive Plan](#)
14. [Resolution 2022-28: Approving Community-Wide Blanket Construction Permit Agreement between the City of Wayne and Black Hills Nebraska Gas, LLC, d/b/a Black Hills Energy](#)

**Background:** Black Hills would like to move forward with their bare steel replacement again this year in Wayne. They will start with completing area D that they started last fall.

They then want to move to Area A and then as time allows, into Area C. Diagrams are included in the packet showing these areas. They are hopeful that they might be able to get all 3 areas completed in 2022, but that is not a guarantee. On the map for Section A, they noted that the red lines will be abandoned and the blue lines are the proposed new mains, and that not much will change except for some short sections of main. Area C has not been designed yet, but the area is outlined in yellow so we can tell where they will be working.

15. [Re-appointments to the Planning Commission:](#)
  - Pat Melena
  - Chele Meisenbach
  - Breck Giese
16. [Adjourn](#)

**MINUTES  
CITY COUNCIL MEETING  
March 15, 2022**

The Wayne City Council met in regular session at City Hall on March 15, 2022, at 5:30 o'clock P.M.

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

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

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of 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 Brodersen made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of March 1, 2022, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** ACE HARDWARE & HOME, SU, 709.65; ANDERSON, DEREK SE, 25.00; APPEARA, SE, 117.73; BATTERY SOLUTIONS, SU, 204.00; BORDER STATES INDUSTRIES, SU, 352.04; CHEMQUEST, SE, 695.00; CITY EMPLOYEE, RE, 1191.66; CITY EMPLOYEE, RE, 293.23;

CITY EMPLOYEE, RE, 2716.92; CITY OF WAYNE, RE, 120.10; CITY OF WAYNE, RE, 1191.66; COPY WRITE PUBLISHING, SE, 91.59; COTTONWOOD WIND PROJECT, SE, 19025.32; CUSTOM FILTRATION, SU, 768.00; DAVE'S DRY CLEANING, SE, 42.00; ECHO GROUP, SU, 954.96; FIRST CONCORD GROUP, SE, 3601.64; FLOOR MAINTENANCE, SU, 102.50; GALE/CENGAGE LEARNING, SU, 99.41; GLOBAL PAYMENTS INTEGRATED, SE, 352.12; GLOVER PAINTING, SE, 1180.00; HACH COMPANY, SU, 450.75; HAWKINS, SU, 2962.43; HEIKES AUTOMOTIVE, SU, 124.00; HILAND DAIRY, SU, 279.60; JACK'S UNIFORMS, SU, 980.90; L.G. EVERIST, SU, 208.18; LIBERAL GASKET, SU, 96.48; LUTT OIL, SU, 24800.00; LUTT OIL, SU, 4784.18; MACQUEEN EQUIPMENT, SE, 1348.01; MATHESON-LINWELD, SU, 32.63; MERCHANT SERVICES, SE, 59.05; MERCHANT SERVICES, SE, 1297.82; MERCHANT SERVICES, SE, 2944.77; MIDWEST LABORATORIES, SE, 508.00; NPPD, SE, 7798.76; NNEDD, SE, 4117.50; NORTHEAST POWER, SE, 5565.00; ONE CALL CONCEPTS, SE, 23.16; O'REILLY AUTOMOTIVE STORES, SU, 290.27; PAC N SAVE, SU, 580.67; PAC N SAVE, SU, 1119.64; PATEFIELD, DAVID, SE, 100.00; PLUNKETT'S PEST CONTROL, SE, 43.26; QHA CLEANING, SE, 1588.40; QUADIENT FINANCE USA, SU, 1000.00; QUADIENT LEASING USA, SE, 655.38; QUALITY FOOD CENTER, SU, 30.25; RIEKES EQUIPMENT, SE, 379.28; SKARSHAUG TESTING LAB, SE, 242.08; STAPLES, SU, 39.40; STATE NEBRASKA BANK & TRUST, SE, 60.16; STATE NEBRASKA BANK-PETTY CASH, RE, 96.22; STEFFEN TRUCK EQUIPMENT, SE, 3753.54; THRASHER, RE, 600.00; TYLER TECHNOLOGIES, SE, 1370.19; US FOODSERVICE, SU, 1747.94; VERIZON, SE, 593.17; WAHLTEK, SU, 18752.00; WAYNE AUTO PARTS, SU, 101.40; WAYNE HERALD, SE, 106.50; WAYNE STATE COLLEGE, SU, 22.50; WAYNE VETERINARY CLINIC, SE, 98.00; WAPA, SE, 20236.58; WISNER WEST, SU, 114.77; AMERITAS, SE, 179.73; AMERITAS, SE, 3068.74; AMERITAS, SE, 72.00; AMERITAS, SE, 97.11; BAKER & TAYLOR BOOKS, SU, 762.13; CARLSON WEST PVONDRA ARCHITECTS, SE, 1879.65; CARLSON WEST PVONDRA ARCHITECTS, SE, -1879.65; CARLSON WEST PVONDRA ARCHITECTS, SE, 1879.65; CITY EMPLOYEE, RE, 37.60; CITY EMPLOYEE, RE, 140.17; CITY EMPLOYEE, RE, 354.69; CITY EMPLOYEE, RE, 183.60; CITY OF WAYNE, PY, 92456.52; CITY OF WAYNE, RE, 403.08; CORE & MAIN, SU, 368.53; DAS STATE ACCTG-CENTRAL FINANCE, SE, 67.79; DEARBORN LIFE INSURANCE, SE, 2843.74; EAKES OFFICE PLUS, SE, 286.39; FAITH REGIONAL PHYSICIAN SERV, SE, 99.50; FIRST CONCORD GROUP, SE, 490.10; FLOOR MAINTENANCE, SU, 52.31; GALE/CENGAGE LEARNING, SU, 49.38; GRAINLAND ESTATES, RE, 2854.52; HYPERION, SE, 81.00; ICMA, SE, 1561.62; ICMA, SE, 35.42; ICMA, SE, 387.46; ICMA, SE, 128.40; ICMA, SE, 65.00; ICMA, SE, 119.12; ICMA, SE, 390.42; ICMA, SE, 8576.53; ICMA, SE, 168.72; ICMA, SE, 149.64; INGRAM LIBRARY SERVICES, SU, 631.86; IRS, TX, 11562.62; IRS, TX, 3665.84; IRS, TX, 15674.28; J.P. COOKE COMPANY, SU, 210.90; JACK'S UNIFORMS, SU, 1065.40; KASEYA US LLC, SU, 7613.96; KELLY SUPPLY COMPANY, SU, 69.57; LYNN PEAVEY, SU, 184.60; MAIN STREET GARAGE, SE, 42.50; MUNICIPAL SUPPLY, SU, 290.23; NE DEPT OF REVENUE, TX, 5062.31; NE DEPT OF TRANSPORTATION, SE, 4935.00; NORTHEAST TIRE SERVICE, SE, 30.00; O'REILLY AUTOMOTIVE STORES, SU, 116.68; OVERDRIVE, SU, 624.18; RON'S RADIO, SU, 45.00; SEILER INSTRUMENT & MFG, SU, 3541.71; STADIUM SPORTING GOODS, SU, 108.00; THRASHER, RE, 500.00; THRASHER, RE, 1000.00; US BANK, SU, 15304.12; WAYNE HERALD, SE, 95.00; WAYNE HERALD, SE, 110.00

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

Joel Hansen, Street and Planning Director, gave a report on what is taking place at the Street and Planning Departments.

Matt Ley, on behalf of Sanctuary Apartments, LLC, was present requesting Council consideration to forgiving their sewer bills for usage from December 15 – February 15 because of a water line break. The water did not go down the sewer, and this was confirmed by both a plumber and city employee.

Councilmember Karsky made a motion, which was seconded by Councilmember Muir, approving the request of Sanctuary Apartments, LLC, to forgive the sewer bills for usage from Dec 15 – Feb 15 because of a water line break in the amount of \$1,795.85. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Eischeid introduced Ordinance No. 2022-2, and moved for approval of the third and final reading thereof; Councilmember Brodersen seconded.

#### ORDINANCE NO. 2022-2

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

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

Councilmember Karsky introduced Ordinance No. 2022-3 and moved for approval of the third and final reading thereof; Councilmember Buck seconded.

#### 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.

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

Councilmember Brodersen introduced Ordinance No. 2022-4, and moved for approval of the third and final reading thereof; Councilmember Eischeid seconded.

#### 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.

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

Discussion took place regarding the proposal of R. Perry Construction, Inc., to develop Lot 3, Southeast Addition of the City of Wayne, Wayne County, Nebraska.

Administrator Blecke stated he has conferred with R. Perry Construction, Inc., and they have committed to providing some type of contribution to the lagoon area for park improvements, etc. He asked them if they would be willing to put the money into the price of the lot. They are agreeable to doing that and have agreed to purchase the property for \$100,000. The following documents would reflect the purchase price of \$100,000. The ordinance, because it is the third reading thereof, needs to be amended to change the purchase price from \$1.00 to \$100,000.

Mayor Giese stated two emails came in and were distributed to Council at meeting time.

Cory Christiansen, representing R. Perry Construction, Inc., was present to answer questions.

Councilmember Brodersen stated as a member of the lagoon rehab committee, a/k/a Stool to Cool Task Force, she was concerned that they are losing the money that was going to be used at the lagoon for park improvements.

Administrator Blecke stated through the budget process, Council would just need to allocate \$100,000 to park improvements at the old lagoon.

Councilmember Eischeid stated he was contacted by a couple of people that were in favor of this project. He also had a phone call from one of the largest employers in the area, and they are in favor of it. He does not agree with the idea that this project will hurt everybody or will hurt the landlords. Everyone will benefit – the community will benefit, the landlords will benefit, and there are still going to be people willing to rent houses where the rent is a little bit less in price. If a lot of these apartments are left open

because the price is too high, then that is something the company (R. Perry Construction, Inc.) is going to have to deal with.

Councilmember Brodersen stated while she wasn't in favor of this project at first, she does like the idea of an "apartment complex," rather than putting apartments in older neighborhoods and amongst older homes. She thought this was a great location for these apartments.

Councilmember Karsky stated he also received a call from a long-time resident who said Wayne has had a housing problem for 30 years, and he trusts the Council to use the housing study and other information to make an informed decision.

Councilmember Buck stated she had visited with several business owners in town. Several things that came into her mind when she went back to the interview process with these two proposals was that utilities (water, sewer, and internet) are included in the rent. A realtor in town mentioned they have, what she would consider, a large waiting list for rentals. They (R. Perry) noted they will also be using local contractors for the construction of the project.

Councilmember Muir stated there were a couple of retirees that had a conversation with someone who he was discussing this with that said they had been looking at moving out of a home that they do not want to maintain anymore. He had not thought about retirees potentially wanting to move into one of these apartment complexes.

Luke Virgil, Director of Wayne Area Economic Development, spoke again in favor of this project.

Councilmember Brodersen introduced Resolution 2022-23, and moved for its approval; Councilmember Pick seconded.

#### RESOLUTION NO. 2022-23

A RESOLUTION AUTHORIZING THE SALE OF LOT THREE (3), SOUTHEAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO R. PERRY CONSTRUCTION, INC., FOR \$100,000.00.

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

City Attorney Miller reviewed the amendments to the Purchase Agreement.

- Changing purchase price from \$1.00 to \$100,000.00
- Paragraph 10 b states the buyer shall have 60 days from the date of the execution of this agreement to determine if the property is acceptable to the Buyer. If for some reason, they cannot get tax increment financing or the landscaping does not work for them, they can terminate the agreement.

Councilmember Brodersen introduced Resolution No. 2022-24, and moved for its approval.

Councilmember Brodersen stated she would like the \$100,000 earmarked to the lagoon renovation project.

Councilmember Buck seconded.

#### RESOLUTION NO. 2022-24

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

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

Councilmember Brodersen introduced Ordinance No. 2022-5, and moved for approval of the third and final reading thereof as amended (changing the purchase price of \$1.00 to \$100,000); Councilmember Karsky seconded.

#### 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., FOR \$100,000.00.

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

Taylor Kube, representing Olsson, stated two bids were received on March 10, 2022, regarding the Wayne Chicago Street Project. After review of the bids, he is recommending that Notice of Award be given to the low bidder, Woehler & Sons Construction, Inc., in the amount of \$744,327.00. The engineer's estimate on the project was \$785,000.

The alternate bid was for fly ash - \$50,350. Mr. Kube noted it will be the engineer's decision on whether or not to allow the contractor to use fly ash, and the engineer will visit with city staff before making that final decision.

Councilmember Brodersen introduced Resolution No. 2022-22, and moved for its approval; Councilmember Eischeid seconded.

#### RESOLUTION NO. 2022-22

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE "WAYNE CHICAGO STREET PROJECT" – ROBERT WOehler & SONS CONSTRUCTION, INC. - \$744,327.

Mr. Kube stated construction can start April 1, 2022.

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

The following Resolution would approve "Letter Agreement Amendment #1" with Olsson for design and bidding services for paving and water for the "Lincoln Street from Chicago Street to 1<sup>st</sup> Street."

Councilmember Brodersen introduced Resolution No. 2022-25, and moved for its approval; Councilmember Karsky seconded.

#### RESOLUTION NO. 2022-25

A RESOLUTION APPROVING LETTER AGREEMENT AMENDMENT #1 TO THE ORIGINAL LETTER AGREEMENT WITH OLSSON FOR ADDITIONAL SERVICES ON THE "WAYNE CHICAGO STREET PROJECT."

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, setting the date for the next Council "Mini-Retreat" for Tuesday, March 29<sup>th</sup>, at 5:30 p.m. at the Wayne Fire Hall. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:03 p.m.

**MINUTES  
CITY COUNCIL MEETING  
March 29, 2022**

The Wayne City Council met in special session at the Wayne Fire Hall on Tuesday, March 29, 2022, at 5:30 o'clock P.M.

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

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. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the northwest wall of the Wayne Fire Hall, 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.

The Council discussed the following retreat items:

➤ **Wayne Community Redevelopment Authority Update**

Greg Ptacek and Mike Powicki, Members of the CRA, updated the Council on what the CRA has accomplished in the previous year.

➤ **Transit – Discussion on Public Facilities' Needs**

Diane Bertrand, Senior Center Coordinator, updated the Council on the transit program. Should they expand their hours, days of the week, jurisdiction? The Street Department building is running out of room due to having to store the transit vehicles.

North Fork Area Transit from Norfolk approached the City in regarding to taking over the transit program. They could retain all of the vehicles (lease) and the people from the City. If the City would put up a new building, they would also lease that from the City.

Consensus was to explore this possibility and compare it to what it would cost the City if we would expand services. A suggestion was to also contact First Student in Wayne.

Consensus was to get a plan on a building, decide where the building is going, how big it is going to be and what the lifespan of it will be before we need something else. The City is not getting rid of vehicles, but adding vehicles.

➤ **Wayne County Discussion – South Lincoln Street & Centennial Road**

Discussion took place in regard to working together (City, Public Health and County) to possibly combine facilities for a regional building to share office space and try to save taxpayer dollars.

Julie Rother, Health Director, spoke on the needs of the Health Department.

The County buildings located on South Lincoln Street were discussed. If moved, that could open up 3 lots for possibly residential development. The Police Department puts their impound vehicles in the Water Department's building. A question was whether or not the City and County could have a shared facility for those impounded vehicles. If these entities could try to relocate as much stuff as possible into one spot, there has to be some synergy there by joining a couple of departments together. If we are going to build a big building, it makes more sense to have a shared roof line.

Another item that was talked about was a shared meeting room between the City and County or a shared building where the City could have a wing, the County could have a wing, and then the two share a meeting room.

It was recommended that the County and Health Department have conversations within their groups to decide whether or not there is interest in these proposed options.

➤ **Wayne State College Update**

Administrator Blecke updated the Council on the three homes along Highway 15 north of the College that are annexed, but not on City sewer.

Wayne Stage College is looking to develop suite style living. The college would have interest in Viken Park to use as a lot for parking.

➤ **Problem Resolution Team Discussion**

Police Chief Marlen Chinn, who is the Chair of the Problem Resolution Team, reviewed the proposed changes they would like to make to the complaint process. The proposed amended changes would be brought before Council for consideration at a future meeting.

➤ **Update on Water Main Transmission Line**

Chloraserve has been in Wayne and has super chlorinated the water main. The tests were sent in and all eight passed. The water line is back in service at this time. After discussion, consensus was to voluntarily chlorinate at this time. It was noted that very few communities in Nebraska **do not** chlorinate.

Joel Hansen, Street & Planning Director, updated the Council on the proposed CO2 liquid carbon dioxide pipelines (one south and one north of Wayne) and explained what might need to be changed in the zoning code. A definition would need to be created, and the Council would have to say where and how it is allowed (permitted use, use by exception, or conditional use). The concern is this pipeline crossing the City's water main. Staff will research the matter further.

➤ **Update on Housing Project(s)**

Administrator Blecke updated the Council on the R. Perry Construction Project. A tax increment financing application has been received from R. Perry Construction. The Community Redevelopment Authority (CRA) reviewed the application and authorized sending the same to the CRA's TIF Attorney, Mike Bacon, to review and prepare a Redevelopment Plan, Cost Benefit Analysis and Redevelopment Contract. The TIF is for \$4.88 million. That is more than all TIF projects previously combined. The assessed value they are putting on this project is around \$22 million, which is also more than all TIF project valuations combined. This is a significant project. Of the \$4.88 million, \$2.2 million would be utilized to put the lake in for the City. They would put the lake in on public property and it would be a public lake. At this point, they are not using any vertical construction costs (workforce housing). The Stool to Cool Task Force Committee will probably come before Council for a vote on the lake in the not-too-distant future.

Administrator Blecke advised the Council that he had a conversation with a developer for the development of a parcel of land that could have 26 lots. The estimated cost to put in the infrastructure for that development was estimated to be \$1.2 million – an average of about \$47,000 per lot. If this property is sold, the purchaser would add in the cost of the property to the cost of the infrastructure. Administrator Blecke is looking for ways to get this developed and hold down the costs to make it affordable. A concept proposed was for the City to pay for water and sewer as some other towns do.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 9:00 p.m.



Vendor	Payable Description	Payment Total
ACES	WIND ENERGY SERVICE AGREEMENT	1,021.15
AMAZON.COM, LLC	BOOKS/DVD'S/BOOK ENDS/OFFICE SUPPLIES	660.67
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	100.52
AMERITAS LIFE INSURANCE	AMERITAS ROTH	161.94
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,887.18
ANDERSON, DEREK	MEN'S LEAGUE REF	75.00
APPEARA	LINEN & MAT SERVICE	104.41
APPEARA	LINEN & MAT SERVICE	115.82
ARC-HEALTH & SAFETY	FD RESCUE CPR/FIRST AID TRAINING	245.00
BATTERY SOLUTIONS, LLC	BATTERY BUCKETS	204.00
BATTERY SOLUTIONS, LLC	BATTERY BUCKETS	204.00
BIG RIVERS ELECTRIC CORPORATION	ELECTRICITY	141,019.85
BLACK HILLS ENERGY	GAS BILLS	1,775.17
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	49,499.69
BOMGAARS	CHAIN SAW/VAC BLOWER/PAINT/SWITCHES/DIESEL ADDITIVE	1,457.99
BORDER STATES INDUSTRIES, INC	SECURITY LIGHTS/CONNECTORS	491.75
CARHART LUMBER COMPANY	SOFTENER SALT/WOOD/CEMENT/FITTINGS	652.14
CENTURYLINK	TELEPHONE CHARGES	424.51
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	246.98
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,577.54
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	3,941.77
CITY EMPLOYEE	SAFETY BOOT REIMBURSEMENT	175.00
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	74.86
CITY EMPLOYEE	MEDICAL/CLOTHING REIMBURSEMENT	580.83
CITY EMPLOYEE	VISION REIMBURSEMENT	314.90
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	160.51
CITY OF WAYNE	PAYROLL	92,535.94
CITY OF WAYNE	UTILITY REFUNDS	881.51
CLARK EQUIPMENT COMPANY	COMPACTOR ROLLER/PLATE/AUGER DRIVE	16,114.98
CONSOLIDATED MANAGEMENT CO	TRAINING CENTER MEALS	47.14
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	448.00
DEARBORN LIFE INSURANCE COMPANY	VFD INSURANCE	99.76
EAKES OFFICE PLUS	COPY CHARGES	2,067.25
ECHO GROUP INC JESCO	BRESSLER PARK STAGE OUTLETS	181.75
ELLIS HOME SERVICES	FIRE HALL DRINKING FOUNTAIN	2,187.79
FAIRFIELD INN - KEARNEY	LODGING-J DAVIS/D ECHTENKAMP/C JUNCK	659.70
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	930.78
FREDRICKSON OIL CO	OIL	1,490.50
GALE/CENGAGE LEARNING	BOOKS	74.07
GROSSENBURG IMPLEMENT INC	TIRE-RIM ASSEMBLY/FILTER ELEMENT	230.13
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	121.65

Vendor	Payable Description	Payment Total
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	138.73
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	109.10
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	168.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	8,576.53
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	387.46
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,561.62
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	154.18
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	390.42
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	35.42
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	119.12
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	65.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	128.40
IMPACT SPECIALTIES INC	PARKING CITATIONS	797.50
IOWA PUMP WORKS, INC.	E/ONE PLACEMENT LATCH KIT	63.66
IRS	FEDERAL WITHHOLDING	11,585.73
IRS	FICA WITHHOLDING	15,609.42
IRS	MEDICARE WITHHOLDING	3,650.60
JACK'S UNIFORMS	POLICE UNIFORM NAME PLATE	64.90
JEO CONSULTING GROUP	CENTENNIAL ROAD/MASTER AGREEMENT	14,110.05
JOHNSON'S PLUMBING & HEATING	TRUCK FILL INSTALLATION	9,266.00
KAUP FORAGE & TURF	GRASS SEED	1,282.50
KELLY SUPPLY COMPANY	HANK OVERIN IRRIGATION SUPPLIES	249.37
KTCH AM/FM RADIO	CAC RADIO ADS	150.00
MAIN STREET GARAGE, LLC	WHEEL ALIGNMENT	106.25
MARCO INC	COPIER LEASE	175.92
MARCO TECHNOLOGIES LLC	COPIER LEASE	180.50
MARK, MICHELLE	AUDITORIUM DEPOSIT REFUND	200.00
MERCHANT JOB TRAINING	BOOKS	550.00
MEYER, INC.	FIBERGLASS FABRIC	1,200.00
NE DEPT OF REVENUE	STATE WITHHOLDING	5,038.40
NE DEPT OF REVENUE-CHARITABLE GAMING DIV	KENO LOTTERY LICENSE RENEWAL	100.00
NE LAW ENFORCEMENT	FIREARMS INSTRUCTOR COURSE	485.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	108.00
NELSON, MATT	ENERGY INCENTIVE	500.00
NORFOLK GM AUTO CENTER	RUNNING BOARDS	785.00
NORTHEAST NE INS AGENCY INC	PROPERTY/LIABILITY/WORK COMP INSURANCE	122,268.00
NORTHEAST NEBRASKA NEWS	SUBSCRIPTION RENEWAL	39.50
NORTHEAST POWER	WHEELING CHARGES	18,678.78
OCC BUILDERS LLC	BUILDING PERMIT DEPOSIT REFUND	500.00
OLSSON ASSOCIATES	CHICAGO STREET	4,600.00
O'REILLY AUTOMOTIVE STORES, INC.	MOTOR OIL	115.52
PATEFIELD, DAVID	MEN'S LEAGUE REF	150.00
PLUMBING & HEATING WHOLESALE INC.	TOILET FLUSH VALVES	372.85
POSTMASTER	POSTAGE ON UTILITY BILLS	941.12
QC FOUNDATION REPAIR	BUILDING PERMIT DEPOSIT REFUND	500.00
QUADIENT LEASING USA, INC	FOLDER LEASE	2,691.00

<b>Vendor</b>	<b>Payable Description</b>	<b>Payment Total</b>
ROBERTS, NOAH	MEN'S LEAGUE REF	100.00
SEILER INSTRUMENT & MFG. CO. INC.	POWER PACK BATTERIES	97.10
STAPLES, INC	OFFICE SUPPLIES	165.12
STAPLES, INC	OFFICE SUPPLIES	47.61
STATE NEBRASKA BANK-PETTY CASH	PETTY CASH	96.10
THE 4TH JUG	RETREAT SUPPER	177.48
THRASHER	BUILDING PERMIT DEPOSIT REFUND	500.00
THRASHER	BUILDING PERMIT DEPOSIT REFUND	100.00
TRI-STATE COMMUNICATIONS, INC.	MOBILE MIC/MODULAR CONNECTOR	111.60
TRI-STATE COMMUNICATIONS, INC.	SPEAKER MIC/BATTERY	1,294.50
UTILITY EQUIPMENT CO	BRASS/METER COUPLINGS	460.52
VEL'S BAKERY	WASTE WATER TRAINING-DONUTS	54.00
VIAERO WIRELESS	CELL PHONE	65.80
WAYNE AREA ECONOMIC DEVELOPMENT	WAED BANQUET	280.00
WAYNE COUNTY COURT	BOND	400.00
WAYNE HERALD	ADS AND NOTICES	1,381.47
WAYNE HERALD	SUBSCRIPTION RENEWAL	48.00
WESCO DISTRIBUTION INC	OUTDOOR LIGHTING CONTROLS	439.50
WESCO DISTRIBUTION INC	WIRE HOLDER/MARKING PAINT	337.59
WISNER WEST	FD GASOLINE	62.08
	<b>Grand Total:</b>	<b>561,484.87</b>

CITY OF WAYNE  
OFFICE OF THE MAYOR

**Proclamation**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Wayne has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, Cale Giese, Mayor of the City of Wayne, Nebraska, do hereby proclaim

**April 29, 2022, as ARBOR DAY**

in the City of Wayne, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and to support our City's urban forestry program.

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED this 5<sup>th</sup> day of April, 2022.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Cale Giese, Mayor

ATTEST:

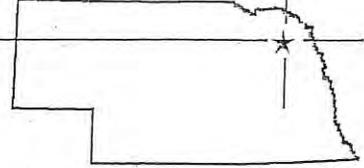
\_\_\_\_\_  
City Clerk

# City of Wayne

306 Pearl • P.O. Box 8  
Wayne, Nebraska 68787

(402) 375-1733  
Fax (402) 375-1619

Incorporated - February 2, 1884



## REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

*Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).*

Name:     Matt  Huschke    

Address:     802  W  21st    

Telephone No.:     402  -  369  -  0052    

Date of Request:     3-16-22    

Description of Requested Topic:     Fire works For the Fair. 7-23-22    

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**Special Designated License  
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions  
Late applications are non-refundable and will be rejected

Wayne Municipal Airport Authority

Retail Liquor License Name or \*Non-Profit Organization (\*Must include Form #201 as Page 2)

2304 E. Highway 35 - Wayne, NE

Retail Liquor License Address or Non-Profit Business Address

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 5/19/22 5/20/22 5/21/22 5/22/22 \_\_\_\_\_

Event Start Time(s): 10:00am 10:00am 10:00am 10:00am \_\_\_\_\_

Event End Time(s): 10:00pm 1:00am 2:00am 10:00pm \_\_\_\_\_

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: Wayne Municipal Airport

Event Street Address/City: 2304 E. Hwy 35

Indoor area to be licensed in length & width: \_\_\_\_\_ X \_\_\_\_\_

Outdoor area to be licensed in length & width: 1500 X 1500 (Diagram Form #109 must be attached)

Type of Event: Air Show Estimate # of attendees: 500

Type of alcohol to be served: Beer  Wine \_\_\_\_\_ Distilled Spirits \_\_\_\_\_  
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Andrea Zara Event Contact Phone Number: 402-369-4112

Event Contact Email: andrezara7@gmail.com

\*Signature Authorized Representative: \_\_\_\_\_ Printed Name Travis Meyer, chairman

*I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.*

\*Retail licensee – Must be signed by a member listed on permanent license

\*Non-Profit Organization – Must be signed by a Corporate Officer

**Local Governing Body completes below:**

The local governing body for the City/Village of \_\_\_\_\_ **OR** County of \_\_\_\_\_ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE  
Non-Profit Applicants ONLY**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov/](http://www.lcc.nebraska.gov/)  
Email Applications: michelle.porter@nebraska.gov



**This page is required to be completed by Non-Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Wayne Municipal Airport Authority  
NAME OF CORPORATION

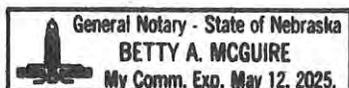
47-6000407

FEDERAL ID NUMBER

[Signature]  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 1<sup>st</sup> DAY OF April, 2022.



[Signature]  
NOTARY PUBLIC SIGNATURE & SEAL



STATE OF NEBRASKA

Pete Ricketts  
Governor

NEBRASKA LIQUOR CONTROL COMMISSION

**Hobert B. Rupe**  
Executive Director  
301 Centennial Mall South  
P.O. Box 95046  
Lincoln, Nebraska, 68509-5046  
Phone (402) 471-2571  
Fax (402) 471-2814 or (402) 471-2374  
TRS USER 800-833-7352 (TTY)  
Web Address <https://www.lcc.nebraska.gov>

Today's Date: March 15, 2022  
From: Rebecca Roberts (rebecca.roberts@nebraska.gov)  
To: Wayne City Clerk

**I have attached a copy of a new corporate manager application submitted to the Nebraska Liquor Control Commission. Please complete the following information below to indicate your recommendation.**

Licensee Name: Eagles FO Wayne Arie 3757  
Trade Name (DBA): Eagles Frat Order 3757  
License Number: CK-004919  
Manager Name: Hoeppner, Chad J  
Due Date: May 2, 2022

- APPROVED
- NO LOCAL RECOMMENDATION
- DENIED

COMMENTS: (YOU MAY ATTACH MINUTES AND/OR ADDITIONAL NOTES)

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Clerk's Name: \_\_\_\_\_ Date: \_\_\_\_\_

004419

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE PROCESSED**

**MANAGER MUST:**

- ✓ • Complete all sections of the application. Be sure it is signed by a **member or corporate officer**, corporate officer or member must be an individual on file with the Liquor Control Commission
- ✓ • Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- ✓ • Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- ✓ • Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who **will not** participate in the business, spouse must:

NA

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who **will** participate in the business, the spouse must:

NA

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required



0400  
0019

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**MUST BE:**

- ✓ Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

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Corporation/LLC information

Name of Corporation/LLC: WAYNE AERIE NO. 3757 OF THE FRATERNAL ORDER OF EAGLES, INC.

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Premise information

Liquor License Number: 004919 Class Type CK (if new application leave blank)

Premise Trade Name/DBA: EAGLES FRAT ORDER 3757

Premise Street Address: 119 Main Street

City: Wayne County: NE Zip Code: 68787

Premise Phone Number: 402-375-9956

Premise Email address: wayneeagles3757@gmail.com

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The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).

A handwritten signature in blue ink, appearing to be "Wayne Eagles", written over a horizontal line.

**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: Hoepner First Name: Chad MI: J

Home Address: 604 West 2nd Street

City: Wayne County: Wayne Zip Code: 68787-1703

Home Phone Number: 402-369-3555

Driver's License Number & State: [REDACTED]

Social Security Number: [REDACTED]

Date Of Birth: [REDACTED] Place Of Birth: Norfolk, NE

Email address: chdspny@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES  NO

**Spouse's information**

Spouses Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number & State: \_\_\_\_\_

Date Of Birth: \_\_\_\_\_ Place Of Birth: \_\_\_\_\_

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**

APPLICANT			SPOUSE		
CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
604 W 2nd, Wayne	2013	2022			
314 E 4th, #6, Wayne	2002	2013			

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2003	2022	Homestead Homes	Greg Kallhoff	402-375-3515
1999	2003	Heritage Homes	Ryan Hobza	402-375-4770

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

**Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted ( City & State)	Description of Charge	Disposition
Chad Hoepner	2014	Texhoma OK	Red Light	
Chad Hoepner	2013	Pierce County NE	Speeding	
Chad Hoepner	?	Dixon County NE	Speeding	
Chad Hoepner	?	Omaha, NE	Speeding	
Chad Hoepner	1996	Osmond, NE	Speeding	
Chad Hoepner	1996	Plainview, NE	Careless Driving	

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

**IF YES,** list the name of the premise(s):

\_\_\_\_\_

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: 3/3/2022 Name on Certificate: Chad J. Hoeppepner

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Chad J. Hoeppepner	03/2022	RBST - Nebraska

\*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

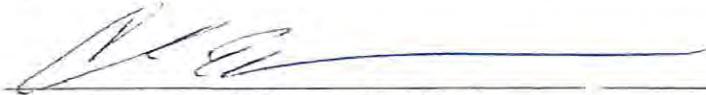
**PERSONAL OATH AND CONSENT OF INVESTIGATION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

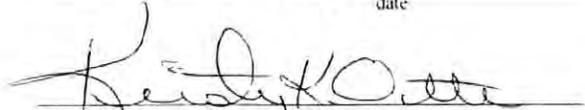
  
\_\_\_\_\_  
Signature of Manager Applicant

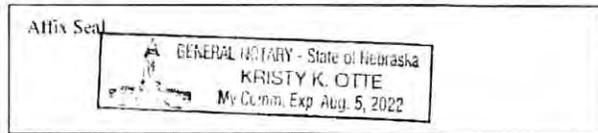
\_\_\_\_\_  
Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska  
County of Wayne The foregoing instrument was acknowledged before me this

3-9-22 date by Chad Hoepfner  
NAME OF PERSON BEING ACKNOWLEDGED

  
\_\_\_\_\_  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lec.nebraska.gov](http://www.lec.nebraska.gov)



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:  
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;  
It is recommended to make payment through the **NSP PayPort** online system at [www.ne.gov/go/psp](http://www.ne.gov/go/psp)  
Or a check made payable to **NSP** can be mailed directly to the following address:  
**\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\***  
The Nebraska State Patrol – CID Division  
4600 Innovation Drive  
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
*Applicant(s) will not have cards to include with license application.*
- Fingerprints taken at local law enforcement offices may be released to the applicants;  
*Fingerprint cards should be submitted with the application.*

***Applicant Notification and Record Challenge:*** *Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.*

\*\*\*\*Please Submit this form with your completed application to the Liquor Control Commission\*\*\*\*

Trade Name EAGLES FRAT ORDER 3757

Name of Person Being Fingerprinted: Chad J. Hoepner

Date of Birth:                      Last 4 SSN:                     

Date fingerprints were taken: 3/11/2022

Location where fingerprints were taken: Norfolk NSP

How was payment made to NSP?

NSP PAYPORT  CASH  CHECK SENT TO NSP CK #                     

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

  
\_\_\_\_\_  
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**Precinct:** Fourth Ward  
**Polling Place:** Party: REP  
Dist 1 County Shop - Ward 4  
515 Thorman  
Wayne  
U.S. Congressional District 3  
Legislative District 17  
Lower Elkhorn NRD SubD 5  
Wayne Community Schools  
Wayne Council Ward 4  
Commissioner Dist #3

Wayne County, State of Nebraska

717886

Chad J Hoepfner  
604 W 2nd  
Wayne, NE 68787

↑ FOLD HERE →  
FOLD HERE ←



*Certificate of Achievement*

- for those who serve or sell alcohol in Nebraska

**CHAD J. HOEPPNER**  
holds a

State Alcohol certificate

Permit # RB-0148775

Permit Expires: 03-03-2025 Amount Paid: \$



General	Credential	Number	Earned	Expires
Chad J. Hoepfner 604 west 2nd st Wayne NE 68787	STATE ALCOHOL	RB-0148775	03-03-2022	03-03-2025

**RESOLUTION NO. 2022-26**

WHEREAS, Emperatriz Nunez, d/b/a “Lunas Mexican Restaurant,” made application to the Nebraska Liquor Control Commission for a Retail Class A Liquor License at 118 E 2<sup>nd</sup> Street, Wayne, Wayne County, Nebraska; and

WHEREAS, said application has been forwarded to the City of Wayne for public hearing and recommendation by the City Council; and

WHEREAS, notice of hearing on said application was published in one issue of the Wayne Herald on March 24, 2022; and

WHEREAS, a hearing was held on April 5, 2022, and all persons desiring to present evidence for or against said application were heard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the application of the license aforementioned be recommended for approval to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022.

THE CITY OF WAYNE, NEBRASKA,

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

ATTEST:

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

RECOMMENDATION OF THE NEBRASKA LIQUOR CONTROL COMMISSION

**KF**

Date Mailed from Commission Office: 3-3-2022

I, \_\_\_\_\_ Clerk of \_\_\_\_\_  
(City, Village or County)

Nebraska, hereby report to the Nebraska Liquor Control Commission in accordance with Revised Statutes of Nebraska, Chapter 53, Sec. 134 (7) the recommendation of said city, village or county, as the case may be relative to the application for a license under the provisions of the Nebraska Liquor Control Act as applied for by:

EMPERATRIZ dba LUNAS MEXICAN RESTAURANT  
118 E 2ND ST, WAYNE / WAYNE County, 68787  
**Application for Class A** 124393  
**45 days –** 4-18-2022

1. Notice of local hearing was published in a legal newspaper in or of general circulation in city, village or county, one time not less than 7 nor more than 14 days before time of hearing.

**Check one** Yes  No

The Statutes require that such hearing shall be held not more than 45 days after the date of receipt of this notice from the Commission.

2. Local hearing was held not more that 45 days after receipt of notice from the Nebraska Liquor Control Commission.

**Check one** Yes  No

3. Date of hearing of Governing Body: \_\_\_\_\_

4. Type or write the Motion as voted upon by the Governing Body. If additional Motions are made by the Governing Body, then use an additional page and follow same format.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Motion was made by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

6. Roll Call Vote: \_\_\_\_\_

7. Check one: The motion passed: \_\_\_\_\_ The motion failed: \_\_\_\_\_

8. If the motion is for recommendation of denial of the applicant, then list the reasons of the governing body upon which the motion was made.

\_\_\_\_\_  
\_\_\_\_\_

(Attached additional page if necessary)

\_\_\_\_\_  
Clerk's name **DATE**

**APPLICATION FOR LIQUOR LICENSE  
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov

*1800004899*

<b>RECEIVED</b>		
JUN 21 2021		
NEBRASKA LIQUOR CONTROL COMMISSION		
Hot List: <u>YES</u> NO	New/Replacing #	
Class Type <u>A</u>	<b>124393</b>	Initial <u>KF</u>

Applicant name emperatriz nunez

Trade name Lunas Mexican Resturant

Previous trade name Lunas Coffee Shop Phone 531-519-5474

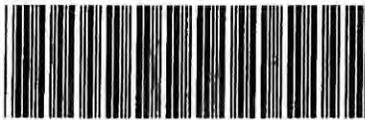
Contact email address emperatriznunez78@Gmail.com

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

*Mania - Employment rec'd  
US - Passport  
#10 - who - authorized?  
Diagram -  
basement  
outside  
Form 104?*

*Hot list - 0716*

*#7 - Residency Spouse*

Office use only PAYMENT TYPE <u>CK 1511</u> AMOUNT: <u>\$ 400-</u> Received: <u>BR</u>	 2200002602
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**RECEIVED**  
**BR**  
FORM 100  
REV FEB 2017  
PAGE 1

1.  Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form **MUST** be included with your application.
2.  Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at PAYPORT.
3.  Enclose the appropriate application forms;
  - Individual License (requires insert form 1)
  - Partnership License (requires insert form 2)
  - Corporate License (requires insert form 3a & 3c)
  - Limited Liability Company (LLC) (requires form 3b & 3c)
4.  If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.
5.  If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
6.  If buying the business of a current liquor license holder:
  - a. Provide a copy of the purchase agreement from the seller (must read applicants name)
  - b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
  - c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
7.  If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).
8.  Enclose a list of any inventory or property owned by other parties that are on the premises.
9.  For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
  - a. For residency enclose proof of registered voter in Nebraska
  - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
  - c. See guideline for further assistance
10.  Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office.
11.  Submit a copy of your business plan.

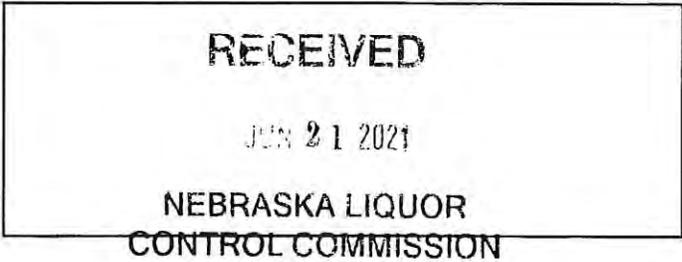
**I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.**

Emmaceratn2 NUNEZ  
Signature

05-29-21  
Date

**APPLICATION FOR LIQUOR LICENSE  
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov/



**RETAIL LICENSE(S)**

**Application Fee \$400 (nonrefundable)**

- A     BEER, ON SALE ONLY
- B     BEER, OFF SALE ONLY
- C     BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
- D     BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
- I     BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
- J     LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB    BEER, ON AND OFF SALE
- AD    BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB    BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

       Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 – October 31  
All other licenses run from May 1 – April 30  
Catering license (K) expires same as underlying retail license

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert 1 FORM 104)
- Partnership License (requires insert 2 FORM 105)
- Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

Name Emperatriz Nunez

Phone number: 4028335000

Firm Name Lunas Mexican Resturant

Trade Name (doing business as) Lunas Mexican Resturant

Street Address #1 118 E 2nd St

Street Address #2 \_\_\_\_\_

City Wayne County Wayne 27 Zip Code 68787 r 2009

Premises Telephone number 4028335000

Business e-mail address emperatriznunez78@Gmail.com

Is this location inside the city/village corporate limits: YES X NO \_\_\_\_\_

Mailing address (where you want to receive mail from the Commission)

Name Emperatriz Nunez

Street Address #1 405 Maple St

Street Address #2 \_\_\_\_\_

City wakefield State NE Zip Code 68787 68784 6030

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. **Be sure to indicate the direction north and number of floors of the building.**

**\*\*For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms**

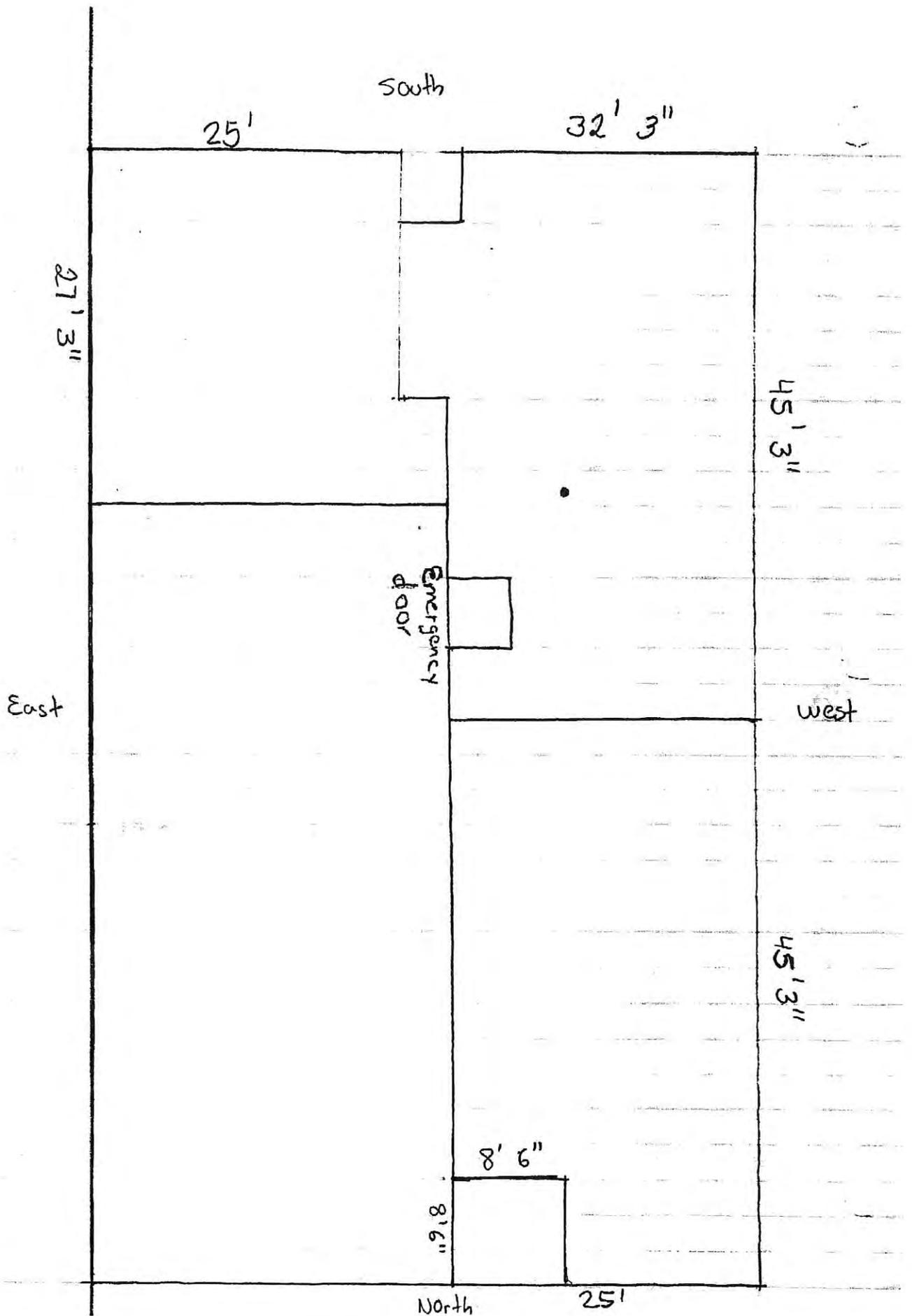
Building: length 10' x width 60' in feet

Is there a basement? Yes \_\_\_\_\_ No X If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes \_\_\_\_\_ No X If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET

*Approved*



**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. **Include traffic violations.** Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

**2. Are you buying the business of a current retail liquor license?**

YES  NO

**If yes, give name of business and liquor license number** \_\_\_\_\_

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?**

YES  NO

**If yes, give name and license number** \_\_\_\_\_

**4. Are you filing a temporary operating permit (TOP) to operate during the application process?**

YES  NO

**If yes:**

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see FORM 134 – church or FORM 135 - campus

9. Is anyone listed on this application a law enforcement officer?

YES  NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

**State Nebraska Bank and Trust**

*Maria Nunez*

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

**Emperatriz Nunez Wakefield C-120693 Missed Renewal**

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. **Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

Lease: expiration date 5-21-2023  
 Deed  
 Purchase Agreement

14. When do you intend to open for business? Already opened

15. What will be the main nature of business? Selling Food

16. What are the anticipated hours of operation? 9am to 8:30 pm

17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Wakefield NE	2013	2019	<u>same</u>		
Wayne NE	2019	2021			
South Sioux City	1995	2013			

If necessary attach a separate sheet.

Luna's Café in Wayne Nebraska

Maria E Nunez an Guarmo Jimenez have lived in the City of Wakefield, Nebraska since 2009.

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

Emperatriz NUNEZ  
~~Emperatriz NUNEZ~~  
Signature of Applicant

[Signature]  
Signature of Spouse

Emperatriz Nunez  
Print Name

Gumaro Jimenez Cortes  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

ACKNOWLEDGEMENT

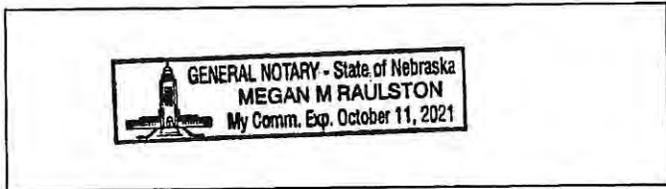
State of Nebraska  
County of Wayne

The foregoing instrument was acknowledged before me this

May 12, 2021  
date

by Emperatriz Nunez and Gumaro Jimenez Cortes  
name of person(s) acknowledged (individual(s) signing)

Megan M Raulston  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

**APPLICATION FOR LIQUOR LICENSE  
INDIVIDUAL  
INSERT - FORM 1**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov

Office Use	KF
<b>RECEIVED</b>	
JAN 31 2022	
<b>NEBRASKA LIQUOR CONTROL COMMISSION</b>	

**Individual applicants, including spouse, are required to adhere to the following requirements**

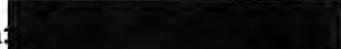
- 1) **Must be a citizen of the United States**
- 2) **Must be a Nebraska resident (Chapter 2 - 006)**
- 3) **Must provide a copy of their certified birth certificate, INS papers or US Passport**
- 4) **Fingerprints are required. See Form 147 for further information, this form MUST be included with your application**
- 5) **Must sign the signature page of the Application for License form**
- 6) **Applicant may be required to take a training course**
- 7) **Be a registered voter in the State of Nebraska, include a copy of voter registration card with application**

Name of individual applicant who will hold license

Last Name: ~~Dr. Dora~~ NUÑEZ

First Name: Maria MI: Empire 2

Home Address: 405 Maple St City: Wakefield Zip Code: 68784 +6030

Social Security Number:   Date of Birth: 

Home Telephone Number: 402 833 5000

Driver's License Number:  State: NE

Are you married? (Please note if the above listed individual is separated, etc. spouse's information is still required to be listed below)

YES

NO

If yes, provide your spouse's information below

Spouses Last Name: Jimenez

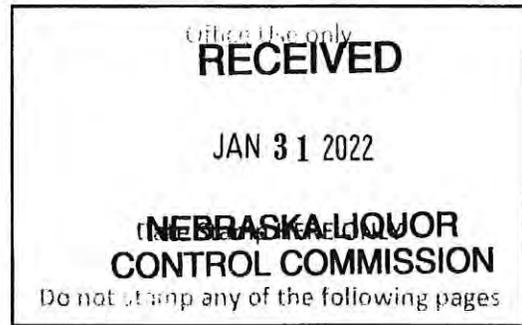
Spouses First Name: Gumaro MI: Cortes

Social Security Number:  Date of Birth: 

Driver's License Number:  State: NE

**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:  
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol;  
It is recommended to make payment through the NSP PayPort online system at [www.ne.gov/go/nsp](http://www.ne.gov/go/nsp)  
Or a check made payable to **NSP** can be mailed directly to the following address:  
**\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\***  
The Nebraska State Patrol – CID Division  
4600 Innovation Drive  
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
*Applicant(s) will not have cards to include with license application.*
- Fingerprints taken at local law enforcement offices may be released to the applicants;  
*Fingerprint cards should be submitted with the application.*

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

\*\*\*\*Please Submit this form with your completed application to the Liquor Control Commission\*\*\*\*

Trade Name Luna's coffee shop  
Name of Person Being Fingerprinted: Gumaro Jimenez Cortes  
Date of Birth: [REDACTED] Last 4 SSN: 6600  
Date fingerprints were taken: \_\_\_\_\_  
Location where fingerprints were taken: Norfolk NE  
How was payment made to NSP?  
 NSP PAYPORT  CASH  CHECK SENT TO NSP CK # \_\_\_\_\_  
My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Gumaro Jimenez  
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**PRIVACY ACT STATEMENT/  
SUBMISSION OF FINGERPRINTS /  
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:  
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;  
It is recommended to make payment through the NSP PayPort online system at [www.ne.gov/go/nsp](http://www.ne.gov/go/nsp)  
Or a check made payable to **NSP** can be mailed directly to the following address:  
**\*\*\*Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License\*\*\***  
The Nebraska State Patrol – CID Division  
4600 Innovation Drive  
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID  
***Applicant(s) will not have cards to include with license application.***
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***Fingerprint cards should be submitted with the application.***

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

\*\*\*\*Please Submit this form with your completed application to the Liquor Control Commission\*\*\*\*

Trade Name Louis coffee shop  
Name of Person Being Fingerprinted: M. Empeñatiz NUNEZ  
Date of Birth: [REDACTED] Last 4 SSN: 3102  
Date fingerprints were taken: Norfolk NE  
Location where fingerprints were taken: \_\_\_\_\_  
How was payment made to NSP?  
 NSP PAYPORT  CASH  CHECK SENT TO NSP CK # \_\_\_\_\_  
My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Empeñatiz NUNEZ  
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED











# Luna's Coffee Shop

## **Company Summary**

Luna's Coffee Shop was established in January of 2011 by Maria E. Nunez as a Mexican Restaurant and a small grocery store operated as a Sole Proprietorship.

The business started at 208 Main St. Downtown Wakefield, but Maria and her husband saw an opportunity to locate a food truck at O'Reillys Parking Lot located next to Hwy 30. The food truck operation was extremely successful motivating Luna's to relocate to Downtown Wayne three years ago.

## **Keys to Success**

1.- Product Quality: great food, great experience, and atmosphere.

2.- Spice of Life Menu: The menu will appeal to a wide and varied clientele. Luna's menu features tacos, burritos, tostadas, quesadillas as well as other authentic dishes from Mexico.

3.- Cost Control Focus: Luna's control costs all the time, without exception. Luna's focus is to reduce the cost of goods sold to meet their profit margin goals by managing the following crucial elements of cost: Purchasing, Receiving, Storage, Issuing Inventory, Preparation, Portioning, Order Taking, Cash Receipts, Bank Deposits and Accounts Payable.

## **Mission Statement**

Providing the communities of Wayne, Wakefield, and Northeast Nebraska produce (fruits and vegetables, other items) grown and produced primarily South of the American broader. In addition to groceries, a restaurant catering to Mexican tastes.

## **Management**

Luna's Coffee shop is operated by its owner Maria E. Nunez who has over 15 years of experience in the restaurant industry.

## **Company Ownership**

The business was established in 2011 by Maria E. Nunez registering the trade name officially on April 13<sup>th</sup>, 2015, with the Nebraska Secretary of State.

## **Location**

Luna's Coffee Shop is in Wayne, Nebraska, a small community founded in 1881 when the Chicago, St. Paul, Minneapolis & Omaha Railroad was extended to that point It was named for and with Wayne County.

With a 2020 population of 5,750, it is the 29th largest city in Nebraska and the 4391st largest city in the United States. Wayne is currently growing at a rate of 1.59% annually and its population has increased by 1.59% since the most recent census, which recorded a population of 5,660 in 2010.

According to 2019 data, the City of Wayne counts 503 Hispanic individuals living in city limits. A few employers as Great Dane, Michael's Foods, and many small farm operations in the area have attracted Latinos as part of their workforce creating opportunities to grow.

## **Market Analysis**

Instead of building a business concept, Luna's has built a concept around their customers identifying the following keys drivers as opportunities to serve the City of Wayne:

**1.- Portion Selection:** Luna's Coffee Shop's concept is built to offer different-sized portions. Luna's customers have the option to choose what satisfies their appetite.

**2.- Menu Variety:** Mexican and Ethnic Restaurants continue to grow in the United States markets with the proliferation of international cookbooks, food magazines, TV shows, and imported goods offers ample evidence that America, as a whole, is currently on an international tasting spree.

**3.- Reasonable Prices:** Although the restaurant industry has seen a decline due to Covid19, customers are demanding value for their dining dollars. Luna's Coffee Shop's menu items are priced at a mid-tier level.

## Target Market Segment Strategy

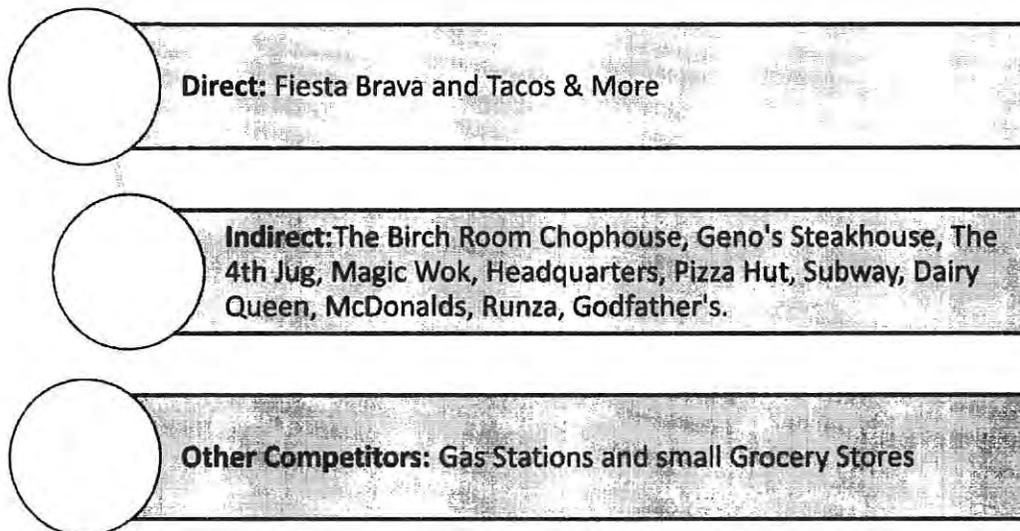
**Downtown Employees:** Individuals who work in Downtown Wayne that are looking for good food, great prices, and a reasonable preparation time.

**To Go Orders:** Individuals working in Wayne who take shorter lunch breaks prefer to order by phone and eat at their jobs. To Go Customers also include families who do not have time to seat in a restaurant but can grab something quick between different activities.

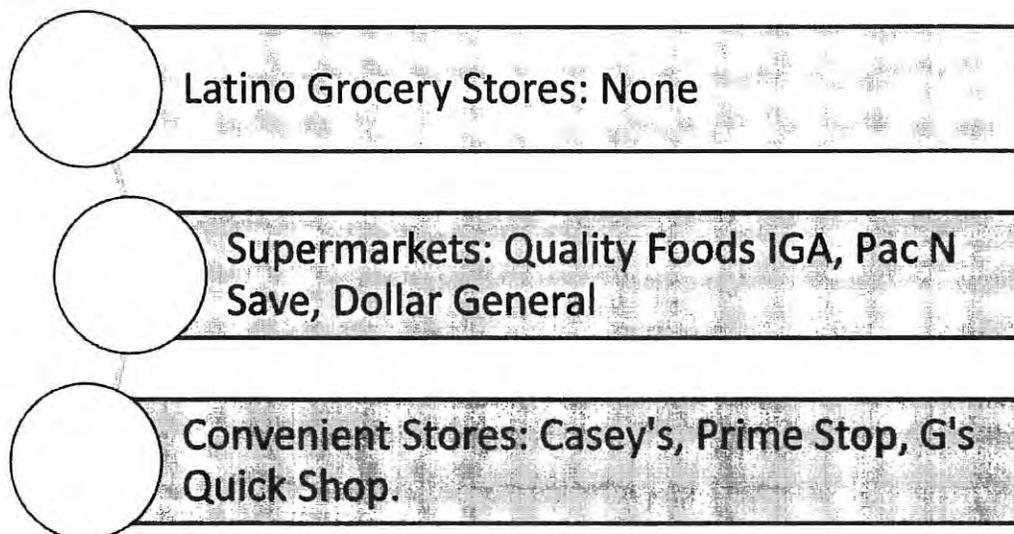
**The Destination Customer:** Those who live around the City of Wayne and want to spend some quality time with friends and family members while are enjoying great food at a reasonable time.

## Competition

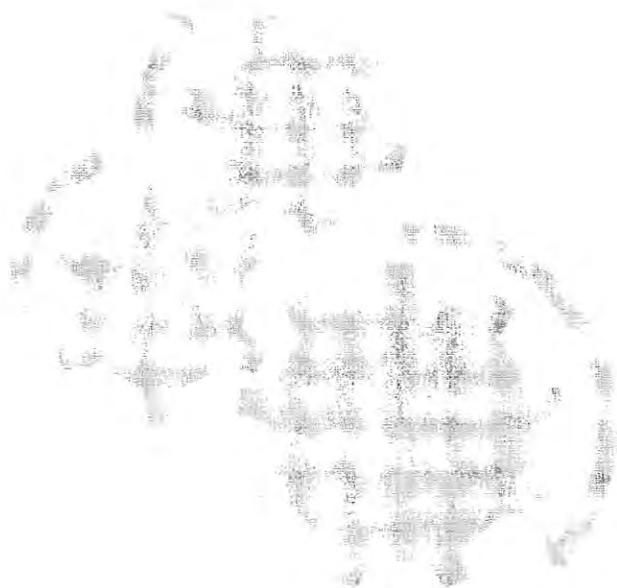
### For the Restaurant:



### For the Grocery Store:



### Competitive Edge



- **Restaurant Experience:** Owning a restaurant business can be complicated due to minimum margins, food control, and labor cost. Fortunately, Maria has many years of experience in the restaurant industry.

Luna's Coffee Shop – 118 E. 2<sup>nd</sup> St Wayne, Nebraska 68787

- **Menu:** Great selection, good prices, specials.
- **Business Concept:** Luna's concept having a Mexican Restaurant and a Latino Grocery Store, all under the same roof.

## Restaurant Industry

### Restaurant Market Statistics

The National Restaurant Association projected that sales of the restaurant industry will hit a whopping \$899 billion this year. However, this was adjusted to \$659 billion, incurring \$240 billion in losses due to the pandemic. This has caused restaurants to post lower sales and report financial distress. Restaurants are also capturing only 45% of the share in food spending from consumers. Compared to 51% during pre-pandemic levels, 2020 was not a good time for the food industry. Here are more restaurant data to prove how challenging this sector is in the past year:

- From an initial projection of \$899 billion, the restaurant industry's projected worth was adjusted to \$659 billion in sales in 2020. The industry incurred a loss of \$240 billion due to the pandemic. (Restaurant Dive, 2020)
- As of January 2021, there was a 65.91% year-on-year decline in consumers dining in restaurants in the U.S. as a result of the COVID-19 pandemic. (Statista, 2021)
- The restaurant industry's share of the food dollar in the United States is 51%. (National Restaurant Association, 2020)
- 8.1% – The percentage increase in debt between 2019 and 2020 for limited-service restaurants. (AlixPartners, 2020)

- In 2020, 50% of limited-service restaurants became distressed businesses due to changes in consumer behavior brought about by the COVID-19 pandemic. (AlixPartners, 2020)
- Since October 2020, 83% of fine dining restaurants expected lower sales in six months. (Restaurant Dive, 2020)
- In 2020, 63% of full-service restaurants became distressed businesses due to changes in consumer behavior brought about by the COVID-19 pandemic. (AlixPartners, 2020)
- 17.2 million – The projected number of jobs that the restaurant industry would generate by 2030. (National Restaurant Association, 2020)
- Over 60% of adults have worked in the restaurant industry at some point during their lives. (National Restaurant Association, 2020)
- Nearly 50% of Americans got their first job experience in a restaurant. (National Restaurant Association, 2020)

### **Restaurant Technology Statistics**

The restaurant industry is becoming increasingly digital right now. Most diners have modernized with time, or at least used technological innovations on some of their processes. Thus, they are enjoying a variety of competitive advantages. Some of them include appealing to a younger audience, having a wider coverage of promotions, and making smarter business decisions. The leading POS solutions, for one, add a lot to the business process in terms of compliance and convenience. Other benefits, together with how specifically effective they are, are shown below:

- 50% of restaurant professionals say accounting, payroll, and business intelligence software are very important for their business. (Toast, 2019)

- 56% of consumers want to know how restaurants use their personal information. (Technomic, 2020)
- On average, restaurants use three technology vendors for managing back-office operations. (Toast, 2019)
- In 2019, 51% of diners ordered directly from a restaurant's website, 38% used an online ordering aggregate site, while 29% used an app. (Toast, 2019)
- Considering the COVID-19 pandemic, it is projected that by the end of 2021, there will be 44.1 million users of food delivery apps in the U.S. (eMarketer, 2020)
- Additionally, experts predict that 27.9 million adults in the U.S. will be using a grocery app in 2021. (Statista, 2020)
- QR code payments will see a growth of 240% between 2020 to 2025, spurred by demand for cashless payments due to the pandemic. (Juniper Research, 2021)
- Using digital menu boards can increase yearly store sales per unit by \$16,000. (Presto, 2021)

### **Features of apps and devices**

There are serious advantages in utilizing applications or devices that improve the services offered by restaurants. You might be an app developer or an operator wanting to understand the benefits of a restaurant management system to your business. In that case, there is one thing you should always consider. Having features that target smaller audiences is a plus. But having functionalities that cater to the needs and wants of many is a must. Here is a list of a few restaurant market report statistics. Hopefully, it will assist you in determining which functions must be present in the app you're developing or choosing:

- 36% of restaurant professionals consider labor software as extremely important. (Toast, 2019)
- 92% of all top-performing restaurants offered mobile order-ahead and loyalty rewards programs, or a combination of both. (Pymnts.com, 2020)
- 53% of restaurants use cash-out tips as a tipping method. (Toast, 2019)
- 54% of guests say that online reservation is the most important technology feature. Likewise, 41% say it is free Wi-Fi. (Toast, 2019)

### **Economy Statistics**

No business is indeed set to a sure path of success. Therefore, knowing vital details about the ones you are investing in is a big deal. There is a ton of economic factors to consider when entering the food industry, such as a restaurant.

Demographics, availability of raw materials, and competition to name a few.

People who are planning to have their very own restaurants might be indecisive.

They are not sure if it's a good idea or not. The next set of restaurant market size statistics could, among other factors, help in making decisions.

- As of January 2021, seated diners from online, phone, and walk-in reservations decreased worldwide by 63%. (OpenTable, 2021)
- 47% of consumers plan to dine out less often for breakfast, 33% plan to dine out less often for lunch, while 29% plan to dine out less often for dinner. (Acosta, 2020)
- 55% of diners have been eating at home since the start of the pandemic. (Acosta, 2020)
- Once the COVID-19 situation normalizes, 41% of consumers will turn to restaurants for relaxation. (Dataessential, 2020)

- 59% of adults in the U.S. plan to use their stimulus checks on food. (Statista, 2020)
- Pre-pandemic, the restaurant industry captured 51% of food spending in the U.S. This was reduced to 45% of spending during the pandemic. (Restaurant Dive, 2020)
- Profits from the restaurant industry are expected to rise to about 15% in 2021 as dining restrictions due to the pandemic are relaxed. (Moody's, 2020)
- On average, restaurants gain 3 % to 5% profit margins. (Beambox, 2020)
- 87% of full-service restaurants experienced an average of 36% drop in sales. (National Restaurant Association, 2020)

### **Industry Challenge Statistics**

As with every industry, restaurants are also constantly battling with problems to thrive. Those troubles come in different shapes and sizes, which has especially been emphasized because of the pandemic. Generally, they could bring serious damage if left unchecked. Restaurant market research indicates that lower profit margins and high labor costs are the main challenges diners are facing. Here are more detailed statistics about that:

- 86% of restaurant operators report having lower profit margins compared to pre-pandemic levels. Only 6% report having higher profit margins in 2020. (National Restaurant Association, 2020)
- In 2020, around 2.5 million employees in the restaurant industry were out of work. (National Restaurant Association, 2020)
- 59% of restaurant operators report having higher total labor costs as a percentage of their sales compared to pre-pandemic levels. Only 21%

report having lower labor costs in 2020. (National Restaurant Association, 2021)

- 89% of full-service restaurant operators say that their current staffing levels are below normal. Meanwhile, 74% of limited-service restaurant operators say that their current staffing levels are below normal. (National Restaurant Association, 2021)
- Restaurants that closed in 2020 employed an average of 32 people, with 17% of them having at least 50 employees before they shut down. (National Restaurant Association, 2021)
- In December 2020, jobs in the leisure and hospitality industry in the U.S. declined by 498,000. Out of those jobs, three-fourths or 372,000 jobs came from food services and drinking places. (U.S. Bureau of Labor Statistics, 2021)

### **Online Marketing Statistics**

What good is tasty food if no one knows about it? Competition in the restaurant industry is fierce, more so than ever. So, making sure your business is known by the masses is the bare minimum requirement for keeping afloat. There is a variety of ways to do it. However, the method that has gained traction over the years is online promotion — something that proved particularly helpful during the pandemic. It can be achieved in different ways as well. Making a dedicated website or app for instance. You could also take advantage of reviews and leverage social media using reputation management software. Take a look at these statistics to see why online promotion a force is to be reckoned with in marketing.

- 90% of guests research a restaurant online before going there. This is a practice done more in this business type compared to others. (Upserve, 2019)
- 35% of guests discover restaurants through online reviews and the restaurant's website. The majority (49%) find them through recommendations from friends and family. (Toast, 2020)
- 64% of guests said that staff taking safety precautions and wearing personal protective equipment is their most important consideration when returning to on-premises dining. (Toast, 2020)
- 33% of diners will not eat in restaurants whose online rating is lower than 4-stars on review sites. Examples of which include Yelp, TripAdvisor, and Google. (ReviewTrackers, 2019)
- Improving customer reviews by half a star can boost revenues by 5% to 9%. (Pymments.com, 2020)
- 92% of diners read restaurant reviews. (Upserve, 2019)
- 77% of consumers look up more on peer reviews compared to critic reviews. (Upserve, 2019)

## Social Media

Online reviews on sites like Yelp are good ways to promote your business. It's also a good motivation for ensuring high-quality standards. Because you don't want the public to see negative reviews about your establishment. You'll need to use a powerful platform that truly makes use of the internet: social media. According to Brandwatch, there are 3.03 billion active users on social media. That's a staggering number, insane if you think about it. If you're still not convinced that it's the platform to focus advertising on, no big deal. Here are a few social media restaurant statistics to help make up your mind:

- 91% of retail brands have two or more channels on social media. (Brandwatch, 2019)
- 10% of restaurant guests said that a restaurant's social media or email marketing tactics influence them to return to a restaurant. (Toast, 2020)
- 50% of consumers expect a response on social media within 30 minutes. However, only 50% of companies meet this expectation. (Eptica, 2020)
- 67% of restaurants are planning to use social media advertising in 2019. (Toast, 2019)
- 20% to 40% – The likelihood that customers will spend time in restaurants that they have engaged on social media. (ReviewTrackers, 2019)

## Facebook

Undoubtedly the most popular and most-used social media platform. You and practically everyone you know has an account on it. This is the sea with the biggest number of fish.

- 25% of consumers expect a response on Facebook within five minutes. However, the average response time on Facebook is one hour and 56 minutes. (Eptica, 2020)
- Restaurant diners are more likely to leave high ratings on Facebook compared to other review sites. (ReviewTrackers, 2020)
- 92% of restaurants are using Facebook for social media branding and marketing. (Toast, 2019)

## Twitter

Facebook is indeed the most used social media platform. Twitter users, however, have the highest level of engagement with restaurants compared to all other industries.

- The average engagement rate for food and beverage brands on Twitter is 0.064%. This is slightly higher than the median engagement rate for all industries which is 0.045% (Rival IQ, 2020)
- In 2020, #food had 1,129,432 mentions on Twitter. (Brandwatch, 2020)
- 37% of food conversations happened on Twitter. (Brandwatch, 2020)
- 39% of restaurateurs use Twitter to promote their restaurant. (Toast, 2019)

## Instagram

Food appeals to our eyes as much as they do to our tummies. Capturing a photo of the food before consuming it has become a practice in the past few years. And it shows no sign of stopping.

- The top Instagram is #food which garnered 25,279,694 mentions in 2020. (Brandwatch, 2020)
- 90% of Instagram users follow a business. (Instagram, 2020)
- 87% of people on Instagram acted after seeing information about a product, such as following a brand, visiting their website, or buying online. (Facebook IQ, 2019)
- For food and beverage companies, photos had an engagement rate per post of around 1.3%, performing better than carousel or video content. (Rival IQ, 2020)

- In 2020, the top hashtag by engagement rate for the food and beverage industry is #giveaway, which generated an engagement rate of 3.650% for companies that used it. (Rival IQ, 2020)

### **Food Orders Statistics**

Restaurants have lots of variants, atmospheres, and uniqueness in them. But one thing remains the same, your customers are mainly there for your food. Thus, most of your efforts must be exerted on the type and quality of food your establishment serves. We have compiled here a bunch of statistics. Hopefully, this could give you an idea or two about the food you want your restaurant to serve.

- 32% or nearly one in three consumers said that their eating habits have become healthier over the past year. (International Food Information Council, 2020)
- 50% of consumers say that they are more likely to cook meals from scratch since the pandemic began. (International Food Information Council, 2020)
- 8% of Americans subscribe to at least one online subscription box for meal kits. (Statista, 2020)
- 149% – The increase in the number of orders of fermented foods in the Upserve customer menus. (Upserve, 2020)
- About 8 in 10 adults – consumers said that restaurants give them access to their favorite flavors that they cannot duplicate at home. (National Restaurant Association, 2021)
- 50% of restaurant guests said that the quality of food is a factor that influences whether or not they return to a restaurant. Only 31% said the value was the main factor. (Toast, 2020)

## **Marketing Plan**

- Getting the word to customers and potential customers has and is a simple plan for Luna's Coffee Shop; word of mouth with quality of products delivered. The low cost of Facebook, updated regularly, with current specials, and new grocery items as well as menu specials has proved to be inexpensive and effective. (Note sales numbers over last 5 months)

## **Management Summary**

The owner, Maria E. Nunez has over 15 years of experience in the restaurant industry. Maria also counts on family members who assist her in managing and operating the business.

## **Management Team**

Maria E. Nunez oversees all daily operations. Luna's is a family-owned and operated business.

## **Luna's Coffee Shop Advisory Team:**

- REAP
- Bank
- Insurance
- Accountant
- Attorney

**RESOLUTION NO. 2022-27**

**A RESOLUTION APPROVING WORKFORCE HOUSING INCENTIVE PLAN.**

The City of Wayne, Nebraska, a Municipal Corporation (the “City”), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

The Community Development Law, Chapter 18 Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”) prescribes the requirements and procedures for the planning and implementation of redevelopment projects, including redevelopment projects involving construction of workforce housing; and

The City has prepared an Incentive Plan for construction of housing in the municipality targeted to house existing or new workers in the City of Wayne, Nebraska, a copy of which is attached hereto as Exhibit “A;” and

The City published and mailed notices of a public hearing on such Incentive Plan pursuant to the section 2115.01 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Incentive Plan; and

The City has reviewed the Incentive Plan and determined that such incentive plan is necessary to prevent the spread of blight and substandard conditions within the Municipality, will promote additional safe and suitable housing for individuals and families employed in the municipality, and will not result in the unjust enrichment of any individual or company.

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

1. The Incentive Plan is necessary to prevent the spread of blight and substandard conditions within the municipality, will promote additional safe and suitable housing for individuals and families employed in the municipality, and will not result in the unjust enrichment of any individual or company.
2. The Incentive Plan is approved in the form attached as Exhibit “A.”
3. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022.

THE CITY OF WAYNE, NEBRASKA,

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

ATTEST:

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

**WORKFORCE HOUSING INCENTIVE PLAN FOR THE  
MUNICIPALITY OF WAYNE, NEBRASKA  
PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW**

Introduction:

The 2018 Nebraska Legislature passed Legislative Bill 496 (the “Bill”) which amended the Nebraska Community Development Law (the “Act”). The Bill was signed by the Governor in May of 2019. Before the Bill was passed, tax increment financing (TIF) was generally limited to pay costs of site purchase, utility extension, public infrastructure, sidewalks, planning and certain rehabilitation expenditures. The Bill, among other items, provided that TIF may be used for the actual construction of new workforce housing and rehabilitation costs exceeding 50% of assessed valuation on residential workforce housing units.

Prior to utilizing TIF for workforce housing, the City must (a) receive a housing study within the last 24 months and (b) hold a hearing on an incentive plan for the use of TIF for workforce housing.

Workforce housing means:

(a) Housing that meets the needs of today's working families; (b) Housing that is attractive to new residents considering relocation to a rural community; (c) Owner-occupied housing units that cost no more than two hundred seventy-five thousand dollars (\$275,000) to construct or rental housing units that cost not more than two hundred thousand dollars (\$200,000) per unit to construct. For purposes of this subdivision (c), housing unit costs shall be updated annually by the Department of Economic Development based upon the most recent increase or decrease in the Producer Price Index for all commodities, published by the United States Department of Labor, Bureau of Labor Statistics; (d) Owner-occupied and rental housing units for which the cost to substantially rehabilitate exceeds fifty percent (50%) of a unit's assessed value; and (e) Upper-story housing. §18-2103 (32) R.R.S.

Rural community means any municipality in a county with a population of fewer than one hundred thousand (100,000) inhabitants as determined by the most recent Federal Decennial Census. The Wayne County 2020 Census indicates a population of 9,697. §18-2103 (30) R.R.S.

In 2022, the City of Wayne (the “City”) received a housing study entitled “Wayne, Nebraska Community Housing Study with Strategies for Affordable Housing” (the “Study”). The Study noted that the greatest challenge for the City of Wayne, during the next five years, will be to develop housing units for workforce persons and families, elderly households, off-campus students and special populations.

The law requires that a Workforce Housing Incentive Plan be necessary to prevent the spread of blight and substandard conditions within the municipality, promote additional safe and suitable housing for individuals and families employed in the municipality, and will not result in the unjust enrichment of any individual or company.

This Workforce Housing Incentive Plan shall be effective for the City of Wayne, Nebraska, until modified pursuant to the Act.

TIF for workforce housing for each project is to be implemented pursuant to a redevelopment plan recommended by the Wayne Community Redevelopment Authority (CRA), and approved after hearing by the Wayne City Council pursuant to the Act. This Workforce Housing Incentive Plan is intended to incent development of workforce housing that supports current and prospective employees of local and area

businesses and public service corporations. IT IS NOT INTENDED AND WILL NOT BE USED TO CONSTRUCT HIGHER END HOMES OR CUSTOM BUILT HOMES.

All redevelopment contracts between the CRA and a redeveloper providing TIF benefits for workforce housing will be negotiated on a case-by-case basis with TIF incentives to be determined by the CRA in amounts required to accomplish the goal of incenting the development of safe and decent workforce housing in the City of Wayne. The CRA shall document that each project utilizing TIF for workforce housing shall not unduly enrich the redeveloper. This shall be accomplished by examining proposed profit on each owner-occupied residence and the return on investment of each apartment project. Each redevelopment plan is unique, and the capacity of each redeveloper is different.

In each redevelopment contract for workforce housing, the CRA shall set standards appropriate for each workforce housing development project related to residence or apartment size, construction standards, costs and rental rates. Workforce housing TIF incentives will be provided subject to the following requirements.

All redevelopment contracts between the CRA and a redeveloper providing TIF benefits for workforce housing will be negotiated on a case-by-case basis with TIF incentives to be determined by the CRA, and approved by the City Council, in amounts required to accomplish the goal of incenting the development of safe and decent workforce housing in the City of Wayne. The CRA shall document and shall only agree to provide TIF benefits to a redeveloper seeking TIF for workforce housing after a determination is made by the CRA that the project is consistent with the requirement of Community Development Law, as amended from time to time, the applicable redevelopment plan and this Workforce Housing Incentive Plan, as well, after a determination is made, that the project will not result in unjust enrichment of any individual or company. In each redevelopment contract for workforce housing, the CRA shall set standards appropriate for each workforce housing development project related to residence or apartment size, construction standards, costs and rental rates.

The redeveloper must disclose a detailed project budget, including a construction budget and sale price that is reasonable and consistent with construction costs in the City of Wayne. The redeveloper shall provide the CRA with actual costs for the completed project. **(Note, residential rehabilitation costs are an allowable TIF expenditure under the Act without necessity of qualifying for workforce housing approval.)**

On all redevelopment projects requesting workforce housing TIF, the CRA shall consider acceptable returns on investment for the type of housing proposed including cap rates.

Approved by Wayne City Council on \_\_\_\_\_.

**RESOLUTION NO. 2022-28**

**A RESOLUTION APPROVING COMMUNITY-WIDE BLANKET CONSTRUCTION PERMIT AGREEMENT BETWEEN THE CITY OF WAYNE AND BLACK HILLS NEBRASKA GAS, LLC D/B/A BLACK HILLS ENERGY.**

WHEREAS, the City of Wayne, Nebraska, including the Wayne City Council, is desirous of entering into a "Community-Wide Blanket Construction Permit Agreement" with Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy to provide for the timely and efficient construction, installation, operation, maintenance, and expansion of natural gas facilities throughout the entire corporate limits of Wayne, Nebraska; and

WHEREAS, the recommendation is to approve said agreement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the "Community-Wide Blanket Construction Permit Agreement" between the City of Wayne and Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, which is attached hereto, be accepted as recommended, and the Mayor is authorized and directed to execute said agreement on behalf of the City.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022.

THE CITY OF WAYNE, NEBRASKA

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

ATTEST:

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

## **COMMUNITY-WIDE BLANKET CONSTRUCTION PERMIT AGREEMENT**

This Agreement is entered into between Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy (“Black Hills Energy”), and the City of Wayne, Nebraska (City).

WHEREAS, the City has passed and adopted a natural gas franchise ordinance permitting Black Hills Energy, among other things, the right to construct, install, occupy, operate, maintain, and expand its natural gas facilities in the City right-of-way and other public places within the City; and

WHEREAS, Black Hills Energy will continue to construct, install, operate, maintain, and expand its facilities throughout the corporate limits of the City of Wayne, Nebraska; and

WHEREAS, Black Hills Energy desires a blanket permit to construct, install, operate, maintain, and expand its natural gas facilities throughout the City; and

WHEREAS, the blanket permit would allow Black Hills Energy to commence construction, installation, operation, maintenance, or expansion of its natural gas facilities without the obligation of filing for individual and separate permits or other permissions with the City as those permits would be allowed under the blanket permit pursuant to the Community-Wide Construction Permit Agreement; and

WHEREAS, the City and Black Hills Energy desire to enter into an agreement that provides for the timely and efficient construction, installation, operation, maintenance, and expansion of natural gas facilities throughout the entire corporate limits of City; and

WHEREAS, the City desires to inspect the permitted projects to assure any construction complies with City Code and permit standards.

NOW, THEREFORE, BE IT RESOLVED that Black Hills Energy and the City mutually agree as follows:

1. Black Hills Energy shall be permitted to construct, install, operate, maintain, and expand its natural gas distribution facilities across all the City under a blanket construction and digging permit. The blanket permit grants Black Hills Energy the right to commence underground and aerial construction in City’s Right-of-Way and Utility Easements:
2. Black Hills Energy shall pay to City permit fees in the amount of \$800 per area A & C for work in 2022;
3. Black Hills Energy shall abide by all state “one-call” laws;
4. Black Hills Energy agrees potholing of existing utilities will be performed by hand digging or using a hydro-vac in situations where hand-digging is not practical;
5. All soils removed by Black Hills Energy as part of excavation will be stored on tarps and reused, in an effort to return the site to its original condition;
6. Black Hills Energy shall remove gravel prior to any alley excavation. Gravel shall be stored and reused post-excavation, in an effort to return the alley to its original condition;

7. Prior to construction, installation, or expansion of Black Hills Energy facilities, Black Hills Energy or its contractor will conduct a pre-construction field briefing within the grid. City's inspector is invited to attend the meeting to provide feedback prior to construction;
8. At the completion of each grid, Black Hills Energy and City will complete a final inspection and annotate any discrepancies that the contractor must repair;
9. The permit shall be satisfied when both Black Hills Energy and City are satisfied with repairs;
10. If a discrepancy is found after the final inspection (such as a bad coupler preventing cable pulling), Black Hills Energy will direct the contractor to repair the discrepancy at Black Hills Energy's expense;
11. All restoration will be completed to Black Hills Energy's standards, as well as the City's standards;
12. City inspectors shall be permitted to spot check any subcontractor, at any time, with or without notice, and to provide oversight and feedback;
13. All the terms and conditions herein contained are contingent upon the signing of this Agreement; and
14. The term of this Agreement shall commence upon approval of the City and shall continue from year to year. The Agreement may be terminated at any time after one-hundred and eighty (180) days written notice by either the City or by Black Hills Energy upon written notice to terminate.

IN WITNESS WHEREOF, the parties to this Community-Wide Blanket Construction Permit Agreement have affixed their signatures on the date specified below.

**CITY OF WAYNE, NEBRASKA**  
**A municipal corporation**

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

ATTEST:

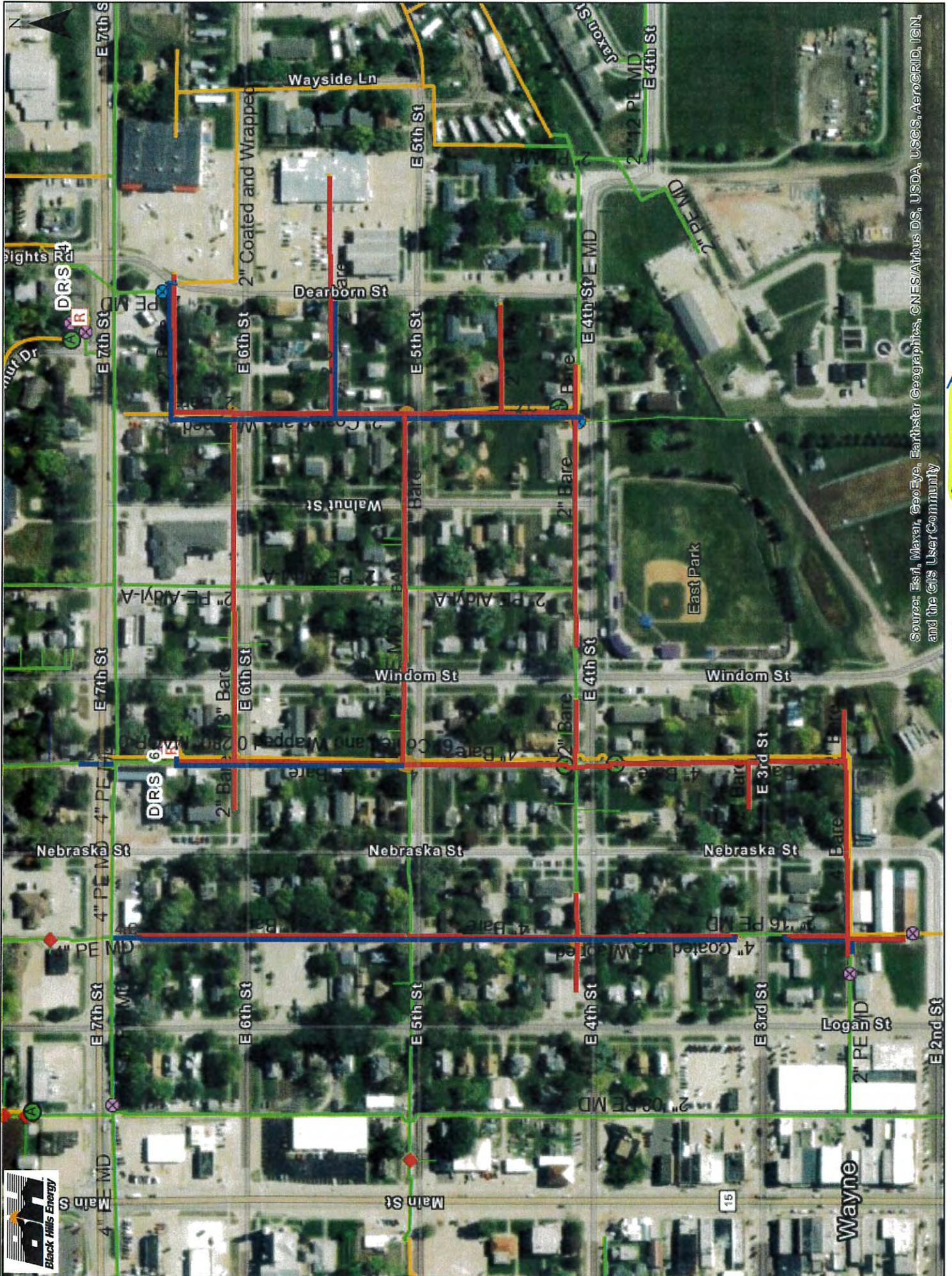
By: \_\_\_\_\_  
 Betty A. McGuire, City Clerk

Date: \_\_\_\_\_

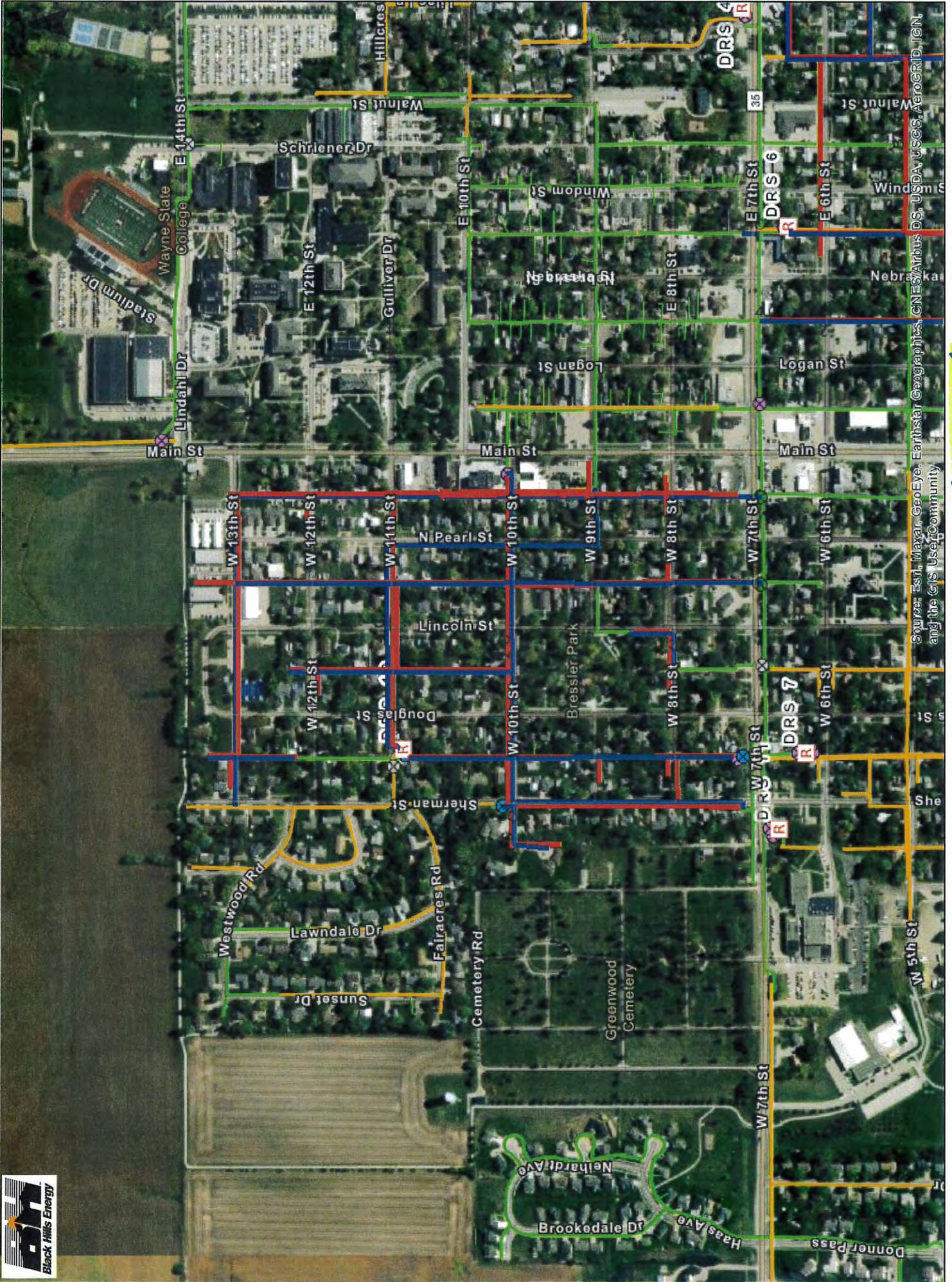
**BLACK HILLS NEBRASKA GAS, LLC**  
**D/B/A BLACK HILLS ENERGY**

By: \_\_\_\_\_  
 Kevin Jarosz, Vice President, Operations

Date: \_\_\_\_\_



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



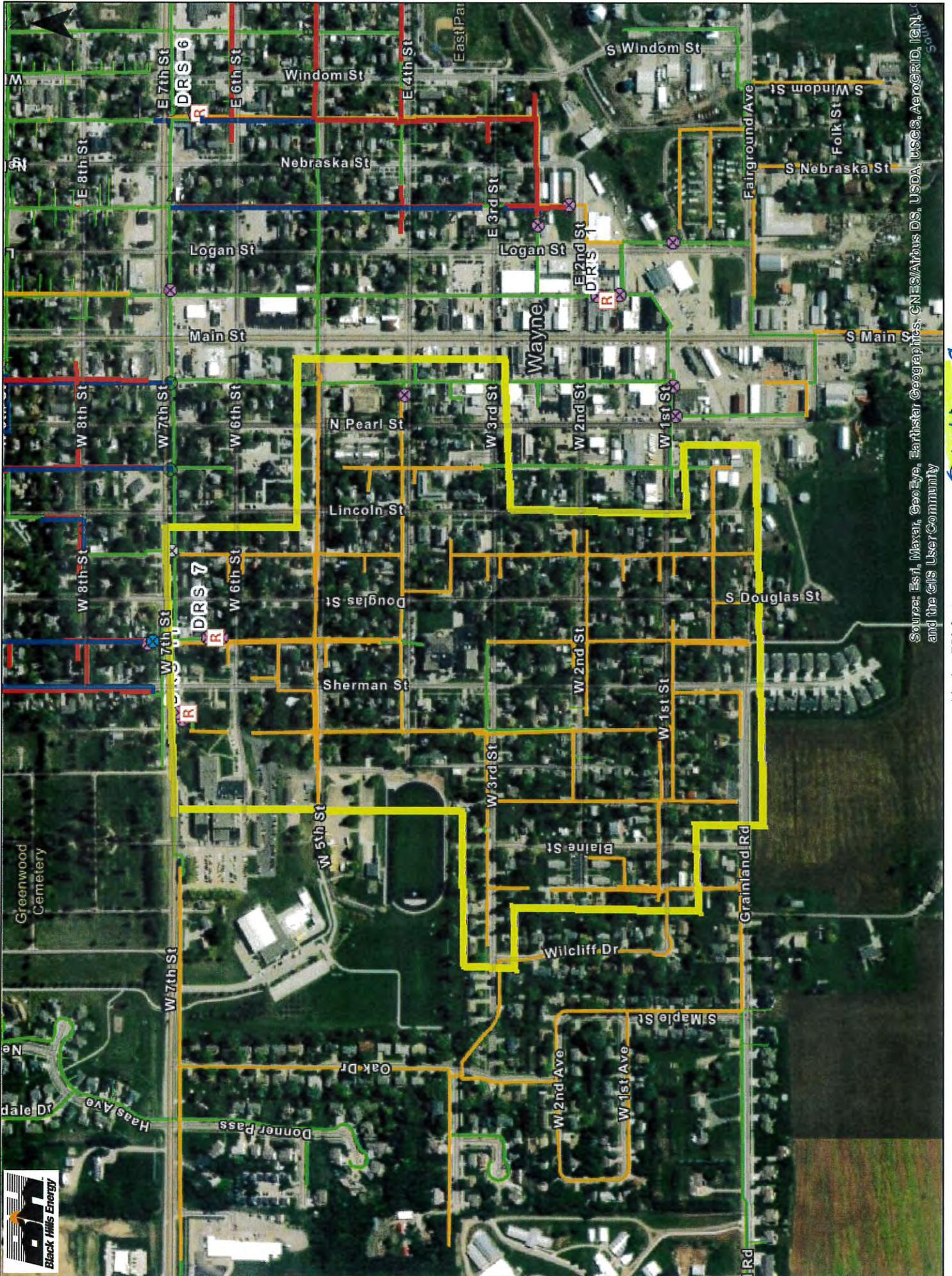
Date: 3/10/2022

**Section A**

1 inch = 752 feet  
 ASSOCIATED WALL M...

ASSOCIATED WALL M...

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Date: 3/10/2022

Section C

1 inch = 752 feet

Address: A-100 WALL A-100 D-100