

MINUTES
CITY COUNCIL MEETING
May 3, 2022

The Wayne City Council met in regular session at City Hall on May 3, 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 Karsky, to approve the minutes of the meeting of April 19, 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: ACES, SE, 1021.15; AMERITAS, SE, 98.31; AMERITAS, SE, 165.05; AMERITAS, SE, 2800.56; AMERITAS, SE, 72.00; APPEARA, SE, 52.16; ARMSTRONG, SHELLY, RE, 100.00; BATTERY SOLUTIONS, SU, 204.00; BEACH, KAITLYN, RE, 9.25; BIG RIVERS ELECTRIC CORPORATION, SE, 161554.83; BLUE CROSS BLUE SHIELD, SE, 49499.69; BOMGAARS, SU, 2031.84; BROWN SUPPLY, SU, 5225.00; BSN SPORTS, SU, 811.14; CARHART LUMBER

COMPANY, SU, 96.45; CARLSON WEST PVONDRA ARCHITECTS, SE, 6142.50; CENTURYLINK, SE, 424.07; CITY EMPLOYEE, RE, 632.31; CITY EMPLOYEE, RE, 507.28; CITY EMPLOYEE, RE, 175.00; CITY EMPLOYEE, RE, 14.50; CITY EMPLOYEE, RE, 534.44; CITY EMPLOYEE, RE, 31.50; CITY OF WAYNE, PY, 91781.29; CITY OF WAYNE, RE, 690.93; CLAUSSEN, HEATHER, RE, 125.00; CONSOLIDATED MANAGEMENT, SE, 38.04; CUNNINGHAM, TAYLER, RE, 25.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 89.44; DUTTON-LAINSON COMPANY, SU, 3043.60; DUTTON-LAINSON COMPANY, SU, 2064.57; ESRI, SE, 1900.00; EXHAUST PROS TOTAL CAR CARE, SE, 80.25; FIRST CONCORD GROUP, SE, 3947.74; FLOOR MAINTENANCE, SU, 931.70; GERHOLD CONCRETE, SU, 2231.72; GROSSENBURG IMPLEMENT, SU, 176.27; HARLEMAN, MARK, RE, 9.25; HEWLETT PACKARD, SE, 4939.20; HILAND DAIRY, SE, 110.11; HOSKINS, MOLLY, RE, 40.00; ICMA, SE, 8587.88; ICMA, SE, 168.72; ICMA, SE, 154.18; ICMA, SE, 390.42; ICMA, SE, 35.42; ICMA, SE, 65.00; ICMA, SE, 1561.62; ICMA, SE, 128.40; ICMA, SE, 119.12; ICMA, SE, 387.46; IIMC, FE, 175.00; IRS, TX, 11383.80; IRS, TX, 3622.82; IRS, TX, 15490.70; JEO CONSULTING GROUP, SE, 5286.75; JEO CONSULTING GROUP, SE, 4490.00; KOENIG ENTERPRISES, RE, 1000.00; KTCH, SE, 150.00; KUTCHA, ANDY, RE, 30.00; MARCO TECHNOLOGIES, SE, 180.50; MESSINGER, DAVID, RE, 40.00; MILLER LAW, SE, 5416.67; MUNSELL, JENNIFER, RE, 40.00; NE DEPT OF REVENUE, TX, 4955.11; NE LAW ENFORCEMENT, SE, 125.00; NORTHEAST POWER, SE, 18678.78; NOVA FITNESS EQUIPMENT, SE, 1137.44; OLSSON ASSOCIATES, SE, 3290.01; O'REILLY AUTOMOTIVE STORES, SU, 62.35; PROGRESSIVE BUILDERS, RE, 500.00; SANDRY FIRE SUPPLY, SU, 1250.21; SUPERCIRCUITS, SU, 699.00; THE RETROFIT COMPANIES, SU, 345.00; TOTAL GRAPHICS, SU, 2463.65; TOTAL GRAPHICS, SU, 163.30; VAN DIEST SUPPLY, SU, 224.25; VIAERO, SE, 65.52; WAED, SE, 20592.41; WAYNE DIRT DEVILS, RE, 250.00; WESCO, SU, 398.05; WISNER WEST, SU, 7.61; ZUEL, CATERIN, RE, 200.00; ACE SIGN DISPLAYS, RE, 500.00; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 8515.05; APPEARA, SE, 59.38; APPEARA, SE, 55.50; ARC-HEALTH & SAFETY, FE, 43.00; BENSCOTER CONSTRUCTION, RE, 1000.00; BROWN SUPPLY, SU, 880.00; CITY EMPLOYEE, RE, 485.12; CONSOLIDATED MANAGEMENT, SE, 3.94; ELLIS, JEFF, RE, 100.00; ENGBRETSSEN, KATLYN, RE, 500.00; FLOOR MAINTENANCE, SU, 750.28; GILLILAND, ROD, RE, 500.00; GLOBAL PAYMENTS INTEGRATED, SE, 907.45; HEIKES AUTOMOTIVE, SE, 85.00; HILAND DAIRY, SE, 112.69; HOMETOWN LEASING, SE, 436.02; LOVE SIGNS, RE, 500.00; MERCHANT SERVICES, SE, 4196.64; MERCHANT SERVICES, SE, 68.85; MERCHANT SERVICES, SE, 1559.80; NE SECRETARY OF STATE, SE, 30.00; NNEDD, FE, 7418.53; NORTHEAST POWER, SE, 5740.00; PEERLESS WIPING CLOTH, SU, 510.00; PLUMBING & HEATING WHOLESALE, SU, 179.50; PLUNKETT'S PEST CONTROL, SE, 1231.59; POSTMASTER, SU, 941.59; SCHMITZ, CINDY, SE, 45.00; SEBADE, CHERRY, RE, 200.00; SIEVERS, TOM, RE, 100.00; THOMPSON, LUCAS, RE, 500.00; TYLER TECHNOLOGIES, SE, 200.00; ZEE MEDICAL SERVICE, SU, 121.24

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

Marysz Rames, President of Wayne State College, gave an overview of their new strategic plan that just launched, as well as their campus master plan that was just completed.

A Liquor License Manager Application was received from the Nebraska Liquor Control Commission on behalf of Joshua C. Sievers for the Wayne Hospitality Group, LLC, d/b/a Cobblestone Hotel.

Joshua C. Sievers was present to answer questions.

Councilmember Brodersen made a motion, which was seconded by Councilmember Pick, approving the Liquor License Manager Application of Joshua C. Sievers for the Wayne Hospitality Group, LLC, d/b/a Cobblestone Hotel. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese stated the time was at hand for the public hearing regarding the application for a Retail Class Z (Micro Distillery) Liquor License on behalf of Johnnie Byrd Brewing Company, d/b/a “Johnnie Byrd Brewing Company,” located at 121 N. Pearl Street.

Greg Ptacek, representing Johnnie Byrd Brewing Company, was present to answer questions.

City Clerk McGuire had not received any comments for or against this public hearing.

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

Councilmember Karsky introduced Resolution No. 2022-31 and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2022-31

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS Z LIQUOR LICENSE — JOHNNIE BYRD BREWING COMPANY, D/B/A “JOHNNIE BYRD BREWING COMPANY.”

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

Mayor Giese declared the time was at hand for the public hearing on Community Development Block Grant — Owner-Occupied 21-HO-35041.

Riah Deane, Community Planner with the Northeast Nebraska Economic Development District, was present to answer questions.

This grant was initially applied for by the Wayne Community Housing Development Corporation (WCHDC). DED, upon review of the submitted pre-application, determined that WCHDC was not eligible to submit an application for 2021 CDBG Owner Occupied Rehabilitation funds. However, it was determined that the City of Wayne could apply and did and would then be responsible for administering the grant if selected for award. The City will be using \$315,000 of CDBG – Owner Occupied Rehab (OOR) funds, of which \$250,000 will be used for Owner Occupied Rehab of 10 units; \$20,000 will be used for general administration; \$30,000 for housing management; and \$1,500 per unit will be used for lead based paint abatement. All CDBG funds will benefit low-to-moderate income persons in the community, and no persons or businesses will be displaced as a result of this project. Again, there is no City match with this grant.

This public hearing is for submitting a request to NDED for the release of funds to undertake the project.

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

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

Councilmember Eischeid introduced Resolution 2022-32, and moved for its approval; Councilmember Pick seconded.

RESOLUTION NO. 2022-32

A RESOLUTION TO APPOINT THE NED, INC., BOARD TO APPROVE/DENY APPLICANTS AS DIRECTED IN THE CITY OF WAYNE OWNER-OCCUPIED REHABILITATION PROGRAM GUIDELINES.

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

Wayne has participated in numerous NDED (Nebraska Department of Economic Development) Housing and Nebraska Housing Trust Fund grant programs. These programs require each city to establish guidelines to comply with all Federal requirements for how the funds are used and to prohibit discrimination. Wayne has not participated in a housing grant for a couple of years. Because Wayne listed owner-occupied home rehabilitation as one of the objectives in the \$315,000 grant, we need to update our

existing housing policy to meet recent Federal requirements before NDED will release the grant funds. Northeast Nebraska Economic Development District has revised our plan to meet the new policy requirements.

Councilmember Eischeid introduced Resolution 2022-33, and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2022-33

A RESOLUTION ADOPTING OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM GUIDELINES, HOUSING REUSE PLAN AND SUBORDINATION POLICY.

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

Administrator Blecke stated Olsson has submitted a proposal to work with the Stool to Cool Task Force to design the old lagoon area into recreation. The Stool to Cool Task Force is at a point to start working with a firm to design what the old lagoon area will ultimately look like. This action is needed to start placing amenities (i.e. sporting fields, roadways, pathways, a water feature/lake, open space, possible Park & Rec building, etc.) into a 3-D world and not just working off of overhead maps that do not take into account the significant grade changes in the area. This design process would hopefully be completed in 8-10 weeks. The design would come back to Council for formal approval.

Seth Lange with Olsson was present via zoom to answer questions. The proposal submitted is for a lump sum fee of \$28,650. This is for Plan A or the first design phase (Master Plan).

Discussion took place on whether or not to include a proposal for additional services (Plan B or second design phase). This would provide a final grading plan, layout of storm sewer, erosion control and a storm water pollution prevention plan and layout of additional services to get the grading done – this would be around the \$20,000 range. Then, the final plan would be the design of paving and utilities which would be an additional \$30,000 on top of the other two phases.

After some discussion, it was determined that a site master plan concept needed to be presented to the community for input.

Mayor Giese recommended locking in the proposal for both Phase 1 and Phase 2.

Councilmember Karsky, on behalf of the Stool to Cool Task Force, stated this is the next step in the process. He was of the opinion this needed to move forward even if we do not know about the sales tax and some of the other things that are out there.

Councilmember Muir stated that to the effect of adding the \$20,000 for the final grading, he thought it just shows another step towards how serious the Council is in redeveloping this area for recreation and quality of life.

Riah Dean with the Northeast Nebraska Economic Development District stated there are resources/grants available for parks. She will do some research on what is available and get back to Administrator Blecke.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the proposal from Olsson to work with the Stool to Cool Task Force for the amount of \$28,650 for Phase 1 of the overall project, and also, for City staff to contact Olsson to prepare a draft for compensation of services for Phase 2 to include dirt work and elevation. 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 6:34 p.m.