

MINUTES
CITY COUNCIL MEETING
May 17, 2022

The Wayne City Council met in regular session at City Hall on May 17, 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 May 3, 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, 363.34; AMERITAS, SE, 94.18; AMERITAS, SE, 161.94; AMERITAS, SE, 35.00; AMERITAS, SE, 72.00; AMERITAS, SE, 3219.08; APPEARA, SE, 52.16; APPEARA, SE, 66.91; BAKER & TAYLOR BOOKS, SU, 1385.21; BENSCOTER INC, RE,

2404.23; BENSCOTER, LOUIS, RE, 7187.09; BLACK HILLS ENERGY, SE, 1733.68; BROGIE, ED, RE, 440.00; CITIZENS STATE BANK, RE, 5916.78; CITIZENS STATE BANK, RE, 8702.26; CITIZENS STATE BANK, RE, 5987.74; CITY EMPLOYEE, RE, 113.93; CITY EMPLOYEE, RE, 1466.15; CITY EMPLOYEE, RE, 684.45; CITY OF WAYNE, PY, 92125.08; CITY OF WAYNE, RE, 2339.90; CLAUSSEN & SONS IRRIG, SE, 8251.04; COPY WRITE PUBLISHING, SE, 291.59; COTTONWOOD WIND PROJECT, SE, 24595.95; COUNTRY NURSERY, SE, 480.00; CUMMINS CENTRAL POWER, SE, 1548.80; DAS STATE ACCTG-CENTRAL FINANCE, SE, 67.79; DAVE'S DRY CLEANING, SE, 69.00; DEARBORN LIFE INSURANCE COMPANY, SE, 2859.49; DEMCO, SU, 111.14; DOESCHER REPAIR, SE, 144.00; ECHO GROUP, SU, 366.17; FLOOR MAINTENANCE, SU, 50.72; FLOOR MAINTENANCE, SU, 250.58; GALE/CENGAGE LEARNING, SU, 123.45; GRAINLAND ESTATES, RE, 8001.17; GROSSENBURG IMPLEMENT, SU, 90.12; GUARANTEED LANDSCAPING & SPRINKLERS, SE, 6297.50; HANSEN BROTHERS PARTS & SERVICE, SU, 120.13; HEARTLAND FIRE PROTECTION, SE, 1074.00; HELENA AGRI-ENTERPRISES, SU, 1085.74; HILAND DAIRY, SE, 160.92; HILAND DAIRY, SE, 95.95; ICMA MEMBERSHIP RENEWAL, FE, 927.44; ICMA, SE, 119.12; ICMA, SE, 168.72; ICMA, SE, 1561.62; ICMA, SE, 154.18; ICMA, SE, 65.00; ICMA, SE, 128.40; ICMA, SE, 8594.83; ICMA, SE, 390.42; ICMA, SE, 35.42; ICMA, SE, 387.46; ICMA, SE, 102.72; INGRAM LIBRARY SERVICES, SU, 650.60; INTERSTATE BATTERY SYSTEM, SU, 107.22; IRS, TX, 15642.86; IRS, TX, 11582.92; IRS, TX, 3658.38; KELLY SUPPLY COMPANY, SU, 307.34; KTCH, SE, 200.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 130.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 944.00; LUTT OIL, SU, 10403.48; MAIN STREET GARAGE, SE, 130.00; MARCO, SE, 175.92; MATHESON-LINWELD, SU, 34.25; MEYER, SU, 600.00; MID PLAINS GRAIN, RE, 6996.57; MIDWEST ALARM SERVICES, SE, 791.14; MIDWEST LABORATORIES, SE, 189.00; NE DEPT OF REVENUE, TX, 5055.23; NPPD, SE, 7767.76; NPPD, SE, 31.00; NMPP ENERGY, SE, 1200.00; NORTHWEST ELECTRIC, SU, 359.61; ONE CALL CONCEPTS, SE, 92.26; O'REILLY AUTOMOTIVE STORES, SU, 79.04; OVERDRIVE, SU, 764.57; PAC N SAVE, SU, 1142.45; PAC N SAVE, SU, 10.45; PIP MARKETING, SIGNS & PRINT, SU, 2064.84; PLUMBING & HEATING WHOLESALE, SU, 82.50; QHA CLEANING, SE, 1500.00; QUADIANT FINANCE USA, SU, 1000.00; QUALITY FOOD CENTER, SU, 33.40; ROBERT WOEHLE & SONS, RE, 100.00; RUZICKA, JACKIE, RE, 200.00; SD MYERS, SE, 2026.00; SKARSHAUG TESTING LAB, SE, 246.05; SOUTHERN CARLSON, SU, 730.21; STADIUM SPORTING GOODS, SU, 526.00; STAPLES, SU, 261.11; STATE NEBRASKA BANK & TRUST, SE, 60.80; STATE NEBRASKA BANK & TRUST, RE, 74227.50; TELEPAK, SU, 1275.00; THREE RIVERS LIBRARY SYSTEM, FE, 10.00; TOTAL GRAPHICS, SU, 1105.50; TOTAL GRAPHICS, SU, 2626.95; TOTAL GRAPHICS, VD, -2626.95; UNL-PIERCE COUNTY EXTENSION, FE, 135.00; US BANK, SU, 9673.69; US FOODSERVICE, SU, 1762.79; UTILITY EQUIPMENT, SU, 229.75; VERIZON, SE, 584.43; WAYNE AUTO PARTS, SU, 778.62; WAYNE HERALD, SE, 171.50; WAYNE HERALD, SE, 1097.03; WAYNE HOSPITALITY, RE, 21990.22; WAYNE VETERINARY CLINIC, SE, 42.00; WAPA, SE, 19286.78; WINDOM RIDGE, RE, 3068.42; WISNER WEST, SU, 239.76; AMERICAN BROADBAND, SE, 8985.93; BIG RIVERS ELECTRIC CORPORATION, SE, 122997.42; BSN SPORTS, SU, 225.00; CITY EMPLOYEE, RE, 1695.35; CITY EMPLOYEE, RE, 281.49; CITY EMPLOYEE, RE, 151.24; CITY OF WAYNE, RE, 281.49; ELKINS PORTABLE RESTROOMS, SE, 525.00; FASTENAL, SU, 48.40; FLOOR MAINTENANCE, SU, 365.59; GROSSENBURG IMPLEMENT, SU, 470.78; HAWKINS, SU, 5172.20; JACK'S UNIFORMS, SU, 1070.00; KTCH, SE, 150.00; NATL LEAGUE OF CITIES, FE, 1202.00; NE STATE VOLUNTEER FIREFIGHTERS ASSOC, FE, 60.00; NORFOLK FAMILY YMCA, FE, 100.00; NOVA FITNESS EQUIPMENT, SU, 11934.22; O'REILLY AUTOMOTIVE STORES, SU, 54.46; PLUMBING & HEATING WHOLESALE, SU, 53.05; PLUNKETT'S PEST CONTROL, SE, 95.80; STAPLES, SU, 47.35

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

Cap Peterson, President of Northeast Nebraska Insurance Agency, the city's property and casualty insurance carrier, presented the City with a dividend check in the amount of \$80,895.02.

Phil Monahan was present and advised the Council he was appointed the Fire Chief by the Wayne Volunteer Fire Department for the upcoming year. This is his 11th year serving as Fire Chief.

Councilmember Karsky made a motion, which was seconded by Councilmember Dorey, approving the appointment of Phil Monahan as Fire Chief. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

A Liquor License Manager Application was received from the Nebraska Liquor Control Commission on behalf of Hunter R. Jorgensen for the 4th Jug, LLC, d/b/a "Max Again" – 109 Main Street.

Hunter R. Jorgensen was present to answer questions.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving the Liquor License Manager Application of Hunter R. Jorgensen for the 4th Jug, LLC, d/b/a "Max Again." 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 to consider the Planning Commission's recommendation concerning a request to rezone property (200, 204, and 208 S. Lincoln Street) from I-1 Light Industrial to R-2 Residential. The applicant for the rezoning request is the City of Wayne.

The legal description for this real estate is: Lots 21, 22, and 23, Southview II Addition, City of Wayne, Wayne County, Nebraska.

The Planning Commission reviewed the matter at their public hearing on May 2, 2022, and forwarded a recommendation to approve the same subject to the following "Findings of Fact:"

- Consistency with the Comprehensive Plan and the current and future land use map; and

➤ Staff's recommendation

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

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

Councilmember Karsky introduced Ordinance No. 2022-7, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2022-7

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF 200, 204, and 208 S. LINCOLN STREET FROM I-1 LIGHT INDUSTRIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT.

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

The following Resolution outlines the current year goals and future goals brought forth from the mini-retreats that have taken place over the past year (2021).

Councilmember Eischeid introduced Resolution 2022-34, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2022-34

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

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

Jill Brodersen, Architect on the College Hill Park Trail Head Project, stated one bid was received on Monday, May 16th. She has reviewed the same and is recommending the contract be awarded to OCC Builders, LLC, for \$372,310.

This is a rebid of the same project. Some items, including Davis-Bacon wage requirements, were missed in the bid documents the first time this was bid. In order to not jeopardize grant funding for the project, it was recommended to bid the project again. It was anticipated the winning bid would be higher than the last time, and it was.

Councilmember Eischeid introduced Resolution No. 2022-35 and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2022-35

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “COLLEGE HILL PARK TRAIL HEAD PROJECT” TO OCC BUILDERS, LLC, FOR \$372,310.

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

The following Resolution will approve an agreement with Northeast Nebraska Economic Development District for construction management services relating to CDBG 21-PW-022 (Pool House Renovation Project).

This agreement with Northeast Nebraska Economic Development is for construction management services relating to CDBG 21-PW-022. This is for the grant the City was awarded (up to \$303,000) to be used to repurpose the shower house which will be used by the community as a four-season recreational facility and will become the trailhead for the City’s trail system. The project will also include a pathway that will be in compliance with the Americans with Disabilities Act (ADA) that will connect the facility with the trails. The fees for said construction management services shall not exceed \$10,000.

The total project costs are estimated at \$383,400, and local matching funds of \$80,400 will be provided by the City. The project site is at what is now known as “Freedom Park,” formerly the old City Pool Park, located at the corner of West 13th and Lincoln Streets in Wayne. 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.

Councilmember Brodersen introduced Resolution 2022-38, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2022-38

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR CONSTRUCTION MANAGEMENT SERVICES

RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT 21-PW-022 (POOL HOUSE RENOVATION PROJECT).

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

Taylor Kube, engineer with Olsson, was present via zoom, to review the plans and specifications for the “2022 S. Lincoln Street Improvements Project.” This is a continuation of the Chicago Street project – about a ½ block of paving. The engineer’s estimate is \$190,000 for this project.

Joel Hansen, Street and Planning Director, provided additional background on the project. This was already on the One and Six Year Street Improvement Program before the Chicago Street project came along. It now makes sense since there will already be a paver in the vicinity to incorporate this extra half block into the project and get it done at this time.

Councilmember Eischeid introduced Resolution 2022-36, and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2022-36

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE “2022 SOUTH LINCOLN STREET IMPROVEMENTS PROJECT” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

Roger Protzman, engineer with JEO Consulting Group, Inc., was present to review the plans and specifications for the “2022 Golf Course Sewer Improvements Project.” The engineer’s estimate, which includes material and labor, was \$138,000.

This project will extend the sanitary sewer main from the golf course close to college property. It also will run a smaller sewer main to the west. Easements will need to be obtained from the Wayne Country Club and Wayne State College.

A homeowner whose property had been annexed quite a few years ago is experiencing septic problems. The city, at that time, never developed a plan to extend city services to those properties on the east side of Highway 15 by the golf course.

Casey Junck, Water/Wastewater Supervisor, stated the homeowner is now pumping their septic system every 3-4 weeks. The City has been paying the bill to help them out.

Councilmember Brodersen introduced Resolution 2022-37, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2022-37

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE “2022 GOLF COURSE IMPROVEMENTS PROJECT” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

Discussion took place in regard to purchasing an art sculpture based upon the recommendation of the Wayne Public Art Committee.

Councilmember Brodersen, who is a member of said committee, advised the Council that the sculpture that the committee was recommending purchasing has been picked up by the artist. Council has allocated money to the committee to do such things as the mural on the side of the Majestic Theater and then the Sculpture Walk. Last year, there were 10 sculptures; this year, there will be 12. The committee leases/rents the sculptures from the artist for one year (\$1,000 per artist). She would like the Council to consider purchasing one of the sculptures every year, to possibly be used at a park, beginning of a trail, etc.

Councilmember Eischeid stated he is in favor of purchasing a sculpture, but he would like to purchase from the local artists first.

It was noted that the Mike Fluent sculpture is \$4,500 and the Steve Elliot sculpture is \$5,000 (they being the local artists).

Mayor Giese stated the Public Art Committee should bring forth a recommendation – there is \$8,000 left in this year’s budget.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, setting the Council Retreat date for May 31, 2022, 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 6:12 p.m.