

MINUTES
CITY COUNCIL MEETING
July 5, 2022

The Wayne City Council met in regular session at City Hall on July 5, 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, Dallas Dorey, Jason Karsky and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmembers Nick Muir, Chris Woehler and Matt Eischeid.

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 Buck made a motion, which was seconded by Councilmember Dorey, to approve the minutes of the meeting of June 21, 2022, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: AHA, FE, 192.00; AMAZON, SU, 736.62; APPEARA, SE, 109.29; AQUARIUS TECHNOLOGIES, SU, 7702.08; ARCADIAN MARKSMANSHIP CLUB, FE, 100.00; ARNIE'S FORD, SU, 14.41; BIO-ELECTRONICS, SU, 375.00; BLACK HILLS ENERGY, SE, 433.87; BLUE CROSS

BLUE SHIELD, SE, 49499.69; BOMGAARS, SU, 1336.27; BORDER STATES INDUSTRIES, SU, 263.96; BSN SPORTS, SU, 84.00; CARHART LUMBER COMPANY, SU, 560.42; CARROLL DISTRIBUTING, SU, 93.30; CENTURYLINK, SE, 399.56; CITY EMPLOYEE, RE, 274.80; CITY EMPLOYEE, RE, 512.50; CITY EMPLOYEE, RE, 12.83; CITY EMPLOYEE, RE, 107.19; CITY OF WAYNE, RE, 1445.86; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 10000.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 10000.00; COTTONWOOD WIND PROJECT, SE, 20308.17; DEARBORN LIFE INSURANCE COMPANY, SE, 96.32; DUTTON-LAINSON, SU, 1956.72; EAKES OFFICE PLUS, SE, 400.51; EAKES OFFICE PLUS, SE, 2350.57; ED M. FELD EQUIPMENT, SU, 384.36; ERNESTI, TATE, RE, 20.87; FAIRFIELD INN – KEARNEY, SE, 439.80; FIRE CATT, SE, 5026.50; FLOOR MAINTENANCE, SU, 338.63; GENERAL TRAFFIC CONTROLS, SU, 81.99; GEOCOMM, SE, 2197.00; GERHOLD CONCRETE, SU, 1166.64; GROSSENBURG IMPLEMENT, SU, 276.41; HAWKINS, SU, 5066.93; HELENA AGRI-ENTERPRISES, SU, 695.00; HILAND DAIRY, SE, 282.69; HURLBERT, AMARA, RE, 20.87; JACK'S UNIFORMS, SU, 235.35; JEO CONSULTING GROUP, SE, 12675.37; KOUATIL, ZAYNAB, SE, 150.00; KTCH, SE, 150.00; L.G. EVERIST, SU, 184.44; LAMP, MACKENZIE, SE, 250.00; LANDPHEAR, LANA, RE, 35.00; LINCOLN WINWATER WORKS, SU, 423.00; LINCOLN WINWATER WORKS, SU, 23898.60; MARCO, SE, 175.92; MCCORMIICK, JORDAN, RE, 20.57; MEYER, DELANEY, RE, 20.87; MIDWEST TURF & IRRIGATION, RE, -77,074.00; MUHS, LANCE, RE, 20.57; MUNICIPAL SUPPLY, SU, 4494.89; NE LIBRARY COMMISSION, FE, 1680.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 923.00; NOVA FITNESS EQUIPMENT, SU, 174.97; NOVA FITNESS EQUIPMENT, SE, 770.95; NUSS, ANGELA, RE, 42.80; NUSS, COURTNEY, RE, 20.87; OLSSON, SE, 15118.00; O'REILLY AUTOMOTIVE STORES, SU, 8.68; OSBORN, ANDREW, RE, 20.87; REZURRECTED ROD & KUSTOM, SE, 1165.04; ROBERT WOehler & SONS, SE, 15750.00; SIEVERS, BRITTANY, RE, 17.50; THOMPSON ELECTRIC, SU, 230.78; UTILITIES SECTION, SE, 3900.00; UTILITY EQUIPMENT, SU, 5600.00; VIAERO, SE, 65.52; VRBICKY, MARK, RE, 500.00; WAED, SE, 1000.00; WAYNE COUNTY CLERK, SE, 10600.10; WAYNE HERALD, SE, 1895.04; AMERICAN BROADBAND, SE, 1438.33; AMERICAN LIBRARY ASSOC, FE, 228.00; AMERITAS, SE, 196.64; AMERITAS, SE, 35.00; AMERITAS, SE, 119.69; AMERITAS, SE, 72.00; AMERITAS, SE, 3344.88; APPEARA, SE, 59.38; ASSOCIATION FOR RURAL & SMALL LIBRARIES, FE, 50.00; BEBEE, GAREK, RE, 500.00; BROWN SUPPLY, SU, 234.00; CITY EMPLOYEE, RE, 3640.58; CITY EMPLOYEE, RE, 522.80; CITY OF WAYNE, PY, 111429.61; CLARK, ERIK, RE, 500.00; FLOOR MAINTENANCE, SU, 130.44; GALE/CENGAGE LEARNING, SU, 197.52; GERHOLD CONCRETE, SU, 1333.30; GROSSENBURG IMPLEMENT, SU, 42.18; HILAND DAIRY, SU, 57.51; HOMETOWN LEASING, SE, 436.02; ICMA, RE, 36.64; ICMA, RE, 174.75; ICMA, RE, 154.18; ICMA, RE, 1443.86; ICMA, RE, 339.92; ICMA, RE, 8945.96; ICMA, RE, 102.72; ICMA, RE, 119.12; ICMA, RE, 65.00; ICMA, RE, 132.14; ICMA, RE, 387.46; IRS, TX, 15.52; IRS, TX, 12616.31; IRS, TX, 4285.06; IRS, TX, 18322.26; IRS, TX, 66.40; IRS, TX, 66.82; KELLY SUPPLY COMPANY, SU, 40.35; MERCHANT SERVICES, SE, 46.35; MERCHANT SERVICES, SE, 1222.60; MERCHANT SERVICES, SE, 4287.81; NE DEPT OF REVENUE, TX, 12.51; NE DEPT OF REVENUE, TX, 5685.89; NE STATE VOLUNTEER FIREFIGHTERS ASSOC, FE, 705.00; NORTHEAST NE INS AGENCY, SE, 104111.00; NORTHEAST POWER, SE, 8078.00; ONE CALL CONCEPTS, SE, 145.96; POSTMASTER, SU, 933.63; QUALITY FOOD CENTER, SU, 12.00; SCHULTZ, EVERETT, RE, 535.00; SIEVERS, BRITTANY, RE, 500.00; STATE NEBRASKA BANK & TRUST, SE, 71.68; THOMPSON, LUCAS, RE, 1000.00; THOMPSON, LUCAS, RE, 500.00; VAN DIEST SUPPLY, SU, 139.00; WASTE CONNECTIONS, SU, 150.00; WATTIER, SHELDON, RE, 200.00; WAPA, SE, 19961.16; WISNER WEST, SU, 253.23

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, with

the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried.

Joel Hansen, Board of Director of the Lower Elkhorn Natural Resource District (LENRD) presented the City of Wayne with a check in the amount of \$26,000 for the completion of the Wayne Pedestrian Trail – Phase II Project. He noted the City applied for this grant in 2006.

Because Greg Ptacek, d/b/a Johnnie Byrd Brewing Company, was not in attendance at the time of his agenda item, Mayor Giese went onto the next agenda item.

The following two Resolutions would approve agreements with Northeast Nebraska Economic Development District for lead paint services and also housing management services relating to CDBG 21-HO-35041 (Owner-Occupied Housing Grant). The City was notified on November 18, 2022, that it was awarded up to \$315,000 to be used for owner-occupied rehabilitation. This is the grant that the City applied for, but will be used by Wayne Community Housing Development Corporation for owner-occupied rehab purposes. The amount was for \$250,000, with no match required. The services for lead paint inspection, risk assessment, and clearance testing, shall not exceed the sum of \$15,000, and the services for housing management services shall not exceed the sum of \$30,000. General administration fees were already approved for \$20,000 for this grant.

Mytzy Rodriguez-Kufner, Executive Director of Wayne Community Housing Development Corporation, was present to answer any questions the Council might have pertaining to this grant.

Councilmember Karsky introduced Resolution 2022-43, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2022-43

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR LEAD (PAINT) SERVICES RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT 21-HO-35041 (OWNER-OCCUPIED HOUSING GRANT).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Karsky introduced Resolution 2022-44, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2022-44

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR HOUSING MANAGEMENT SERVICES RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT 21-HO-35041 (OWNER-OCCUPIED HOUSING GRANT).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Brodersen introduced Ordinance No. 2022-8, and moved for approval of the second reading thereof; Councilmember Pick seconded.

ORDINANCE NO. 2022-8

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (KARDELL PROPERTY).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Brodersen introduced Ordinance No. 2022-9, and moved for approval of the second reading thereof; Councilmember Pick seconded.

ORDINANCE NO. 2022-9

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (GREAT DANE TRAILERS).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Brodersen introduced Ordinance No. 2022-10, and moved for approval if the second reading thereof; Councilmember Pick seconded.

ORDINANCE NO. 2022-10

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (DEPARTMENT OF TRANSPORTATION OFFICE).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Councilmember Buck introduced Ordinance No. 2022-11, and moved for approval of the second reading thereof; Councilmember Pick seconded.

ORDINANCE NO. 2022-11

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WAYNE AND EXTENDING THE CORPORATE LIMITS IN THE NORTHEAST QUADRANT OF THE CITY OF WAYNE TO INCLUDE SAID REAL ESTATE (HERITAGE HOMES).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Greg Ptacek, representing Johnnie Byrd Brewing Company, was requesting Council consideration to approving his Special Designated Liquor Permit for an expanded outdoor beer garden on July 20 and 21, 2022, at 117 W. 2nd Street. He is not required to have a double fence, but measures need to be taken to secure the area.

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the request of Greg Ptacek, representing Johnnie Byrd Brewing Company, for a Special Designated Liquor Permit for an expanded outdoor beer garden on July 20 and 21, 2022, at 117 W. 2nd Street. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir, Woehler and Eischeid who were absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 5:42 p.m.