

AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
October 4, 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 – September 20, 2022](#)
4. [Approval of Claims](#)
5. [Action on the Mayoral Appointment of Amy Bloomquist to the Library Board](#)
6. [Ordinance 2022-19: Authorizing the release and abandonment of the 14 foot utility easement located between Lots 3 and 4, Block 6, Vintage Hill 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7' of said easement – Nick Junck \(Second Reading\)](#)
7. [Resolution 2022-64: Acknowledging Nebraska Department of Transportation Requirements for the Temporary Use of the State Highway System for Special Events — Christmas in Main Celebration/Annual Parade of Lights on Thursday, November 17th](#)

Background: This is an annual request by Wayne Area Economic Development.

8. [Action on the request of Wayne Area Economic Development to prohibit parking on Main Street in the 200 block and 300 block from 5:30 p.m. until 8:00 p.m. for the Christmas in Main Celebration/Annual Parade of Lights Event to be held on Thursday, November 17th](#)

Background: This is an annual request by Wayne Area Economic Development.

9. [Public Hearing:](#) Concerning the request of Jonathan Webb to open the alley for traffic behind his property — 319 S. Nebraska Street

Background: Jonathan Webb has made a request to open the alley behind his property at 319 S. Nebraska Street. Joel Hansen, Street and Planning Director, has stated that the alley is platted but it has never been improved with rock. The City has other such grass alleys in town where there are utilities, but people do not drive in them other than for maintenance on the utility. If the Council would approve to open the alley for traffic, the same would have to be leveled and graveled at the City's expense. However, when the time would come to add additional gravel, etc., as with other alleys, the same would be cost-shared 50/50 by the adjoining property owners if they sign a petition and agree to the same.

10. [Action on the request of Jonathan Webb to open the alley for traffic behind his property — 319 S. Nebraska Street](#)
11. [Resolution 2022-65 Directing the City Clerk to certify Mowing Costs to the Wayne County Clerk and the Wayne County Treasurer to become a Lien on 208 W. 10th Street \(West 100' of Lots 21, 22, 23, 24, 25 and 26, Block 22, College Hill First Addition – Lena Roberts\)](#)
12. [Resolution 2022-66: Directing the City Clerk to certify Mowing Costs to the Wayne County Clerk and the Wayne County Treasurer to become a Lien on 105 W. 4th Street \(West 50' of East 100' of Lots 8, 9, 10, and 11, Block 9, Crawford & Brown's Addition – Bradley and Lena Roberts\)](#)
13. [Resolution 2022-67 Directing the City Clerk to certify Mowing Costs to the Wayne County Clerk and the Wayne County Treasurer to become a Lien on 120 W. 9th Street \(West 80' of South 100' of Lot 3, Block 1, Britton & Bressler's Addition – Bradley and Lena Roberts\)](#)
14. Discussion regarding sidewalk installation along the Chicago Street Project
Background: With construction taking place, is this the time to require sidewalks?
15. Update on the Bradley J. Woehler and Bradley F. Roberts vs City of Wayne litigation matter
16. Adjourn

**MINUTES
CITY COUNCIL MEETING
September 20, 2022**

The Wayne City Council met in regular session at City Hall on September 20, 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, Brittany Webber, Chris Woehler, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke (via zoom) Attorney Amy Miller; 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 Woehler, to approve the minutes of the meeting of September 6, 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, SU, 1049.24; ALL HOURS TOWING, SE, 225.00
AMERITAS, SE, 72.00; AMERITAS, SE, 161.94; AMERITAS, SE, 35.00; AMERITAS, SE, 94.18;
AMERITAS, SE, 2965.42; APPEARA, SE, 59.41; APPEARA, SE, 54.72; ARNIE'S FORD, SU, 130.76;

BATTERY SOLUTIONS, SU, 204.00; BEIERMANN ELECTRIC, SE, 800.00; BENSCOTER INC, RE, 2150.51; BENSCOTER, LOUIS, RE, 4298.10; BIG RIVERS ELECTRIC CORPORATION, SE, 298151.58; BINSWANGER GLASS, SE, 952.33; BORDER STATES INDUSTRIES, SU, 96.30; BORDER STATES INDUSTRIES, SU, 255.51; BSN SPORTS, SU, 1657.72; CITIZENS STATE BANK, RE, 11569.59; CITIZENS STATE BANK, RE, 4881.33; CITIZENS STATE BANK, RE, 5292.44; CITY EMPLOYEE, RE, 105.88; CITY EMPLOYEE, RE, 148.60; CITY EMPLOYEE, RE, 125.58; CITY EMPLOYEE, RE, 145.32; CITY EMPLOYEE, RE, 64.18; CITY EMPLOYEE, RE, 125.20; CITY EMPLOYEE, RE, 200.00; CITY OF NORFOLK, SE, 536.39; CITY OF WAYNE, RE, -44.10; CITY OF WAYNE, RE, -100.00; CITY OF WAYNE, PY, 90585.01; CITY OF WAYNE, RE, 247.21; CITY OF WAYNE, RE, -154.90; CITY OF WAYNE, RE, -2,328.17; CITY OF WAYNE, RE, 188.11; CITY OF WAYNE, RE, 200.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 30000.00; COPY WRITE PUBLISHING, SE, 276.61; DAS STATE ACCTG-CENTRAL FINANCE, SE, 124.72; DAVE'S DRY CLEANING, SE, 54.00; DEARBORN LIFE INSURANCE COMPANY, SE, 2821.37; DEMCO, SU, 2252.86; DITCH WITCH UNDERCON, SU, 366.43; DUTTON-LAINSON, SU, 2121.49; EAKES OFFICE PLUS, SE, 269.77; ECHO GROUP, SU, 442.64; ELKINS PORTABLE RESTROOMS, SE, 512.50; EXHAUST PROS TOTAL CAR CARE, SE, 1298.28; EXHAUST PROS TOTAL CAR CARE, SE, 90.28; FASTENAL, SU, 18.56; FASTWYRE BROADBAND, SE, 1576.67; FLOOR MAINTENANCE, SU, 649.76; GERHOLD CONCRETE, SU, 336.91; GERHOLD CONCRETE, SU, 746.35; GERHOLD CONCRETE, SU, 2506.86; GRAHM TIRE NORFOLK, SU, 342.35; GRAINLAND ESTATES, RE, 6095.45; GROSSENBURG IMPLEMENT, SU, 421.37; HAWKINS, SU, 2801.23; HEIKES AUTOMOTIVE, SE, 3644.69; HILAND DAIRY, SU, 122.76; HILAND DAIRY, SU, 114.73; HUBER TECHNOLOGY, SU, 270.00; HYDRO OPTIMIZATION, SE, 1986.46; HYPERION, SE, 84.24; ICMA, SE, 387.46; ICMA, SE, 1443.86; ICMA, SE, 65.00; ICMA, SE, 132.14; ICMA, SE, 8831.19; ICMA, SE, 105.79; ICMA, SE, 339.92; ICMA, SE, 154.18; ICMA, SE, 174.75; ICMA, SE, 35.42; ICMA, SE, 119.12; INGRAM LIBRARY SERVICES, SU, 714.27; IRS, TX, 3600.56; IRS, TX, 11612.32; IRS, TX, 15395.50; KAUS, JENNIFER, RE, -20.00; KAUS, JESSICA, RE, 20.00; KELLY SUPPLY COMPANY, SU, 82.00; KNEIFL, SID, RE, 1000.00; KTCH, SE, 150.00; LUTT OIL, SU, 7894.77; MESSINGER, DAVID, RE, 500.00; MID PLAINS GRAIN, RE, 6258.31; MIDWEST LABORATORIES, SE, 285.00; NE DEPT OF REVENUE, TX, 4935.41; NE LIBRARY ASSOCIATION, FE, 185.00; NPPD, SE, 31.00; NE STATE TREASURER, RE, 100.00; NE STATE TREASURER, RE, 2328.17; OPTK NETWORKS, SE, 962.05; OVERDRIVE, SU, 1129.85; PAC N SAVE, SU, 1084.22; PAC N SAVE, SU, 48.32; PLUNKETT'S PEST CONTROL, SE, 210.66; QUADIANT LEASING USA, SE, 655.38; QUALITY FOOD CENTER, SU, 27.14; S & S WILLERS, SU, 651.74; SEILER INSTRUMENT & MFG, SU, 920.00; STADIUM SPORTING GOODS, SU, 708.00; STADIUM SPORTING GOODS, SE, 24.00; STATE NEBRASKA BANK & TRUST, SE, 61.92; STATE NEBRASKA BANK-PETTY CASH, RE, 107.25; TRUCK CENTER COMPANIES, SE, 1156.55; ULINE, SU, 444.83; UNITED RENTALS, SU, 60.95; UTILITIES SECTION, FE, 275.00; UTILITY EQUIPMENT, SU, 1223.00; VERIZON, SE, 584.93; WAYNE AUTO PARTS, SU, 755.71; WAYNE COMMUNITY SCHOOLS, SE, 50.00; WAYNE HERALD, SE, 1861.40; WAYNE HERALD, SE, 95.00; WAYNE HERALD, SE, 222.50; WAYNE HOSPITALITY, RE, 19669.90; WAYNE VETERINARY CLINIC, SE, 14.00; WESCO, SU, 327.42; WINDOM RIDGE, RE, 3338.18; WISNER WEST, SU, 23.33; ZACH HEATING & COOLING, SE, 184.00; ACES, SE, 1021.15; BAKER & TAYLOR BOOKS, SU, 957.17; BINSWANGER GLASS, SE, 270.40; CITY EMPLOYEE, RE, 37.92; CITY EMPLOYEE, RE, 278.75; ENGINEERED CONTROLS, SE, 2410.00; FLOOR MAINTENANCE, SU, 578.50; GALE/CENGAGE LEARNING, SU, 124.10; HEIKES AUTOMOTIVE, SE, 100.00; HILAND DAIRY, SU, 96.37; JOHNSON HARDWARE, SU, 240.22; MURPHY TRACTOR & EQUIPMENT, SE, -1,115.63; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 1570.00; NORTHEAST POWER, SE, 18978.90; OLSSON, SE, 17784.80; O'REILLY AUTOMOTIVE STORES, SU, 60.88; POLICE OFFICERS' ASSOCIATION OF NE, FE, 165.00; STADIUM SPORTING GOODS, SU, 890.00; STATE NEBRASKA BANK-PETTY CASH, RE, 100.00; TOTAL GRAPHICS, SE, 64.20; WAYNE COMMUNITY SCHOOLS, SE, 100.00; WESCO, SU, 363.80

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.

Jordan Widner, Assistant Fire Chief, introduced Anaka Brasch and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department.

Councilmember Karsky made a motion, which was seconded by Councilmember Muir, approving the membership application of Anaka Brasch to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Jordan Widner, Assistant Fire Chief, introduced Travis Rasmussen and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving the membership application of Travis Rasmussen to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

A Corporate Manager Application was received from the Nebraska Liquor Commission on behalf of Phillip M. Anderson for Gander Foods, LLC, d/b/a Godfather's Pizza, Wayne NE. Mr. Anderson was unable to be in attendance at the Council meeting. Council can approve, deny or make no recommendation on said application.

Councilmember Eischeid made a motion, which was seconded by Councilmember Muir, approving the Corporate Manager Application of Phillip M. Anderson for Gander Foods, LLC, d/b/a Godfather's Pizza, Wayne, NE. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Joel Hansen, Zoning Administrator, stated Nick Junck has purchased two lots in the Vintage Hill 3rd Addition subdivision. He would like to eliminate the 14' utility easement between the two lots so he can build over that lot line. City staff has confirmed that there are no existing utilities in this easement.

Nick Junck was present to answer questions.

Councilmember Brodersen introduced Ordinance No. 2022-19, and moved for approval thereof; Councilmember Buck seconded.

ORDINANCE NO. 2022-19

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE 14 FOOT UTILITY EASEMENT LOCATED BETWEEN LOTS 3 AND 4, BLOCK 6, VINTAGE HILL 3RD ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, EXCLUDING THE REAR 7 FEET OF SAID EASEMENT.

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.

City Administrator Blecke presented Contractor's Application for Payment No. 2 (Final) in the amount of \$3,508.62 to Kay Contracting, Inc., for the "2022 Golf Course Sanitary Sewer Extension Project." This represents the 5% retainage or remaining balance still due on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving Contractor's Application for Payment No. 2 (Final) for \$3,508.62 to Kay Contracting, Inc., for the "2022 Golf Course Sanitary Sewer Extension Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Karsky made a motion, which was seconded by Councilmember Pick, approving the Certificate of Substantial Completion on the "2022 Golf Course Sanitary Sewer Extension Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Jill Brodersen, Architect, presented Application for Payment No. 1 in the amount of \$12,442.00 to OCC Builders, LLC, for the "Freedom Park Trailhead Project." Ms. Brodersen updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Application for Payment No. 1 for \$12,442.00 to OCC Builders, LLC, for the "Freedom Park Trailhead 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, presented Certificate of Payment No. 4 on the “Chicago Street Improvements Project” for \$273,176.69 to Robert Woehler & Sons Construction, Inc. Mr. Kube updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Pick, approving Certificate of Payment No. 4 for \$273,176.69 to Robert Woehler & Sons Construction, Inc., for the “Chicago Street Improvements Project.” 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.

Harrison Lane was present requesting Council consideration to use the Freedom Park Trailhead parking lot on Lincoln Street and to close off a small portion of Lincoln Street up to W. 13th Street to host a Memorial Car Show on October 1, 2022, from 7:00 a.m. – 1:00 p.m. in honor of Bryan L. “Dink” Denklau. Mr. Harrison has provided the necessary \$1,000,000 liability insurance policy (Malachi, Inc., d/b/a Wildcat Lanes) for this event, naming the City as an additional insured.

Councilmember Karsky made a motion, which was seconded by Councilmember Buck, approving the request of Harrison Lane to use the Freedom Park Trailhead parking lot on Lincoln Street and to close off a small portion of Lincoln Street up to W. 13th Street to host a Memorial Car Show on October 1, 2022, from 7:00 a.m. – 1:00 p.m. in honor of Bryan L. “Dink” Denklau. 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 the land acquisition from Ameritas Life Insurance Corporation. The legal descriptions are as follows:

Parcel 1:

513 Main Street - Part of Lots 4 and 5, and all of Lots 6, 7, 8, and 9, and 16’ of the vacated alley, Block 5, North Addition to the City of Wayne, Wayne County, Nebraska (Ameritas Life Insurance Corporation Building)

Parcel 2:

517 Logan Street - Lots 1, 2, 3 and 8’ of the vacated alley, Block 6, North Addition to the City of Wayne, Wayne County, Nebraska (Ameritas Life Insurance Corporation Parking Lot) (Advertised Time: 5:30 p.m.)

For a few years, the City has discussed different options for City Hall improvements. Do we stay where we are and make some incremental upgrades? Do we stay put and make significant improvements all at once (gut and remodel)? Or do we build new, either at our existing City Hall site or another site? Another option that has recently been considered is finding a property to be renovated into City Hall. The Ameritas building would be a renovation project. How much renovation is undetermined, but the building definitely has more usable square footage than the existing location. The properties (building and concrete parking lot on Logan Street) are listed with White Farmhouse Realty, and the asking price is \$800,000.

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

Councilmember Eischeid asked that Agenda Item No. 15 – Action to authorize City Staff to negotiate the purchase of properties from Ameritas Life Insurance Corporation be moved to the end of the agenda since the Council will be going into closed session for the update on the litigation matter.

Tim Sutton, Electric Distribution Superintendent, stated that in order for DGR to begin designing the substation, Paul Davis, Project Engineer, has prepared Task Order Amendment No. 4 that defines the scope of work. The initial scope is to prepare a substation electrical one-line diagram for the project, do site layout and orientation, develop a preliminary civil site drawing to determine how the new substation and potential generation additions will be accommodated within the site footprint, and give us a preliminary design memorandum to summarize the findings and recommendations, including updated opinions of probable cost. If Council would choose to do the generation, that task order can be added at a later time.

Administrator Blecke stated this is the first of many actions that we will need to have on discussions pertaining to generation, and we will likely have to bring in others to help us with the generation side as well.

Councilmember Eischeid introduced Resolution No. 2022-60 and moved for its approval; Councilmember Buck seconded the motion.

RESOLUTION NO. 2022-60

A RESOLUTION APPROVING TASK ORDER AMENDMENT NO. 4 WITH DGR ENGINEERING FOR THE "NORTHEAST SUBSTATION PROJECT."

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

Mayor Giese stated the following Resolution would ratify the City of Wayne Goals.

Councilmember Brodersen introduced Resolution 2022-61, and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2022-61

A RESOLUTION RATIFYING 2021 AND 2022 CITY OF WAYNE GOALS.

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

Marlen Chinn, Police Chief, stated On August 3, 2021, Council approved the purchase of a 2021 Chevrolet Tahoe to replace the 2006 Ford Expedition police vehicle. In August of 2022, the City was notified that GM had cancelled vehicle orders over a certain number and that our order got cancelled completely. State contracts were non-existent from late last year until late August of this year.

Another agency had ordered a 2023 Chevrolet Tahoe before us, and their order was accepted and is still scheduled to be built, but they rejected the vehicle due to the wait time. With the difficulty of getting police vehicles, Police Chief Chinn presented an amended purchase order to the City Administrator for this Chevrolet Tahoe with the adjusted State contract fleet price of \$47,933.00. The prior purchase order approved in August, 2021, was \$38,837.00.

While dealing with this, Police Chief Chinn was informed that Ford Motor Company had opened a new State contract the end of August 2022, and a second vehicle, a 2023 Ford Explorer PPU was spec'd and quoted to replace the Police Department's oldest Ford Taurus (2015). Police Chief Chinn was informed that Ford was closing their contract early due to the number of vehicle orders placed upon them. Police

Chief Chinn needed to have a purchase order signed and in before September 9th to hopefully still get into their ordering system.

On September 8, 2022, he received the final specs/contract quote of \$44,929.00 and a purchase order was presented to the City Administrator due to having one day to react. Police Chief Chinn has received notice that the order was submitted and accepted. He is recommending Council approve the purchase of both vehicles. \$90,000.00 was budgeted in the 2022/23 budget year for two vehicles. No known timelines were given to receive either of these two vehicles.

Councilmember Brodersen introduced Resolution No. 2022-62 and moved for its approval; Councilmember Buck seconded the motion.

RESOLUTION NO. 2022-62

A RESOLUTION RESCINDING COUNCIL ACTION ON RESOLUTION 2021-40 REGARDING THE PURCHASE OF A 2021 CHEVROLET TAHOE (\$38,837.00) AND AMENDING THE SAME TO APPROVE THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET TAHOE THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM SID DILLON FLEET COMPANY (\$47,933.00).

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

Councilmember Brodersen introduced Resolution No. 2022-63 and moved for its approval; Councilmember Karsky seconded the motion.

RESOLUTION NO. 2022-63

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A 2023 FORD EXPLORER THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM SID DILLON FLEET COMPANY (\$44,929).

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

Joel Hansen, Street Superintendent, stated the following Ordinance would prohibit parking as follows:

The south side of the centerline of Chicago Street from the west line of South Sherman Street east to the east line of South Lincoln Street.

Councilmember Eischeid introduced Ordinance No. 2022-16, and moved for approval of the third and final reading thereof; Councilmember Woehler seconded.

ORDINANCE NO. 2022-16

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Joel Hansen, Street Superintendent, stated the following ordinance has been amended to include restricted parking on the west side of Lincoln Street from 1st Street to 5th Street. Mr. Hansen asked if Council did not want to restrict 1st to 5th Street, that they do so from 1st Street to 3rd Street to address the issue of people treating it like a parking lot.

Mr. Hansen presented a map showing the areas in Wayne where there are no restrictions.

Councilmember Karsky questioned why the City has areas that are exempt. Why doesn't the whole city either have or not have the restriction/prohibition? It does not seem equitable. He was advocating for city-wide no parking restrictions.

Mayor Giese thought making the parking less restrictive might have a more positive value on homes.

Mr. Hansen opined that what also drives the need for parking restrictions is when you see residential neighborhoods transition into rentals. The areas where there are no restrictions, there are not a lot of rentals in those neighborhoods or those areas do not have alleys.

Notices were given to property owners along that portion of the street. Several contacted the City Office (via phone, email, etc.) to oppose the addition of this restriction.

Police Chief Chinn had concerns about allowing narrow streets in new subdivisions.

Councilmember Brodersen stated she was in favor of the restrictions on Chicago Street but not on Lincoln Street.

Councilmember Karsky stated he would vote for this because he is in favor of restrictions, but wishes it was city wide.

Councilmember Muir agreed with Councilmember Brodersen.

Councilmember Eischeid stated he was in favor of dealing with the two block area on Lincoln Street. If we have problems/abusers, then we can address that.

Tom Jacobsen, who owns apartment buildings in that area, was present and spoke against this passage of this restriction. Penalize those that are breaking the rules rather than penalize everyone on the street.

After discussion, Councilmember Eischeid introduced Ordinance No. 2022-17, and moved for approval of the third and final reading thereof as amended (Delete/remove: “The west side of the centerline of Lincoln Street from the north line of West 1st Street north to the south line of West 5th Street); Councilmember Brodersen seconded.

ORDINANCE NO. 2022-17

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-133 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Discussion took place on a possible agreement with Wayne Community Schools on the future of the Community Activity Center land.

Wayne Community Schools is looking to expand its facilities as student enrollment continues to increase. As the School Board and Administration do their due diligence in different options for expansion, they have asked the City about the future of the Community Activity Center (CAC) and its adjacent property. Logistically, is there a way to utilize our property better to allow the School to expand at a lower public cost? As both the School and City are taxing entities, it makes sense to try to work together to accomplish what is best for the taxpayer, while still providing the services we are expected to provide.

Councilmember Eischeid updated the Council on the meeting that was held with representatives of the School District, the City Facilities Committee and City Staff.

Mayor Giese stated the School is trying to decide which direction they want to go. They are landlocked. They need to decide if they are going to build a new campus or build a new building on the existing property. The CAC looks like it could be a nice thing to add onto and repurpose for them. The Council needs to decide if they are open to discussing this idea or not.

Councilmember Eischeid, on behalf of the Facilities Committee, shared the concerns of the Committee.

Councilmember Pick who is on the Facility Committee for the School updated the Council on their concerns.

Councilmember Woehler was not in favor of the idea of selling the CAC to the School.

Joel Hansen, Street and Planning Director, had concerns if this happens, would this mean that some other things that are planned would be shoved or pushed back.

Mayor Giese, in response, stated the City's debt service is low. We would be bonding out projects of great size anyway.

Administrator Blecke stated the City could look at the additional sales tax again if the consensus is to move forward with the School.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Pick, to continue discussions with Wayne Community Schools on the future of the Community Activity Center land.

Councilmember Webber stated if the School isn't able to grow, the community isn't able to grow. She is not opposed to continuing discussions with the School.

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to enter into executive/closed session for the purpose of protecting the City's interest to discuss the Ameritas

property and to allow Administrator Blecke, Attorney Miller, City Clerk McGuire, Street and Planning Director Joel Hansen, and Police Chief Marlen Chinn to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and executive/closed session began at 7.08 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to discussing the Ameritas property.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 7:59 p.m.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, directing City Staff to contact an engineering professional to determine the cost of remodeling an existing building vs. building a new building. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese stated the next item on the agenda is an update on the Bradley J. Woehler and Bradley F. Roberts vs. City of Wayne litigation matter. Attorney Miller stated there was nothing new to report on the matter since the last meeting.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:01 p.m.

**Council Approved 9/20/22**

	Payable Description	Payment Total
KAY CONTRACTING	GOLF COURSE SANITARY SEWER	3,508.62
OCC BUILDERS LLC	FREEDOM PARK TRAILHEAD PROJECT	12,442.00
ROBERT WOEHLE & SONS	CHICAGO STREET	273,176.69

Vendor	Payable Description	Payment Total
ABDO PUBLISHING CO	BOOKS	3,017.70
ALARCON-FLORY,PERLA	INTERPRETER SERVICES	25.00
AMAZON.COM, LLC	BOOKS/DVD'S/WIRE RACK/STAKES/BOARDS	831.39
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	AMERITAS ROTH	198.56
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	95.02
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,301.44
ANDERSON, DEREK	REC FOOTBALL REF	160.00
APPEARA	LINEN & MAT SERVICE	182.66
ARNIE'S FORD INC	CYLINDER INJECTOR REPAIRS	1,434.79
BLACK HILLS ENERGY	GAS BILLS	339.31
BOMGAARS	LEAF BLOWER/TRIMMER/LIGHT/DRIVE FAN/BITS/CLOTHING	4,863.79
BORDER STATES INDUSTRIES, INC	WIRE	674.05
BORDER STATES INDUSTRIES, INC	GREEN BOX SECTIONALIZING CABINETS/LOADBREAK JUNCTION	5,648.51
BRAUN, ZAC	REC FOOTBALL REF	20.00
BROWN SUPPLY CO	WARNING PLATES	2,825.00
BROWN, SANDY	MILEAGE REIMBURSEMENT	164.50
BSN SPORTS, INC	SOFTBALL HELMETS/VOLLEYBALL CART	439.69
CARDENAS, ANGELINA	AUDITORIUM DEPOSIT REFUND	200.00
CARHART LUMBER COMPANY	WOOD/BATTERIES/OUTLET SUPPLIES/STEEL CUTTER/SPADE BITS	285.34
CENTURYLINK	TELEPHONE CHARGES	271.19
CHEMQUEST, INC.	QUARTERLY MONITORING	695.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	613.03
CITY EMPLOYEE	VOID-ZIP TIES 6/24/22	-12.83
CITY EMPLOYEE	VOID EDUCATION REIMBURSEMENT 8/18/21	-132.66
CITY EMPLOYEE	SAFETY BOOTS	172.79
CITY EMPLOYEE	VISION REIMBURSEMENT	105.20
CITY EMPLOYEE	REISSUE EDUCATION REIMBURSEMENT	132.66
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	120.53
CITY EMPLOYEE	SAFETY BOOT REIMBURSEMENT	171.20
CITY EMPLOYEE	SAFETY BOOT REIMBURSEMENT	158.11
CITY EMPLOYEE	MEDICAL/VISION REIMBURSEMENTS	1,026.57
CITY EMPLOYEE	SAFETY BOOTS	154.60
CITY OF WAYNE	PAYROLL	94,702.68
CITY OF WAYNE	UTILITY REFUNDS	460.58
CITY OF WAYNE	WAED VISION REIMBURSEMENT	430.83

CITY OF WAYNE	WAED MEDICAL REIMBURSEMENT	595.74
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	448.00
DEMCO INC	LABELS/BOOK TAPE	832.57
DGR & ASSOCIATES CO	ENGINEERING SERVICES	156.00
DIEDIKER, KATIE	GREEN TEAM DONUTS-ELECTRIC RECYLING EVENT	75.00
EAKES OFFICE PLUS	COPY CHARGES	3,028.46
ED M. FELD EQUIPMENT CO INC	HOSE REPAIR SUPPLIES	85.08
FIRST CONCORD GROUP LLC	FLEX FEES	3,947.74
FIRST PRESBYTERIAN CHURCH	ENERGY INCENTIVE	500.00
FLORES, BENJAMIN	BUILDING PERMIT DEPOSIT REFUND	500.00
GALE. BRIA	REC VOLLEYBALL REF	58.00
GERHOLD CONCRETE CO INC.	CONCRETE	1,843.71
GERHOLD CONCRETE CO INC.	CONCRETE	1,253.43
GREENFIELD, BRETT	REC VOLLEYBALL REF	148.00
GROSSENBURG IMPLEMENT INC	FILTER ELEMENT/BLADE	140.71
GROSSENBURG IMPLEMENT INC	FILTER ELEMENT	27.68
HARNETT, BRADLEY	REC FOOTBALL REF	40.00
HAWKINS, INC	AZONE	1,083.55
HERITAGE HOMES	BUILDING PERMIT DEPOSIT REFUND	500.00
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	162.48
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	119.78
HILGER, WILLIAM D.	BUTTERFLY VALVES	650.00
HUBER TECHNOLOGY INC	VERTICAL SCREEN GEAR MOTOR	5,989.90
ICMA RETIREMENT	PAYROLL RETIREMENT	154.18
ICMA RETIREMENT	PAYROLL RETIREMENT	174.75
ICMA RETIREMENT	PAYROLL RETIREMENT	339.92
ICMA RETIREMENT	PAYROLL RETIREMENT	8,953.44
ICMA RETIREMENT	PAYROLL RETIREMENT	105.79
ICMA RETIREMENT	PAYROLL RETIREMENT	1,607.86
ICMA RETIREMENT	PAYROLL ROTH RETIREMENT	119.12
ICMA RETIREMENT	PAYROLL ROTH RETIREMENT	65.00
ICMA RETIREMENT	PAYROLL ROTH RETIREMENT	132.14
ICMA RETIREMENT	PAYROLL ROTH RETIREMENT	387.46
IRS	FICA WITHHOLDING	16,083.02
IRS	FEDERAL WITHHOLDING	12,029.94
IRS	MEDICARE WITHHOLDING	3,761.38
JEO CONSULTING GROUP	UV SYSTEM REPLACEMENT/TRANSFER STATION/MASTER AGREEMENT/AQUARIUS TANK DIFFUSER	9,618.07
KOPECKY, ABBY	REC VOLLEYBALL REF	75.00
KUFNER-RODRIGUEZ, MATTHEW	REC FOOTBALL REF	20.00
LEAGUE OF NEBRASKA MUNICIPALITIES	ANNUAL CONFERENCE	328.00
LINCOLN WINWATER WORKS CO.	PIPE	3,410.00
MARCO INC	COPIER LEASE	175.92
MARCO TECHNOLOGIES LLC	COPIER LEASE	180.50
MAYER, LIZ	REC VOLLEYBALL REF	80.00
MCMANIGAL, MIKAELA	REC VOLLEYBALL REF	90.00
MIDWEST TAPE LL	AUDIO BOOKS	271.96
MILLER, DREW	REC FOOTBALL REF	40.00
MUNICIPAL SUPPLY INC	INSTATITE COUPLING	433.59
N.E. NE AREA ON AGING	SENIOR CENTER AUDIT	275.00

NE DEPT OF REVENUE	STATE WITHHOLDING	5,227.16
NIELSEN TREE FARM	11 TREES	1,689.32
NIX WAYNE LLC	LB 840 LOAN	300,000.00
NORBLADE, TATE	REC VOLLEYBALL REF	75.00
NORTHEAST NE ECONOMIC DEV DIST	21-PW-022 FEB – JULY 22 SERVICES	900.00
NORTHEAST NE ECONOMIC DEV DIST	21-HO-35041 JULY - AUG 22 HO ADMIN SERVICES	2,418.75
NORTHWEST ELECTRIC LLC	GENERAL PURPOSE MOTOR	664.42
O'REILLY AUTOMOTIVE STORES, INC.	COPPER PLUG	4.99
O'REILLY AUTOMOTIVE STORES, INC.	O2 SENSOR/FUSE HOLDER	52.72
O'REILLY AUTOMOTIVE STORES, INC.	BIG CHILL REFRIGERANT	44.99
PATEFIELD, DAVID	REC FOOTBALL REF	20.00
PATEFIELD, PARKER	REC FOOTBALL REF	40.00
POSTMASTER	POSTAGE ON UTILITY BILLS	1,002.22
REDDEN, MALLORY	REC VOLLEYBALL REF	15.00
REDDEN, SYDNEY	REC VOLLEYBALL REF	68.00
SANDRY FIRE SUPPLY LLC	GAS FOR SGAS METER	580.00
SOUTHEAST LIBRARY SYSTEM	YOUTH SERVICES RETREAT	160.00
STADIUM SPORTING GOODS	VOLLEYBALL-FOOTBALL T SHIRTS/FOOTBALL FLAGS	714.00
STAPLES, INC	TONER	739.19
STATE NEBRASKA BANK-PETTY CASH	CAC ADMISSION/CONCESSION STAND PETTY CASH	200.00
TUCKER, DARYLE	REC VOLLEYBALL REF	60.00
US BANK	PLAYSET PARTS/ICE MACHINE/OIL DRAIN PAN VALVE/FIRE RESISTANT CLOTHING/MEDALS/KEYFOBS/TECH SUPPLIES	14,984.91
US FOODSERVICE, INC.	SENIOR CENTER NOON MEAL SUPPLIES	44.63
USA BLUE BOOK	TREATMENT PLANT 3 WAY HOSE NOZZLE	534.70
VIAERO WIRELESS	CELL PHONE	67.36
WAYNE AREA ECONOMIC DEVELOPMENT	TRAVEL EXPENSE	6,000.00
WILSON, REESE	REC FOOTBALL REF	40.00
WISNER WEST	FD GASOLINE	135.25
	Grand Total:	830,591.02

ORDINANCE NO. 2022-19

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE 14 FOOT UTILITY EASEMENT LOCATED BETWEEN LOTS 3 AND 4, BLOCK 6, VINTAGE HILLS 3RD ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, EXCLUDING THE REAR 7 FEET OF SAID EASEMENT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The City of Wayne, Nebraska has received a request to release the 14 foot utility easement located between Lots 3 and 4, Block 6, Vintage Hills 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7 feet of said easement.

Section 2. The City hereby releases and abandons the 14 foot utility easement located between Lots 3 and 4, Block 6, Vintage Hills 3rd Addition to the City of Wayne, Wayne County, Nebraska, excluding the rear 7 feet of said easement.

Section 3. This Ordinance shall be in full force and effect, from and after its passage, approval and publication, as provided by law.

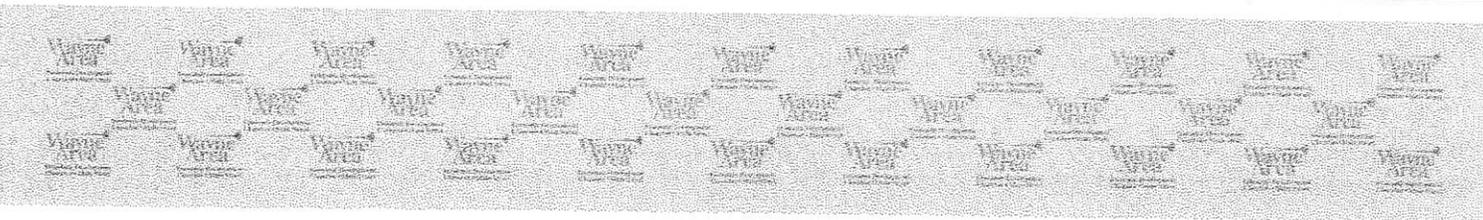
PASSED AND APPROVED this 4th day October, 2022.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



[Back to Top](#)

September 20, 2022

Chief Marlen Chinn
City of Wayne Police Department
306 Pearl Street
Wayne, NE 68787

Dear Chief,

Wayne Area Economic Development respectfully requests a parade permit for the annual Christmas in Wayne celebration to be held on Thursday, November 17 including the Parade of Lights. Plans call for the parade to line up at 6:15 p.m. with the parade beginning at 6:30 p.m. and finishing around 7:00 p.m., entries lining up on West 6th Street and Pearl Street, first come, first in line. The parade proceeds south on Main Street, disbursing at the CRA/City Lot at 113 S Main. Parade Participants will be reminded that candy or other items should not be thrown from the vehicle. A copy of our affidavit of insurance has been provided by Northeast Nebraska Insurance Agency.

The committee requests that parking not be allowed on Main Street in the 300 and 200 Blocks from 5:30 p.m. until 8:00 p.m. to give guests on the sidewalk a better view of the parade and encourage pedestrian shoppers. Carolers, cider and hot cocoa station, and other activities may be set up on the downtown sidewalks. The Holly Jolly Trolley will give short tours with designated Trolley stops around town on a route to be determined to pick up and unload riders. It is anticipated that the location of the big Community Christmas Tree will change from the usual location at 7th & Main, however this will not impact the designated parade route.

We truly appreciate the support from the City of Wayne and especially the Police Department during the holiday events. Your cooperation and assistance helps turns these events into successful marketing tools for our community and glowing memories for the families who live here.

We look forward to hearing from you. If you have any questions or concerns regarding Christmas on Main, please contact me at the Economic Development office at 402-375-2240.

Sincerely,

Abby Schademann
Marketing, Events, and Tourism Coordinator

www.waynetworks.org • info@waynetworks.org
108 W 3rd Street, Wayne, NE 68787 • 402-375-2240 • 877-929-6363

NEBRASKA

ECONOMIC DEVELOPMENT
CERTIFIED COMMUNITY



wayneNE68787



Wayne, NE



@wayneNE68787

RESOLUTION NO. 2022-64

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF TRANSPORTATION REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

WHEREAS, the annual "Christmas on Main/Parade of Lights" celebration will be held on Main Street from West 6th Street south to Fairgrounds Avenue on Thursday, November 17, 2022, from 6:00 p.m. to approximately 7:00 p.m. or immediately after the parade, at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Transportation; and

WHEREAS, Wayne Area Economic Development, in compliance with City of Wayne policy for events held on public right-of-way, will provide special events insurance coverage to indemnify, defend, and hold harmless the City of Wayne and the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

WHEREAS, during the above time periods of these events, the City of Wayne acknowledges all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359; and

WHEREAS, advanced warning signs and/or barricades will be used to notify motorists of closure and detour, and traffic control officers will be placed at all major intersections to reroute traffic.

NOW, THEREFORE, BE IT RESOLVED, that during the above time periods of these events, the City of Wayne, Nebraska, accepts and will carry out all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that if a claim is made against the State, it shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

PASSED AND APPROVED this 4th day of October, 2022.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

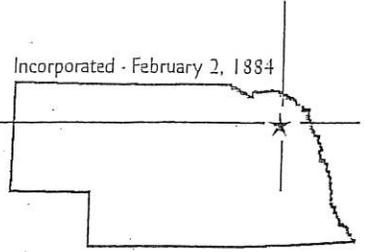
ATTEST:

City Clerk

City of Wayne

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

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



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: Jonathan Webb

Address: 319 S. Nebraska St.

Telephone No.: 402 - 369 - 6249

Date of Request: 8-31-22

Description of Requested Topic: I'd like to be able to use the alley behind my house. It'd need to be leveled and have gravel put down. The alley does get used by multiple homes and others. We'd like to be able to pull trailers and more vehicles without damaging them. I'd appreciate it greatly if we could get that done. Thank you!



RESOLUTION NO. 2022-65

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST 100' OF LOTS 21, 22, 23, 24, 25 AND 26, BLOCK 22, COLLEGE HILL FIRST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 208 W. 10TH STREET, WAYNE, NEBRASKA.

WHEREAS, the City of Wayne has incurred costs associated with the mowing of the property located at 208 W. 10th Street, Wayne, Nebraska, and legally described as the West 100' of Lots 21, 22, 23, 24, 25, and 26, Block 22, College Hill First Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, Section 95.40 of the Wayne Municipal Code requires each owner of any lot or parcel of land in the City of Wayne to cut and remove all weeds and other rank growth of vegetation on such property as close to the ground level as possible throughout the period of May 1st to October 15th of each year; and

WHEREAS, the City Administrator or his designee has caused to be published in the Wayne Herald the notice required under Section 95.40 specifying that said weeds and other rank growth vegetation shall be cut during the above-referenced period; and

WHEREAS, the City Administrator or his designee is authorized under said Section to notify in writing the owner of any property within the City to cut any such weeds found growing on such property by United States mail, postage prepaid, addressed to such owner at his or her last known address or served personally; and

WHEREAS, on the failure, neglect or refusal of any such owner to cut or destroy such weeds located upon such property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee is authorized to pay for the cutting of such weeds or to order the removal by the City; and

WHEREAS, the cost of any such cutting, destroying, or removing such weeds shall be at the expense of the owner of such property; and

WHEREAS, if the costs of cutting, destroying or removing weeds and other rank growth of vegetation and costs of removing any refuse, debris, or other obstructions, to permit such cutting are unpaid for two months, pursuant to said Section 95.40, the City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the amount of such expense, and such expense shall become a lien on the property upon which the removal measures were taken as a special assessment levied on the date of such measures; and

WHEREAS, the City Administrator or his designee has notified Lena Roberts, the owner of 208 W. 10th Street, Wayne, Nebraska, and legally described as the West 100' of Lots 21, 22, 23, 24, 25, and 26, Block 22, College Hill First Addition to the City of Wayne, Wayne County, Nebraska, to cut, destroy, and remove any such weeds, grass or unhealthful growth located on such property by United States mail, postage prepaid, at the last known address of Lena Roberts or served personally; and

WHEREAS, upon the failure, neglect or refusal of Lena Roberts to cut, destroy, and remove such weeds from said property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee did then undertake the removal of such weeds from said property, pursuant to Section 95.40 during the time period of May, 2022, through and including October, 2022; and

WHEREAS, the cost of such cutting, destroying or removal of such weeds in the total amount of \$375.00 has been sent to Lena Roberts for payment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Wayne City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the total amount of \$375.00 in expenses incurred by the City of Wayne in removing weeds and other rank growth of vegetation from the property owned by Lena Roberts and upon certification to the Wayne County Treasurer, such expense shall become a lien on the property described herein below, said property owned by Lena Roberts on which the removal measures were taken, as a special assessment levied on the date of such measures. The property is described to wit:

The West 100' of Lots 21, 22, 23, 24, 25, and 26, Block 22, College Hill First Addition to the City of Wayne, Wayne County, Nebraska

BE IT FURTHER RESOLVED that pursuant to Section 95.40 of the Wayne Municipal Code, the Wayne County Treasurer shall add such expense to, and it shall become and form a part of the taxes on such property described herein and shall bear interest at the same rate as taxes.

PASSED AND APPROVED this 4th day of October, 2022.

THE CITY OF WAYNE, NEBRASKA

BY _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2022-66

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST 50' OF THE EAST 100' OF LOTS 8, 9, 10, AND 11, BLOCK 9, CRAWFORD & BROWN'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 105 W. 4TH STREET, WAYNE, NEBRASKA.

WHEREAS, the City of Wayne has incurred costs associated with the mowing of the property located at 105 W. 4th Street, Wayne, Nebraska, and legally described as the West 50' of the East 100' of Lots 8, 9, 10, and 11, Block 9, Crawford & Brown's Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, Section 95.40 of the Wayne Municipal Code requires each owner of any lot or parcel of land in the City of Wayne to cut and remove all weeds and other rank growth of vegetation on such property as close to the ground level as possible throughout the period of May 1st to October 15th of each year; and

WHEREAS, the City Administrator or his designee has caused to be published in the Wayne Herald the notice required under Section 95.40 specifying that said weeds and other rank growth vegetation shall be cut during the above-referenced period; and

WHEREAS, the City Administrator or his designee is authorized under said Section to notify in writing the owner of any property within the City to cut any such weeds found growing on such property by United States mail, postage prepaid, addressed to such owner at his or her last known address or served personally; and

WHEREAS, on the failure, neglect or refusal of any such owner to cut or destroy such weeds located upon such property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee is authorized to pay for the cutting of such weeds or to order the removal by the City; and

WHEREAS, the cost of any such cutting, destroying, or removing such weeds shall be at the expense of the owner of such property; and

WHEREAS, if the costs of cutting, destroying or removing weeds and other rank growth of vegetation and costs of removing any refuse, debris, or other obstructions, to permit such cutting are unpaid for two months, pursuant to said Section 95.40, the City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the amount of such expense, and such expense shall become a lien on the property upon which the removal measures were taken as a special assessment levied on the date of such measures; and

WHEREAS, the City Administrator or his designee has notified Bradley and Lena Roberts, the owners of 105 W. 4th Street, Wayne, Nebraska, and legally described as the West 50' of the East 100' of Lots 8, 9, 10, and 11, Block 9, Crawford & Brown's Addition to the City of Wayne, Wayne County, Nebraska, to cut, destroy, and remove any such weeds, grass or unhealthful growth located on such property by United States mail, postage prepaid, at the last known address of Lena Roberts or served personally; and

WHEREAS, upon the failure, neglect or refusal of Bradley and Lena Roberts to cut, destroy, and remove such weeds from said property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee did then undertake the removal of such weeds from said property, pursuant to Section 95.40 during the time period of May, 2022, through and including October, 2022; and

WHEREAS, the cost of such cutting, destroying or removal of such weeds in the total amount of \$300.00 has been sent to Bradley and Lena Roberts for payment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Wayne City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the total amount of \$300.00 in expenses incurred by the City of Wayne in removing weeds and other rank growth of vegetation from the property owned by Bradley and Lena Roberts and upon certification to the Wayne County Treasurer, such expense shall become a lien on the property described herein below, said property owned by Bradley and Lena Roberts on which the removal measures were taken, as a special assessment levied on the date of such measures. The property is described to wit:

The West 50' of the East 100' of Lots 8, 9, 10, and 11, Block 9, Crawford & Brown's Addition to the City of Wayne, Wayne County, Nebraska

BE IT FURTHER RESOLVED that pursuant to Section 95.40 of the Wayne Municipal Code, the Wayne County Treasurer shall add such expense to, and it shall become and form a part of the taxes on such property described herein and shall bear interest at the same rate as taxes.

PASSED AND APPROVED this 4th day of October, 2022.

THE CITY OF WAYNE, NEBRASKA

BY _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2022-67

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST 80' OF THE SOUTH 100' OF LOT 3, BLOCK 1, BRITTON & BRESSLER'S ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 120 W. 9TH STREET, WAYNE, NEBRASKA.

WHEREAS, the City of Wayne has incurred costs associated with the mowing of the property located at 208 W. 10th Street, Wayne, Nebraska, and legally described as the West 80' of the South 100' of Lot 3, Block 1, Britton & Bressler's Addition to the City of Wayne, Wayne County, Nebraska; and

WHEREAS, Section 95.40 of the Wayne Municipal Code requires each owner of any lot or parcel of land in the City of Wayne to cut and remove all weeds and other rank growth of vegetation on such property as close to the ground level as possible throughout the period of May 1st to October 15th of each year; and

WHEREAS, the City Administrator or his designee has caused to be published in the Wayne Herald the notice required under Section 95.40 specifying that said weeds and other rank growth vegetation shall be cut during the above-referenced period; and

WHEREAS, the City Administrator or his designee is authorized under said Section to notify in writing the owner of any property within the City to cut any such weeds found growing on such property by United States mail, postage prepaid, addressed to such owner at his or her last known address or served personally; and

WHEREAS, on the failure, neglect or refusal of any such owner to cut or destroy such weeds located upon such property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee is authorized to pay for the cutting of such weeds or to order the removal by the City; and

WHEREAS, the cost of any such cutting, destroying, or removing such weeds shall be at the expense of the owner of such property; and

WHEREAS, if the costs of cutting, destroying or removing weeds and other rank growth of vegetation and costs of removing any refuse, debris, or other obstructions, to permit such cutting are unpaid for two months, pursuant to said Section 95.40, the City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the amount of such expense, and such expense shall become a lien on the property upon which the removal measures were taken as a special assessment levied on the date of such measures; and

WHEREAS, the City Administrator or his designate has notified Bradley and Lena Roberts, the owners of 120 W. 9th Street, Wayne, Nebraska, and legally described as the West 80' of the South 100' of Lot 3, Block 1, Britton & Bressler's Addition to the City of Wayne, Wayne County, Nebraska, to cut, destroy, and remove any such weeds, grass or unhealthful growth located on such property by United States mail, postage prepaid, at the last known address of Bradley and Lena Roberts or served personally; and

WHEREAS, upon the failure, neglect or refusal of Bradley and Lena Roberts to cut, destroy, and remove such weeds from said property within seven days after the mailing or personal service date of such notice, the City Administrator or his designee did then undertake the removal of such weeds from said property, pursuant to Section 95.40 during the time period of May, 2022, through and including October, 2022; and

WHEREAS, the cost of such cutting, destroying or removal of such weeds in the total amount of \$900.00 has been sent to Bradley and Lena Roberts for payment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the Wayne City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the total amount of \$900.00 in expenses incurred by the City of Wayne in removing weeds and other rank growth of vegetation from the property owned by Bradley and Lena Roberts and upon certification to the Wayne County Treasurer, such expense shall become a lien on the property described herein below, said property owned by Bradley and Lena Roberts on which the removal measures were taken, as a special assessment levied on the date of such measures. The property is described to wit:

The West 80' of the South 100' of Lot 3, Block 1, Britton & Bressler's Addition to the City of Wayne, Wayne County, Nebraska

BE IT FURTHER RESOLVED that pursuant to Section 95.40 of the Wayne Municipal Code, the Wayne County Treasurer shall add such expense to, and it shall become and form a part of the taxes on such property described herein and shall bear interest at the same rate as taxes.

PASSED AND APPROVED this 4th day of October, 2022.

THE CITY OF WAYNE, NEBRASKA

BY _____
Mayor

ATTEST:

City Clerk