

**MINUTES
CITY COUNCIL MEETING
October 18, 2022**

The Wayne City Council met in regular session at City Hall on October 18, 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; and Attorney Amy Miller. Absent: 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 October 4, 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:

CLAIMS – FY 2021-2022: AMAZON, SU, 732.15; BAKER & TAYLOR BOOKS, SU, 731.75; BIG RIVERS, SE, 262885.61; BROWN, SANDY, RE, 154.28; BSN SPORTS, SU, 41.96; CITY EMPLOYEE,

RE, 78.90; CITY OF NORFOLK, SU, 173.97; COPY WRITE PUBLISHING, SE, 15.02; COTTONWOOD WIND PROJECT, SE, 14031.73; FLOOR MAINTENANCE, SU, 173.59; GERHOLD CONCRETE, SU, 375.34; INGRAM LIBRARY SERVICES, SU, 420.50; KTCH, SE, 650.00; MACQUEEN EQUIPMENT, SE, 4261.54; MIDWEST LABORATORIES, SE, 252.00; NPPD, SE, 8076.56; NORFOLK DAILY NEWS, SE, 16.97; NORTHEAST POWER, SE, 18978.90; NORTHEAST TIRE SERVICE, SE, 50.00; ODEYS, SU, 842.65; PAC N SAVE, SU, 1566.08; PEERLESS WIPING CLOTH, SU, 500.00; QUADIENT FINANCE USA, SU, 1000.00; T & S TRUCKING, SE, 562.20; TYLER TECHNOLOGIES, FE, 3150.00; USA BLUE BOOK, SU, 40.10; VAKOC, SU, 3467.18; WAYNE HERALD, SE, 465.00; WAYNE HERALD, SE, 2382.24; WAYNE KIWANIS, FE, 141.00; WAYNE STATER, SE, 382.50; WAYNE VETERINARY CLINIC, SE, 266.00; WAPA, SE, 15318.09; WISNER WEST, SU, 118.55; WYNIA, KATIE, SE, 240.00; DAS STATE ACCTG, SE, 62.36; KTCH, SE, 155.00; NE DEPT OF REVENUE-CHARITABLE GAMING, TX, 1988.00; PSYCHOLOGICAL RESOURCES, SE, 135.00;

CLAIMS - FY 2022-2023: AMERITAS, SE, 100.91; AMERITAS, SE, 72.00; AMERITAS, SE, 169.65; AMERITAS, SE, 35.00; AMERITAS, SE, 3260.78; ANDERSON, DEREK, SE, 260.00; ANDERSON, BRYCE, RE, 1000.00; APPEARA, SE, 122.41; ARNIE'S FORD, SE, 884.11; BATTERY SOLUTIONS, SU, 204.00; BEBEE, TIMOTHY & LESLIE, RE, 3076.60; BORDER STATES INDUSTRIES, SU, 653.93; BRAUN, ZAC, SE, 10.00; CITY EMPLOYEE, RE, 76.25; CITY EMPLOYEE, RE, 2676.31; CITY EMPLOYEE, RE, 192.88; CITY EMPLOYEE, RE, 60.00; CITY EMPLOYEE, RE, 152.76; CITY EMPLOYEE, RE, 100.00; CITY EMPLOYEE, RE, 282.71; CITY OF WAYNE, PY, 93248.06; CITY OF WAYNE, RE, 471.41; CITY OF WAYNE, RE, 282.71; ED M. FELD EQUIPMENT, SU, 346.70; ELLIS HOME SERVICES, SE, 90.00; EMPLOYERS MUTUAL CASUALTY, RE, 500.00; FAIRFIELD INN & SUITES BY MARRIOTT, SE, 329.85; FLOOR MAINTENANCE, SU, 524.00; FOURTH GENERATION, RE, 13490.15; GERHOLD CONCRETE, SU, 328.54; GFOA, FE, 170.00; GRNE SOLAR, RE, 500.00; HILAND DAIRY, SU, 130.26; ICMA, SE, 1607.86; ICMA, SE, 174.75; ICMA, SE, 154.18; ICMA, SE, 387.46; ICMA, SE, 132.14; ICMA, SE, 65.00; ICMA, SE, 339.92; ICMA, SE, 105.79; ICMA, SE, 119.12; ICMA, SE, 8919.64; INTOXIMETERS, FE, 950.00; IRS, TX, 3694.98; IRS, TX, 15798.88; IRS, TX, 11914.94; JORGENSEN, KEITH, RE, 500.00; JORGENSEN, KEN, RE, 2391.30; KEATING, TRACY, RE, 250.00; LAQUINTA INNS & SUITES, SE, 314.85; LOPEZ, JORGE, RE, 30.00; MIDWEST TAPE, SU, 379.93; MILLER, DREW, SE, 80.00; MZRB, RE, 3342.63; NE DEPT OF REVENUE, TX, 5107.75; NORFOLK DAILY NEWS, SE, 14.86; ODEYS, SU, 1498.00; O'REILLY AUTOMOTIVE STORES, SU, 45.94; O'REILLY AUTOMOTIVE STORES, SU, 141.97; OVERDRIVE, SU, 490.18; PETERSON, CARTER, RE, 1398.45; REEG, BETTY S Revocable Trust, RE, 2796.92; SKARSHAUG TESTING LAB, SE, 249.04; SPORTS FACILITY MAINTENANCE, SU, 3867.00; STADIUM SPORTING GOODS, SE, 228.00; STADIUM SPORTING GOODS, SE, 60.00; STATE NEBRASKA BANK & TRUST, RE, 4373.75; TOMPKINS, RODNEY R Irrevocable Trust, RE, 2796.92; WAYNE HERALD, SU, 48.00; WILKINS, LINDSAY, SE, 30.00; WILSON, REESE, SE, 20.00; CITY EMPLOYEE, RE, 173.60; CITY EMPLOYEE, RE, 273.59; EISCHEID, MATT, RE, 50.00; FASTWYRE BROADBAND, SE, 1739.08; FLOOR MAINTENANCE, SU, 538.62; GROSSENBURG IMPLEMENT, SU, 135.84; HYDRO OPTIMIZATION, SU, 773.38; KAUP FORAGE & TURF, SU, 2850.00; MAIN STREET GARAGE, SE, 90.00; OLSSON, SE, 9950.00; O'REILLY AUTOMOTIVE STORES, SU, 8.09; PER MAR SECURITY SERVICES, SE, 128.65; RESCO, SU, 1369.60; TROJAN YOUTH FOOTBALL, FE, 394.48; WESCO, SU, 388.14

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

Mayor Giese requested Council consideration to the reappointment of Kim Endicott to the Library Board (term would expire June 30, 2026).

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the Mayoral reappointment of Kim Endicott to the Library Board. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Dave Peterson, Electrical Engineer with JEO Consulting Group, Inc., was present to review Task Order No. 221753.00 for the “Wholesale Power and Generation Capacity Options’ Project.”

With this Task Order, JEO will review wholesale power options and existing/future generation capacity modes of operation. JEO will also solicit offers from energy and capacity resources, consider transmission and Southwest Power Pool costs, compare to existing wholesale power costs, and assess the financial advantages of existing and future generation capacity for each offer.

Mr. Peterson stated he has been working with the Southwest Power Pool for the past six years since a few communities have left Nebraska Public Power District and went with other options. The City’s contract with Big Rivers is up in 2026 so this is the time to start looking at other options.

It was noted that notice of termination must be sent to Big Rivers by December 31, 2024.

Councilmember Karsky introduced Resolution No. 2022-68 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2022-68

A RESOLUTION APPROVING SCOPE OF SERVICES AND TASK ORDER NO. 221753.00 WITH JEO CONSULTING GROUP, INC., FOR THE “WHOLESALE POWER AND GENERATION CAPACITY OPTIONS’ PROJECT” — \$18,600.

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. 5 on the “Chicago Street Improvements Project” for \$199,504.31 to Robert Woehler & Sons Construction, Inc. Mr. Kube also updated Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Certificate of Payment No. 5 for \$199,504.31 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.

Taylor Kube, Engineer with Olsson, presented Certificate of Payment No. 2 on the “Lincoln Street Improvements Project” for \$37,797.08 to Robert Woehler & Sons Construction, Inc.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Certificate of Payment No. 2 for \$37,797.08 to Robert Woehler & Sons Construction, Inc., for the “Lincoln 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.

Councilmembers Eischeid and Pick updated the Council on the recent meeting that took place with Wayne Community Schools on the future of the Community Activity Center. The School’s main concern is getting the early childhood development center (Pre-K – 2nd grade) all in one building. The discussion of selling the CAC was brought up. The overall consensus by both Committees and the concerns of Council from past discussions was that the City is just not ready to sell the CAC, but, that we are not closing that door forever, not knowing what the future holds for the both the School and the City.

One area discussed was just west of the lower parking lot at the CAC. The School’s Facilities’ Committee was very positive about that area. They liked it knowing the location. One reason that location was suggested by the City is that right now, the main area of it is a field either used for soccer and football. Or, it is just open green space. In addition, there is an apple orchard. We would not be taking a lot of area away from recreation.

In addition, the consensus was that the school(s) should be inside City limits. Keeping the schools inside city limits benefits the whole community. The intent is to come up with a common ground that works for everybody, where not one entity is sacrificing too much.

Councilmember Pick stated the School’s Facilities’ Committee was positive on the site by the CAC for the future. Pre-K – 2nd grade is a top priority on the School’s wish list right now.

More information and updates would be brought forward in the future.

Mayor Giese declared the time was at hand for the public hearing on the acquisition of real estate – Part of Lots 1, 2, and 3, Block 5, North Addition to the City of Wayne, Wayne County, Nebraska – First Methodist Church of Wayne.

Administrator Blecke stated he has met with a couple of Church Trustees to talk about this piece of property (parking lot) located next to the Ameritas building. The Trustees are recommending the Church Council consider selling it. However, it would have to go before the full congregation for a vote.

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

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to enter into executive/closed session for the purpose of protecting the financial interest of the City to discuss the acquisition of real estate from the First Methodist Church of Wayne and to allow Administrator Blecke and Attorney Miller 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 6:05 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the acquisition of real estate from the First Methodist Church of Wayne.

Councilmember Buck 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 6:23 p.m.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, authorizing staff to negotiate the purchase of property (parking lot) from First Methodist Church of Wayne up to the amount discussed in executive/closed session. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

No updated was given or needed on the Bradley J. Woehler and Bradley F. Roberts vs. City of Wayne litigation matter.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:24 p.m.