

**MINUTES**  
**CITY COUNCIL MEETING**  
**November 1, 2022**

The Wayne City Council met in regular session at City Hall on November 1, 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; City Clerk Betty McGuire; and Attorney Amy Miller.

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 Eischeid made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meeting of October 18, 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:**

**FY 2021-2022**

ELKINS PORTABLE RESTROOM, SE, 710.00; HAWKINS, SU, 2297.87; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 105.00

**FY 2022-2023 APPROVED 10-18-22**

ROBERT WOEHLER & SONS, SE, 199504.31; ROBERT WOEHLER & SONS, SE, 37797.08

**FY 2022-2023**

ACES, SE, 1021.15; AMAZON, SU, 223.36; AMERITAS, SE, 165.31; AMERITAS, SE, 35.00; AMERITAS, SE, 3116.96; AMERITAS, SE, 72.00; AMERITAS, SE, 97.54; APPEARA, SE, 115.09; APPEARA, SE, 72.34; BLUE CROSS BLUE SHIELD, SE, 48458.53; BOMGAARS, SU, 1200.50; BORDER STATES INDUSTRIES, SU, 1476.60; BOUST, SUSAN, RE, 450.00; BSN SPORTS, SU, 907.20; BSN SPORTS, SU, 1679.92; CARROLL DISTRIBUTING, SU, 42.41; CENTURYLINK, SE, 400.54; CITY EMPLOYEE, RE, 115.00; CITY EMPLOYEE, RE, 473.44; CITY OF WAYNE, PY, 93453.99; CITY OF WAYNE, RE, 110.68; COLE PAPERS, SU, 126.70; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 5000.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 99.76; DGR & ASSOCIATES, SE, 7578.00; DUTTON-LAINSON COMPANY, SU, 328.81; EATON, MICHAEL, RE, 250.00; ED M. FELD EQUIPMENT, SU, 519.43; FIREMAN'S ASSOCIATION, RE, 5000.00; FIRST CONCORD GROUP, SE, 3947.74; FLOOR MAINTENANCE, SU, 160.24; GERHOLD CONCRETE, SU, 744.72; HEIKES AUTOMOTIVE, SE, 1457.76; HILAND DAIRY, SU, 89.94; HILAND DAIRY, SU, 157.59; HUNDERTMARK CLEANING SYSTEMS, SU, 376.31; HYDRO OPTIMIZATION, SE, 2406.45; ICMA, RE, 8916.68; ICMA, RE, 339.92; ICMA, SE, 154.18; ICMA, SE, 174.75; ICMA, SE, 105.79; ICMA, SE, 1607.86; ICMA, SE, 387.46; ICMA, SE, 132.14; ICMA, SE, 119.12; ICMA, SE, 65.00; IRS, TX, 15765.54; IRS, TX, 11978.40; IRS, TX, 3687.18; JEO CONSULTING GROUP, SE, 8019.42; MAIN STREET GARAGE, SE, 112.50; MARCO, SE, 180.50; MAXON, PENNY, RE, 200.00; NE DEPT OF REVENUE, TX, 5111.87; NE LIBRARY COMMISSION, FE, 800.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 109.00; OLSSON, SE, 5951.87; O'REILLY AUTOMOTIVE STORES, SU, 45.66; OVERDRIVE, SU, 29.99; QUADIANT, SU, 28.00; ROBERTS, NOAH, SE, 30.00; SECURITY SHREDDING SERVICES, SE, 87.50; STADIUM SPORTING GOODS, SU, 48.00; THOENE, MYLES, SE, 48.00; THRASHER, RE, 500.00; TUCKER, DARYLE, SE, 24.00; USA BLUE BOOK, SU, 227.39; VAKOC, SE, 429.11; VERIZON, SE, 584.58; W.T. COX SUBSCRIPTIONS, SU, 843.43; WAED, SE, 5000.00; WAYNE COUNTY COURT, RE, 150.00; WILSON, ZANE, SE, 30.00; WISNER WEST, SU, 552.23; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 924.18; APPEARA, SU, 176.26; BENSCOTER CONSTRUCTION, RE, 1000.00; BLACK HILLS ENERGY, SE, 534.70; CARHART LUMBER COMPANY, SU, 238.20; CITY OF NORFOLK, RE, 173.97; CITY OF WAYNE, RE, 392.02; DITCH WITCH UNDERCON, SU, 1241.07; FASTENAL, SU, 32.29; FASTWYRE BROADBAND, SE, 90.07; FLOOR MAINTENANCE, SU, 695.15; GALE/CENGAGE LEARNING, SU, 148.79; HAMMER, MARK, RE, 500.00; HILAND DAIRY, SU, 194.56; HOMETOWN LEASING, SE, 436.64; JORGENSEN CONCRETE & CONSTRUCTION, RE, 500.00; JUNCK, PAYTON, SE, 20.00; KUFNER-RODRIGUEZ, MATTHEW, SE, 10.00; LARSON, ELLY, SE, 24.00; MACQUEEN EQUIPMENT, SU, 210.20; MARCO, SE, 175.92; MIDWEST TAPE, SU, 203.97; MIKEY C PRODUCTIONS, SE, 100.00; MILLER LAW, SE, 5416.67; MILLER, DREW, SE, 10.00; NDEE-FISCAL SERVICES, FE, 150.00; NE NOTARY ASSOC, SU, 297.32; NMPP ENERGY, FE, 300.00; NORTHEAST POWER, SE, 6888.00; ODEYS, SU, 1489.45; O'REILLY AUTOMOTIVE STORES, SU, 80.17; POSTMASTER, SU, 1001.21; QUALITY 1 GRAPHIC, SE, 40.00; REINHARDT, DREW, SE, 10.00; ROBERTS, NOAH, SE, 36.00; SPERRY, KYLE, SE, 54.00; TUCKER, DARYLE, SE, 12.00; US BANK, SU, 8725.13; VIAERO, SE, 67.90; WAED, SE, 9368.41; WAYNE COUNTRY CLUB, RE, 9181.20; WESCO, SU, 1155.60; WILSON, REESE, SE, 10.00; ZIMCO SUPPLY, SU, 1230.00

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

Jill Brodersen, Architect, presented Application for Payment No. 2 in the amount of \$28,447.00 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. 2 for \$28,447.00 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.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to set the Mini-Retreat date for Tuesday, November 29<sup>th</sup>, 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.

Councilmember Pick updated the Council on the recent meeting that took place with Wayne Community Schools on the future of the Community Activity Center. Superintendent Lenihan advised Mayor Giese that the board was going to continue discovering or continue doing their due diligence in pursuing this matter. Councilmember Pick stated the School’s Facilities Committee unanimously picked the area west of the Community Activity Center to put their Pre-K through 2<sup>nd</sup> grade classroom building on. That group’s next meeting will be on November 10<sup>th</sup>.

Attorney Miller updated the Council on the Bradley J. Woehler and Bradley F. Roberts vs. City of Wayne litigation matter. The matter has been dismissed and Mayor Giese has signed the release. The release will be sent to R. Perry Construction for their signature. The release basically states that R. Perry Construction and the City will not sue Bradley J. Woehler and Bradley F. Roberts unless they come back and sue the City and R. Perry Construction again.

Administrator Blecke gave an update on the R. Perry Construction project. They will start taking applications for the first apartment complex in March and will have it completed for an August move in. Their hope is by the end of the 2023 calendar year to have the second one on line.

Councilmember Karsky updated the Council on the Prairie Park Project (Stool to Cool Lagoon/Lake Project). November will be the 90% completion meeting. The final plans and specs will then be presented in December, and the project will be bid out in January, with construction taking place in the Spring/Summer of 2023.

Discussion took place on the purchase of property from the Ameritas Life Insurance Corporation.

Councilmember Eischeid made a motion, which was seconded by Councilmember Woehler, 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 Ameritas Life Insurance Corporation and to allow Administrator Blecke, City Clerk McGuire 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 5:59 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the acquisition of real estate from the Ameritas Life Insurance Corporation.

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 6:18 p.m.

Councilmember Eischeid made a motion, which was seconded by Councilmember Pick, 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, City Clerk McGuire, 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 6:18 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 Eischeid made a motion, which was seconded by Councilmember Pick, 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 6:34 p.m.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, authorizing Administrator Blecke to continue to negotiate the purchase of property (parking lot) from First Methodist Church of Wayne as 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.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:35 p.m.