

August 30, 2022

The Wayne Community Redevelopment Authority (CRA) met in regular session at City Hall on Tuesday, August 30, 2022, at 4:00 o'clock p.m. Co-Chair Mike Powicki called the meeting to order with the following in attendance: Members Mark Lenihan, Greg Ptacek, Jon Meyer, Cale Giese and Terry Sievers; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Chair Jill Brodersen.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on August 18, 2022, and a copy of the meeting notice and agenda were simultaneously given to the Chair and all members of the Community Redevelopment Authority. All proceedings hereafter shown were taken while the Authority convened in open session.

Co-Chair Powicki advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Council Chambers and was available for public inspection. In addition, he advised the public that the Community Redevelopment Authority 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.

Member Giese made a motion, which was seconded by Member Meyer, to approve the minutes of the July 26, 2022 and August 9, 2022, meetings. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Member Ptacek made a motion, which was seconded by Member Lenihan, to approve the following CRA Claims:

Advanced Consulting Engineering Services	\$1,599.72
Admin Replat Lots 4-6, John Lake's Addition	
City of Wayne	
Attorney Fees	\$800.00
Utilities – 106 E. 7 <sup>th</sup>	37.00
Ads/Notices	54.55
Misc. Costs (Carhart/Menards/Bomgaars)	
200 S. Lincoln	1,117.31

Olsson \$13,500.00  
Wayne CRA Jimmy John's

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Co-Chair Powicki declared the time was at hand for the public hearing on the proposed FY2022-2023 CRA budget.

Beth Porter, Finance Director, presented the CRA budget. The fiscal year begins October 1, 2022. The total revenues proposed for the FY2022-2023 budget are \$702,201, with expenses of \$790,206. This includes all of the TIF projects. In addition, she noted that there is \$2,186.39 in the CRA checking account at this time.

The original money the CRA received from the City came from the Electric Fund – which was the unallocated portion of the 1.85% dedicated to economic development. Any overages from that 1.85% collected from the electric customers are now transferred to the Community Redevelopment Authority.

City Clerk McGuire had not received any communication for or against this public hearing.

There being no further comments, Co-Chair Powicki closed the public hearing.

Co-Chair Powicki stated the following CRA Resolution would adopt the 2022-2023 budget.

Member Giese introduced CRA Resolution No. 2022-5 and moved for its approval; Member Ptacek seconded.

#### CRA RESOLUTION NO. 2022-5

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF WAYNE, NEBRASKA, ADOPTING THE 2022-2023 BUDGET.

Finance Director Porter was directed to prepare a spreadsheet showing what the potential revenue could be off the current TIF projects if there was a 1% - 5% admin fee implemented.

Luke Virgil, Director of Wayne Area Economic Development, was directed to coordinate a visit to Hastings, Nebraska, to look at their downtown district and visit with their Economic Development Director.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Matthew Smith, Project Engineer with Olsson, stated two bids were received on August 18, 2022, regarding the "CRA Jimmy John's Site Development Project." Upon review of the same, only one had the required bid documents and came in above the engineer's estimate of \$99,270.00. After review of the bids, Olsson's recommendation is that the Notice of Award be given to the only qualified bidder, Robert Woehler & Sons Construction, Inc., in the contract amount of \$147,726.34 or the alternate price of \$133,179.90

Discussion took place on how to get the contract amount reduced and more in line with the Engineer's estimate.

BJ Woehler, representing Robert Woehler & Sons Construction, Inc., was present and stated if the liquidated damages were reduced from \$500/day to \$100/day this would reduce some of the cost. In addition, quantity and unit price adjustments could be made (e.g. retaining wall from \$51,700 to about \$31,700). He indicated he was trying to obtain different quotes on concrete, too.

Administrator Blecke stated he has visited with Mr. Woehler about having the City do items 20 (cap & abandon sanitary sewer), 21 (cap & abandon water service) and 22 (seeding) in the bid document. This would reduce the bid another \$6,900.

After discussion, a motion was made by Member Lenihan, which was seconded by Member Sievers, awarding the contract on the "CRA Jimmy John's Site Development Project" to Robert Woehler & Sons Construction, Inc., in an amount not to exceed \$115,000.00, reducing liquidated damages to \$100/day, and with the City doing item nos. 20 (cap & abandon sanitary sewer), 21 (cap & abandon water service) and 22 (seeding) in the bid document.

It was noted that while liquidated damages would be reduced, the City can still hold the retainage of 10% until the project is completed.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Administrator Blecke updated the CRA on the following properties:

- Lot 5 and Part of Lot 6, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska (106 E. 7<sup>th</sup> Street)

(Update given above)

- Part of Lot 5 and all of Lot 6, Block 14, Original Town of Wayne, and Lots 7 and 8, Block 14, Original Town of Wayne (located at 2<sup>nd</sup> and Logan/Nebraska Streets)

The first building has been demolished and all debris is off site. Staff is advertising for bids to take down the other building and both foundations.

Member Ptacek made a motion, which was seconded by Co-Chair Powicki, directing Administrator Blecke to prepare a Request for Proposal for the 2<sup>nd</sup> and Logan/Nebraska Street property. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, the Co-Chair declared the motion carried.

Member Lenihan left the meeting at 4:37 p.m.

The next item on the agenda was to receive an update and then possible action on the offer(s) made on the 200 S. Lincoln Street property. Administrator Blecke stated he had received 3 offers on this property.

Member Giese made a motion, which was seconded by Member Ptacek, to enter into executive/closed session to protect the financial interest of the City to discuss the sale of real estate (offers received on 200 S. Lincoln Street), and to allow Attorney Miller, Administrator Blecke, City Clerk McGuire, Finance Director Beth Porter, Street and Planning Director Joel Hansen, and Luke Virgil, Executive Director of Wayne Area Economic Development, to be in attendance.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent and Member Lenihan who had left the meeting, the Co-Chair declared the motion carried, and executive/closed session began at 4:38 p.m.

The matter again to be discussed in executive/closed session pertained to the sale of property (offers received on the 200 S. Lincoln Street property), with the purpose being to protect the financial interest of the City.

Member Ptacek made a motion, which was seconded by Member Giese, to resume open session. Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent and Member Lenihan who had left the meeting, the Co-Chair declared the motion carried, and open session resumed at 5:06 p.m.

Member Giese made a motion, which was seconded by Member Ptacek, to accept the offer of the high bidder and to authorize staff to take actions to seal the house if the offer falls through.

It was noted that the buyer would be required to pay all of the closing costs, title insurance, etc.

Co-Chair Powicki stated the motion, and the result of roll call being all Yeas, with the exception of Chair Brodersen who was absent, Member Lenihan who had left the meeting, and Member Meyer who voted Nay, the Co-Chair declared the motion carried.

Discussion took place on other potential properties of interest – 721 Main Street. Administrator Blecke stated they have cleared up the tax issue from their side. The State has advised Tom Jacobsen they have filed the “intent.” Mr. Jacobsen thinks it will still take the State a month to figure everything out on it. Attorney Miller was directed to prepare a purchase agreement for the same contingent upon receiving clear title to be acted upon at the next meeting.

There being no further business to come before the CRA, Chair Brodersen declared the meeting adjourned at 5:11 p.m.