

**MINUTES
CITY COUNCIL MEETING
December 6, 2022**

The Wayne City Council met in regular session at City Hall on December 6, 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 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. Absent: Councilmember Brendon Pick.

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 meetings of November 15, 2022, and November 29, 2022, and to waive the readings thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

COUNCIL APPROVED 11/15/22: Robert Woehler & Sons, SE, 42515.21; Robert Woehler & Sons, SE, 141587.66

VARIOUS FUNDS: ABDO PUBLISHING COMPANY, SU, 347.25; ACES, SE, 1021.15; ALL-AMERICAN PUBLISHING, SE, 319.00; AMAZON, SU, 1103.70; AMERITAS, SE, 196.64; AMERITAS, SE, 3254.50; AMERITAS, SE, 126.56; AMERITAS, SE, 35.00; AMERITAS, SE, 3339.04; AMERITAS, SE, 72.00; AMERITAS, SE, 72.00; AMERITAS, SE, 94.18; AMERITAS, SE, 35.00; AMERITAS, SE, 161.94; ANDERSON, DEREK, SE, 30.00; APPEARA, SE, 184.09; ARNIE'S FORD, SE, 271.75; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1506.05; BLUE CROSS BLUE SHIELD, SE, 50183.88; BOK FINANCIAL, RE, 12542.50; BOK FINANCIAL, RE, 6668.75; BOMGAARS, SU, 1666.03; BOMGAARS, SU, 23.94; BORDER STATES INDUSTRIES, SU, 189.77; BSN SPORTS, SU, 3762.29; CARHART LUMBER COMPANY, SU, 127.39; CARROLL DISTRIBUTING, SU, 18.06; CDW GOVERNMENT, SU, 863.38; CDW GOVERNMENT, SU, 5503.84; CENTURYLINK, SE, 397.58; CITY EMPLOYEE, RE, 44.65; CITY EMPLOYEE, RE, 713.07; CITY EMPLOYEE, RE, 131.95; CITY EMPLOYEE, RE, 4.56; CITY EMPLOYEE, RE, 9.30; CITY EMPLOYEE, RE, 176.25; CITY EMPLOYEE, RE, -131.95; CITY EMPLOYEE, SE, 12.00; CITY EMPLOYEE, RE, 105.20; CITY OF WAYNE, PY, 104903.99; CITY OF WAYNE, PY, 92945.34; CITY OF WAYNE, RE, 389.82; CIVICPLUS, SE, 7273.17; CLAUSSEN, HEIDI, SE, 415.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 29000.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 15,000.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 96.32; DGR & ASSOCIATES, SE, 4368.50; DISPLAY SALES, SU, 933.00; DUTTON-LAINSON COMPANY, SU, 7507.84; DUTTON-LAINSON COMPANY, SU, 21365.76; ECHO GROUP, SU, 498.08; ED M. FELD EQUIPMENT, SU, 278.70; ELLIS, JEFF, RE, 500.00; FAIRFIELD INN – KEARNEY, SE, 749.70; FASTWYRE BROADBAND, SE, 1,486.28; FIRST CONCORD GROUP, SE, 3,947.74; FLOOR MAINTENANCE, SU, 976.03; FREDRICKSON OIL, SU, 1673.43; GALE/CENGAGE LEARNING, SU, 150.09; GLOVER PAINTING, SE, 2092.70; GROSSENBURG IMPLEMENT, SU, 32.72; HILAND DAIRY, SE, 131.01; HILAND DAIRY, SE, 210.53; HOMETOWN LEASING, SE, 436.02; ICMA, SE, 154.18; ICMA, SE, 339.92; ICMA, SE, 387.46; ICMA, SE, 105.79; ICMA, SE, 8982.60; ICMA, SE, 1607.86; ICMA, SE, 119.12; ICMA, SE, 174.75; ICMA, SE, 65.00; ICMA, SE, 65.00; ICMA, SE, 387.46; ICMA, SE, 119.12; ICMA, SE, 1417.86; ICMA, SE, 105.79; ICMA, SE, 174.75; ICMA, SE, 132.14; ICMA, SE, 8866.24; ICMA, SE, 154.18; ICMA, SE, 132.14; ICMA, SE, 339.92; IRS, TX, 12226.60; IRS, TX, 15868.24; IRS, TX, 4094.72; IRS, TX, 12220.68; IRS, TX, 3711.10; IRS, TX, 17507.82; JACK'S UNIFORMS, SU, 125.95; JEO CONSULTING GROUP, SE, 6580.00; JEO CONSULTING GROUP, SE, 4733.07; KEATING, TRACY, RE, -250.00; KEATING, TRACY, RE, 250.00; KEPKO ENGRAVING, SU, 22.10; L.G. EVERIST, SU, 1615.10; LESEBERG MASONRY & CONST, RE, 900.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MATT PARROTT, SU, 265.22; MILLER LAW, SE, 5416.67; NDEE-FISCAL SERVICES, RE, 87401.87; NDEE-FISCAL SERVICES, RE, 200695.92; NE DEPT OF REVENUE, TX, 5380.41; NE DEPT OF REVENUE, TX, 5254.32; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 75.00; NEBRASKA GENERATOR SERVICE, SE, 1262.72; NELSEN, COLSON, SE, 36.00; NORBLADE, TATE, SE, 25.00; NNEDD, SE, 1818.75; NORTHEAST NE INS AGENCY, SE, 457.00; NORTHEAST POWER, SE, 18978.90; NORTHEAST TIRE SERVICE, SE, 120.00; OCC BUILDERS, RE, 1000.00; O'REILLY AUTOMOTIVE STORES, SU, 232.15; O'REILLY AUTOMOTIVE STORES, SU, 57.46; OVERDRIVE, SU, 521.99; PATEFIELD, DAVID, SE, 15.00; PATEFIELD, PARKER, SE, 15.00; PCAN, FE, 100.00; PLUMBING & HEATING WHOLESALE, SU, 1401.73; PLUMBING & HEATING WHOLESALE, SU, 666.63; POSTMASTER, SU, 998.58; PRONUNCIATOR, SU, 450.00; PSYCHOLOGICAL RESOURCES, SE, 135.00; QUALITY 1 GRAPHIC, SU, 60.00; RESCO, SU, 385.20; STAPLES, SU, 84.66; STAPLES, SU, 304.14; STATE NEBRASKA BANK & TRUST, RE, 5443.75; THE RADAR SHOP, SU, 448.00; TOTAL GRAPHICS, SU, 624.00; TUCKER, DARYLE, SE, 48.00; US BANK, SU, 5570.33; VIAERO, SE, 67.90; WAED, SE, 8980.41; WAYNE RURAL FIRE, RE, 7960.46; WISNER WEST, SU, 216.47; YORK, KASEN, SE, 20.00; ACE HARDWARE & HOME, SU, 534.14; APPEARA, SE, 54.72; BLACK HILLS ENERGY, SE, 2096.30; BSN SPORTS, SU, 80.00; CHEMQUEST, SE, 695.00; CITY OF NORFOLK, SE, 1500.00; CITY OF NORFOLK, SE, 173.97; CITY OF WAYNE, RE, 112.94; COLE PAPERS, SU, 520.85; COPY WRITE PUBLISHING, SE, 254.18; DAVE'S DRY CLEANING, SE, 63.00; DEAN, JACE, SE,

15.00; DEARBORN LIFE INSURANCE COMPANY, SE, 2827.76; DUTTON-LAINSON COMPANY, SU, 17796.24; IAEI, FE, 120.00; JOHN'S WELDING AND TOOL, SE, 42.80; KENNY, JOE, RE, 500.00; KENNY, KELLY, RE, 500.00; KTCH, SE, 608.00; LUTT OIL, SU, 8268.97; MAJESTIC THEATER, FE, 184.00; MEYER, BRYCE, SE, 60.00; MIDWEST LABORATORIES, SE, 700.50; MIDWEST TAPE, SU, 307.95; NPPD, SE, 8076.56; NORTHEAST POWER, SE, 5106.00; NOVA FITNESS EQUIPMENT, SE, 762.90; ONE CALL CONCEPTS, SE, 49.82; PAC N SAVE, SU, 1262.56; PAC N SAVE, SU, 26.55; PLUNKETT'S PEST CONTROL, SE, 48.29; QUADIENT LEASING, SE, 655.38; QUALITY FOOD CENTER, SU, 15.98; SPERRY, KYLE, SE, 15.00; STAPLES, SU, 59.15; STATE NEBRASKA BANK & TRUST, SE, 68.40; STEFFEN TRUCK EQUIPMENT, SU, 13.66; TUCKER, DARYLE, SE, 30.00; ULINE, SU, 624.69; WAYNE AUTO PARTS, SU, 877.43; WAYNE HERALD, SE, 837.50; WAYNE HERALD, SE, 95.00; WAYNE SENIOR CENTER, RE, 418.50; WESCO, SU, 462.24; WAPA, SE, 20069.90

Councilmember Karsky 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, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Mayor Giese presented a plaque to outgoing Councilmember Woehler in appreciation of his valued contributions made to the City of Wayne as Councilmember from 2018-2022.

Mayor Giese then adjourned the meeting sine die.

This being the time for the new Mayor and new Council to organize, and Cale Giese having qualified for Mayor, and Clayton Bratcher, Matt Eischeid, Jason Karsky and Jill Brodersen having qualified for Councilmembers of the 1st, 2nd, 3rd and 4th Wards respectively, City Attorney Amy Miller presented the oaths of office to Cale Giese, Clayton Bratcher, Matt Eischeid, Jason Karsky and Jill Brodersen.

Mayor Giese then reconvened the regular meeting.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to nominate Jill Brodersen as President of Council. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

The City has received the Annual Renewal Maintenance Agreement from the State of Nebraska Department of Transportation (NDOT). This is their standard form of renewal agreement, and is the same as last year. The City will pay the NDOT \$2,100.00 per lane mile or \$4,935.00 in 2023 for the surface maintenance on 2.35 lane miles of highway through Wayne.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the Annual Renewal Maintenance Agreement (2023) with the State of Nebraska Department of Transportation. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Annually, the City is required to appoint a Street Superintendent to receive Highway Incentive Payments. This action item is to appoint Joel Hansen as the 2023 Street Superintendent.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid appointing Joel Hansen, Class A License number S-1155, as the City Street Superintendent for calendar year 2023, January 1 thru December 31, 2023, for the purpose of the 2023 calendar year Highway Incentive payment to be issued to the City by the Nebraska Department of Transportation in February 2024. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

The following Resolution, along with the Year-End Certification Form, must be approved, signed and returned to the Department of Transportation by December 31, 2022. This is an annual requirement for determining the City's calendar year 2022 incentive funds.

Councilmember Karsky introduced Resolution 2022-74, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2022-74

A RESOLUTION AUTHORIZING THE SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2022.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Administrator Blecke stated the following Resolution would formally appoint JEO Consulting Group, Inc., as the special engineer to be used on various City of Wayne projects in 2023. JEO was formally appointed back in 2018. We have found that we must formally appoint an engineer annually. Doing so eliminates the need to go through the procurement process for engineers on grant projects.

Councilmember Eischeid introduced Resolution 2022-75, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2022-75

A RESOLUTION APPOINTING JEO CONSULTING GROUP, INC., AS THE SPECIAL ENGINEER TO BE USED ON VARIOUS CITY OF WAYNE PROJECTS IN 2023.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Administrator Blecke stated the following agenda item pertains to partnering with Wayne Community Development Housing Corporation (WCHDC) for a workforce housing grant for up to \$1M for site acquisition and infrastructure. Since WCHDC has received Rural Workforce Housing Funds in the past, they would be the organization that could apply for the funds under the new program. December 15th is the deadline for filing a letter of intent to apply for the Rural Workforce Housing Grant. The full application needs to be submitted by January 19th. We need to visit with some landowners to make sure if we put their land on this proposal that they are agreeable to it. The assumption is that we will need a purchase agreement with a property owner for land acquisition if that is what we choose to do with this grant.

Luke Virgil, Executive Director of Wayne Area Economic Development, stated they were able to clarify the match requirement. There is not a match requirement, but it will probably score better points on the application if there is a local match.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving the 2022 Rural Workforce Housing Land Development Program Letter of Intent. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Mayor Giese requested Council consideration to approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief

Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Tim Sutton, Electric Distribution Superintendent
Casey Junk, Water/Wastewater Superintendent

Ellen Imdieke and Rita McLean to the Problem Resolution Team (replacing BJ Woehler and Sheryl Lindau).

Kevin Peterson to the Civil Service Commission (replacing Eric Knutson)

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief
Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Tim Sutton as Electric Distribution Superintendent
Casey Junk, Water/Wastewater Superintendent

Ellen Imdieke and Rita McLean to the Problem Resolution Team (replacing BJ Woehler and Sheryl Lindau).

Kevin Peterson to the Civil Service Commission (replacing Eric Knutson)

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Administrator Blecke updated the Council on the recent meeting that took place with Wayne Community Schools on the future of the Community Activity Center.

Administrator Blecke updated the Council on the proposed purchase of Part of Lots 1, 2, and 3, Block 5, North Addition, from the First Methodist Church of Wayne. The congregation voted and approved the sale of the property to the City for \$50,000.00.

Attorney Miller noted that the purchase of this property would be contingent upon the acquisition of the Ameritas property and the same would be reflected in the purchase agreement.

Councilmember Eischeid introduced Resolution 2022-77, and moved for its approval, contingent upon the purchase of the Ameritas property; Councilmember Bratcher seconded.

RESOLUTION NO. 2022-77

A RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM FIRST METHODIST CHURCH OF WAYNE (\$50,000.00).

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Discussion took place on the purchase of property from the Ameritas Life Insurance Corporation. JEO Consulting Group, Inc., is in the process of putting together an estimate of what it would cost to renovate the building. Hopefully, this will be ready for the December 20th meeting.

Councilmember Karsky had concerns about the layout of the proposed plans put together by Councilmember Brodersen, more particularly with the Police Department layout.

Councilmember Eischeid, along with Councilmember Brodersen, noted that the preliminary plans are not the final plans for the building. Councilmember Eischeid felt confident when we get to that point where we have purchased the building and we have the final drawings that the concerns of the Police Department will be met. At this point, we are in the infancy stages of design.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, to enter into executive session to prevent the needless injury to the reputation of an individual who has not requested a public hearing to discuss a personnel matter (the performance review/evaluation of City Attorney Amy Miller), and to allow City Administrator Blecke and City Clerk McGuire to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried, and executive session began at 6:10 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the performance review/evaluation of City Attorney Amy Miller.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the

exception of Councilmember Pick who was absent, the Mayor declared the motion carried, and open session resumed at 6:36 p.m.

It was noted that the Resolution approving the appointment of Amy K. Miller as City Attorney and approving her Retainer Agreement for 2023 would be brought forward for Council action at the next regular meeting.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:36 p.m.