

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

The Wayne City Council met in regular session at City Hall on December 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, Clayton Bratcher, 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 December 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:

**PREVIOUS CLAIM NOT LISTED ON 12/1/22:** T & S TRUCKING, SE, 846.90  
**VARIOUS FUNDS:** APPEARA, SE, 60.37; APPEARA, SE, 62.85; BATTERY SOLUTIONS, SU, 102.00; BATTERY SOLUTIONS, SU, 102.00; BIG RIVERS ELECTRIC CORPORATION, SE, 173949.69;

BINSWANGER GLASS, SE, 2942.00; BLUE 360 MEDIA, SU, 519.06; BMI, FE, 351.90; BORDER STATES INDUSTRIES, SU, 1987.44; CARLSON, AMY, RE, 250.00; CARPENTER PAPER COMPANY, SU, 672.00; CITY EMPLOYEE, RE, 171.43; CITY EMPLOYEE, RE, 92.46; CITY EMPLOYEE, RE, 4207.12; CITY EMPLOYEE, RE, 463.55; CITY EMPLOYEE, RE, 220.78; CITY EMPLOYEE, RE, 250.87; CITY OF WAYNE, RE, 2068.04; CITY OF WAYNE, RE, 463.55; COTTONWOOD WIND PROJECT, SE, 19375.56; DAS STATE ACCTG-CENTRAL FINANCE, SE, 62.36; EAKES OFFICE PLUS, SE, 186.32; ED M. FELD EQUIPMENT, SE, 1327.50; ED M. FELD EQUIPMENT, RE, 125701.00; EISCHEID, MATT, SE, 125.00; ELECTRO-TEST AND MAINTENANCE, SU, 60251.59; FAITH REGIONAL PHYSICIAN SERV, SE, 129.50; FASTENAL, SU, 35.73; FREDRICKSON OIL, SU, 10535.25; HEIKES AUTOMOTIVE, SE, 135.00; HILAND DAIRY, SE, 169.38; HILAND DAIRY, SE, 239.43; HYDRO OPTIMIZATION, SE, 2120.09; INGRAM LIBRARY SERVICES, SU, 1257.05; JACK'S UNIFORMS, SU, 67.95; JOHNSON SERVICE, SE, 2736.70; MEYER, BRYCE, RE, 500.00; MUNICIPAL SUPPLY, SU, 66.17; NNEDD, SE, 225.00; OCC BUILDERS, SE, 18621.00; OLSSON, SE, 9000.00; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 59.15; O'REILLY AUTOMOTIVE STORES, SU, 3.59; PITKIN, CHAD, SE, 125.00; POLICE OFFICERS' ASSOCIATION OF NE, FE, 140.00; QUADIENT FINANCE, SU, 1048.43; RR DONNELLEY, SU, 397.37; SKARSHAUG TESTING LAB, SE, 249.55; STAPLES, SU, 318.39; TRUCK CENTER COMPANIES, SU, 55.73; TUCKER, DARYLE, SE, 60.00; US FOODSERVICE, SU, 1934.05; USA BLUE BOOK, SU, 104.02; VERIZON, SE, 584.33; WAYNE COUNTY CLERK, SE, 10.00; WAYNE COUNTY CLERK, SE, 1105.07; WAYNE DANCE COMPANY, RE, 200.00; WAYNE HERALD, SE, 557.27; WAYNE HERALD, SE, 54.00; WAYNE VETERINARY CLINIC, SE, 182.00; WESCO, SU, 231.66; WISNER WEST, SU, 57.07; ALARCON-FLORY,PERLA, SE, 25.00; AMERITAS, SE, 161.94; AMERITAS, SE, 35.00; AMERITAS, SE, 3037.84; AMERITAS, SE, 72.00; AMERITAS, SE, 94.18; APPEARA, SE, 88.10; AUTO ANATOMY ALTERNATIVES, SU, 750.00; BEIERMANN ELECTRIC, SE, 2368.52; CITY EMPLOYEE, RE, 323.20; CITY EMPLOYEE, RE, 392.00; EAKES OFFICE PLUS, SE, 339.67; EXHAUST PROS TOTAL CAR CARE, SE, 240.75; FASTENAL, SU, 25.00; FLOOR MAINTENANCE, SU, 556.93; GROSSENBURG IMPLEMENT, SU, 123.94; HAWKINS, SU, 9159.51; HERITAGE HOMES, RE, 200.00; HYDRO OPTIMIZATION, SU, 1478.66; ICMA, SE, 132.14; ICMA, SE, 387.46; ICMA, SE, 1253.86; ICMA, SE, 8866.24; ICMA, SE, 105.79; ICMA, SE, 339.92; ICMA, SE, 154.18; ICMA, SE, 174.75; ICMA, SE, 35.42; ICMA, SE, 119.12; ICMA, SE, 65.00; INTERSTATE BATTERY SYSTEM, SU, 146.95; IRS, TX, 15593.02; IRS, TX, 11623.38; IRS, TX, 3646.74; KAUP FORAGE & TURF, SU, -2,850.00; KTCH, SE, 155.00; LOVE SIGNS, SU, 162.50; LUTT OIL, SU, 24960.00; MEYER, BRYCE, SE, 30.00; MUNICIPAL SUPPLY, SU, 110.56; NE DEPT OF REVENUE, TX, 5036.21; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 203.00; NORTHEAST POWER, SE, 18978.90; NOVA FITNESS EQUIPMENT, SU, 24897.31; OLSSON, SE, 9498.38; SPORTS FACILITY MAINTENANCE, SE, 3532.00; STANTON CO COURT, RE, 500.00; STAPLES, SU, 321.22; SUN RIDGE SYSTEMS, SE, 3261.00; THE RADAR SHOP, SE, 301.50; TOMCAT, JACOB, SE, 30.00; TUCKER, DARYLE, SE, 20.00; WESCO, SU, 293.18

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to approve the claims. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who abstained on his claim only, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, requested Council consideration to approving the membership application of Megan Arehart to the Wayne Volunteer Fire Department. Ms. Arehart could not be in attendance at this meeting.

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving the membership application of Megan Arehart 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.

Phil Monahan, Fire Chief, requested Council consideration to approving the membership application of Danielle Witt to the Wayne Volunteer Fire Department. Ms. Witt could not be in attendance at this meeting either.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, approving the membership application of Danielle Witt 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.

Jill Brodersen, Architect, presented Application for Payment No. 3 in the amount of \$18,621.00 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 Karsky, approving Application for Payment No. 3 for \$18,621.00 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, representing Olsson, presented Change Order No. 3 in the amount of \$6,970.00 to Robert Woehler & Sons Construction, Inc., for the “Chicago Street Improvement Project.” This change order is for quantity adjustments and to increase the final completion date by four weeks from October 15, 2022, to November 18, 2022.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Change Order No. 3 in the amount of \$6,970.00, to Robert Woehler & Sons Construction, Inc., for the “Chicago Street Improvement 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. 7 (Final) on the “Chicago Street Improvement Project” for \$45,426.98 to Robert Woehler & Sons Construction, Inc. Mr. Kube stated this final payment represents the retainage.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Certificate of Payment No. 7 for \$45,426.98 to Robert Woehler & Sons Construction, Inc., for the “Chicago Street Improvement Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Taylor Kube, representing Olsson, presented Change Order No. 2 in the amount of \$3,050.00, to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement Project.” This change order is for quantity adjustments and to increase the final completion date by 3 weeks from November 1, 2022, to November 18, 2022.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, approving Change Order No. 2 in the amount of \$3,050.00, to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement 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 (Final) on the “Lincoln Street Improvement Project” for \$17,002.95 to Robert Woehler & Sons Construction, Inc.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving Certificate of Payment No. 4 (Final) for \$17,002.95 to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would approve the appointment of Amy K. Miller as City Attorney and also approve the Retainer Agreement for her services. There were no changes to said agreement.

Councilmember Karsky introduced Resolution 2022-76 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2022-76

A RESOLUTION APPROVING THE APPOINTMENT OF AMY K. MILLER AS CITY ATTORNEY AND RETAINER AGREEMENT FOR 2023.

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

Roger Protzman, engineer with JEO Consulting Group, Inc., was present to review the plans and specifications for the “2023 Wastewater Treatment Facility Ultraviolet Light Improvement Project.” The engineer’s estimate, which includes material and labor, was \$350,000.

This project is basically a remodel of an existing treatment process. There is a piece of equipment that the City can no longer get parts for, and therefore, staff is looking to replace it with something more standard, which is a Trojan UV system. Most of this project is material cost.

Councilmember Eischeid introduced Resolution 2022-78, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2022-78

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE “2023 WASTEWATER TREATMENT FACILITY ULTRAVIOLET LIGHT IMPROVEMENT PROJECT” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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

The following Resolution would approve the plans and specifications and authorize the purchase of a new sewer cleaner/sewer jet from Sewer Equipment in the amount of \$96,021.27. Casey Junck, Water/Wastewater Superintendent, solicited proposals from two vendors for the purchase of a new sewer jet. His recommendation is to award the contract to Sewer Equipment for \$96,021.27. The other proposal was from MacQueen Equipment for \$97,450.78. The sewer jet they now have is a 1994 model.

Councilmember Brodersen introduced Resolution No. 2022-79 and moved for its approval; Councilmember Karsky seconded the motion.

RESOLUTION NO. 2022-79

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A SEWER CLEANER/SEWER JET AND RELATED EQUIPMENT RECEIVED FROM SEWER EQUIPMENT (\$96,021.27).

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

The following Resolution would amend the Wage and Salary Schedule by including a 4% cost of living increase that was approved in the budget. This would be effective with the first payroll period in January, 2023. "Senior Center Activities/Kitchen Aide" was put in its own line item. In the next month or so, staff will be bringing forward another Wage Resolution which will take into consideration the increases in minimum wage for the next few years and also comparability.

Councilmember Brodersen introduced Resolution No. 2022-80 and moved for its approval; Councilmember Bratcher seconded the motion.

RESOLUTION NO. 2022-80

A RESOLUTION AMENDING THE WAGE AND SALARY SCHEDULE.

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 approving the following appointments:

- Dusty Baker to the Civil Service Commission
- Abby Schademann to the Planning Commission
- Angie Fredrickson, Galen Wisner, and Brandon Mainquist to the LB840 Revolving Loan Fund Committee
- Angie Fredrickson, Galen Wisner, Brandon Mainquist, Mike Varley, Gary Boehle, Megan Finn and Kirby Hall to the LB840 Sales Tax Advisory Committee

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving the following appointments:

- Dusty Baker to the Civil Service Commission
- Abby Schademann to the Planning Commission

- Angie Fredrickson, Galen Wiser, and Brandon Mainquist to the LB840 Revolving Loan Fund Committee
- Angie Fredrickson, Galen Wiser, Brandon Mainquist, Mike Varley, Gary Boehle, Megan Finn and Kirby Hall to the LB840 Sales Tax Advisory Committee

Mayor Giese stated the motion, and the result of roll call being all Yeas, 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. The School would like a Memorandum of Understanding with the City of Wayne that would be approved at the January 3<sup>rd</sup> Council meeting, which would give them some assurance that the City is willing to sell the property west of the Community Activity Center to them. At their next School Board meeting, the School Board would likely approve the measure to be placed on the ballot for voter approval for the bond issue.

There was no update on the proposed purchase of Part of Lots 1, 2, and 3, Block 5, North Addition, from the First Methodist Church of Wayne.

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

Roger Protzman, Engineer with JEO Consulting Group, Inc., and Administrator Blecke reviewed the estimate that JEO's architects put together for the Ameritas property. They are putting together another estimate for a garage. The cost for construction was \$1.3 million, and there was a 15% general conditions overhead profit, and a design contingency. The overall construction cost was \$1.8 million, which worked out to be about \$158 sq. ft. It was noted that this is a conceptual design and an estimate.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, 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 6:08 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 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, the Mayor declared the motion carried, and open session resumed at 6:32 p.m.

Councilmember Muir made a motion, which was seconded by Councilmember Webber, to authorize City Administrator Blecke to negotiate terms with Ameritas Life Insurance Corporation for the purchase of said property for 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.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:33 p.m.