

**MINUTES**  
**CITY COUNCIL MEETING**  
**January 3, 2023**

The Wayne City Council met in regular session at City Hall on January 3, 2023, 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 Buck made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meeting of December 20, 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:

**CLAIMS APPROVED ON 12/20/22:** Robert Woehler & Sons, SE, 17002.95; Robert Woehler & Sons, SE, 45426.98

**VARIOUS FUNDS:** ACES, SE, 1093.66; AMAZON, SU, 1163.12; APPEARA, SE, 78.87; BLACK HILLS ENERGY, SE, 3808.99; CARHART LUMBER COMPANY, SU, 415.12; CENTURYLINK, SE, 398.72; CITY EMPLOYEE, RE, 9.12; CITY EMPLOYEE, RE, 414.10; CITY EMPLOYEE, RE, 98.65; CITY EMPLOYEE, RE, 52.70; CITY EMPLOYEE, RE, 267.81; CITY EMPLOYEE, RE, 979.35; CITY EMPLOYEE, RE, 149.74; CITY EMPLOYEE, RE, 456.21; CITY EMPLOYEE, RE, 206.49; CITY EMPLOYEE, RE, 1523.67; CITY EMPLOYEE, RE, 392.24; CITY EMPLOYEE, RE, 1,097.90; CITY OF WAYNE, PY, 91942.71; CITY OF WAYNE, RE, 780.65; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 30000.00; DANKO EMERGENCY EQUIPMENT, SU, 740.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DGR & ASSOCIATES, SE, 3762.50; DUTTON-LAINSON COMPANY, SU, 870.66; EAKES OFFICE PLUS, SE, 2134.78; FLOOR MAINTENANCE, SU, 325.36; GALE/CENGAGE LEARNING, SU, 124.10; GERHOLD CONCRETE, SU, 36.30; GROSSENBURG IMPLEMENT, SU, 850.87; GROSSENBURG IMPLEMENT, SU, 50.29; HAWKINS, SU, 2846.55; HEIKES AUTOMOTIVE, SE, 135.00; HILAND DAIRY, SE, 149.38; HILAND DAIRY, SE, 110.51; JEO CONSULTING GROUP, SE, 11418.12; KAUP FORAGE & TURF, SU, 2850.00; KELLY SUPPLY COMPANY, SU, 691.51; LONGE, KAREN, RE, 110.00; LUTT OIL, SU, 49676.88; MATT PARROTT, SU, 74.07; MIDWEST TAPE, SU, 47.99; MOTION INDUSTRIES, SU, 148.92; MOTION INDUSTRIES, SU, -148.92; NATIONAL PEN, SU, 559.51; NE STATE FIRE MARSHAL, FE, 36.00; NNEDD, SE, 1960.09; QUALITY 1 GRAPHIC, SU, 120.00; SALT CREEK SOFTWARE, SE, 2300.50; ULINE, SU, 335.62; VAN WALL EQUIPMENT, SU, 593.92; VIAERO, SE, 67.90; WESCO, SU, 197.95; WISNER WEST, SU, 167.99; AMERITAS, SE, 166.76; AMERITAS, SE, 35.00; AMERITAS, SE, 3261.70; AMERITAS, SE, 72.00; AMERITAS, SE, 100.07; APPEARA, SE, 39.16; APX, FE, 1041.51; BACON & VINTON, SE, 27500.00; CITY EMPLOYEE, RE, 500.00; CITY EMPLOYEE, RE, 22.04; CITY EMPLOYEE, RE, 4.56; CITY EMPLOYEE, RE, 682.25; CITY EMPLOYEE, RE, 4.56; CITY OF WAYNE, PY, 91617.15; CITY OF WAYNE, PY, 29.59; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 45000.00; FIRST CONCORD GROUP, SE, 400.00; GLOBAL PAYMENTS INTEGRATED, SE, 467.51; ICMA, SE, 387.46; ICMA, SE, 132.14; ICMA, SE, 119.12; ICMA, SE, 1253.86; ICMA, SE, 8866.24; ICMA, SE, 105.79; ICMA, SE, 333.50; ICMA, SE, 154.18; ICMA, SE, 174.75; ICMA, SE, 35.42; ICMA, SE, 65.00; IRS, TX, 15629.20; IRS, TX, 11979.99; IRS, TX, 0.92; IRS, TX, 3.98; IRS, TX, 3655.26; MARCO TECHNOLOGIES, SE, 180.50; MERCHANT SERVICES, SE, 1452.44; MERCHANT SERVICES, SE, 149.65; MERCHANT SERVICES, SE, 4312.22; MILLER LAW, SE, 5416.67; NE DEPT OF REVENUE, TX, 5160.34; NORTHEAST POWER, SE, 5534.00; POSTMASTER, SU, 1000.09; STATE NEBRASKA, RE, 106.55; UNITED STATES THERMOAMP, SU, 9486.26; WAED, SE, 8980.41; WAPA, SE, 22581.44

Councilmember Bratcher 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.

Cap Peterson with Northeast Nebraska Insurance Agency presented and reviewed the 2023 Property and Casualty Insurance Package. In 2021, the deductible was increased from \$1,000 to \$10,000/\$25,000 for wind and hail, per occurrence on the property portion thereof. This year, Mr. Peterson is recommending that the deductible per occurrence on the property portion be increased to \$25,000. The total package, if the property deductible is increased, will be \$438,238; an increase of \$18,433 over last year's package (\$419,805). If the deductible is not increased, this will add an additional \$9,048 to the

\$438,238 amount. The increase is primarily in the workers' compensation and property portions of the policy.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, approving the 2023 Property & Casualty Insurance Package with the property deductible being increased to \$25,000. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution will approve a Memorandum of Understanding with Wayne Community School District #90-0017 and would be the initial formal step in selling the property west of the Wayne Community Activity Center to the School if the school bond measure passes (likely an election in March). This property being considered for sale was once School property that was given to the City in the early 2000's to construct the CAC. If the bond measure passes, the City would then replat the property, go through the statutory requirements for selling property, and enter into a purchase agreement with the School. This possible sale would also give a small portion of School property to the City where there is an existing City trail (currently an easement).

Mark Lenihan, Wayne Community School District Superintendent, and Jodi Pulfer, School Board Member, were present for the discussion. The School would put in an early learning center on this 4 acre parcel. It would be a Pre-K through 2 building. The School Board will act on this Memorandum of Understanding on Monday if it is approved by the Council tonight. The Board will also propose a bond resolution to be on the ballot in March.

It was noted the parking lot will be used mainly during the day and that this building will not have a lot of night activities. The building will also have a gym, but it will not be a gym where competitions take place. It will be a gym for the kids during the school day.

Councilmember Eischeid had concerns about giving the parking lot to the School, when the same cost the City \$227,000+. He has no issue with the other property being sold or given back to the School for \$1.00.

The response to that was that the parking lot will be a shared area regardless of who owns it. The School would like to install some lights in the parking lot which is estimated to be about \$27,000.

Councilmember Karsky stated he understood Councilmember Eischeid's concern, but was in favor of the proposal.

Councilmember Brodersen stated the parking lot is doing exactly what they wanted it to do when they voted to put it in a few years ago – it takes care of the CAC overflow parking.

It was noted the school would be responsible for the maintenance.

Councilmember Brodersen introduced Resolution 2023-1 and moved for its approval; Councilmember Pick seconded.

#### RESOLUTION NO. 2023-1

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND WAYNE COMMUNITY SCHOOL DISTRICT #90-0017.

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

The following Resolution would start the process for making application for the Civic Community Center Financing Fund Planning Grant for the "Prairie Park Project." The maximum grant is \$562,500. This requires a dollar for dollar match, and the City will apply for the full amount. The cost estimate on Phase I of the "Prairie Park Project" is about \$1.8 million.

Councilmember Karsky introduced Resolution 2023-2, and moved for its approval; Councilmember Muir seconded.

#### RESOLUTION NO. 2023-2

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CIVIC AND COMMUNITY CENTER FINANCING FUND GRANT.

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

The Northeast Nebraska Economic Development District has provided a "Letter of Intent" which will be sent to the Nebraska Department of Economic Development and give them official notice that the

City of Wayne intends to apply for an award through the Community and Civic Center Financing Fund Program.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the Letter of Intent directed to the Nebraska Department of Economic Development to apply for an award through the Community and Civic Center Financing Fund Program. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Joel Hansen, Street and Planning Director, presented his "Street and Planning Report."

Attorney Miller 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.

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

Councilmember Eischeid 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 6:40 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 Bratcher, 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 6:53 p.m.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to accept the offer of the Ameritas Life Insurance Corporation for the purchase of Parcels 1 and 2, which includes all of the office equipment and office furniture inside of Parcel 1 for \$650,000. 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 6:54 p.m.