

**AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
February 7, 2023**

1. [Call the Meeting to Order – 5:30 p.m.](#)
2. [Pledge of Allegiance](#)

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the southwest wall of the Council Chambers as well as on the City of Wayne website.

The City 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.

3. [Approval of Minutes – January 17, 2023 and January 31, 2023](#)
4. [Approval of Claims](#)
5. [Action on the request of Shannon Kennicutt to keep an emotional support animal \(ball python snake\) inside City Limits \(Neihardt Hall, Wayne State College\)](#)
6. [Report to Council on LB 840 Activity — Luke Virgil, Director of Wayne Area Economic Development](#)
7. [Resolution 2023-8: Approving a Mutual Aid Agreement between the City of Wayne Volunteer Fire Department and the Northeast Nebraska Mutual Aid District](#)

Background: This is a “Mutual Aid Agreement” with the communities and rural fire districts of Allen, Bancroft, Concord, Dakota City, Dixon, Emerson, Homer, Laurel, Martinsburg, Newcastle, Pender, Ponca, Rosalie, South Sioux City, Thurston, Wakefield, Walthill and Winnebago known as the “Northeast Nebraska Mutual Aid District,” to respond to other members’ emergency fire calls if there is a fire or disaster too big for the local firefighters to control.

8. **Public Hearing:** [One and Six Year Street Improvement Program \(Advertised Time: 5:30 p.m.\)](#)

Background: This Plan is required to be submitted to NDOT each February to be eligible for approximately \$645,000 in NDOT Highway Allocation funds for Wayne. This Plan was developed and recommended to you based on retreat goals, plus input from the Public Works Department regarding work needed to be done. This is the opportunity for the public to share their input regarding the projects listed and/or projects they would like to see incorporated into the plan.

9. [Resolution 2023-9: Approving One and Six Year Street Improvement Program](#)

10. [Resolution 2023-10: Approving the specifications for a John Deere 544 P-Tier Wheel Loader and authorizing the purchase of the same](#)

Background: Enclosed with this packet are the specifications for this piece of equipment. Joel Hansen, Street & Planning Director, will be available at meeting time to answer any questions you may have.

11. [Resolution 2023-11: Approving/Ratifying City of Wayne Goals](#)

12. [Ordinance 2023-1: Amending Wayne Municipal Code Title III, Administration, Chapter 37 Taxation, relating to sales and use tax; imposing an additional one-half of one percent sales and use tax upon the same transactions within the City of Wayne upon which the State of Nebraska is authorized to impose a tax](#)

Background: This Ordinance and Ordinance No. 2023-2 are legally required actions to establish the accounts and the system to continue receiving and expending the authorized local sales tax approved in May, 2022.

13. [Ordinance 2023-2: Amending Wayne Municipal Code Title III, Administration, Chapter 38 Economic Development Program to describe the terms, conditions and goals of said Economic Development Program, to establish the duration of said economic development program; to provide for years for collection of funds; to provide for a source of funds; to provide for a total amount to be collected; and to repeal conflicting ordinances and to provide for an effective date of this ordinance](#)

14. [Action on Application for Payment No. 5 in the amount of \\$45,837 to OCC Builders, LLC, for the Freedom Park Trailhead Project - Jill Brodersen, Architect](#)

15. Discussion in regard to amending Temporary Occupancy Permit language

Background: We have had a request to consider amending the Building Code to allow a temporary occupancy permit in A1 and A2 districts if, for example, siding is not completed. Discussion has taken place about implementing a fine structure for property owners not getting residential units completed "on time" before we consider the temporary occupancy permit provision with A1/A2 regarding siding being completed. This is for discussion purposes only to see if Council is in agreement to bring an ordinance forward to amend the City Code.

16. Update on the future City Hall property

17. Adjourn

**MINUTES
CITY COUNCIL MEETING
January 17, 2023**

The Wayne City Council met in regular session at City Hall on January 17, 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 Brodersen made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meeting of January 3, 2023, 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: ACE HARDWARE & HOME, SU, 832.51; APPEARA, SE, 54.72; ASCAP, FE, 420.00; BOMGAARS, SU, 356.37; BORDER STATES INDUSTRIES, SU, 269.26; BSN SPORTS, SU, 877.13; CITY EMPLOYEE, RE, 346.43; CITY EMPLOYEE, RE, 3486.07; CITY EMPLOYEE, RE, 48.14;

CITY EMPLOYEE, RE, 2008.08; CITY EMPLOYEE, RE, 974.66; CITY EMPLOYEE, RE, 4.56; CITY OF WAYNE, PY, 369.38; CITY OF WAYNE, RE, 1229.19; COPY WRITE PUBLISHING, SE, 46.97; COPY WRITE PUBLISHING, SE, 15.02; COTTONWOOD WIND PROJECT, SE, 18022.52; DAVE'S DRY CLEANING, SE, 48.00; DEARBORN LIFE INSURANCE COMPANY, SE, 96.32; ECHO GROUP, SU, 95.20; ED M. FELD EQUIPMENT, SU, 496.46; ELLIS HOME SERVICES, SE, 256.19; FASTWYRE BROADBAND, SE, 1486.24; FINDAWAY, SU, 795.95; FIRST CONCORD GROUP, SE, 5869.11; FIRST SOURCE TITLE & ESCROW, FE, 10000.00; FLOOR MAINTENANCE, SU, 1337.19; GERHOLD CONCRETE, SU, 262.50; GROSSENBURG IMPLEMENT, SU, 194.84; H.K. SCHOLZ COMPANY, SE, 3377.05; HOMETOWN LEASING, SE, 365.84; HORIZON CONSTRUCTION, RE, 1000.00; HYDRO OPTIMIZATION, SE, 1435.85; JOHN'S WELDING AND TOOL, SU, 240.00; KEPCO ENGRAVING, SU, 16.90; LOBERG, KRIS, RE, 100.00; MARCO, SE, 175.92; MIDWEST LABORATORIES, SE, 182.00; MIDWEST TAPE, SU, 471.92; NE STATE FIRE MARSHAL, SE, 108.00; NPPD, SE, 7892.56; NERC, SE, 1047.74; NORFOLK DAILY NEWS, SU, 232.00; ONE CALL CONCEPTS, SE, 21.52; OPTK NETWORKS, SE, 408.54; PAC N SAVE, SU, 1086.35; PAC N SAVE, SU, 4.58; PIP MARKETING, SIGNS & PRINT, SU, 276.94; POSTMASTER, FE, 170.00; QUALITY FOOD CENTER, SU, 26.92; SANDFORD STEVEN'S CENTER, SU, 192.00; STATE NEBRASKA BANK & TRUST, SE, 59.20; TYLER TECHNOLOGIES, SE, 2319.54; US BANK, SU, 10469.39; VERIZON, SE, 584.13; WATSON, DIONDRE, RE, 27.00; WAYNE AUTO PARTS, SU, 1399.54; WHEELER WORLD, SE, 4754.40

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, the Mayor declared the motion carried.

Austin Frideres, President of the Wayne Volunteer Fire Department, introduced Riley Prokop and requested Council consideration to approving his membership application to the Wayne Volunteer Fire Department.

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the membership application of Riley Prokop 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.

Roger Protzman, Engineer with JEO Consulting Group, Inc., presented the plans and specifications for the "West 3rd Street Sewer Line Replacement Project." In addition, he provided background on the same. Currently, there are six homes that are serviced by a long sewer service line. There is not a sanitary sewer main there. This will give each of the properties their own sanitary sewer service line instead of sharing one. The engineer's estimate for this project is \$135,000. He noted the homeowners are aware of the situation.

Councilmember Eischeid introduced Resolution 2023-4, and moved for its approval;
Councilmember Muir seconded.

RESOLUTION NO. 2023-4

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2023 WEST 3RD STREET SEWER LINE REPLACEMENT 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.

Roger Protzman, Engineer with JEO Consulting Group, Inc., advised the Council that three bids were received on January 12th for the “Wastewater Treatment Facility Ultraviolet Light Improvements Project.” He has reviewed the same and is recommending that the project be awarded to the low bidder, Philip Carkoski Construction and Trenching, Inc., of Loup City, NE, for \$334,496. This company recently completed a project on the City’s Aquarius System (replaced the diffusers). The engineer and City staff were pleased with this contractor and their work.

Councilmember Eischeid introduced Resolution 2023-5, and moved for its approval;
Councilmember Buck seconded.

RESOLUTION NO. 2023-5

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “2023 WASTEWATER TREATMENT FACILITY ULTRAVIOLET LIGHT IMPROVEMENTS PROJECT” — PHILIP CARKOSKI CONSTRUCTION AND TRENCHING, INC., FOR \$334,496.

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

Matthew Smith, Engineer with Olsson, presented the plans and specifications for the “Prairie Park Project.” While not originally in the advertisement for bids, a pre-bid meeting would be scheduled prior to opening bids, and the bid advertisement would be amended.

Councilmember Eischeid introduced Resolution 2023-3 and moved for its approval;
Councilmember Pick seconded.

RESOLUTION NO. 2023-3

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE "PRAIRIE PARK 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.

Joel Hansen, Street and Planning Director, advised the Council that the Street Department is looking at purchasing two pieces of equipment. The first is a T66 T4 Bobcat Compact Track Loader. He has received quotes from the dealers in Norfolk and Sioux City. Staff is recommending the lower quote from Sioux City, which is \$4.75 lower than the quote from Norfolk, for \$65,575.66. The second piece of equipment is a CH Grader attachment for the track loader. The quote, which includes the government discount, is \$10,666.75 obtained from Skid Steer Nation. These two items will replace the 1975 Fiat Allis maintainer.

Councilmember Brodersen introduced Resolution 2023-6, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2023-6

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE PURCHASE OF A BOBCAT COMPACT TRACK LOADER (SOOLAND BOBCAT - \$65,575.66) AND A SKID STEER GRADER ATTACHMENT (SKID STEER NATION - \$10,666.75).

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. 4 in the amount of \$10,773.00 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. 4 for \$10,773.00 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 Buck, to set the Mini-Retreat date for Tuesday, January 31st, 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.

Mayor Giese declared the time was at hand for the public hearing on the land acquisition from Brendon Pick and Karla Otte-Pick, Steven and Cynthia Meyer, and Mark and Lona Meyer. The legal description is as follows:

Part of the Southwest Quarter of Section 12, Township 26 North, Range 3, East of the 6th P.M., Wayne County, Nebraska, containing 79.113 acres more or less.

Luke Virgil, Executive Director of Wayne Area Economic Development, spoke in favor of the purchase of said property.

There being no further comments, Mayor Giese closed the public hearing

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, 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 Brendon Pick and Karla Otte-Pick, Steven and Cynthia Meyer, and Mark and Lona Meyer and to allow Council (with the exception of Brendon Pick), Administrator Blecke, City Clerk McGuire, Attorney Miller, Joel Hansen Street and Planning Director, and Luke Virgil, Executive Director of Wayne Area Economic Development, 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 6:52 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the acquisition of real estate from Brendon Pick and Karla Otte-Pick, Steven and Cynthia Meyer, and Mark and Lona Meyer.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, 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 had left the meeting, the Mayor declared the motion carried, and open session resumed at 7:11 p.m.

Councilmember Eischeid introduced Resolution 2023-7, and moved for its approval;
Councilmember Webber seconded.

RESOLUTION NO. 2023-7

A RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM BRENDON L. AND KARLA K. OTTE-PICK; STEVEN B. AND CYNTHIA J. MEYER AND MARK AND LONA MEYER FOR THE NEGOTIATED PRICE OF \$1,600,000.00, CONTINGENT UPON THE CITY RECEIVING OR BEING AWARDED THE RURAL WORKFORCE HOUSING LAND DEVELOPMENT PROGRAM GRANT WITH THE TERMS AS DISCUSSED.

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

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:11 p.m.

MINUTES
CITY COUNCIL MEETING
January 31, 2023

The Wayne City Council met in special session at the Wayne Fire Hall on Tuesday, January 31, 2023, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order with the following in attendance: Councilmembers Brent Pick, Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky, and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Councilmember Matt Eiseheid.

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 northwest wall of the Wayne Fire Hall, 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.

The Council then discussed the following retreat topics:

➤ Park(s) Update

- **Bonding Projects** — The City does not have much debt on the general fund side, and is low on its debt levy, which means there is some room to do some things if the Council does not want to pay cash for park projects. Staff has met with the City's bonding agent, and what he thought would be a good idea or a good option for some of the projects coming up was a "Municipal Improvement Bond."

New City Hall Project — For budget purposes, staff will probably recommend bonding out the renovations. However, the purchase of the property will be in cash.

Council consensus was to bond out the Prairie Park, new City Hall and new park and rec building projects.

Future Street Improvement Projects — 4th Street, Centennial Road, 21st Street and Fairground Avenue from Main Street to Prairie Park.

The City's auditor will be able to advise the Council on what the dollar amount/threshold should be for the City on bonded projects.

▪ **Future Park Improvements:**

- Fund East Park playground equipment with Keno Funds (approx. \$110,000 - started receiving revenue in 2016). There is not any money in the Park Budget for park equipment. There is \$500,000 in the capital project budget for park improvements (Freedom Park and Prairie Park).
- Pursue more/additional grant funding options (Peter Kiewit, Sherwood Foundation, and Daugherty Foundation). Administrator Blecke will reach out to the City of Norfolk to see what they did.
- Install more handicapped accessible equipment (e.g. in-ground, wheelchair accessible merry-go-round).

• **Future Trail Expansion:**

- Extend the trail from 4th Street to Hank Overin Field

➤ **Future City Hall Building:**

The City now owns the Ameritas building. Administrator Blecke is getting proposals from two architectural firms for design. Mayor Giese stated that Councilmember Eischeid advised him he would like to be in the building as soon as possible.

Discussion took place in regard to the current City Hall location. It was noted that the current City Hall building is in a redevelopment area, which means it would be eligible for tax increment financing. Council consensus was to start the process for soliciting requests for proposals for the old City Hall building, and to move quickly on the new City Hall building renovation project.

➤ **Library Addition (previous goal):**

At this time, the Library is utilizing the space at the Vakoc building recently purchased by the City for storing books, decorations, etc.

➤ **Community Betterment Projects:**

- Continue discussion on the feasibility of an indoor pool
- Continue discussion on a proposed skate park, ice rink and sledding hill
- Extend a sidewalk to the Dollar General on the east side of town
- Bring discussion on allowing chickens inside city limits back before Council

- Streets (4th Street/Centennial Road/21st Street)
- Additional Villa-type housing

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:47 p.m.



Vendor	Payable Description	Payment Total
Council Approved 1/17/23		
OCC Builders	Freedom Park Trailhead Pay App 4	10,833.00
Vendor	Payable Description	Payment Total
ACES	WIND ENERGY SERVICE AGREEMENT	1,093.66
AMAZON.COM, LLC	BOOKS/DVD'S CHARGER CORDS/TABLECLOTH/DUSTERS	446.07
AMERITAS LIFE INSURANCE	AMERITAS ROTH	204.53
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	AMERITAS ROTH	168.44
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,286.46
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	97.94
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,418.26
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	98.53
ANDELA-RUTH, CATHY	CHEER CAMP REFUND	40.00
APPEARA	STREET MAT SERVICE	60.37
APPEARA	LINEN & MAT SERVICE	237.61
APPEARA	LINEN & MAT SERVICE	156.68
ARBOR DAY FOUNDATION	MEMBERSHIP DUES	100.00
AUTO ANATOMY ALTERNATIVES, INC	DOOR PIN REPAIR	100.08
AWWA	MEMBERSHIP DUES - C JUNCK	348.00
BAKER & TAYLOR BOOKS	BOOKS	1,087.15
BATTERY SOLUTIONS, LLC	BATTERY BUCKET	102.00
BEIERMANN ELECTRIC	CHEMICAL ROOM LED LIGHTING/SENSOR CONDUIT	1,863.98
BIG RIVERS ELECTRIC CORPORATION	ELECTRICITY	232,757.43
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	46,680.30
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	43,792.80
BOMGAARS	WELDER/HEATERS/TORCH/BATTERIES/CLAMPS/FILTERS	3,113.26
CARHART LUMBER COMPANY	FASTENERS/BITS	20.80
CARROLL DISTRIBUTING	CONCRETE BLANKET	131.12
CDW GOVERNMENT LLC	WAED - OFFICE 365/PHOTOSHOP	3,019.44
CINTAS	FIRST AID SUPPLIES	786.72
CIRBA SOLUTIONS SERVICES	BATTERY BUCKET	102.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,236.54
CITY EMPLOYEE	SAFETY BOOTS	175.00
CITY EMPLOYEE	VISION REIMBURSEMENT	201.17
CITY EMPLOYEE	SAFETY BOOTS	175.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	688.22
CITY EMPLOYEE	MEDICAL/VISION REIMBURSEMENT	6,424.74
CITY EMPLOYEE	CLOTHING/SAFETY BOOT REIMBURSEMENT	362.02
CITY EMPLOYEE	MEDICAL/CLOTHING REIMBURSEMENT	4,714.24

CITY EMPLOYEE	VISION REIMBURSEMENT	190.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	3,954.66
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,420.77
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	382.99
CITY EMPLOYEE	VISION REIMBURSEMENT	272.00
CITY OF NORFOLK	911 MISC BILLING	173.97
CITY OF PONCA	MFO	15,450.21
CITY OF PONCA	MFO	10,000.00
CITY OF WAYNE	PAYROLL 1/8/23	95,936.08
CITY OF WAYNE	PAYROLL 1/22/23	97,444.45
CITY OF WAYNE	UTILITY REFUNDS	489.87
CITY OF WEST POINT	MFO	10,000.00
CITY OF WEST POINT	MFO	22,423.97
CITY OF WISNER	MFO	10,000.00
CITY OF WISNER	MFO	2,336.85
CIVICPLUS	CAC ANNUAL FEE	4,961.25
COMMUNITY REDEVELOPMENT AUTHORITY	LINE OF CREDIT DRAW	29,000.00
CREDIT BUREAU SERVICES, INC	BAD DEBT	11.33
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES/WSC INTERNET CHARGES	510.36
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY INSURANCE	2,841.42
DEARBORN LIFE INSURANCE COMPANY	VFD INSURANCE	96.32
DEMCO INC	LAMINATE FOIL/DVD ALBUMS	659.77
DOUBLE J DOORS	DOOR ADJUSTMENT	118.85
DUTTON-LAINSON COMPANY	ELECTRIC METERS	1,251.32
ECHO GROUP INC JESCO	LIGHT BULBS/CONDUIT	504.51
ED M. FELD EQUIPMENT CO INC	FIRE GLOVES	105.00
ELLIS HOME SERVICES	PROGRAM GYM WATER COOLER	90.00
ELLIS HOME SERVICES	COPPER OIL LINE LEAK REPAIR	157.50
EMPLOYERS MUTUAL CASUALTY CO	WORK COMP	603.68
FAITH REGIONAL PHYSICIAN SERV.	RANDOM TESTING	30.00
FASTENAL CO	FIRST AID SUPPLIES	141.71
FIRST CONCORD GROUP LLC	FLEX FEES	4,524.64
FLOOR MAINTENANCE	JANITORIAL SUPPLIES/TAKEOUT CONTAINERS/GLOVES	639.00
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	428.12
FLORES, BENJAMIN	BUILDING PERMIT DEPOSIT REFUND	500.00
FREDRICKSON OIL CO	TIRE	171.25
GALE/CENGAGE LEARNING	BOOKS	24.69
GENO'S STEAKHOUSE	APPRECIATION MEAL	3,132.05
GRAINLAND ESTATES LLC	TIF PRINCIPAL/INTEREST	8,152.45
GROSSENBURG IMPLEMENT INC	FILTERS/BOLTS	304.62
GROSSENBURG IMPLEMENT INC	V-BELT/IDLER/TIGHTENER	427.35
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	375.83
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	347.87
HOMETOWN LEASING	COPIER LEASES	365.84
HOMETOWN LEASING	POLICE COPIER LEASE	70.18
HUNDERTMARK CLEANING SYSTEMS	PLUG/NOZZLES	71.23
HYDRO OPTIMIZATION	SCREEN CONNECT HOSTING 2023	500.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	181.73
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	366.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	226.66

ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	9,276.55
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	413.68
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,311.78
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	36.84
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	413.68
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	123.92
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	70.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	137.38
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	160.32
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	137.38
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	65.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	220.04
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	36.84
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	181.73
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	160.32
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	366.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	123.92
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,306.78
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	9,271.67
INGRAM LIBRARY SERVICES	BOOKS	709.76
IRS	FICA WITHHOLDING	49.60
IRS	MEDICARE WITHHOLDING	11.64
IRS	FICA WITHHOLDING	16,317.20
IRS	FEDERAL WITHHOLDING	20.00
IRS	FICA WITHHOLDING	20.26
IRS	MEDICARE WITHHOLDING	4.74
IRS	FICA WITHHOLDING	16,460.90
IRS	FEDERAL WITHHOLDING	11,881.17
IRS	MEDICARE WITHHOLDING	3,849.76
IRS	FEDERAL WITHHOLDING	12,090.09
IRS	MEDICARE WITHHOLDING	3,816.14
JEO CONSULTING GROUP	MASTER AGREEMENT/UV SYSTEM/CAPACITY OPERATIONS	9,573.37
JOHNNY'S PEST CONTROL	TERMITE INSPECTION	225.00
KELLY SUPPLY COMPANY	THREADED BALL VALVE/COPPER TUBE CAP	329.74
KTCH AM/FM RADIO	RADIO ADS	747.00
LOFFLER	COPY CHARGES	363.28
LUTT OIL	GASOLINE	5,845.49
MAIN STREET GARAGE, LLC	FUEL PUMP REPAIR	871.39
MARCO INC	COPIER LEASE	252.04
MARCO TECHNOLOGIES LLC	COPIER LEASE	180.50
MATHESON-LINWELD	WELDING WIRE	283.66
MATT PARROTT	W-2 FORMS	89.33
MIDWEST SERVICE & SALES	TIRE CHAINS	2,141.00
MIDWEST TAPE LL	AUDIO BOOK	67.99
MIKEY C PRODUCTIONS	WAYNE AMERICA RECYCLING ADS	1,296.00
MILLER LAW	ATTORNEY FEE	5,416.67
MILLER LAW	COPIES/POSTAGE/TITLE SEARCHES	73.43
MONAHAN, PHILLIP	FIRE HALL JANITORIAL FEE	45.00
N.E. NEB CLERKS ASSOCIATION	ASSOCIATION DUES	20.00

NDEE-FISCAL SERVICES	WASTEWATER OP II RENEWAL-J MULLEN	150.00
NE DEPT OF ENVIRONMENTAL QUALITY	PINE HEIGHTS PROJECT FINAL FEE	377.90
NE DEPT OF REVENUE	LODGING TAX	169.64
NE DEPT OF REVENUE	STATE WITHHOLDING	1.03
NE DEPT OF REVENUE	STATE WITHHOLDING	5,386.67
NE DEPT OF REVENUE	STATE WITHHOLDING	5,380.99
NE DEPT OF REVENUE-CHARITABLE GAMING DIV	KENO LOTTERY TAX	2,150.94
NE EMERGENCY SERVICE	2023 NESCA MEMBERSHIP DUES	45.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	122.00
NE RURAL WATER	2023 MEMBERSHIP	550.00
NE SECRETARY OF STATE	DAN RHODS NOTARY APPLICATION	30.00
NE STATE FIRE MARSHAL	ANNUAL ELEVATOR INSPECTION	120.00
NEBRASKA GENERATOR SERVICE LLC	GENERATOR AUTOMATIC TRANSFER SWITCH WELL 10	8,739.45
NEBRASKA PUBLIC POWER DISTRICT	BREC METER REPORTS	184.00
NEBRASKA STATEWIDE ARBORETUM	MEMBERSHIP DUES	100.00
NORFOLK DAILY NEWS	JOURNEYMAN AD	385.00
NORTHEAST NE ECONOMIC DEV DIST	21-PW-022 NOV 22 SERVICES	580.13
NORTHEAST NE INS AGENCY INC	JANUARY 2023 PROPERTY INSURANCE	109,341.00
NORTHEAST POWER	ELECTRICITY	7,127.00
NORTHEAST POWER	WHEELING CHARGES	18,978.90
OLSSON	FAIRGROUNDS AVE REC DEVELOPMENT/CHICAGO ST	5,503.19
OPTK NETWORKS	POLICE ETHERNET SERVICES	408.54
O'REILLY AUTOMOTIVE STORES, INC.	SOCKET	12.99
O'REILLY AUTOMOTIVE STORES, INC.	CAPSULE/JB WELD	52.41
OVERDRIVE, INC.	AUDIO/E BOOKS	516.94
PAC N SAVE	BACKPACK PROGRAM	829.56
POLICE OFFICERS' ASSOCIATION OF NE	POAN HANDBOOKS	102.84
PONCA RURAL FIRE BOARD	MFO	10,000.00
PONCA RURAL FIRE BOARD	MFO	3,698.48
POSTMASTER	POSTAGE ON UTILITY BILLS	1,031.48
PREMIER BIOTECH, INC.	RANDOM TESTING	145.86
QUALITY 1 GRAPHIC	DECALS FOR BASKETBALL HOOPS	120.00
SANCTUARY APARTMENTS, LLC	LB 840 LOAN	400,000.00
STADIUM SPORTING GOODS	SHIRTS/EMBROIDERY	123.00
STAPLES, INC	OFFICE SUPPLIES	161.43
STAPLES, INC	OFFICE SUPPLIES	282.63
STEFFEN TRUCK EQUIPMENT INC	EYE BOLT	11.00
TOM'S BODY & PAINT SHOP	ROOF BULB	218.85
TOTAL GRAPHICS	CHEER CAMP SHIRTS/BOWS	512.00
TOTAL GRAPHICS	SHIRTS/MUGS	450.00
TYLER TECHNOLOGIES	INSITE TRANSACTION FEES	3,201.25
UNIVERSITY OF NE-LINCOLN	SERVSAFE TRAINING-M BRASCH	150.00
US FOODSERVICE, INC.	APPRECIATION MEAL CHEESECAKES	390.24
US FOODSERVICE, INC.	SENIOR CENTER NOON MEAL SUPPLIES	2,801.34
USA BLUE BOOK	ELECTRODE	416.21
UTILITY EQUIPMENT CO	ADAPTER/BUSHINGS	448.39
VIAERO WIRELESS	CELL PHONE	69.88
VILLAGE OF WINSIDE	MFO	10,000.00
VILLAGE OF WINSIDE	MFO	4,943.58
WASTE CONNECTIONS	SANITATION SERVICE	5,218.83

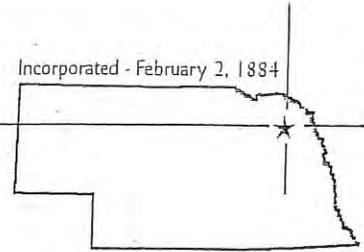
WAYNE AREA ECONOMIC DEVELOPMENT	AMBASSADOR DUES-W BLECKE	35.00
WAYNE AREA ECONOMIC DEVELOPMENT	CONTRIBUTION	8,980.41
WAYNE AREA ECONOMIC DEVELOPMENT	A/R HEALTH INSURANCE OVERPAYMENT	594.95
WAYNE COUNTY CLERK	FILING FEES	16.00
WAYNE COUNTY COURT	BOND	400.00
WAYNE COUNTY TREASURER	VEHICLE REGISTRATIONS	1,991.80
WAYNE HERALD	CAC ADS	538.50
WAYNE HERALD	GREEN TEAM ADS	95.00
WAYNE HERALD	ADS AND NOTICES	997.04
WESCO DISTRIBUTION INC	POLE RISER/SWITCH	1,142.76
WISNER WEST	FD GASOLINE	306.50
Y & Y LAWN SERVICE LLC	FERTILIZE BASEBALL FIELDS	130.00
Y & Y LAWN SERVICE LLC	LAWN FERTILIZE MAINTENANCE	874.00
	Grand Total:	1,445,415.86

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Shannon Kennicutt

Address: 1111 main street, Neihardt Hall, Room 101, Wayne NE
68787

Telephone No.: 1-308-746-1404

Date of Request: 1-20-2022

Description of Requested Topic: I would like to bring a ball python
snake into the city limits to act as an Emotional
Support Animal.



6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 12/31/2022)

LB840 GRANTS

Applicant	Amount	Type of funding	Purpose	Committee review
Digital Blue	\$ 30,600.00	performance based loan	relocation/expansion	5/27/09
Louis and Jevonah Benscoter	\$ 36,000.00	performance based loan	land development	8/13/09
Interactive Impact	\$ 30,000.00	performance based loan	intellectual property development	8/13/09
Jim Milliken (Godfathers)	a \$ 2,500.00	grant	parking lot (rain garden)	10/8/09
Wayne Area Economic Development	\$ 10,000.00	grant	marketing (general)	11/12/09
Wayne Area Economic Development (Project Majestic)	\$ 200,000.00	grant	theater renovation/remodel	11/12/09
Wayne Veterans Memorial Project	b \$ 72,686.00	grant	memorial completion	2/11/10
Farmers Market and Community Garden	c \$ 2,750.00	grant	marketing	4/15/10
Wayne Hospitality Group LLC	d \$ 250,000.00	grant	hotel project	10/19/10
Wayne Area Economic Development	e \$ 10,000.00	grant	marketing (general)	12/2/10
City of Wayne	f \$ 13,285.00	grant	water/sewer for Western Ridge III	8/1/11
Windom Ridge	g \$ 5,000.00	grant	housing study targeting 55+	8/1/11
Miss Mollys Coffee Company	\$ 30,000.00	performance based loan	purchase building/new coffee shop	10/13/11
Wayne Area Economic Development (on behalf of WCNGC)	i \$ 250,000.00 [info only]	loan guarantee	compressed natural gas car	10/13/2011; 07/12/12
Wayne Area Economic Development	j \$ 5,000.00	grant	marketing (general)	11/7/11
Wayne Community Theater	k \$ 5,000.00	grant	overhead doors replaced	12/8/11
Wayne Area Economic Development (Chicken Show)	l \$ 12,050.00	grant	marketing for Wayne Chicken Show	3/8/12
Rainbow World Child Care Center	\$ 25,000.00	grant	facility addition	10/11/12
Wayne Area Economic Development	m \$ 5,000.00	grant	marketing (general)	11/8/12
City of Wayne	n \$ 17,500.00	grant	water/sewer for Western Ridge III	1/10/13
Wreidt Properties	o \$ 33,000.00 [info only]	grant	trailer relocation	2/14/13
Angel Village	q \$ 240,000.00 [info only]	performance based loan	senior village; common space	2/14/13
City of Wayne	r \$ 30,000.00	grant	Welcome to Wayne signs (4)	11/14/13
Wayne Area Economic Development	s \$ 5,000.00	grant	general administration	12/2/13
Darin Barner (WSC Rugby)	t \$ 1,600.00 [info only]	grant	to replace goal post pads	1/9/14
Ken Jorgensen / 4th Jug Bar and Grill	u \$ 125,000.00	performance based loan	build a bar and grill/package liquor	4/10/14
Jen and Chad Claussen	v \$ 23,765.00	performance based loan	purchase Swans and building	11/13/14
Wayne Area Economic Development	w \$ 5,000.00	grant	admin/marketing	11/13/14
Rezurrected Rod and Kustom	x \$ 25,000.00	performance based loan	building addition and fiber glass car manu	8/4/15
Wayne Area Economic Development	y \$ 5,000.00	grant	admin/marketing	11/3/15
City of Wayne	z \$ 240,000.00 [info only]	performance based loan	housing cost buy down	3/10/16
<i>Subtotal of "grant"</i>	\$ 981,136.00	30.66%		

6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 12/31/2022)

Applicant	Amount	Type of funding	Purpose	Committee review
LB840 LOANS				
City of Wayne	\$ 7,132.00	zero percent loan	housing downpayment match	10/8/09
Jim Milliken (Godfathers)	\$ 35,500.00	zero percent loan	parking lot	10/8/09
Inet Library	\$ 86,038.00	3 percent interest loan	expansion/start up expenses	2/10/11
RBDK LLC	\$ 70,000.00	3 percent interest loan	new dental clinic at 7th & Pearl	8/11/11
City of Wayne	\$ 160,000.00	zero percent loan	housing incentives (0% loans)	4/12/12
Rainbow World Child Care Center	\$ 75,000.00	zero percent loan	facility addition	10/11/12
Mandy Benscoter and Louis Benscoter	\$ 50,000.00	zero percent loan	commercial bldgs on Jaxon St	1/10/13
John and Molly Temme	\$ 65,000.00	3 percent interest loan	commercial property at T&Dear	6/27/13
Geno's Steakhouse	\$ 37,000.00	3 percent interest loan	renovation/windows/etc	7/28/13
Paulson Construction	\$ 39,750.00	3 percent interest loan	purchase building/move bus. to city	7/28/13
City of Wayne - SCPB, OCC Bldrs, IPI	\$ 240,900.00	zero percent loan	disaster recovery loans (15 yrs. % payroll)	10/10/13
Brent L. Pick	\$ 50,000.00	zero percent loan	15 yrs - buy&rebuild Estes/DB/NAPA	11/14/13
Lutt Oil and Service (Rod L. and Chrstin E. Cook-Lutt)	\$ 50,000.00	3 percent interest loan	Buy and update Zach's/expand services	12/12/13
NAPA - Wayne	\$ 50,000.00	zero percent loan	15 yrs - rebuild NAPA	1/9/14
NAPA - Wayne	\$ 25,000.00	zero percent loan	to rebuild; require annexation	1/9/14
Leseberg Masonry and Construction	\$ 75,000.00	0% loan; 3% loan	rebuild \$40k at 0%; build \$35k at 3%	1/9/14
Pat Garvin / Innovative Protectives	\$ 40,000.00	0% loan for 15 yrs	rebuild buildings lost to tornado	2/13/14
Ken Jorgensen / 4th Jug Bar and Grill	\$ 125,000.00	3% loan for 15 yrs	build a bar and grill/package liquor	2/13/2014; 4/10/14
Dollar Plus	\$ 125,000.00	0% loan for 5 yrs	open Dollar Plus in Downtown Wayne	4/10/14
Heft Trucking	\$ 50,000.00	0% loan for 15 yrs	rebuild building lost to tornado	6/12/14
Tim Fertig	\$ 50,000.00	3% loan for 15 yrs(10yr bin)	buy 2nd&Main prop and open fitness	7/28/14
Jen and Chad Claussen	\$ 23,765.00	3% loan for 15 yrs	purchase Swans and building	11/13/14
Rezurrected Rod and Kustom	\$ 25,000.00	3% loan for 10 yrs	building addition and fiber glass car manu	8/4/15
Beck Ag Inc	\$ 50,000.00	3% loan for 3 yrs	build out and business growth	12/10/15; 1/14/16
Adam Manoucheri/Crossroads-Atoll Productions LLC	\$ 40,000.00	3% loan for 15 yrs	purchase and remodel 200&202 Main St	1/14/16
Josh Hopkins - Hopkins Eyecare	\$ 35,000.00	0% loan for 2 yrs	purchase property for new eye clinic	6/9/16
Lukas Rix - Rustic Treasures	\$ 55,000.00	0% loan for 5 yrs	purchase and rehab 1912 City Hall	7/14/16
Wayne Country Club	\$ 150,000.00	0% loan for 15 yrs	addition/remodel club house	10/13/16
Wayne Country Club	\$ 60,000.00	0% loan for 15 yrs	addition/remodel club house	10/30/17
Wayne Area Event Center	\$ 350,000.00	new terms below	new event center construction	10/13/2016; 7/2/18
<i>Subtotal of revolving</i>	\$ 2,135,085.00			
		66.72%		
TOTAL FUNDS COMMITTED (as of December 31, 2017)	\$ 3,116,221.00			
		97.38%		
TOTAL AVAILABLE FOR 15 YEARS (to collect)	\$ 3,200,000.00			

6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 12/31/2022)

LB840 PROJECT NOTES

<p>* Interest accrued/paid on the Fund's borrowed money is NOT included in this total</p> <p>a Committee recommended \$38,000 zero percent interest loan; Council granted \$2500 of this after the City requested a rain garden in the parking lot.</p> <p>b Committee recommended \$75,000; only \$72,686 was spent.</p> <p>c Committee recommended \$1,250; Council approved \$2,750.</p> <p>d Legally, this is a grant (not required to be paid back); however, the Wayne Hospitality Group LLC plans to honor their previous request's terms of 15 years at 0% interest.</p> <p>e Committee recommended only an interest bearing loan for \$43,019; Council approved \$43,019 for an interest bearing loan and \$43,019 for a performance based loan. (all is now a loan)</p> <p>f Committee recommended and Council approved \$64,200; only \$7,132 was used after the program closed.</p> <p>g Committee recommended a 5 yr loan; Council approved the grant request.</p> <p>h Initial housing request from the City was approved; further action by Council allocated housing funds from a different source</p> <p>i Revision of previous approval (10/2011) - increased loan guarantee from \$150,000 to \$250,000 (07/2012); allocation became void after 12/31/12 if no company was in Wayne</p> <p>j Committee/Council approved \$26,000 for wastewater improvements - only \$13,285 was used</p> <p>k Committee recommended \$75,000 loan with interest half of its conventional rate; Council changed the loan to 0% interest</p> <p>l \$500,000 was set aside for tornado relief (up to 10% of payroll); only \$241k was used</p> <p>m Committee recommended a set number of \$28,000; the Council allowed the request of "up to" \$30,000 for signage</p> <p>n Committee recommended approval but believed other sources of funds might be available; Council took no action on this recommendation.</p> <p>o Originally a performance based loan; FTE requirement not met so is now a loan</p> <p>p Committee recommended approval; City Council did not approve</p> <p>q Committee and Council approved; projects were never completed</p> <p>r Committee originally recommended \$100,000 loan for 5 yrs at 3%; City of Wayne approved \$150,000 loan for 15 yrs at 0%; Wayne Country Club re-applied to reflect changes to the project scope/bid received; Committee recommended \$210,000 for 15 yrs at 0%; Council approved new loan of \$210,000 for 15 years at 0%.</p> <p>s Committee recommended \$250,000 loan for 10 yrs at 3%; Council approved loan of \$350,000 at 3% for 10 years on 10/18/2016; Council approved new terms on 07/03/2018:</p> <p>A \$350,000 loan;</p> <p>3% interest rate;</p> <p>Defer principal payments for 3 years, but require interest payments throughout the deferment period, with the first deferred interest payment being delayed until November 1, 2018;</p> <p>Changing the loan repayment period from 10 years to 15 years;</p> <p>Deferment period would be from March 1, 2018, to February 28, 2021;</p> <p>Repayment period for principal and interest would begin on March 1, 2021; and</p> <p>Final payment would be due March 1, 2035.</p>	
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6-Month Report to the Wayne City Council

RLF Funds Committed (as of 12/31/2022)

Applicant	Amount	Type of funding	Purpose	Committee Review	Council Approval
Talon Capital, LLC (dba Fyre-Tec)	\$ 250,000.00	performance based loan	purchase existing business/expand business	1/10/19	2/5/19
Ace Hardware & Home	\$ 200,000.00	no-interest loan	start retail store/purchase inventory	9/18/19	10/1/19
Johnnie Byrd Brewing Company	\$ 40,000.00	low-interest loan	purchase real estate	12/13/19	12/17/19
DSF Wayne Short Stop, LLC	\$ 85,000.00	low-interest loan	property improvements/business expansion	4/14/21	4/20/21
Sanctuary Apartments, LLC	\$ 400,000.00	low-interest loan	historic preservation/housing development	10/13/21	11/2/21
Nix Wayne, LLC	\$ 300,000.00	low-interest loan	property improvements/business expansion	6/16/22	6/21/22
TOTAL RLF COMMITMENTS (as of Dec. 31, 2022)	\$ 1,275,000.00				
<p>a On 01/10/2019, RLF Committee recommended approval: \$250,000 loan for 10 yrs with interest rate set at 50% of the interest rate set by primary lender (Midwest Bank - 5.7%); On 02/05/2019, Council approved loan of \$250,000 for 10 years with interest rate of 2.85%, plus a job creation requirement of 5 FTE within 3 years;</p>					
<p>b On 09/18/2019, RLF Committee recommended approval: \$200,000 loan for 15 years with interest rate set at 0% for years 1-5 and 2% for years 6-15; On 10/01/19, Council approved loan of \$200,000 for 15 years with interest rate of 0%</p>					
<p>c On 12/13/2019, RLF Committee recommended approval: \$40,000 loan with repayment term to match the primary lender with interest rate set at 50% of the interest rate set by the primary lender (State Nebraska Bank & Trust - TBD); On 12/17/2019, Council approved loan of \$40,000 for 10 years with repayment term to match the primary lender with an interest rate set at 50% of the interest rate set by the primary lender</p>					
<p>COVID-19: In April 2020, Council provided LB840 Loan and RLF Program recipients a grace period until Feb. 28, 2021 to make their payment obligations due in 2020. Through June and July 2020, Council discussed the potential of adding funds to the LB840 Program for business loans specific to Covid-19 relief. In Jan. 2021, Council approved a motion to re-evaluate the LB 840 discussion and authorize city staff, upon request, to allow businesses to extend their payment(s) pursuant to negotiations with each business owner, but set a deadline of Feb. 28, 2021 for businesses to pursue negotiations. WAED contacted LB840 Loan and RLF recipients to notify them of their new latitude and the deadline.</p>					
<p>d On 04/14/2021, the RLF Committee recommended approval: \$85,000 loan with a repayment term of 10 years with the interest rate set at 50% of the interest rate set by the primary lender (since the primary loan was via the U.S. Small Business Administration and the primary lending rate was set at 2.75% plus prime, which is variable, the RLF Committee recommended 3% as the fixed rate for the LB840 Loan); On 04/20/2021, Council approved loan of \$85,000 with a repayment term of 10 years and an interest rate set at 3%.</p>					
<p>e On 10/13/2021, the RLF Committee recommended approval: \$400,000 loan with a repayment term of 10 years, based on a 20-year amortization, with the interest rate to be set at one-half the rate set by the primary lender. On 11/02/2021, Council approved loan of \$400,000 with a repayment term of 10 years, based on a 20-year amortization, and an interest rate to be set at one-half the rate set by the primary lender. The Council also stipulated that the project was approved because the project intends to preserve a historic building, as well as provide additional housing units in downtown Wayne.</p>					
<p>f On 06/16/2022, the RLF Committee recommended approval: \$300,000 loan with a repayment term of 10 years, with the interest rate to be set at one-half the rate set by the primary lender. On 06/21/2022, Council approved a loan of \$300,000 with a repayment term of 10 years and an interest rate of 1%.</p>					

RESOLUTION NO. 2023-8

**A RESOLUTION APPROVING A MUTUAL AID AGREEMENT
BETWEEN THE CITY OF WAYNE VOLUNTEER FIRE DEPARTMENT
AND THE NORTHEAST NEBRASKA MUTUAL AID DISTRICT.**

WHEREAS, the City of Wayne Volunteer Fire Department wishes to enter into a Mutual Aid Agreement with the Northeast Nebraska Mutual Aid District.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Mutual Aid Agreement with the Northeast Nebraska Mutual Aid District, a copy of which is attached hereto, be approved as written, and the Mayor is authorized and directed to execute said Agreement on behalf of the City.

PASSED AND APPROVED this 7th day of February, 2023.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

NORTHEAST NEBRASKA MUTUAL AID AGREEMENT

YEAR 2023

For the purpose of better insuring the safety of the lives and property of our citizens from fire loss, medical emergencies, and natural disasters, these communities and rural fire protection districts of; Allen, Bancroft, Concord, Dakota City, Dixon, Emerson, Homer, Laurel, Martinsburg, Newcastle, Pender, Ponca, Rosalie, South Sioux City, Thurston, Wakefield, Walthill, Wayne, and Winnebago, which shall be known as the Northeast Nebraska Mutual Aid District (heretofore abbreviated NNMAD), pledge our mutual cooperation in fighting fires and other emergencies which consumes or threatens to consume proportions beyond the capacity of the fire defenses of any individual town or rural fire protection district, or of any community or mutual aid association adjoining the NNMAD from which a request for assistance has been made. To this purpose, we pledge our assistance to each other in the use of fire and rescue equipment and/or personnel, and any other items of firefighting or rescue equipment required to control the fire or emergency, whatever may be its cause.

The Association shall be governed by a Board of Directors appointed by the member departments of the Association as provided by the Constitution and By-laws of the NNMAD. It shall be understood that each member fire department of the NNMAD shall retain control of its own forces and that the fire chief or designated representative of the local fire department requesting mutual aid shall be coordinator in charge of the entire task force for the duration of the emergency requiring the use of mutual aid. Each member department of the NNMAD shall be responsible for its own expenses. This agreement shall remain in effect as to all of the parties until terminated by any of the parties hereto upon thirty (30) days written notice setting forth the date of such termination. Withdrawal from this agreement by one party shall not terminate this agreement among the remaining parties.

In earnest of our intention to extend our full cooperation, we affix the signatures of our chief executive official, the president of the rural fire protection district Board of Directors, and fire chief in accordance with the authority vested in Nebraska State Statute 23-2204, R.R.S. 1943, Inter-local Cooperative Act.

City/Village, and/or District of Wayne, Nebraska

Mayor or Board Chairman _____

Dated _____

Rural Board President [Signature] (Ken Walte)

Dated 22 JAN 23

Fire Chief [Signature]

Dated 1-27-2023

CONSTITUTION AND BY-LAWS OF THE NORTHEAST NEBRASKA MUTUAL AID DISTRICT

We, being convinced of the great benefit being derived from well regulated rural fire district and/or city fire departments in time of fire and other disasters, and desirous to render assistance in order to preserve and protect life and property of our fellow citizens and from the ravages that destroy, have formed ourselves into an association under the name of NORTHEAST NEBRASKA MUTUAL AID DISTRICT. (Referred to in this document as "the association")

ARTICLE I

NAME

The name shall be "NORTHEAST NEBRASKA MUTUAL AID DISTRICT"

ARTICLE II

OFFICERS

The officers shall consist of President, Vice President, and Secretary-Treasurer. Elections will be held in November, at which time the Vice President shall be eligible to become President, and a new Vice President and Secretary-Treasurer shall be nominated and elected by the majority present. The names on the bank account of the association shall be changed to reflect the new officers.

ARTICLE III

DUTIES OF OFFICERS

Section 1: It shall be the duty of the President to preside at all meetings and elections, call special meetings, appoint all committees, and to have general supervision of the association affairs.

Section 2: It shall be the duty of the Vice President to preside at all meetings in the absence of the President.

Section 3: It shall be the duty of the Secretary-Treasurer to keep an accurate list of all departments, to conduct a roll call at all meetings. He/She shall conduct all correspondence, to notify each department of any special meetings no less than 24 hours prior to the time appointed for said meetings. The secretary-treasurer shall keep an accurate record of the

proceedings of all meetings in a book specifically for that purpose. He/She shall notify all departments, in writing, for admittance to the association, and to furnish with said departments, a copy of the Constitution and By-Laws, and to notify departments of appointed committees and officers elected, in writing, provided they are absent from the meeting at which they are appointed or elected. He/She shall enter upon the records of the association the names of the officers and the date of such elections. The Secretary shall also keep a correct account of all fire, rescue and mutual aid calls.

Section 4: It shall be the duty of the Secretary-Treasurer to keep a correct and accurate account of all money due the association and keep a full, true and complete account of all receipts and disbursements of money, and to make a yearly report at the first regular meeting in January each year. The Secretary-Treasurer shall keep an accurate record of the number, date and amount of all orders drawn on the treasurer in a book kept for this purpose, and shall safely keep in his/her possession all books and papers pertaining to the association.

ARTICLE IV

MEMBERSHIP

Any department desiring to become a member of the association shall make written application for admission together with a \$25.00 application fee, and may be presented at any business meeting of the association.

ARTICLE V

DUTIES OF MEMBERS

Section 1: There shall be a meeting of the association the last Monday of January, March, May (which shall be held on the 3rd Monday due to Memorial Day), July, September and November. Said meetings shall be called to order at 8:00 pm.

Section 2: It shall be the duty of the local fire chief, or officer in charge/incident commander, to take charge of a fire, rescue or other disaster to which mutual aid has been requested. It is also the duty of said officer to release personnel/departments from the scene and to make all necessary reports.

ARTICLE VI

CANCELLATION

In case of cancellation, it shall be the duty of the President and the Fire Chief of the host department to determine if a cancellation is necessary and to notify all departments in the association of said cancellation by Noon the day of the meeting.

ARTICLE VII

AMENDMENTS

This Constitution may be amended or altered by two-thirds vote at any meeting, provided notice of such alteration or amendment was given at the previous meeting.

BY-LAWS

ARTICLE I

APPROPRIATION AND EXPENSES

No appropriation of any of the funds of the association shall be made except by a majority vote of the members present at the meeting. An order shall then be drawn and signed by 2 of the 3 officers, specifying the object for which the order is drawn.

ARTICLE II

DUES

Section 1: Each department of this association shall pay dues of \$25.00 per year, due by April 1, of each year.

Section 2: Whenever any department's dues become more than 12 months overdue, they shall be suspended from membership. All departments within the association shall be notified in writing of such action. The suspension shall be lifted immediately, after past and present dues are paid.

Section 3: If at any time the association sees fit, there may be an assessment levied upon each member, not to exceed the amount necessary for the purpose of defraying the expenses of the association, by a majority vote of the members present at any regular meeting.

ARTICLE III

MUTUAL AID AGREEMENT

Section 1: Each department of this association shall submit a signed Mutual Aid Agreement every year within 30 days of the first mutual aid meeting of the year, or within 30 days of any change of officials whose signature is affixed to the agreement.

Section 2: Whenever any department fails to submit a signed Mutual Aid Agreement within the timeframe given in the previous section, they shall be suspended from membership and shall be notified in writing of said action.

ARTICLE IV

QUORUM

15 representatives from at least 3 departments in good standing shall constitute a quorum for the transaction of business at any regular or special meeting of the association.

ARTICLE V

ORDER OF BUSINESS

1. Roll Call and Fire/Rescue reports
2. Reading of previous meeting minutes
3. Assessments and dues
4. Communication, notices and bills
5. Reports of committees
6. Reports of Officers
7. Unfinished Business
8. New Business
9. For the good of the Mutual Aid Association
10. Election and Appointments
11. Adjournment

ARTICLE VI
ASSOCIATION MEMBERS

Allen	Pender
Bancroft	Ponca
Concord	Rosalie
Dakota City	South Sioux City
Dixon	Thurston
Emerson	Wakefield
Laurel	Walthill
Martinsburg	Wayne
Newcastle	Winnebago

The foregoing constitution and by-laws of the Northeast Nebraska Mutual Aid Association, having been duly adopted by the association, are hereby declared to be in effect as of November 26th, 2018. This constitution and by-laws shall be in effect until changed by a quorum of the membership as stated in Article IV of the By-laws portion of this document.

[Back to Top](#)

RESOLUTION NO. 2023-9

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM.

BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that the One and Six Year Street Improvement Program, as prepared by the Street and Planning Director and City Administrator of the City of Wayne, Nebraska, and attached hereto, be approved and adopted.

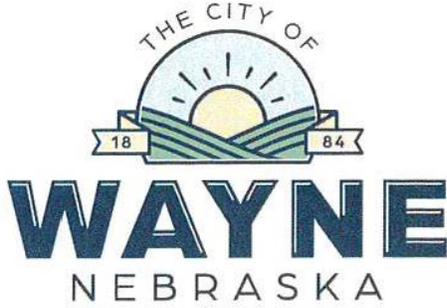
PASSED AND APPROVED this 7th day of February, 2023.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



PROPOSED AMENDED ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM FOR THE

CITY OF WAYNE, NEBRASKA

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>

M – 617(112)	2023	Prairie Park Streets – 5,900’ Construct Gravel Roads	\$600,000
M – 617(116)	2023	W. 7 th Street from Haas Avenue to Pheasant Run – 1,650’ Storm Sewer & Sidewalk	\$800,000

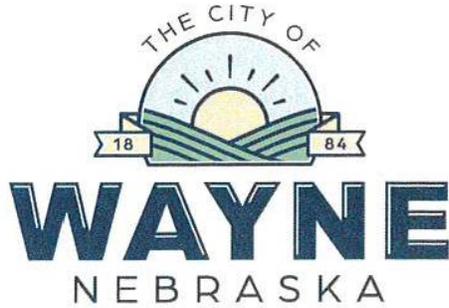
M – 617(132)	2024	E. 4 th Street and Thorman Street – 2,300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$900,000
M – 617(115)	2024	W. 3 rd Street from Oak Dr. to 250’ E. of Oak Dr. – 250’ Construct Concrete Paving, Curb & Gutter	\$ 70,000

M – 617(129)	2025	Fairgrounds Avenue from S. Main to S. Nebraska & from Dead End to Prairie Park – 915’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$800,000

M – 617(131)	2026	E. 21 st Street from Vintage Hill Drive to Centennial Road and Centennial Road from E. 14 th to E. 21 st – 4,500’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$ 1,500,000

M – 617(107)	2027	Clark Street & S. Pearl Street . – 745’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$350,000
M – 617(114)	2027	W. 2 nd Street from Blaine St. to 360’ E of Blaine St. – 380’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$180,000
M – 617(98)	2027	Sherman Street from W. 5 th St. to W. 6 th St. – 300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$140,000
M – 617(113)	2027	Sherman Street from W. 3 rd St. to W. 4 th St. – 300’ Construct Concrete Paving, Curb & Gutter	\$140,000

Continued on Page 2
No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.



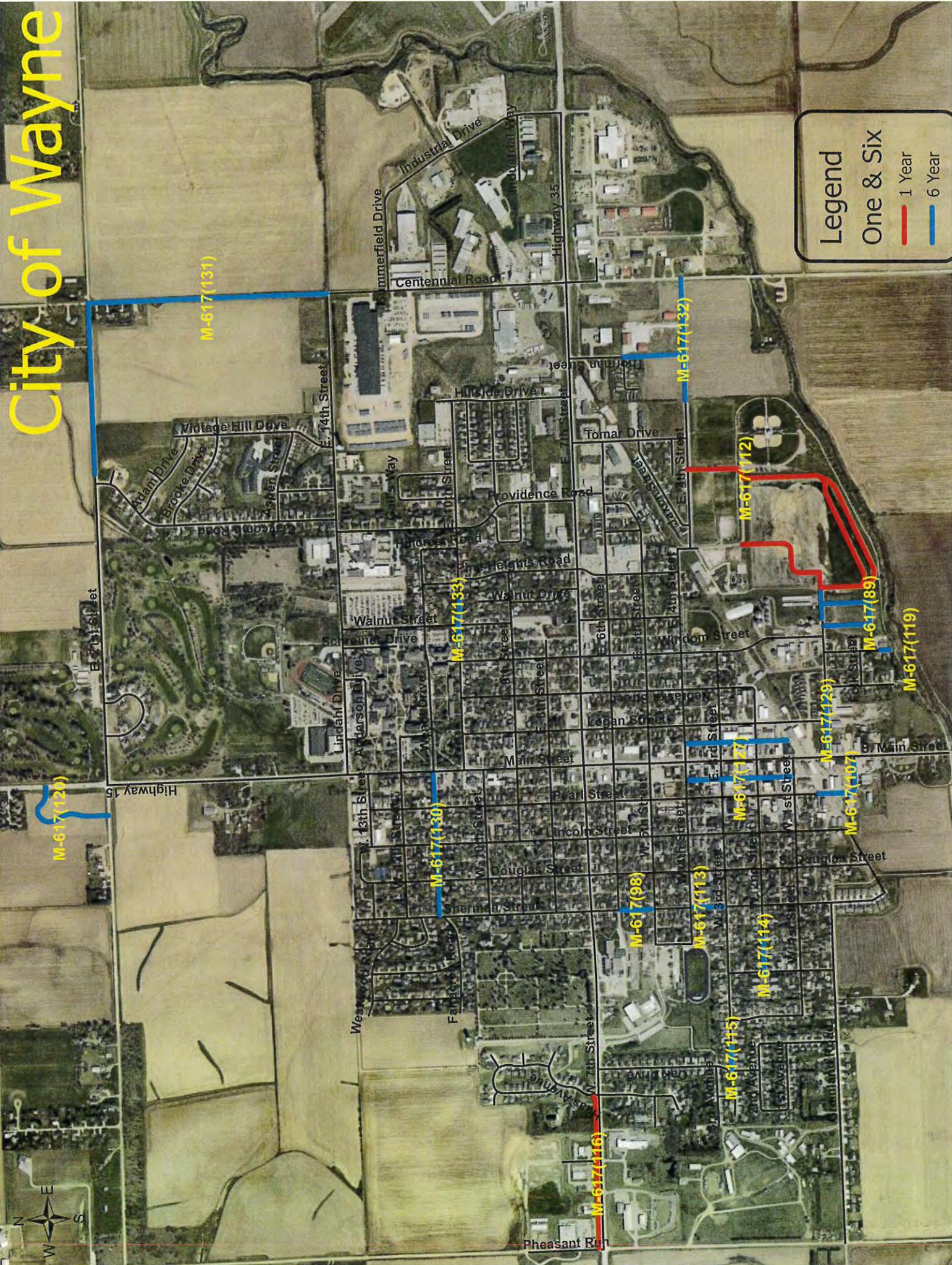
M – 617(127)	2028	Downtown Alleys – 2,880’ Overlay and Concrete Paving	\$500,000
M – 617(130)	2028	W. 11 th Street from Main to Sherman – 1,550’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$850,000
M – 617(89)	2028	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$400,000
M – 617(120)	2028	Northern Ridge Drive from Highway 15 to W. 21 st St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Sewer	\$800,000
M – 617(119)	2028	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000
M – 617(133)	2028	E. 10 th Street from Schreiner Drive to east end of Viken Park Reconstruct Concrete Paving, Curb and Gutter – 200’	\$200,000

No person of the City of Wayne shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.

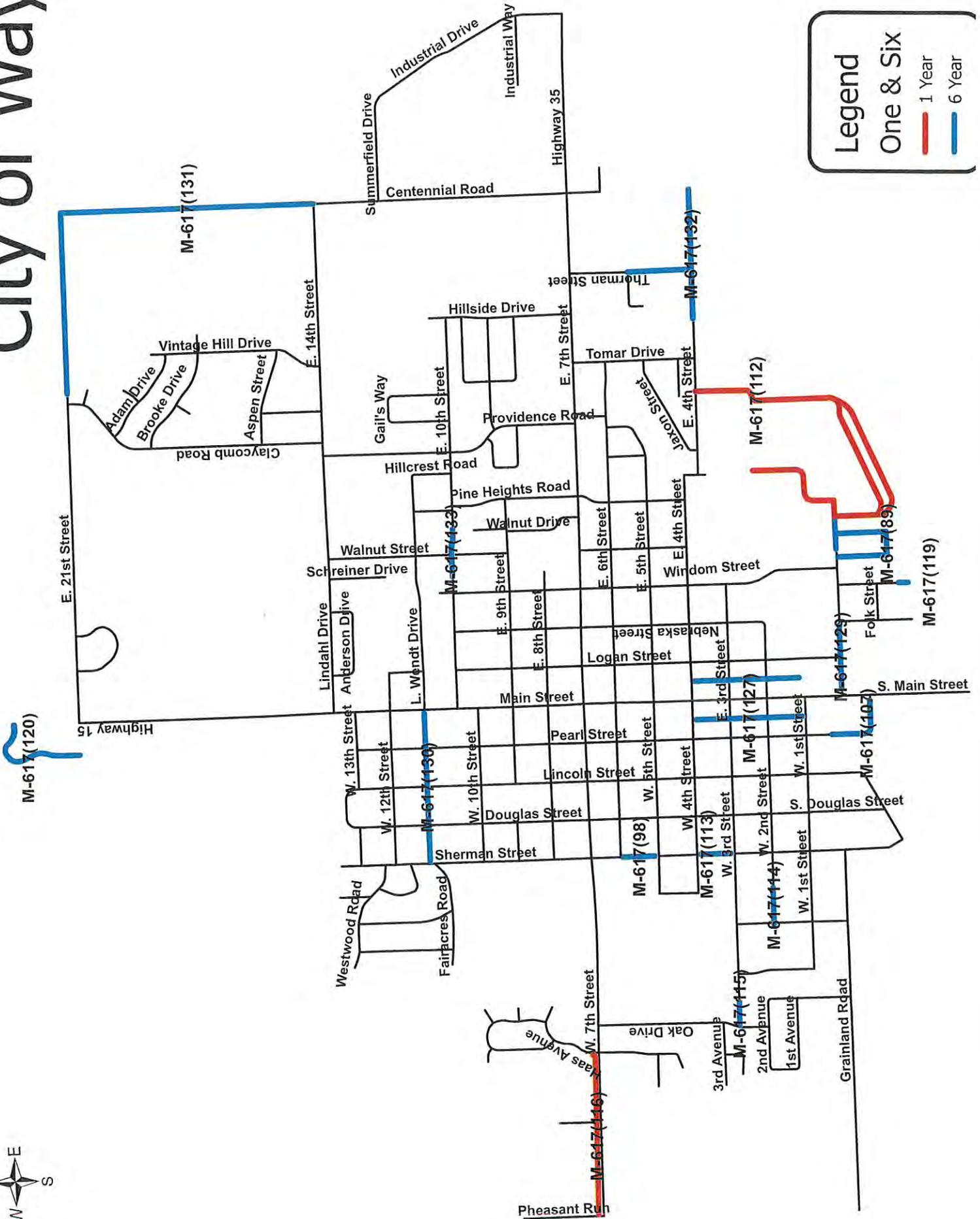
306 Pearl Street
Wayne, NE 68787
402.375.1733
cityofwayne.org

HISTORIC | HEART | HOME

City of Wayne



City of Wayne



Legend

One & Six

- 1 Year (Red line)
- 6 Year (Blue line)

RESOLUTION NO. 2023-10

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A JOHN DEERE 544 P-TIER WHEEL LOADER AND RELATED EQUIPMENT AS PER THE BID PROPOSAL RECEIVED FROM MURPHY TRACTOR & EQUIPMENT (\$184,200) THROUGH THE SOURCEWELL COOPERATIVE PRICING PROGRAM.

WHEREAS, City staff has prepared specifications for a new John Deere 544 P-Tier Wheel Loader and related equipment; and

WHEREAS, City staff solicited a proposal from Murphy Tractor & Equipment Co. for the purchase of a new John Deere 544 P-Tier Wheel Loader and related equipment through the Sourcewell Cooperative Pricing Program; and

WHEREAS, staff has reviewed the proposal and recommends that the loader and related equipment, as submitted by the following vendor, is the lowest, responsible and best price received:

<u>Name and Address</u>	<u>Amount of Base Bid</u>
Murphy Tractor & Equipment 4900 Harbor Drive Sioux City IA 51111-1106	\$184,200.00

BE IT RESOLVED that the proposal, as above set forth, filed with the City Clerk for the purchase of a new loader and related equipment be, and the same is hereby accepted.

BE IT FURTHER RESOLVED that documents by and between the City and the vendor necessary to order and procure said equipment vehicle be executed within fifteen (15) days of the Notice of Award.

PASSED AND APPROVED this 7th day of February, 2023.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Quote Id: 27991873

Prepared For:
CITY OF WAYNE



Prepared By: **KEN BEAUDETTE, JR.**

Murphy Tractor & Equipment
4900 Harbor Drive
Sioux City, IA 51111-1106

Tel: 712-252-2753

Mobile Phone: 712-454-9851

Fax: 712-252-0352

Email: kbeaudette@murphytractor.com

Murphy



Quote Summary

Prepared For:
CITY OF WAYNE
PO BOX 30
WAYNE, NE 68787
Business: 402-375-1733

Prepared By:
KEN BEAUDETTE, JR.
Murphy Tractor & Equipment
4900 Harbor Drive
Sioux City, IA 51111-1106
Phone: 712-252-2753
Mobile: 712-454-9851
kbeaudette@murphytractor.com

Quote Id: 27991873
Created On: 29 December 2022
Last Modified On: 13 January 2023
Expiration Date: 30 January 2023

Equipment Summary	Qty	Extended
JOHN DEERE 544 P-Tier Wheel Loader	1	
John Deere Extended Warranty-7yr/4000hr Full	1	

Equipment Total **\$ 258,200.00**

Trade In Summary	Qty	Each	Extended
2007 JOHN DEERE 544JXT - DW544JH617673	1	\$ 74,000.00	\$ 74,000.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 74,000.00

Trade In Total **\$ 74,000.00**

Quote Summary	
Equipment Total	\$ 258,200.00
Trade In	\$ (74,000.00)
SubTotal	\$ 184,200.00
Total	\$ 184,200.00
Balance Due	\$ 184,200.00

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 27991873

Customer: CITY OF WAYNE

JOHN DEERE 544 P-Tier Wheel Loader

Hours:

Stock Number:

Description	Qty
544 P Wheel Loader	1

Standard Options - Per Unit

JDLINK™	1
United States	1
English	1
Translated Text Labels	1
Standard Loader	1
High Lift Z-BAR	1
Level 3 Trim	1
Level 4 Performance	1
Rear Camera (Primary Display)	1
Less Detection System	1
Left Side Steps	1
Less Payload Scale w/ Cycle Counter	1
John Deere 6.8L - FT4/SV	1
Bridgestone VJT - 20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	1
Standard Front Fenders	1
Rear Counterweight & Rear Hitch w/ Pin	1
Joystick Controls	1
Three Function Hydraulics	1
Hydraulic Coupler - Hi-Vis/ISO Pattern	1
Bolt-On Cutting Edge	1
60 Inch (1524mm) Wide Fork Frame	1
60 Inch (1524mm) Construction Tines	1
3.00 YD (2.30 CM) Enhanced Performance	1
Axle Oil Cooling and Filtration	1
Chrome Curved Stack	1
Heated And Powered Exterior Mirrors	1
Cold Weather Package	1
Debris Package	1
Maintenance and Service Package	1
Guards - Transmission & Bottom	1
Auxiliary Equipment Package	1



Selling Equipment



Quote Id: 27991873

Customer: CITY OF WAYNE

Dealer Attachments	
Stucchi Coupler	1
3 Sets of Hi Vis Blanks	1
Service Agreements	
John Deere Extended Warranty - 7yr/4000hr Full	

RESOLUTION NO. 2023-11

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

WHEREAS, the Mayor and City Council met in open session on January 31, 2023, with the express purpose of identifying and developing goals for the City; and

WHEREAS, there were new and expanded items in addition to goals from the prior year that were considered during the retreat, some for their guidance of future strategies and policies, and many for their consolidated value as specific goals over one to five year periods; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the strategic planning goals of the City are as follows:

CURRENT YEAR GOALS

- Park(s) Update
 - Install more handicapped accessible options
 - Purchase park equipment for East Park using Keno Funds
 - Pursue grant options (Peter Kiewit, Sherwood Foundation and Daugherty Foundation) for Prairie Park
- Start Request for Proposal process for the old City Hall building

FUTURE GOALS

- Extend the trail route from 4th Street to Hank Overin Field
- Future Community Betterment Projects
 - Continue discussion on the feasibility of an indoor pool
 - Continue discussion on a proposed skate park, ice rink and sledding hill
 - Extend a sidewalk to the Dollar General on the east side of town
 - Streets (4th Street/Centennial Road/21st Street)
 - Discussion on allowing chickens inside city limits
 - Look into additional villa-type housing

The Council shall regularly evaluate the progress toward achieving the aforesaid goals.

The Mayor and Council shall consider the annual restatement and expansion of goals as a matter of policy.

PASSED AND APPROVED this 7th day of February, 2023.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2023-1

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE III, ADMINISTRATION, CHAPTER 37 TAXATION, RELATING TO SALES AND USE TAX; IMPOSING AN ADDITIONAL ONE-HALF OF ONE PERCENT SALES AND USE TAX UPON THE SAME TRANSACTIONS WITHIN THE CITY OF WAYNE UPON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX; PROVIDING EFFECTIVE DATE; PROVIDING TERMINATION DATE; PROVIDING DEPOSIT IN THE GENERAL FUND AND THE ALLOCATION THEREOF.

BE IT ORDAINED by the Mayor and the Council of the City of Wayne, Nebraska:

Section 1. That Chapter 2, Article VI, Sections 2-602 through 2-605 of the Municipal Code of Wayne, Nebraska, are hereby amended as follows:

37.01 Sale and Use Tax. The City of Wayne, Nebraska, shall impose a sales and use tax at the rate of 1.5% upon the same transactions within the City of Wayne, Nebraska, on which the State of Nebraska is authorized to impose a tax. (Neb. Rev. Stat. 77-27,142).

37.02 Deposit, General Fund. The proceeds of the sales and use tax levy by the City of Wayne, shall be deposited in the general fund of the City of Wayne. (Neb. Rev. Stat. 77-27,146).

37.03 Allocation of Sales and Use Tax. Revenue derived from the sales and use tax of the City of Wayne, Nebraska, deposited in the general fund of the City of Wayne, Nebraska, shall be divided as follows: three-fifths (0.6) of one percent for general capital improvements over \$5,000.00 initial cost and having a useful life expectancy of more than seven years (such as fire trucks, swimming pool); two-fifths (0.4) of one percent to fund economic activities under the Wayne Economic Development Program as described in its adopted Wayne Economic Development Plan; and one-half (0.5) of one percent for the purpose of paying the principal and interest of the City of Wayne, Nebraska bonds approved by the voters on November 4, 2014, in the principal amount not to exceed \$2,900,000.00 and paying costs related to such purpose.

37.04 Termination Date. One percent (1%) of the City of Wayne, Nebraska Sales and Use Tax, which was passed and approved in 2009, shall terminate on June 30, 2024. The additional one-half (0.5) of one percent of the City of Wayne, Nebraska Sales and Use Tax, shall remain in effect only so long as any of the indebtedness evidenced by said bonds approved by the voters of the City of Wayne, Nebraska on November 4, 2014 (including refunding bonds issued to refund such indebtedness) shall remain outstanding and unpaid.

Section 2. Any and all provisions of the Wayne Municipal Code in conflict with this ordinance are hereby repealed.

Section 3. This Ordinance shall be in full force and effect after the passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of February, 2023.

THE CITY OF WAYNE, NEBRASKA,

By: _____
Cale Giese, Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2023-2

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, AMENDING ITS ECONOMIC DEVELOPMENT PROGRAM TO DESCRIBE THE TERMS, CONDITIONS AND GOALS OF SAID ECONOMIC DEVELOPMENT PROGRAM; TO ESTABLISH THE DURATION OF SAID ECONOMIC DEVELOPMENT PROGRAM; TO PROVIDE FOR YEARS FOR COLLECTION OF FUNDS; TO PROVIDE FOR A SOURCE OF FUNDS; TO PROVIDE FOR A TOTAL AMOUNT TO BE COLLECTED; TO REPEAL CONFLICTING ORDINANCES AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Mayor and City Council of the City of Wayne, Nebraska.

Section 1. That Title III, Chapter 38, Economic Development Program of the Wayne Municipal Code be added/amended to read as follows:

CITIZENS ADVISORY REVIEW COMMITTEE

- (A) There is hereby created a Citizens Advisory Review Committee. The Mayor shall appoint seven registered voters of the City of Wayne to the Committee, subject to approval by the City Council. At least one member of the Committee shall have expertise or experience in the field of business finance or accounting. The Mayor shall appoint an ex officio member of the committee with responsibility for assisting the committee and providing it with necessary information and advice on the Economic Development Plan. The Wayne Economic Development Corporation shall have the responsibility for the administration of the economic development program.
- (B) No member of the Citizens Advisory Review Committee shall be an elected or appointed city official, an employee of the city, a participant in a decision-making position regarding the expenditure of program funds, or an official or employee of any qualifying business receiving financial assistance under the economic development program or of any financial institution participating directly in the economic development program. The term for each citizen shall be three years commencing on the 1st of July for each term, except that three members of the first Citizens Advisory Review Committee shall serve for a term of one year and three members of the first Citizens Advisory Review Committee shall serve a term of two years. All citizen members shall hold office until their successors are appointed. All citizen members' vacancies occurring otherwise than through the expiration of their term shall be filled for the unexpired portion of their term by the Mayor, by and with the approval and majority vote of the City Council.
- (C) The members of the Citizens Advisory Review Committee shall serve without compensation. The Committee shall organize at its first meeting and elect from its membership a Chairperson and Secretary. It shall be the duty of the Secretary to keep complete and accurate minutes of all meetings, showing the vote of each member upon each question, or, if absent or failed to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record. A majority of the Committee shall constitute a quorum for the purpose of doing business, and the Committee shall adopt rules in accordance with the direction of the governing body.

- (D) Said Citizens Advisory Review Committee shall conduct regular meetings to review the functioning and progress of the economic development program and to advise the governing body of the City of Wayne with regard to the program. At least once in every six-month period after the effective date of the ordinance, the Committee shall report to the governing body on its findings and provide suggestions at a public hearing called for that purpose.
- (E) The members of the Citizens Advisory Review Committee, in their capacity as members and consistent with their responsibilities as members, may be permitted access to business information received by the City in the course of its administration of the economic development program, which information would otherwise be confidential (a) under section 34-712.05, R.R. S. Neb. 1943, as amended, (b) by agreement with a qualifying business participating in the economic development program, or (c) under any ordinance of the City of Wayne providing access to such records to members of the Committee and guaranteeing the confidentiality of the business information received by reason of its administration of the economic development program.

Section 2. ECONOMIC DEVELOPMENT PLAN: That pursuant to the approval of the electors of the City of Wayne at a primary election held May 10, 2022, there is hereby adopted pursuant to provisions Sec. 18-2701 to 18-2738 R.R.S. Neb. 1943, as amended, known as the Local Option Municipal Economic Development Act as said Statutes of the State of Nebraska, as the same may be from time to time amended, the following economic development plan:

Description of Economic Development Program:

(1) **Goals and Eligible Activities of The Economic Development Program.** The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area.

Eligible activities under the economic development program may include, but shall not be limited to, the following:

- a. The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
- b. Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.
- c. Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.
- d. The authority to issue bonds pursuant to the act subject to City Council approval.
- e. Grants or agreements for job training.
- f. Small business and microenterprise development including expansion of existing businesses.
- g. Interest buy-down agreements or loan guarantees.
- h. Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.
- i. Development of housing related programs to foster population growth.
- j. Activities to revitalize and encourage growth in the downtown area.
- k. May contribute to or create a revolving loan fund from which low interest or

- performance-based loans will be made to qualifying entities on a match basis.
- (2) Length of Time of the Program. The Economic Development Program shall continue to operate from and after July 1, 2024, until June 30, 2039, an additional fifteen-year period.
 - (3) The Years the Funds Shall be Collected. Collection of funds for the Program shall be on all taxable sales continuing from the 1st day of July, 2024, and shall end on the 30th day of June, 2039 (fifteen years).
 - (4) Source from Which Funds Shall Be Collected. The source of public funds for the Economic Development Program to be collected shall be fifteen percent (15%) of the proposed one percent (1%) city sales and use tax.
 - (5) Amount to Be Collected. The total amount to be collected from the city sales and use tax is estimated to be \$2,250,000.00 over the fifteen-year period, or approximately \$150,000.00 annually for each fiscal year in which the tax is in place or such greater amount, subject only to statutory limitations, as may be generated.
 - (6) Additional Funds from Private Sources. Additional funds from private sources may be sought beyond those derived by public sources of revenue.
 - (7) Issuance of Bonds. The City proposes to issue bonds pursuant to the Local Option Municipal Development Act to provide funds to carry out the Economic Development Program.

~~(A) Description of terms, conditions, and goals:~~

- ~~a. Goals and Eligible Activities of The Economic Development Program. The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area. Eligible activities under the economic development program may include, but shall not be limited to, the following:~~
- ~~1) The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.~~
 - ~~2) Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.~~
 - ~~3) Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.~~
 - ~~4) The authority to issue bonds pursuant to the act subject to City Council approval.~~
 - ~~5) Grants or agreements for job training.~~
 - ~~6) Small business and microenterprise development including expansion of existing businesses.~~
 - ~~7) Interest buy down agreements or loan guarantees.~~
 - ~~8) Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.~~
 - ~~9) Development of housing related programs to foster population growth.~~
 - ~~10) Activities to revitalize and encourage growth in the downtown area.~~
 - ~~11) May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.~~

- ~~b. Length of Time of the Program. The Economic Development Program shall operate from July 1, 2009 until June 30, 2024, a fifteen year period.~~
- ~~c. The Years the Funds Shall be Collected. Collection of funds for the Program shall be on all taxable sales beginning on the 1st day of July, 2009 and shall end on the 30th day of June, 2024 (fifteen years).~~
- ~~d. Source From Which Funds Shall Be Collected. The source of public funds for the Economic Development Program are to be collected shall be two-fifths (0.4%) of the proposed 1% City local option Sales and use tax.~~
- ~~e. Amount To Be Collected. The total amount to be collected from the city sales and use tax is estimated to be \$3,200,000.00 over the fifteen year period or approximately \$214,000.00 annually for each fiscal year in which the tax is in place or such greater amount, subject only to statutory limitations, as may be generated.~~
- ~~f. Additional Funds from Private Sources. Additional funds from private sources may be sought beyond those derived by public sources of revenue.~~
- ~~g. Issuance of Bonds. The City proposes to issue bonds pursuant to the Local Option Municipal Development Act to provide funds to carry out the Economic Development Program.~~

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 7th day of February, 2023.

THE CITY OF WAYNE, NEBRASKA

By: _____
Cale Giese, Mayor

ATTEST:

City Clerk



APPLICATION FOR PAYMENT

TO (OWNER): City of Wayne
306 Pearl Street
Wayne, Nebraska 68787

PROJECT: Freedom Park Trailhead Project

FROM (CONTRACTOR): OCC Builders, LLC.
521 South Centennial Road
Wayne, Nebraska 68787

CONTRACTORS PROJECT NO.: 22-11
PERIOD THROUGH: January 31, 2023
APPLICATION DATE: January 31, 2023
APPLICATION NO.: 5

Application is made for Payment, as shown below, in connection with the Contract. Cost Breakdown is attached.

1. ORIGINAL CONTRACT SUM	\$	<u>372,310</u>
2. NET CHANGE BY CHANGE ORDERS (see attached)	\$	<u>0</u>
3. CONTRACT SUM TO DATE (Line 1 +/- Line 2)	\$	<u>372,310</u>
4. WORK COMPLETED & STORED TO DATE (see attachment) TOTAL WORK COMPLETED & STORED (Column G on Cost Breakdown Sheet)	\$	<u>129,023</u>
5. RETAINAGE:		
a. 10% of Completed Work (Columns D-E on Cost Breakdown Sheet)	\$	<u>12,903</u>
b. 10% of Stored Material (Column F on Cost Breakdown Sheet)	\$	<u>0</u>
TOTAL RETAINAGE (Total in Column I on Cost Breakdown Sheet)	\$	<u>12,903</u>
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 total)	\$	<u>116,120</u>
7. LESS PREVIOUS APPLICATIONS FOR PAYMENT	\$	<u>70,283</u>
8. CURRENT PAYMENT DUE	\$	<u>45,837</u>
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$	<u>256,190</u>

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due. Application for Payment is to be received by the Architect no later than the last day of the month, and the Owner shall make payment to the Contractor no later than the last day of the following month.

CONTRACTOR: OCC Builders LLC.

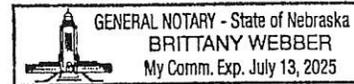
By: [Signature]

Date: 2/1/2023

State of: Nebraska Nebraska
County of: Wayne Wayne

Subscribed and sworn to before me this 1st day of February 2023

Notary Public: [Signature]
My Commission expires: July 13th, 2025



In accordance with the Contract and this Application for Payment, the Contractor is entitled to payment in the amount shown below.

AMOUNT CERTIFIED \$ _____
(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

<input type="checkbox"/>	OWNER
<input type="checkbox"/>	ARCHITECT
<input type="checkbox"/>	CONTRACTOR

By: _____ Date: _____

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



COST BREAKDOWN SHEET

City of Wayne - Freedom Park Trailhead

CONTRACTORS PROJECT NO.: 22-11
 PERIOD THROUGH: January 31, 2023
 APPLICATION DATE: January 31, 2023
 APPLICATION NO.: 5

APPLICATION AND CERTIFICATED FOR PAYMENT - Contractor's signed Certification is attached.

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D.O.R.E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE 10%
			FROM PREVIOUS APPLICATION	FROM PREVIOUS APPLICATION					
	General Conditions (Bonds, Trash, Supervision, Cleaning, Etc.)	23,200	13,215	0	0	0	13,215	9,985	1,322
	Demolition	9,610	5,620	1,300	0	0	6,920	2,690	692
	Interior Concrete Floor & Sealer	17,980	16,900	0	0	0	16,900	880	1,690
	Masonry	12,830	2,890	5,640	0	0	8,030	4,800	803
	HM Frames/Doors, Wood Doors, & Hardware	13,780	0	7,200	0	0	7,200	6,580	720
	Aluminum Entries & Windows	32,820	0	28,680	0	0	28,680	4,140	2,868
	Interior Framing & Insulation Board	12,290	9,360	1,700	0	0	11,060	1,230	1,106
	Roof Framing & Sheathing	24,900	11,375	6,410	0	0	17,785	7,115	1,779
	Canopy Framing & Support	24,100	0	0	0	0	0	24,100	0
	Asphalt Shingles	12,170	0	0	0	0	0	12,170	0
	Aluminum Soffit & Gutters	8,950	0	0	0	0	0	8,950	0
	Canopy Wood Soffit	7,020	0	0	0	0	0	7,020	0
	Drywall	14,160	0	0	0	0	0	14,160	0
	Painting, Staining, & Joint Sealants	16,335	0	0	0	0	0	16,335	0
	Cabinetry, Countertops, & Window Sills	14,550	0	0	0	0	0	14,550	0
	Vinyl Base	1,850	0	0	0	0	0	1,850	0
	Toilet Accessories	995	0	0	0	0	0	995	0
	Plumbing, Fixtures, & Site Utilities	27,960	6,823	0	0	0	6,823	21,137	682
	HVAC & Floor Heat	41,700	7,840	0	0	0	7,840	33,860	784
	Electrical	13,680	0	0	0	0	0	13,680	0
	Site Paving	41,830	4,570	0	0	0	4,570	37,260	457
	SUB-TOTAL	372,310	78,093	50,930	0	0	129,023	243,287	12,903
	CHANGE ORDERS								
	SUB-TOTAL CHANGE ORDERS	0	0	0	0	0	0	0	0
	TOTALS	372,310	78,093	50,930	0	0	129,023	243,287	12,903