

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; KEPSCO 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.