

**MINUTES
CITY COUNCIL MEETING
June 20, 2023**

The Wayne City Council met in regular session at City Hall on June 20, 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 Terri Buck, Nick Muir, Brittany Weber, Clayton Bratcher, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and Attorney Amy Miller. Absent: Councilmember Brent Pick.

Notice of the convening meeting was given in advance thereof by publication in the Wayne Herald, Wayne, Nebraska, the designated method of giving notice, as shown by Affidavit of Publication. In addition, notice was given to the Mayor and all members of the City Council, and a copy of their acknowledgement of receipt of notice and agenda is on file with the City Clerk. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of Council Chambers, as well as on the City of Wayne website and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of June 6, 2023, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 6/6/23: OTTE CONSTRUCTION, SE, 34616
VARIOUS FUNDS: ACE HARDWARE, SU, 578.31; APPEARA, SE, 82.23; AUTO ANATOMY ALTERNATIVES, SE, 1525.00; BIG RIVERS ELECTRIC CORPORATION, SE, 93773.40; BIO-ELECTRONICS, SE, 400.00; BORDER STATES INDUSTRIES, SU, 202.35; BOUTIQUE BLACK LABEL, RE, 200.00; CERTIFIED TESTING SERVICES, SE, 2130.00; CHEMQUEST, SE, 695.00;

CITIZENS STATE BANK, RE, 1441.38; CITIZENS STATE BANK, RE, 1999.88; CITIZENS STATE BANK, RE, 5682.21; CITY EMPLOYEE, RE, 299.20; CITY EMPLOYEE, RE, 1284.35; CITY OF WAYNE, RE, 1347.83; COPY WRITE PUBLISHING, SU, 218.82; COPY WRITE PUBLISHING, SE, 24.96; DAS STATE ACCTG-CENTRAL FINANCE, SE, 62.36; DITCH WITCH UNDERCON, SU, 169.05; DOESCHER REPAIR, SE, 89.00; DUTTON-LAINSON COMPANY, SU, 30200.15; EAKES OFFICE PLUS, SE, 417.82; ED M. FELD EQUIPMENT, SU, 890.00; ELLIS HOME SERVICES, SE, 251.99; FIREMAN, RE, 150.00; FIREMAN, RE, 175.98; FIREMAN, RE, 150.00; FLOOR MAINTENANCE, SU, 124.76; FOURTH GENERATION FAMILY, RE, 14483.62; GERHOLD CONCRETE, SU, 837.49; HAWKINS, SU, 3635.79; HELENA AGRI-ENTERPRISES, SU, 150.00; HILAND DAIRY, SE, 271.53; HOMETOWN LEASING, SE, 99.30; INGRAM LIBRARY SERVICES, SU, 1576.87; ISLAND SPRINKLER SUPPLY, SE, 122.11; JEFF'S RPM SERVICE, SU, 59.23; JEO CONSULTING GROUP, SE, 4224.50; JOHNSON'S PLUMBING & HEATING, SE, 195.50; KOUATIL, ZAYNAB, SE, 400.00; KTCH, SE, 155.00; LAWLER FIXTURE, SU, 1364.46; MACQUEEN EQUIPMENT, SE, 1283.88; MACQUEEN EQUIPMENT, SU, 2213.51; MAIN STREET GARAGE, SE, 728.00; MAXNET SECURITY, SE, 2475.00; MIDWEST LABORATORIES, SE, 233.57; MIDWEST TAPE, SU, 55.99; MZRB, RE, 3703.63; NATP, FE, 95.00; NE WATER RESOURCES ASSOCIATION, FE, 105.00; NPPD, SE, 7892.56; NORFOLK FAMILY YMCA, FE, 100.00; NNEDD, SE, 637.50; NUNEZ, EMPERATRIZ, RE, 200.00; OVERDRIVE, SU, 29.99; OVERHEAD DOOR, SE, 98.00; PLUNKETT'S PEST CONTROL, SE, 102.51; QUALITY 1 GRAPHIC, SU, 50.00; RODRIGUEZ, NANCY, SE, 35.00; STAPLES, SU, 139.49; TOM'S BODY & PAINT SHOP, SE, 3942.61; ULINE, SU, 40.20; US BANK, SU, 10454.75; US FOOD SERVICE, SE, 2767.27; UTILITIES SECTION, FE, 4020.00; VAN DIEST SUPPLY, SU, 371.25; VERIZON, SE, 584.08; WASTE CONNECTIONS, SE, 60.00; WAED, SE, 1000.00; WAYNE VETERINARY CLINIC, SE, 140.00; WAPA, SE, 19083.01; WISNER WEST, SU, 264.26; ACES, SE, 553.73; AMERITAS, SE, 204.53; AMERITAS, SE, 35.00; AMERITAS, SE, 3386.98; AMERITAS, SE, 72.00; AMERITAS, SE, 97.94; ANDERSON FORD OF LINCOLN, SU, 48652.00; APPEARA, SE, 54.72; ARCADIAN MARKSMANSHIP CLUB, FE, 131.88; ASPEN EQUIPMENT, SU, 141.59; BLACK HILLS ENERGY, SE, 723.95; BORDER STATES INDUSTRIES, SU, 649.28; BORDER STATES INDUSTRIES, SU, 133.53; CHEMQUEST, SU, 2447.50; CITY OF WAYNE, PY, 121640.71; CLAUSSEN & SONS IRRIG, SE, 402.20; DAVE'S DRY CLEANING, SE, 66.00; ELKINS PORTABLE RESTROOMS, SE, 335.00; ELLIS HOME SERVICES, SE, 192.50; FASTWYRE BROADBAND, SE, 1581.84; FLOOR MAINTENANCE, SU, 1173.82; GERHOLD CONCRETE, SU, 578.56; HAWKINS, SU, 1972.46; ICMA, SE, 127.36; ICMA, SE, 36.84; ICMA, SE, 189.32; ICMA, SE, 166.28; ICMA, SE, 200.00; ICMA, SE, 495.46; ICMA, SE, 8462.75; ICMA, SE, 2180.90; ICMA, SE, 70.00; ICMA, SE, 142.75; ICMA, SE, 413.68; IRS, TX, 19950.38; IRS, TX, 12531.04; IRS, TX, 4665.82; MAIN STREET GARAGE, SE, 100.00; MEYER, ROGER, RE, 240.00; MID-IOWA SOLID WASTE, SE, 2062.50; NE DEPT OF REVENUE, TX, 5963.43; NORTHEAST POWER, SE, 21756.30; OLSSON, SE, 25610.00; O'REILLY AUTOMOTIVE STORES, SU, 17.62; PER MAR SECURITY SERVICES, SE, 1483.02; PREMIER BIOTECH, SE, 147.36; QUALITY 1 GRAPHIC, SU, 80.00; QUALITY FOOD CENTER, SU, 36.61; SPIEKER, DWAIN, RE, 500.00; STAPLES, SU, 85.08; UNLIMITED LANDSCAPING, SU, 5568.00; USA BLUE BOOK, SU, 152.62; WAED, RE, 11000.00; WAYNE AUTO PARTS, SU, 298.88; WAYNE COMMUNITY SCHOOLS, RE, 5073.50; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 380.00; WAYNE HERALD, SE, 1114.54; WESCO, SU, 337.05; WEST-E-CON, SU, 1192.40; WINNING FINISH, SE, 195.00

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

Councilmember Brodersen introduced Ordinance No. 2023-10, and moved for approval of the third and final reading thereof; Councilmember Muir seconded.

ORDINANCE NO. 2023-10

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF WAYNE.

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

Administrator Blecke advised that we now have the necessary easement in hand from the Wayne State Foundation so the third and final reading of Ordinance No. 2023-12 could be approved.

Councilmember Brodersen introduced Ordinance No. 2023-12, and moved for approval of the third and final reading thereof; Councilmember Webber seconded.

ORDINANCE NO. 2023-12

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE NORTH 16 FOOT EASEMENT OF LOTS 1 AND 2, HILLCREST ADDITION, CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Mayor Giese stated the time was at hand for the public hearing regarding the application for a Retail Class C Liquor License for I Wet My Plants, LLC, d/b/a "I Wet My Plants," located at 221 Main Street.

No one was present representing I Wet My Plants, LLC.

City Clerk McGuire had not received any comments for or against this public hearing.

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

Councilmember Eischeid introduced Resolution No. 2023-42 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-42

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS C LIQUOR LICENSE — I WET MY PLANTS, LLC, D/B/A "I WET MY PLANTS."

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

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the "Ping Addition Plat," including part of Barclay's First Addition, part of the Pines Addition, and part of the Replat of Sunnyview Subdivision. The applicants are Earnest and Wendy Ping.

Joel Hansen, Street and Planning Director, stated the Planning Commission held a public hearing on this matter on June 5, 2023, and approved the same, with the "Finding of Fact" being staff's recommendation.

The owners of 710 and 810 Sunnyview Drive wish to change the property line between their two properties and exchange land. To do that, they need to replat the land, as it currently exists in several different tracts and two different subdivisions. One of those tracts was an un-platted tax lot, so they cannot do an administrative lot split. Therefore, they have applied to the Planning Commission and City Council for a full replat of both properties. The new lot line will match an existing fence that was installed a couple of years ago.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Eischeid introduced Resolution 2023-43, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2023-43

A RESOLUTION APPROVING THE "PING ADDITION PLAT," INCLUDING PART OF BARCLAY'S FIRST ADDITION, PART OF THE PINES ADDITION, AND PART OF THE REPLAT OF SUNNYVIEW SUBDIVISION, OF THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Mayor Giese declared the time was at hand for the public hearing on the land acquisition of real estate from 11T NE, LLC, a Nebraska Limited Liability Company (Lot 2, Hall Addition to the City of Wayne, Wayne County, Nebraska – 330 S. Main Street).

Administrator Blecke stated the sellers have agreed to the City's offer of \$18,000 for this piece of property. The tax value of the property is \$47,000 (dwelling is \$36,000).

Steve Hall was present to object to the City purchasing the property, which is located next to his. He would like to purchase it, but is waiting for the price to get down to \$4,000 to \$5,000.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Brodersen introduced Resolution 2023-44, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2023-44

A RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE LOCATED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM 11T NE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY - \$18,000 (LOT 2, HALL ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA – 330 S. Main Street).

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

Mayor Giese requested Council consideration to the following appointments to the Library Board: Abby Schademann, Michael Carnes, Teresa Morales, and Sarah Lentz (4 year terms).

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the appointments of Abby Schademann, Michael Carnes, Teresa Morales, and Sarah Lentz to the Library Board. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Mayor Giese requested Council consideration to the following reappointment of Abby Schademann to the Planning Commission.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the reappointment of Abby Schademann to the Planning Commission. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, setting the budget work sessions for July 18th and August 1st after the regularly scheduled Council meetings. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried.

Administrator Blecke updated the Council on 513 Main Street (New Police and City Municipal Building Renovation Project). The schedule is to approve the plans at the July 18th Council meeting, then bid the project out in August, with construction hopefully starting in September.

Councilmember Brodersen made a motion, which was seconded by Councilmember Muir, to enter into executive/closed session to discuss the potential negotiations on real property, with the purpose being to protect the financial interest of the City, and to allow City Administrator Blecke, City Clerk McGuire, and City Attorney Miller, to also be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Pick who was absent, the Mayor declared the motion carried, and executive session began at 6:08 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the discussion on potential negotiations on real property.

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 was absent, the Mayor declared the motion carried, and open session resumed at 6:26 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:26 p.m.