

**MINUTES  
CITY COUNCIL MEETING  
July 6, 2023**

The Wayne City Council met in regular session at City Hall on July 6, 2023, at 5:30 o'clock P.M.

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

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.

Council President Brodersen 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, she advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of June 20, 2023, and to waive the reading thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** ACES, SE, 1093.66; AMERICAN LIBRARY ASSOC, FE, 236.00; APPEARA, SE, 113.99; ARNIE'S FORD, SE, 426.09; BOMGAARS, SU, 1609.93; CARHART LUMBER COMPANY, SU, 99.74; CARLISLE ROOFING SYSTEMS, FE, 1500.00; CITY EMPLOYEE, RE, 372.54; CITY

EMPLOYEE, RE, 101.09; CITY EMPLOYEE, RE, 330.77; CITY OF WAYNE, RE, 80.93; CJH TECHNOLOGIES, SE, 1000.00; CLIFF, JOSH, RE, 44.13; COLONIAL RESEARCH, SU, 549.87; COUNTRY NURSERY, SU, 80.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE COMPANY, SE, 86.00; DUNNING, CAROL, RE, 96.00; EAKES OFFICE PLUS, SE, 2612.94; ED M. FELD EQUIPMENT, SU, 180.00; FLOOR MAINTENANCE, SU, 258.20; FLUENT, MIKE, RE, 50.00; GALE/CENGAGE LEARNING, SU, 77.32; GERHOLD CONCRETE, SU, 6660.75; GRAINLAND ESTATES, RE, 5448.15; GROSSENBURG IMPLEMENT, SU, 618.06; HAWKINS, SU, 2256.31; HEARTLAND COUNSELING SERVICES, SE, 58.95; HEWLETT PACKARD ENTERPRISE, SE, 4939.20; HILAND DAIRY, SE, 250.35; ISLAND SPRINKLER SUPPLY, SU, 193.43; JECH, LEAH, RE, 500.00; JEO CONSULTING GROUP, SE, 4266.67; KELLY SUPPLY, SU, 505.79; KOUATIL, ZAYNAB, FE, 400.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MATT FRIEND TRUCK EQUIPMENT, SU, 338.17; MUNICIPAL SUPPLY, SU, 1136.66; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 126.00; ODEYS, SU, 1075.90; O'REILLY AUTOMOTIVE STORES, SU, 314.15; OVERDRIVE, SU, 26.99; POSTMASTER, SU, 1023.06; STADIUM SPORTING GOODS, SU, 1092.00; THOMAS, JOSEPH, RE, 185.00; TRI-STATE COMMUNICATIONS, SU, 6118.67; USA BLUE BOOK, SU, 581.16; VIAERO, SE, 68.88; WESCO, SU, 58753.70; WHITE, TAMI, RE, 1000.00; WINNING FINISH, SE, 210.00; ZIMCO SUPPLY, SU, 1080.00; ACE HARDWARE & HOME, SU, 694.86; ALL HOURS TOWING, SE, 225.00; AMERITAS, SE, 168.44; AMERITAS, SE, 35.00; AMERITAS, SE, 97.94; AMERITAS, SE, 3430.64; AMERITAS, SE, 72.00; APPEARA, SE, 130.45; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1500.00; BLACKBURN MANUFACTURING, SU, 538.77; BLUE CROSS BLUE SHIELD, SE, 48155.01; CARHART KITCHEN & BATH, SU, 610.00; CARHART KITCHEN & BATH, SU, -610.00; CDW GOVERNMENT, SU, 12224.88; CINTAS, SU, 230.78; CIRBA SOLUTIONS SERVICES, SU, 102.00; CITY EMPLOYEE, RE, 984.82; CITY OF NORFOLK, RE, 9689.52; CITY OF WAYNE, RE, 500000.00; CITY OF WAYNE, PY, 121327.67; CITY OF WAYNE, RE, 192.63; COLONIAL RESEARCH, SU, 127.96; DEARBORN LIFE INSURANCE COMPANY, SE, 2957.94; DOORLAG, TOM, RE, 100.00; DUFFY, DAVID, RE, 500.00; DUTTON-LAINSON COMPANY, SU, 436.97; ED M. FELD EQUIPMENT, SU, 767.00; FIRST CONCORD GROUP, SE, 6271.96; FLOOR MAINTENANCE, SU, 197.19; GERHOLD CONCRETE, SU, 1116.64; GLOBAL PAYMENTS INTEGRATED, SE, 908.92; HAWKINS, SU, 119.59; HELENA AGRI-ENTERPRISES, SU, 1164.00; HILAND DAIRY, SE, 273.80; HOMETOWN LEASING, SE, 465.14; ICMA, SE, 36.84; ICMA, SE, 189.32; ICMA, SE, 166.28; ICMA, SE, 495.46; ICMA, SE, 8474.99; ICMA, SE, 2180.90; ICMA, SE, 127.36; ICMA, SE, 70.00; ICMA, SE, 142.75; ICMA, SE, 413.68; ICMA, SE, 200.00; IRS, TX, 4644.58; IRS, TX, 19859.88; IRS, TX, 12311.91; JEFF'S RPM SERVICE, SU, 4489.24; LUTT OIL, SU, 7105.45; MARRIOTT HOTELS, SE, 238.00; MERCHANT SERVICES, SE, 4572.92; MERCHANT SERVICES, SE, 94.10; MERCHANT SERVICES, SE, 1788.64; MILLER LAW, SE, 5416.67; NE DEPT OF REVENUE, TX, 5944.97; NPPD, SE, 8076.56; NORTHEAST NE INS AGENCY, SE, 122235.00; NORTHEAST POWER, SE, 7924.00; ONE CALL CONCEPTS, SE, 121.88; OPTK NETWORKS, SE, 582.51; O'REILLY AUTOMOTIVE STORES, SU, 635.34; PAC N SAVE, SU, 60.05; PAC N SAVE, SU, 1643.00; QUALITY FOOD CENTER, SU, 38.86; SARGENT DRILLING, SE, 1200.00; SERVICE TECH OF CENTRAL IOWA, SE, 4336.07; SMITH, AARON, RE, 1000.00; SOUTH SIOUX CITY /DAKOTA COUNTY, RE, 10581.85; STAPLES, SU, 31.40; STATE NEBRASKA BANK & TRUST, SE, 66.00; STATE NEBRASKA BANK-PETTY CASH, SU, 102.74; UNIVERSITY OF NE-LINCOLN, RE, 250.00; WASTE CONNECTIONS, SE, 548.94; WAED, SE, 8980.41; WAYNE AUTO PARTS, SU, 546.45; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 335.00; WAYNE HERALD, SE, 1218.13

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

Mick Kemp was present requesting Council consideration to installing a permanent stop sign on the west side of the corner of 5<sup>th</sup> Street and Schoolview Drive. The same is not enforceable because it is not included in the code book.

After discussion, consensus was to bring forward an ordinance at the next meeting for Council action to include this stop sign location at the corner of 5<sup>th</sup> Street and Schoolview Drive in the Municipal Code.

Luke Virgil, Director of Wayne Area Economic Development, was present representing the LB840 Revolving Loan Fund Review Committee. The LB840 Revolving Loan Fund Review Committee met on June 29<sup>th</sup> and reviewed a revolving loan fund application to Wayne's Economic Development Program in the amount of \$200,000 by "Blazer, LLC." The owners of Blazer, LLC (Kirk Diers and Brent Ogle) will utilize the funds to purchase Innovative Protectives, Inc. Along with the purchase of Innovative Protectives, Inc., Blazer, LLC, will continue operations in the current facility, bring a specific manufacturing process and project line back to Wayne, and increase the number of employees at the facility. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Blazer, LLC:

- Approval of the loan request of \$200,000;
- A loan repayment period of 5 years; and
- An interest rate to be set at one-half the rate set by the primary lender (Primary Lender Rate – RVR Bank, Fremont NE: 6.75%; WEDP Rate: 3.375%).

Kirk Diers and Brent Ogle were present to answer questions. In addition, they were requesting Council consideration to reducing the interest rate to 1%. They have 4 full-time employees at this time. They would like to employ 8-10 employees.

When this application was made, there was \$592,000 or more in the fund available to be used.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$200,000 revolving loan to Blazer, LLC, with the following conditions: a loan repayment period of 5 years, at an interest rate of 2%.

When asked, they stated they would like to close by August 1<sup>st</sup>, and would prefer monthly payments.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Matthew Smith, Engineer with Olsson, presented Change Order No. 3 in the amount of \$4,025.00, to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement Project.” This Change Order is a result of quantity adjustments (missing paving quantities). Olsson re-measured and this was completed or constructed so they are recommending that the same be approved. Olsson realizes the inconvenience in this and that it is not typical, so they are offering to pay for one-half of the cost (\$2,025.00).

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Change Order No. 3 in the amount of \$4,025.00, to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Matthew Smith, Engineer with Olsson, presented Certificate of Payment No. 5 on the “Lincoln Street Improvement Project” for \$4,025.00 to Robert Woehler & Sons Construction, Inc.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Certificate of Payment No. 5 for \$4,025.00 to Robert Woehler & Sons Construction, Inc., for the “Lincoln Street Improvement Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Matthew Smith, Engineer with Olson, gave an update on the Prairie Park Project.

Mr. Smith then presented and reviewed the utility plans, specifications and estimate of cost of \$1,200,000, for the “Prairie Park Project.” They have wrapped up the utility plans for Prairie Park (water, sewer, and creek outlet) and are ready to start discussing bid/construction dates, as proposed below:

- July 6<sup>th</sup> – Approve the plans and go out for bid

- July 13<sup>th</sup>, 20<sup>th</sup>, 27<sup>th</sup>, & August 3<sup>rd</sup> - bid advertisements
- August 10<sup>th</sup> - bid opening
- August 15<sup>th</sup> - City Council award
- September through November Construction. This will be pending the grading work, so Olsson is requesting that the construction completion date be extended into next spring.

Councilmember Eischeid introduced Resolution No. 2023-45 and moved for its approval, Councilmember Karsky seconded.

#### RESOLUTION NO. 2023-45

A RESOLUTION APPROVING THE UTILITY PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “PRAIRIE PARK PROJECT,” AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

Mr. Smith would check on whether or not the contract has liquidated damages included therein.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

The following Resolution would approve the Scope of Services and Task Order No. 230243.00 with JEO Consulting Group, Inc., for the “7<sup>th</sup> Street Trail Project.”

Roger Protzman, Engineer with JEO Consulting Group, Inc., stated the City intends to use CDBG funding to construct a 6-foot or 8-foot wide concrete trail on the north side of and running parallel to Highway 35/7<sup>th</sup> Street on the west end of town between 575<sup>th</sup> Avenue and the Greenwood Cemetery entrance as an extension of Wayne’s master trail plan. The scope of this agreement is to provide design, bidding and construction phase services for a lump sum fee of \$133,570.

Preference was to construct a 6-foot wide concrete trail.

Administrator Blecke stated this total project cost estimate is about \$1,000,000. We have \$400,000 in grant funds. This would be allocated into next fiscal year.

In accordance with the Master Services Agreement with JEO Consulting Group, Inc., a 5% discount would be given on these fees, which would then bring the fees down to \$126,891.50.

Councilmember Eischeid introduced Resolution 2023-46, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-46

A RESOLUTION APPROVING SCOPE OF SERVICES AND TASK ORDER NO. 230243.00 WITH JEO CONSULTING GROUP, INC., FOR THE “7<sup>TH</sup> STREET TRAIL/SIDEWALK PROJECT” — NOT TO EXCEED \$133,570.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Council President Brodersen requested Council consideration to the reappointment of Cory Sandoz to the Planning Commission.

Councilmember Brodersen made a motion, which was seconded by Councilmember Pick, approving the reappointment of Cory Sandoz to the Planning Commission. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Jill Brodersen, Architect, presented Application for Payment No. 10 in the amount of \$34,662 to OCC Builders, LLC, for the “Freedom Park Trailhead Project.” Ms. Brodersen also updated the Council on the project.

The original project cost was \$372,310. Change Orders of \$12,946 were added for a final project cost to date of \$385,256. The grant received for this project was \$303,000.

Councilmember Webber made a motion, which was seconded by Councilmember Pick, approving Application for Payment No. 10 for \$34,662 to OCC Builders, LLC, for the “Freedom Park Trailhead Project.” Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Council President declared the motion carried.

Administrator Blecke updated the Council on 513 Main Street (New Police and City Municipal Building Renovation Project). The engineer’s estimates are coming in closer to \$3,700,000 for this project. The schedule is to approve the plans in August, then bid the project out in August, with construction hopefully starting in September. More will be discussed at the budget work session regarding this project.

No discussion took place on Agenda Item No. 15 – Discuss/Update on the potential negotiations on real property.

There being no further business to come before the meeting, Council President Brodersen declared the meeting adjourned at 6:49 p.m.