

**MINUTES
CITY COUNCIL MEETING
July 18, 2023**

The Wayne City Council met in regular session at City Hall on July 18, 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 Brent Pick, Terri Buck, Nick Muir, Brittany Weber, Clayton Bratcher, Jason Karsky, and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and Attorney Amy Miller. Absent: Councilmember Matt Eischeid.

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 July 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 Eischeid who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ALL HOURS TOWING, SE, 225.00; AMERITAS, SE, 168.44; AMERITAS, SE, 35.00; AMERITAS, SE, 123.30; AMERITAS, SE, 72.00; AMERITAS, SE, 3568.60; APPEARA, SE, 56.51; ASSOCIATION FOR RURAL & SMALL LIBRARIES, FE, 50.00; BAKER & TAYLOR BOOKS, SU, 419.51; BLACK HILLS ENERGY, SE, 470.68; CIRBA SOLUTIONS SERVICES, SU, 204.00; CITY EMPLOYEE, RE, 67.52; CITY OF WAYNE, PY, 121971.62; CITY OF WAYNE, RE, -198.78; CITY OF

WAYNE, RE, 268.03; CIVICPLUS, SE, 160.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 45000.00; COPY WRITE PUBLISHING, SE, 417.75; CORE & MAIN, SU, 3330.72; COTTONWOOD WIND PROJECT, SE, 8676.41; DAS STATE ACCTG-CENTRAL FINANCE, SE, 62.36; DAVE'S DRY CLEANING, SE, 24.00; DOESCHER REPAIR, SE, 134.00; ELKINS PORTABLE RESTROOMS, SE, 260.00; FAITH REGIONAL PHYSICIAN SERV, SE, 99.50; GERHOLD CONCRETE, SU, 2593.28; GROSSENBURG IMPLEMENT, SU, 228.98; HAWKINS, SU, 2858.86; HILAND DAIRY, SE, 111.20; HYDRAULIC SALES & SERVICE, SE, 415.94; ICMA, SE, 8474.99; ICMA, SE, 36.84; ICMA, SE, 413.68; ICMA, SE, 142.75; ICMA, SE, 189.32; ICMA, SE, 200.00; ICMA, SE, 166.28; ICMA, SE, 495.46; ICMA, SE, 2180.90; ICMA, SE, 127.36; ICMA, SE, 70.00; IRS, TX, 20025.10; IRS, TX, 4683.24; IRS, TX, 12808.96; J. F. AHERN CO, SE, 356.00; JEO CONSULTING GROUP, SE, 1860.00; KTCH, SE, 155.00; MID-IOWA SOLID WASTE, SE, 95896.04; MIDWEST LABORATORIES, SE, 288.07; MIDWEST TAPE, SU, 127.98; MUNICIPAL SUPPLY, SU, 1317.50; NDEE-FISCAL SERVICES, FE, 40.00; NE DEPT OF REVENUE, TX, 6111.39; NE LIBRARY ASSOCIATION, FE, 75.00; NE LIBRARY COMMISSION, RE, 2482.00; NE POWER REVIEW BOARD, SE, 963.97; NORTHEAST TIRE SERVICE, SE, 385.00; OCLC, SE, 575.06; ODEYS, SU, 558.00; O'REILLY AUTOMOTIVE STORES, SU, 124.36; OVERDRIVE, SU, 1146.19; PEPSI COLA OF SIOUXLAND, SU, 228.57; PETERS, TRICIA, RE, 125.00; PLUNKETT'S PEST CONTROL, SE, 107.64; PSYCHOLOGICAL RESOURCES, SE, 150.00; SCHLICKBERND'S APPLIANCE, SU, 954.00; SCHULTZ, EVERETT, RE, 1000.00; SEBADE HOUSING, RE, 8624.24; STADIUM SPORTING GOODS, SE, 144.00; STAPLES, SU, 6.97; TYLER TECHNOLOGIES, SE, 3283.75; US BANK, SU, 10544.56; US FOODSERVICE, SU, 2997.96; UTILITY EQUIPMENT, SU, 7240.90; VERIZON, SE, 584.08; WAED, RE, 2000.00; WAYNE COUNTY CLERK, SE, 144.00; WAYNE STATE COLLEGE, SU, 60.00; WAYNE VETERINARY CLINIC, SE, 210.00; WESCO, SU, 236.47; WAPA, SE, 23259.01; ZACH HEATING & COOLING, SE, 1581.60; BIG RIVERS ELECTRIC CORPORATION, SE, 261108.04; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1500.00; FLOOR MAINTENANCE, SU, 454.93; JILL BRODERSEN, AIA, SE, 864.00; LUTT TRUCKING, SE, 325.00; MEYER, SU, 1500.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 59.00; OLSSON, SE, 24229.95; SKARSHAUG TESTING LAB, SE, 260.29; SOOLAND BOBCAT, SU, 63.60

Councilmember Buck made a motion, which was seconded by Councilmember Bratcher, to approve the claims.

Councilmember Brodersen noted she would be abstaining from her claim.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent and Councilmember Brodersen who abstained from her claim, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, requested Council consideration to approving Logan Miller's membership application to the Wayne Volunteer Fire Department.

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving the membership application of Logan Miller to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing on the Community Development Block Grant — Land and Water Conservation Funds - \$600,000.

Riah Deane, Community Planner with the Northeast Nebraska Economic Development District, was present to answer questions.

The City of Wayne is requesting \$600,000 in Land and Water Conservation Funds (LWCF) for implementing the third phase of their Prairie Park project, including lake access for kayaks, ADA jetties for fishing access, a bridge, ADA trail access to the lake, and a bathhouse for future campers. Total project costs will be \$1,200,000, with a \$600,000 match from the City. In an effort to improve quality of life for Wayne residents through outdoor recreation, the City has determined outdoor water recreation that is accessible for all residents is a priority. The project is in the Wayne Municipal Area in the southeast corner of the City and repurposes an old lagoon site that is owned by the City. No businesses, farms, or residents will be displaced because of this project.

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 Brodersen introduced Resolution 2023-47, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-47

A RESOLUTION ON THE DEVELOPMENT FOR OUTDOOR RECREATION — PRAIRIE PARK PROJECT.

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

The following ordinance comes forward from the request of Mick Kemp at the last meeting to replace the stop sign on the west corner of 5th Street and Schoolview Drive. By putting this stop sign location in the municipal code book, the same will be enforceable. In addition, staff also including a stop sign on West 7th Street at the south approach of the Community Activity Center driveway.

Councilmember Brodersen introduced Ordinance 2023-14, and moved for approval thereof;
Councilmember Buck seconded.

ORDINANCE NO. 2023-14

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-13 STOP SIGN LOCATIONS; WEST OF MAIN STREET, SOUTH OF SEVENTH STREET; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Joel Hansen, Street and Planning Director, stated the City's floodplain ordinance was last adopted when the existing maps were still preliminary and referenced as such in the ordinance. During an audit this year with the Nebraska Department of Natural Resources, it was discovered that the ordinance was never updated to reflect the map being made permanent in 2008. This is an oversight that needs to be corrected to keep us in compliance with the National Flood Insurance Program.

The only change in the ordinance is the reference to the date of the map.

Councilmember Brodersen introduced Ordinance 2023-15, and moved for approval thereof;
Councilmember Karsky seconded.

ORDINANCE NO. 2023-15

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.111 SFP FLOODPLAIN DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Eischeid who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

The budget work session then took place.

Beth Porter, Finance Director, reviewed the proposed budget.

- Franchise fees for electric, water and sewer will be amended as follows: Electric – 10.5% (stayed the same); Water – will increase from 8% to 10.5%; and Sewer – will increase from 7% to 10.5%.
- An assumption of a 4% increase in the current property valuation. This budget would decrease the general fund reserve by \$1,187,317 over last year's balance. The total property tax asking, which includes the airport, Community Redevelopment Authority and Debt Service would be \$1,340,494, with a total levy of \$.445585/100.
- Creation of a new City Department – Economic Development (4 full-time employees); proposed budget - \$352,657. The funding of source of 1.85% from the electric and now proposed water and sewer franchise fees will help fund this department. In addition, Economic Development would contract with Wayne Community Housing Development Corporation to provide services that the previous director used to do. Three employees would be funded by City funds. The proposal is for a 4th person in the office. The hope is that they can get the County to contribute more to help fund that position, and if not, then Economic Development would have to use their membership money to fund that position.
- Bonds - Increase the bond previously approved from \$7.5 million to \$10 million (15 years) for the following projects: Prairie Park, new City Hall, Park and Rec Building, and possible property acquisition. It was noted that the City will also have to do a bond issuance for the electrical projects (solar, substation, and electric production/generation projects).

Councilmember Eischeid arrived at 6:55 p.m.

- Property acquisition.

Councilmember Brodersen made a motion, which was seconded by Councilmember Pick, to enter into executive/closed session to discuss property acquisition, with the purpose being to protect the financial interest of the City, and to allow City Administrator Blecke, City Clerk McGuire, City Attorney Miller, and Finance Director Porter to also 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 session began at 7:52 p.m.

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 8:30 p.m.

- Discussion then took place on housing.

After discussion, no changes were made to the budget.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:39 p.m.