

**AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
September 19, 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 – September 5, 2023](#)
4. [Approval of Claims](#)
5. [Action on the Wayne Volunteer Fire Department Application for Membership of Max Keezel — Phil Monahan, Fire Chief](#)
6. [Action on the Wayne Volunteer Fire Department Application for Membership of Ayden Burrone — Phil Monahan, Fire Chief](#)
7. [Ordinance 2023-18: Amending Wayne Municipal Code, Chapter 152 Zoning, Section 152.046 A-1 Agricultural District \(Second Reading\)](#)

Background: Staff was directed to change/amend the language so that one section of the code does not overlap the other section of the code to allow more animal units.

8. [Public Hearing: On the acquisition of Lot 1, Centennial Valley Addition to the City of Wayne, Wayne County, Nebraska \(1100 E. 10th Street\) from Vakoc Construction Co.](#)
9. [Action to approve a “Letter of Support” for the Nebraska Solar for All Grant](#)

Background: The Center for Rural Affairs is submitting a grant to the Federal Government promoting solar energy. This letter of support does not commit the City to receiving any funding, but shows that the City is considering the addition of solar energy to our generation diversity. This grant would not impact our ability to obtain PACE funding (Powering Affordable Clean Energy) from the USDA on this same solar project.

10. [Action on “Letter of Commitment” for Nebraska Clean Cities Coalition](#)

Background: The City has belonged to the Nebraska Clean Energy Alliance (NCEA) since 2014. This organization helped pool grant requests together with member entities to help fund clean energy projects. The City has received funding assistance in the past for a couple of

vehicles (electric hybrid and compressed natural gas), as well as an EV charging station. NCEA has had a difficult time obtaining grants recently and becoming defunct. The Nebraska Clean Cities Coalition (NCCC) would be a new group to replace NCEA. NCCC would be initially operated out of the University of Nebraska Lincoln, Nebraska Transportation Center. Clean Cities Coalitions are organized under the US Department of Energy, so funding could be made more readily available through Federal and State resources. This commitment letter lays out the City's responsibilities: be an active member and attend meetings, pay annual dues (as the City had done with NCEA), and champion clean and sustainable transportation methods.

11. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
September 5, 2023**

The Wayne City Council met in regular session at City Hall on September 5, 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 Brittany Webber, Clayton Bratcher, Jason Karsky, Matt Eischeid, and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and Attorney Amy Miller. Absent: Councilmembers Brent Pick and Terri Buck.

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 meetings of August 15, 2023, and August 29, 2023, and to waive the readings thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ACES, SE, 1093.66; AMERITAS, SE, 72.00; AMERITAS, SE, 168.44; AMERITAS, SE, 35.00; AMERITAS, SE, 105.32; AMERITAS, SE, 3265.66; APPEARA, SE, 176.20; APPEARA, SE, 56.51; ARC-HEALTH & SAFETY, FE, 440.00; ARNIE'S FORD, SU, 27.40; BAKER & TAYLOR BOOKS, SU, 1010.43; BENSCOTER CONSTRUCTION, RE, 1000.00; BENSCOTER CONSTRUCTION, RE, -; 1000.00; BLACK HILLS ENERGY, SE, 463.51; BOMGAARS, SU, 12.07; BOMGAARS, SU, 1219.68; BORDER STATES INDUSTRIES, SU, 163.18; BSN SPORTS, SU, 489.73; CARHART LUMBER COMPANY, SU, 177.57; CARROLL DISTRIBUTING, SU, 1202.84; CENTRAL PUMP & MOTOR, SU, 4145.89; CENTRAL SAND AND GRAVEL, SU, 2075.52; CINTAS, SU, 309.35; CITY EMPLOYEE, RE, 172.79; CITY EMPLOYEE, RE, 432.28; CITY EMPLOYEE, RE, 75.00; CITY EMPLOYEE, RE, 76.40; CITY EMPLOYEE, RE, 966.92; CITY EMPLOYEE, RE, 1808.08; CITY EMPLOYEE, RE, -172.79; CITY EMPLOYEE, RE, 395.20; CITY EMPLOYEE, RE, 106.60; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, PY, 115136.02; CITY OF WAYNE, RE, 828.75; COLONIAL RESEARCH, SU, 396.67; COUNTRY NURSERY, SU, 120.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DAVIE, JACQUELYN, RE, 400.00; DEARBORN LIFE INSURANCE COMPANY, SE, 86.00; DGR & ASSOCIATES, SE, 550.00; EAKES OFFICE PLUS, SE, 300.82; ED M. FELD EQUIPMENT, SU, 1818.90; ELKINS PORTABLE RESTROOMS, SE, 260.00; ERWIN, TODD, RE, 5.00; EXHAUST PROS TOTAL CAR CARE, SE, 160.50; FASTENAL, SU, 59.04; FASTWYRE BROADBAND, SE, 1546.94; FIRST CONCORD GROUP, SE, 4658.64; FLOOR MAINTENANCE, SU, 2000.95; FLOW CONTROL, SE, 767.55; FRAUENDORFER UNLIMITED, RE, 500.00; FREDRICKSON OIL, SU, 935.00; GERHOLD CONCRETE, SU, 4034.94; GPM ENVIRONMENTAL SOLUTIONS, SU, 560.00; GRAINLAND ESTATES, RE, 1888.29; GREUNKE, STACI, RE, 500.00; GROSSENBURG IMPLEMENT, SU, 19.49; GUILL, CANDY, RE, 500.00; HAWKINS, SU, 1046.33; HILAND DAIRY, SE, 301.72; ICMA, SE, 70.00; ICMA, SE, 166.28; ICMA, SE, 36.84; ICMA, SE, 200.00; ICMA, SE, 2149.96; ICMA, SE, 495.46; ICMA, SE, 189.32; ICMA, SE, 8585.67; ICMA, SE, 142.75; ICMA, SE, 127.36; ICMA, SE, 413.68; INGRAM LIBRARY SERVICES, SU, 686.40; IRS, TX, 11798.88; IRS, TX, 4407.80; IRS, TX, 21.50; IRS, TX, 5.02; IRS, TX, 18847.36; ITRON, SE, 6135.92; JEO CONSULTING GROUP, SE, 10598.77; JEPPESEN RENTALS, RE, 266.00; KELLY SUPPLY COMPANY, SU, 676.81; LINDAU, SHERYL, RE, 50.00; LOVE SIGNS, RE, 500.00; MAIN STREET GARAGE, SE, 2100.26; MARCO TECHNOLOGIES, SE, 180.50; MARX REPAIR, RE, 2000.00; MCLAURY ENGINEERING, SE, 16008.75; MIKEY C PRODUCTIONS, SE, 100.00; MILLER LAW, SE, 402.18; MILLER PAINTING, SE, 9712.50; MUNICIPAL SUPPLY, SU, 363.71; NDEE-FISCAL SERVICES, FE, 250.00; NE DEPT OF REVENUE, TX, 5559.36; NE DEPT OF REVENUE, TX, 1.26; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 638.00; NEBRASKA GENERATOR SERVICE, SE, 1976.32; NELSHA, RE, 500.00; NERC, SE, 1047.74; NIX WAYNE, RE, 1000.00; NNEDD, SE, 1942.50; NORTHEAST NE INS AGENCY, SE, 3942.93; NORTHEAST POWER, SE, 22300.56; OLSSON, SE, 10988.25; O'REILLY AUTOMOTIVE STORES, SU, 60.40; OVERHEAD DOOR, SU, 366.90; PLUMBING & HEATING WHOLESALE, SU, 69.48; QUALITY 1 GRAPHIC, SU, 375.00; QUALITY FOOD CENTER, SU, 28.32; SCOTT'S AUTOMOTIVE, SE, 1350.00; SID DILLON CHEVROLET, SU, 47933.00; SID DILLON CHEVROLET, SU, 47933.00; SKARSHAUG TESTING LAB, SE, 796.41; STADIUM SPORTING GOODS, SU, 87.00; STAPLES, SU, 198.50; SUBSURFACE SOLUTIONS, SU, 514.66; US BANK, SU, 14010.20; UTILITIES SECTION, SE, 325.00; VIAERO, SE, 68.94; WAED, FE, 199.00; WAYNE COUNTY CLERK, SE, 122.00; WAYNE COUNTY CLERK, SE, 26.00; WESCO, SU, 1027.20; APPEARA, SE, 77.02; BLUE CROSS BLUE SHIELD, SE, 52692.58; CITY OF WAYNE, RE, 220.39; DEMCO, SU, 106.91; ED M. FELD EQUIPMENT, SU, 3144.00; GALE/CENGAGE LEARNING, SU, 128.65; GFOA, FE, 170.00; GLOBAL PAYMENTS INTEGRATED, SE, 968.43; HILAND DAIRY, SE, 187.03; HOMETOWN LEASING, SE, 465.14; JEO CONSULTING GROUP, SE, 6401.81; KAUP FORAGE & TURF, SU, 1425.00; MARCO, SE, 175.92; MERCHANT SERVICES, SE, 1380.25; MERCHANT SERVICES, SE, 5813.26; MERCHANT SERVICES, SE, 77.80; MILLER LAW, SE, 5416.67; MURPHY TRACTOR & EQUIPMENT, SU, 184200.00; NE DEPT OF ENVIRONMENT, FE, 500.00; NE LAW ENFORCEMENT, FE, 500.00; NORTHEAST POWER, SE, 7797.00; NORTHWEST ELECTRIC, SU, 563.14; POSTMASTER, SU, 1090.53; STADIUM SPORTING GOODS, SU, 760.00; STATE NEBRASKA BANK & TRUST, SE, 65.44; STATE NEBRASKA BANK-

PETTY CASH, RE, 119.27; TYLER TECHNOLOGIES, SE, 42120.98; UNITED STATES THERMOAMP, SE, 302.54; VIC'S ENGINE SERVICE, SU, 65.00; WAED, SE, 8,980.41

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

Cec Vandersnick was present requesting Council consideration to be able to use the Freedom Park parking lot on Lincoln Street and to close off a small portion of Lincoln Street up to W. 13th Street to host a Memorial Car Show on October 7, 2023, from 7:00 a.m. – 1:00 p.m. in honor of Bryan L. “Dink” Denklau. Cec has provided the necessary \$1,000,000 liability insurance policy (Malachi, Inc., d/b/a Wildcat Lanes) for this event, naming the City as an additional insured. She note this event also raises money for their youth program.

Councilmember Eischeid made a motion, which was seconded by Councilmember Bratcher, approving the request of Cec Vandersnick to use the Freedom Park parking lot on Lincoln Street and to close off a small portion of Lincoln Street up to W. 13th Street to host a Memorial Car Show on October 7, 2023, from 7:00 a.m. – 1:00 p.m. in honor of Bryan L. “Dink” Denklau. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Sandy Brown, representing the Wayne Green Team, was present to request Council consideration to allowing them to close the westbound traffic on 3rd Street between Pearl and Lincoln Streets and change it to two lanes of eastbound traffic, only, for the Electronic Recycling Event to be held on Saturday, September 23, 2023, from 7:00 a.m. to noon. In addition, she was requesting that parking be prohibited on 3rd Street between Pearl and Lincoln Streets beginning on Friday, September 22, 2023. This is the 10th year for this event.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the request of the Wayne Green Team to close the westbound traffic on 3rd Street between Pearl

and Lincoln Streets and change it to two lanes of eastbound traffic, only, for the Electronic Recycling Event to be held on Saturday, September 23, 2023, from 7:00 a.m. to noon and that parking be prohibited on 3rd Street between Pearl and Lincoln Streets beginning on Friday, September 22, 2023. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Jan Casey, representing her PEO organization, was present requesting Council consideration to waiving the rental fee for the Freedom Park Shelter House on September 11, 2023, for a PEO function that would go from approximately 6:00 p.m. until 9:00 p.m. They are a non-profit organization.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Webber to approve the request of Jan Casey to waive the rental fee for the Freedom Park Shelter House on September 11, 2023, for a PEO function, with a refundable deposit. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Deb Danelley and Lou Wiltse were present to discuss the watering and caring of the City flower pots downtown. They explained some of the history and their concerns regarding the same. Mrs. Danelley advised the Council that if the City would water the flowers, she would fertilize them once a week.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, directing City Staff to come up with a plan of action on how to handle the flower pots for the 2024 calendar year and have the same to the City Administrator by October 1st. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

The following Resolution is a requirement by the Nebraska Department of Transportation when a state highway will be closed for a celebration/parade. This Resolution pertains to the Annual Christmas in Wayne Celebration/Annual Parade of Lights to be held on Thursday, November 16, 2023.

Luke Virgil, representing Wayne Area Economic Development, was present to answer questions.

There has not officially been a decision made on where the Christmas tree will go.

Discussion took place on whether or not this event should go back to being held on the first Thursday after Thanksgiving instead of the Thursday before Thanksgiving.

Councilmember Brodersen introduced Resolution No. 2023-59 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-59

A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF TRANSPORTATIONS' REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.

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

Luke Virgil, representing Wayne Area Economic Development, was present and requesting Council consideration to prohibit parking on Main Street in the 200 and 300 blocks of Main Street from 5:30 p.m. until 8:00 p.m. for the Christmas in Wayne Celebration/Annual Parade of Lights Event to be held on Thursday, November 16, 2023.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the request of Wayne Area Economic Development to prohibit parking on Main Street in the 200 and 300 blocks of Main Street from 5:30 p.m. until 8:00 p.m. for the Christmas in Wayne Celebration/Annual Parade of Lights Event to be held on Thursday, November 16, 2023. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent and Councilmember Eischeid who voted Nay, the Mayor declared the motion carried.

Roger Protzman, representing JEO Consulting Group, Inc., who was not in attendance, presented Change Order No. 1, which is an increase of \$8,363.72 to Vrba Construction, Inc., for the "2023 Wayne Sanitary Sewer Service Improvement Project." This adjusts final quantities.

City staff updated Council on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving Change Order No. 1, which is an increase of \$8,363.72 to Vrba Construction, Inc., for the “2023 Wayne Sanitary Sewer Service Improvement Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Contractor’s Application for Payment No. 2 was submitted by JEO Consulting Group, Inc., in the amount of \$39,522.38 to Vrba Construction, Inc., for the “2023 Wayne Sanitary Sewer Service Improvement Project.” There is still \$6,450.31 being held in retainage.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving Contractor’s Application for Payment No. 2 in the amount of \$39,522.38 to Vrba Construction, Inc., for the “2023 Wayne Sanitary Sewer Service Improvement Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

The next agenda item pertains to the “Certificate of Substantial Completion.” The date of substantial completion was August 15, 2023. Staff was happy with working with this contractor. Amendments to the project are:

- The owner is to seed disturbed soil and resolve any landscaping issues; and
- Completion is subject to the concrete test passing the 28-day compression testing that is still pending.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, approving the “Certificate of Substantial Completion” for Vrba Construction, Inc., for the “2023 Wayne Sanitary Sewer Service Improvement Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were 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 in regard to a request to rezone Lot 6, Amended Plat of Tuffern Blue

Estates, from A-2 (Agricultural Residential District) to A-1 (Agricultural District). The applicants, Randy and Laura Nelson, wish to rezone for the purpose of allowing stables under the permitted conditional use.

Joel Hansen, Street and Planning Director, advised the Council that the Planning Commission held a public hearing on August 7, 2023, regarding this rezoning request, and have recommended approval thereof, with the “Findings of Fact” being:

- Consistency with the Comprehensive Plan and the current and future land use maps; and
- Staff’s recommendation.

City Attorney Miller explained the history with this piece of property in regard to the same being rezoned, etc.

Randy Nelson was present to answer questions.

City Clerk McGuire had received two letters, one from Lucas and Heidi Thompson and another from Lou Ann and Shannon Reed who were in favor of the rezoning of this property.

Luke Virgil, Director of Wayne Area Economic Development, spoke in favor of this rezoning request, also.

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

Councilmember Brodersen introduced Ordinance No. 2023-19 and moved for its approval; Councilmember Webber seconded.

ORDINANCE NO. 2023-19

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF LOT 6, AMENDED PLAT OF TUFFERN BLUE ESTATES, WAYNE COUNTY, NEBRASKA, FROM A-2 AGRICULTURAL RESIDENTIAL DISTRICT TO A-1 AGRICULTURAL DISTRICT.

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

Councilmember Bratcher made a motion, which was seconded by Councilmember Webber, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Councilmember Bratcher made a motion, which was seconded by Councilmember Webber, to move for final approval of Ordinance No. 2023-19. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were 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 in regard to amending the Wayne Municipal Code, Chapter 152 Zoning, specifically Section 152.046 A-1 Agricultural District, specifically (K) Permitted Conditional Uses, by adding (3) Stables, as a permitted conditional use. The applicants, Randy and Laura Nelson, wish to amend the zoning text to allow stables as a permitted conditional use.

Joel Hansen, Street and Planning Director, advised the Council that the Planning Commission held a public hearing on August 7, 2023, regarding this code amendment request, and have recommended approval thereof, with the "Findings of Fact" being:

- Consistency with the Comprehensive Plan and the current and future land use maps; and
- Staff's recommendation.

Mr. Hansen explained if Todd Luedeke had originally come before Council and gotten a use by exception when this property was still zoned A-1, this would be a legal non-conforming use, but because he did not do that, we actually have an illegal non-conforming use. This is why Mr. Nelson has asked to make these changes.

Mr. Hansen distributed additional proposed revisions to the ordinance language. After some discussion, it was noted that the Nelsons could have 60 animal units, and if those animal units had babies, he could potentially have a total of 120 animal units. Staff was directed to change/amend the language so that one section of the code does not overlap the other section of the code to allow this many animal units.

Randy Nelson was present to answer questions.

City Clerk McGuire had not received any communication, either verbal or in writing, regarding this public hearing.

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

Councilmember Webber introduced Ordinance No. 2023-18 and moved for its approval; Councilmember Brodersen seconded.

ORDINANCE NO. 2023-18

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.046 — A-1 AGRICULTURAL DISTRICT, SUBSECTION (K) PERMITTED CONDITIONAL USES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND 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 Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Councilmember Webber made a motion, which was seconded by Councilmember Brodersen, to suspend the statutory rules requiring ordinances to be read by title on three different days.

Mr. Hansen explained if Council approves this ordinance tonight, the matter will have to go back before the Planning Commission to change the definition, so he recommended the three readings not be waived.

Councilmember Webber then withdrew her motion, and Councilmember Brodersen withdrew her second. The second reading will take place at the next meeting.

Mayor Giese declared the time was at hand for the public hearing regarding the tax asking/property tax levy.

The total of the FY 2023-2024 budget is \$54,337,210. The property tax proposal for the General Fund operation is \$1,072,999.61, which compares to the 2022 tax asking of \$1,009,364.56. Pursuant to State Law, the maximum levy for a municipality is \$0.45 per \$100 of property valuation. When combined with the debt service asking, the combined amount for the proposed budget year is \$1,175,499.61 or \$0.358201 per \$100 of property valuation, which is lower than last year - \$0.384371. The valuation in the community, as reported by the County Assessor for 2023, is \$328,167,247, which is up \$38,898,571 from last year. The 2023 operating budget is \$53,585,042; the 2022 operating budget was \$40,484,352. The combined levy from 2022 to 2023 has decreased from \$0.419053 to \$0.417696.

Beth Porter, Finance Director, was present to answer questions.

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.

The following Resolution would approve the final property tax request of \$1,175,499.61. This Resolution does not include the airport levy.

Councilmember Eischeid introduced Resolution 2023-60, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2023-60

A RESOLUTION APPROVING FINAL PROPERTY TAX REQUEST FOR FY 2023-2024.

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

The base year started in 1998. The restricted funds are the property taxes, payments in lieu of property taxes, local option sales taxes, motor vehicle taxes, state aid, transfers of surpluses from any user fee, and any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements, but which were not spent and are not expected to be spent for capital improvements. Cities are given the opportunity to increase the base limitation of the restricted funds budget by 1%. The State Auditor is also recommending that entities pass this 1% increase. This increases our base number we can use for our restricted fund revenues.

Councilmember Brodersen introduced Resolution No. 2023-61 and moved for its approval, Councilmember Eischeid seconded.

RESOLUTION NO. 2023-61

A RESOLUTION APPROVING THE ALLOWABLE 1% INCREASE IN BASE LIMITATION OF RESTRICTED FUNDS' BUDGET 2023-2024.

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

Councilmember Brodersen introduced Resolution 2023-62, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2023-62

A RESOLUTION TO ADOPT THE 2023-2024 BUDGET FOR THE CITY OF WAYNE.

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

Councilmember Eischeid introduced Ordinance 2023-20, and moved for its approval; Councilmember Webber seconded.

ORDINANCE NO. 2023-20

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; 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 Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to move for final approval of Ordinance No. 2023-20. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried.

The following Resolution would approve the Rental Agreement for the Freedom Park Shelter House. As previously approved, the daily fee for renting the shelter house is \$100, with a \$150 damage deposit. This agreement mimics the rental agreement for the Fire Hall.

Councilmember Eischeid introduced Resolution 2023-63, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2023-63

A RESOLUTION APPROVING THE RENTAL AGREEMENT FOR THE USE OF THE FREEDOM PARK SHELTER HOUSE.

It was noted that the inside rental covers the outside area, too. A sign can be placed on the building stating when rentals are taking place.

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

The following Resolution would approve the specifications and authorize the purchase of a 2024 Chevrolet Silverado 4WD Crew Cab (\$49,933) through the State Bid System as per the bid proposal received from Sid Dillon – Electric Production Department. This vehicle will replace a 2001 Dodge pickup.

Councilmember Brodersen introduced Resolution 2023-64, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-64

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A 2024 CHEVROLET SILVERADO 4WD CREW CAB PICKUP THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM SID DILLON (\$49,933).

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

The following Resolution would approve the specifications and authorize the purchase of a 2023 Chevrolet Tahoe (\$47,933) through the State Bid System as per the bid proposal received from Sid Dillon – Police Department.

Councilmember Bratcher introduced Resolution 2023-65, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2023-65

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET TAHOE THROUGH THE STATE BID SYSTEM AS PER THE BID PROPOSAL RECEIVED FROM SID DILLON (\$47,933).

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

When going through some of their files, Northeast Nebraska Economic Development District (NENEDD) discovered that they did not have a Construction Management Services Agreement between the City and NNEDD for CDBG Grant No. 22-PW-008 (Trail Expansion Project – Greenwood Cemetery to Pheasant Run Road). The fees for said construction management services shall not exceed \$10,000.

Councilmember Eischeid introduced Resolution 2023-66, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-66

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A SERVICE/CONSULTANT AGREEMENT WITH NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT (NNEDD) FOR CONSTRUCTION MANAGEMENT SERVICES RELATING TO COMMUNITY DEVELOPMENT BLOCK GRANT 22-PW-008 (TRAIL EXPANSION PROJECT - GREENWOOD CEMETERY TO PHEASANT RUN ROAD).

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session to discuss potential negotiations on real property, with the purpose being to protect the financial interest of the City, and to allow City Attorney Miller, City Administrator Blecke and City Clerk McGuire to also be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried, and executive/closed session began at 7:05 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 Councilmembers Pick and Buck who were absent, the Mayor declared the motion carried, and open session resumed at 7:15 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:15 p.m.

**Council Approved 9/5/23****Vrba Construction****Payable Description****2023 Sanitary Sewer Improvements****Payment Total****39,522.38****Vendor****Payable Description****Payment Total**

ACE HARDWARE & HOME	LADDER/BALL VALVE/GARBAGE CANS	1,950.07
ALL HOURS TOWING LLC	TOWING CHARGES	225.00
AMERITAS LIFE INSURANCE	AMERITAS ROTH	168.44
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,371.52
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	111.55
APPEARA	LINEN & MAT SERVICE	163.02
BAKER & TAYLOR BOOKS	BOOKS	681.44
BATTERIES PLUS #78	BATTERIES	885.10
BORDER STATES INDUSTRIES, INC	THEATER LIGHTS/METER TESTERS	1,274.43
BRAUN, DAVID	BUILDING PERMIT DEPOSIT REFUND	500.00
CASEY, JAN	FREEDOM PARK DEPOSIT REFUND	150.00
CDW GOVERNMENT LLC	PROOFPOINT EMAIL	4,525.00
CITY EMPLOYEE	VISION REIMBURSEMENT	125.20
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	21.07
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	221.25
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	911.70
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	124.69
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	7,388.18
CITY OF WAYNE	AP-UNCLAIMED PROPERTY VOIDS	-233.00
CITY OF WAYNE	AP- UNCLAIMED PROPERTY UNDER \$25 WRITE OFFS	-100.51
CITY OF WAYNE	PAYROLL	104,810.01
CITY OF WAYNE	UTILITY REFUNDS	561.02
CITY OF WAYNE	UTILITY REFUNDS-UNCLAIMED PROPERTY VOIDS	-3051.17
CITY OF WAYNE	UTILITY-UNCLAIMED PROPERTY UNDER \$25 WRITE OFFS	-126.44
COPY WRITE PUBLISHING	COLOR PAPER	15.20
COPY WRITE PUBLISHING	SHIPPING CHARGES	249.41
COTTONWOOD WIND PROJECT, LLC	WIND ENERGY	11,835.52
CUMING CO. COURT	BOND	130.00
CUSTOM FILTRATION , LLC	FILTER ELEMENT	726.75
DANKO EMERGENCY EQUIPMENT	AIR BAG/INFLATION HOSE	3,730.00
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY INSURANCE	3,028.60
DUTTON-LAINSON COMPANY	MOBILE RADIO	2,953.20
EAKES OFFICE PLUS	COPY CHARGES	306.62
ED M. FELD EQUIPMENT CO INC	HAZMAT ADAPTER/PULLEY	536.72
ELKINS PORTABLE RESTROOMS, LLC	PORTABLE RESTROOMS	605.00
FAITH REGIONAL PHYSICIAN SERV.	NEW HIRE/RANDOM TESTING	159.50
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	204.05
GROSSENBURG IMPLEMENT INC	WHEEL/AXLE/RING	87.79

HAWKINS, INC	ZETAG	1,297.71
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	291.93
HUNKE, ROD	ENERGY INCENTIVE	500.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	189.32
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	166.28
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	200.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	2,149.96
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	495.46
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	413.68
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	8,585.67
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	142.75
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	70.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	38.28
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	127.36
IRS	FICA WITHHOLDING	17,517.60
IRS	MEDICARE WITHHOLDING	4,096.78
IRS	FEDERAL WITHHOLDING	11,935.02
ISLAND SPRINKLER SUPPLY CO	IRRIGATION SPADE/SUPPLIES	179.40
JACK'S UNIFORMS	POLICE UNIFORM	251.90
KTCH AM/FM RADIO	RADIO ADS	160.00
L & L THOMPSON CONSTRUCTION	INSTALL DOORS IN SUNNYVIEW PARK RESTROOM	1,100.00
LUTT OIL	GASOLINE	8,374.98
MAIN STREET GARAGE, LLC	TOWING CHARGES	100.00
MIDWEST LABORATORIES, INC	WASTEWATER ANALYSIS	216.57
MILLER LAW	WCHD-SUPPORT OF PROGRAM	110.66
MUNICIPAL SUPPLY INC	WATER METER	3,337.04
NE DEPT OF REVENUE	STATE WITHHOLDING	5,572.77
NEBRASKA PUBLIC POWER DIST	TRANSMISSION SUBSTATION CHARGES/METER REPORTS	8,827.44
NEBRASKA STATE TREASURER	AP UNCLAIMED PROPERTY	233.00
NEBRASKA STATE TREASURER	UNCLAIMED PROPERTY	3,051.17
NORTHEAST NE INS AGENCY INC	EQUIPMENT/VEHICLE INSURANCE	2,549.00
NORTHEAST TIRE SERVICE	TIRE REPAIR	20.00
ONE CALL CONCEPTS, INC	DIGGERS HOTLINE	172.16
OPTK NETWORKS	POLICE ETHERNET SERVICES	408.54
O'REILLY AUTOMOTIVE STORES, INC.	OIL FILTER/CAPSULE	19.49
PAC N SAVE	READING PARTY SUPPLIES	99.24
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	1,691.70
PLUMBING & ELECTRIC SERVICE INC	CURB STOP FOR NEW HOUSE	2,533.94
PLUMBING & HEATING WHOLESALE INC.	URINALS/TOWEL BOWL SUPPLIES	2,157.33
QUADIENT FINANCE USA, INC	POSTAGE	1,000.00
QUALITY 1 GRAPHIC	SIGN	120.00
QUALITY FOOD CENTER	COFFEE	19.98
RAINBOW PRINTING	LIBRARY CARDS	550.00
RODRIGUEZ, NANCY	INTERPRETER	52.50
SEILER INSTRUMENT & MFG. CO. INC.	CATALYST ON DEMAND	970.00
STADIUM SPORTING GOODS	FLAG FOOTBALL SHIRTS	1,078.00
SUNSET LAW ENFORCEMENT	AMMO	3,054.50
TIMBERLYNE	BUILDING PERMIT DEPOSIT REFUND	500.00
TOTAL GRAPHICS	POLICE CLOTHING	1,691.00

US BANK	CARPET CLEANER/VACUUMS/TECH SUPPLIES	8,778.73
	SHELVING/TAKE OUT CONTAINERS/BOOKS	
US FOODSERVICE, INC.	SENIOR CENTER NOON MEAL SUPPLIES	3,299.14
VERIZON WIRELESS SERVICES LLC	CELL PHONES	584.13
VIC'S ENGINE SERVICE	PULLEY-IDLER	14.12
WAYNE AREA ECONOMIC DEVELOPMENT	LEADERSHIP CLASS-D MARSHALL	199.00
WAYNE AUTO PARTS	BEARINGS/DISC/OIL/RATCHET/V-BELT	304.11
WAYNE COUNTY CLERK	FILING FEES	76.00
WAYNE HERALD	CAC ADS	612.00
WAYNE HERALD	ADS AND NOTICES	1,496.76
WAYNE HERALD	GREEN TEAM ADS	190.00
WAYNE VETERINARY CLINIC	DOG IMPOUND	14.00
WESCO DISTRIBUTION INC	TAPE/VT PACK METER WIRE	1,762.83
WESTERN AREA POWER ADMIN	ELECTRICITY	23,633.99
ZACH HEATING & COOLING	MINI SPLIT AIR UNIT/LEAK IN COIL	4,157.00
	Grand Total:	332,397.23

**WAYNE VOLUNTEER FIRE DEPARTMENT
And Rural Fire District No. 2
510 Tomar Drive, Wayne, NE 68787**

APPLICATION FOR MEMBERSHIP

This form is to be completed by the Applicant and filed with the Secretary at a regular meeting of the Wayne Volunteer Fire Department.

Name Max Keezel Address 812 E 10th St
Phone Number _____ Social Security # _____
Driver's License Number and Issuing State _____
Employer William Form EC Occupation Over Head chain
How long have you been employed by your present employer? 11 Y
Previous Employer and Address _____

Have you previously been a member of a Fire Department? NO
If so, give the name of the fire department, your rank and positions held. If applicable, identify any related credentials and record of training. _____

Do you have any physical ailments or disabilities that could affect your performance on the department?

None

-As a member of this department, you will be required to give freely of your time to attend fire calls, meetings, drills, serve and provide leadership on committees, and participate in community events and fundraising activities. Do you agree to this? Yes

- There is a 30-day waiting period from the date of this application until the Department formally acts upon this request. Do you agree to this? Yes

-Have you read the Bylaws of the Department, and do you understand them? _____ Do you agree to abide by them? _____

- The applicant must understand that if accepted for membership he/she will be placed on probation for a six-month period. During that time, he/she must meet certain criteria as stated in the Bylaws and follow the Standard Operating Guidelines.

Applicant's Signature Max Keezel Date 8/1/23

.....
I agree to a background check with information provided by the Wayne Police Department.

Applicant's Signature Max Keezel Date 8/1/23

We, the undersigned representing the Standing Membership Committee, having investigated the background of the applicant, feel that he/she would be an asset to the Department and hereby recommend him/her for membership.

Megan Paul

Secretary's Signature Justin Hoop Date 9-5-23

Chief's Signature Chad Mankin Date 9-5-23

.....

Council approved on _____ certified by City Clerk _____

.....

For record purposes only: Date of Birth _____ revised August 4, 2015

**WAYNE VOLUNTEER FIRE DEPARTMENT
And Rural Fire District No. 2
510 Tomar Drive, Wayne, NE 68787**

APPLICATION FOR MEMBERSHIP

This form is to be completed by the Applicant and filed with the Secretary at a regular meeting of the Wayne Volunteer Fire Department.

Name Ayden Burrone Address 308 East 9th Street

Phone Number: _____ Social Security # _____

Driver's License Number and Issuing State _____

Employer Unemployed Occupation EMT

How long have you been employed by your present employer? _____

Previous Employer and Address McDonalds / 5 El Camino, Suva WA 98662

Have you previously been a member of a Fire Department? No
If so, give the name of the fire department, your rank and positions held. If applicable, identify any related credentials and record of training. _____

Do you have any physical ailments or disabilities that could affect your performance on the department?

I have no physical ailments

-As a member of this department, you will be required to give freely of your time to attend fire calls, meetings, drills, serve and provide leadership on committees, and participate in community events and fundraising activities. Do you agree to this? Yes

- There is a 30-day waiting period from the date of this application until the Department formally acts upon this request. Do you agree to this? Yes

-Have you read the Bylaws of the Department, and do you understand them? yes Do you agree to abide by them? yes

- The applicant must understand that if accepted for membership he/she will be placed on probation for a six-month period. During that time, he/she must meet certain criteria as stated in the Bylaws and follow the Standard Operating Guidelines.

Applicant's Signature Ayden Burrone

Date 7/18/23

.....
I agree to a background check with information provided by the Wayne Police Department.

Applicant's Signature Ayden Burrone

Date 7/18/23

We, the undersigned representing the Standing Membership Committee, having investigated the background of the applicant, feel that he/she would be an asset to the Department and hereby recommend him/her for membership.

[Signature] _____ [Signature] _____

Megan _____ [Signature] _____

Secretary's Signature Justin Hoff

Date 9/5/23

Chief's Signature Bill Mandan

Date 9/5/23

.....
Council approved on _____ certified by City Clerk _____

.....
For record purposes only: Date of Birth _____

ORDINANCE NO. 2023-18

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.046 — A-1 AGRICULTURAL DISTRICT; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. The Planning Commission held a public hearing on August 7, 2023, regarding a request to consider amending the zoning text, specifically the A-1 Agricultural District, Section 152.046 (K) Permitted Conditional Uses, and have recommended approval thereof subject to the “Findings of Fact” being:

- Consistency with the Comprehensive Plan and the current and future land use maps; and
- Staff’s recommendation.

Section 2. That Title XV Land Usage, Chapter 152 Zoning, Section 152.046 – A-1 Agricultural District of the Municipal Code of Wayne, is hereby amended as follows:

§ 152.046 A-1 AGRICULTURAL DISTRICT.

(A) *Intent.* The A-1 District is intended primarily for application to those rural areas of the county where it is necessary and desirable to reserve for exclusive agricultural use appropriately located areas suitable for the raising of crops or livestock because of high quality of soils, scenic characteristics, existing or potential irrigation or exclusive agricultural character of the area.
(2002 Code, § 90-111)

(B) *Permitted principal uses and structures.* The following shall be permitted as uses by right in an A-1 District:

- (1) Ranch and farm dwellings;
- (2) Crop production;
- (3) Bulk grain storage, both publicly or privately owned or managed;
- (4) Irrigation and flood control projects;
- (5) Child care home;
- (6) Public parks and recreation areas;
- (7) Greenhouses and nurseries; and
- (8) Animal clinics, animal hospitals and veterinarian services.

(2002 Code, § 90-112)

(C) *Permitted accessory uses and structures.* The following are permitted accessory uses and structures in an A-1 District:

- (1) Accessory uses and structures normally appurtenant to the permitted uses and structures;
- (2) Home occupations in conformance with § 152.144 of this chapter;
- (3) Residences, including mobile home for farm residence or adjacent to farm residence for relatives of consanguinity and marriage or farm workers; and
- (4) Roadside stands for the sale of agricultural produce.
(2002 Code, § 90-113)

(D) *Exceptions.* In accordance with §§ 152.195 through 152.202 of this chapter, the following exceptions are allowed in an A-1 District:

- (1) Airports and heliports, including crop dusting strips;
- (2) Agricultural service establishments primarily engaged in performing agricultural, animal husbandry or horticultural services;
- (3) Public utility and public service structures, including electric transmission lines and the distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and reservoirs;
- (4) Public and/or private schools;
- (5) Places of worship such as churches, synagogues and temples;
- (6) Publicly owned open recreational facilities, operated for profit or otherwise, including golf courses, golf driving ranges, archery ranges, swimming pools, riding academies, parks and community centers, but not including enclosed uses such as a bowling alley;
- (7) Libraries, police and fire stations;
- (8) Sewage treatment plants;
- (9) Gas and oil wells;
- (10) Exploration and extraction of mineral resources;
- (11) Cemeteries, crematories, mausoleums and columbaria;
- (12) Child care centers;
- (13) Radio and television towers and transmitters;
- (14) Campgrounds;
- (15) Wind generating systems;
- (16) Auto wrecking yards, salvage yards and junkyards in conformance with § 152.199 of this chapter;
- (17) Kennels, in conformance with § 152.199 of this chapter, and stables;
- (18) Public and private charitable institutions;

- (19) Sanitary landfill operations and refuse deposit areas;
- (20) First class animal production;
- (21) Auto sales and services, including open air display of new or used vehicles;
- (22) Repair garages, automobile service stations and major body repair;
- (23) Industrial trades, including mechanical neat and air conditioning; carpenter shops, cabinet shops, plumbing shops and electrical shops; and light fabrication and equipment repair; (24) Heavy industry, provided that the use is not located within 1,000 feet of any existing residential structure; and

~~(25) Stables.~~

(2002 Code, § 90-114)

(E) *Conditions for granting exceptions.* Notwithstanding the requirements of §§ 152.195 through 152.202 of this chapter, the following regulations shall apply as minimum requirements for granting exceptions in the A-1 District.

(1) Airport sites shall be so situated that the Airport Hazard Area defined by the State Department of Aeronautics shall not include any existing obstruction regardless of public or private ownership of the airport.

(2) Any use involving a business, service or process not completely enclosed in a structure, when located on a site abutting on or across a street or an alley from any residential district shall be screened by a solid fence or masonry wall or a compact growth of natural plant materials not less than six feet in height if the Board of Adjustment finds the use to be unsightly.

(3) For first class animal production, there shall be no more than 999 animal units on any parcel, and any lagoon or confined feeding yard must be at least 1,000 feet from any residential dwelling located on another parcel.

~~(4) For stables, there shall be:~~

~~(a) No more than two animals per acre allowed outside of an enclosed building at any given time, with a maximum limit of 40 animals.~~

~~b) No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 100 feet of any property line which borders the city limits, any R District, or any A District.~~

~~(c) No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 300 feet of a residential dwelling on another property when there are more than 15 animals associated with the use as a stable.~~

~~(2002 Code, § 90-115)~~

(F) *Prohibited uses and structures.* All uses and structures which are not specifically permitted or not permissible as exceptions shall be prohibited from the A-1 District.(2002 Code, § 90-116)(G) *Minimum area requirements.* Minimum area requirements in an A-1 District are as follows:

<i>Minimum Area Regulations</i>	
Distance between residential structures (in feet)	90
Lot area (in acres)	10
Lot width (in feet)	300
Required front yard (in feet)	50
Required rear yard (in feet)	50
Required side yard (in feet)	15

(2002 Code, § 90-117)

(H) *Maximum height.* The maximum height in an A-1 District is 35 feet; however, non-residential structures shall have no height limitations, except in conformance with the airport zoning regulations.
(2002 Code, § 90-118)

(I) *Sign regulations.* All signs in an A-1 District shall be in conformance with the provisions of § 152.142 of this chapter.
(2002 Code, § 90-119)

(J) *Parking regulations.* Parking in an A-1 District shall be in conformance with the provisions of § 152.139 of this chapter.
(2002 Code, § 90-120)

(K) *Permitted conditional uses.*

(1) A building or premises in an A-1 District may be used for the following in conformance with the prescribed conditions.

(2) Second class animal production:

(a) Where the parcel is adjacent to the city limits or any R District:

1. Two animal units per acre, not to exceed 40 animal units.
2. No more than four of those animal units may consist of turkeys, ducks and geese combined.
3. No more than four of those animal units may consist of chickens.
4. Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100 feet from any property line which borders the city limits or any R District, and at least 300 feet from a residential dwelling on another property.

(b) Where the parcel is not adjacent to the city limits or any R District, and is less than 40 acres in size:

1. Two animal units per acre, not to exceed 40 animal units.
2. No more than ten of those animal units may consist of turkeys, ducks and geese combined.
3. No more than ten of those animal units may consist of chickens.
4. Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100 feet from any property line which borders the city limits or any R District, and at least 300 feet from a residential dwelling on another property.

(c) Where the parcel is not adjacent to the city limits or any R District, and is at least 40 acres in size:

1. Two animal units per acre.
2. No more than 20 of those animal units may consist of turkeys, ducks and geese combined.
3. No more than 20 of those total animal units may consist of chickens.
4. Any structure housing animals, or storing or composting manure, and any open area used for grazing, loafing, or spreading manure shall be at least 100 feet from any property line which borders the city limits or any R District, and at least 300 feet from a residential dwelling on another property.

(3) Stables

(a) No more than two animals per acre allowed outside of an enclosed building at any given time, with a maximum limit of 40 animals.

(b) No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 100 feet of any property line which borders the city limits, any R District, or any A District.

(c) No structure housing animals, or storing or composting manure, or any open area used for grazing, loafing, or spreading manure within 300 feet of a residential dwelling on another property when there are more than 15 animals associated with the use as a stable.

(d) Whenever second class animal production exists as a use at the same time as a stable on any premise, the animal units allowed under the use as a stable shall be counted as part of, and not in addition to, the animal units allowed under second class animal production and be limited under those regulations as well.

(Ord. 93-11, passed 9-28-1993; Ord. 2000-9, passed 5-30-2000; Ord. 2001-15, passed 10-9-2001; Ord. 2013-2, passed 4-2-2013; Ord. 2015-15, passed 4-21-2015; Ord. 2015-16, passed 4-21-2015; Ord. 2015-17, passed 4-21-2015; Ord. 2015-30, passed 6-16-2015; Ord. 2015-31, passed 6-16-2015; Ord. 2015-18, passed 4-21-2015)

Section 3. Any other ordinance or parts of ordinance in conflict herewith are repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 5th day of September, 2023.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

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NOTICE OF PUBLIC HEARING

The Wayne City Council will hold a public hearing in the Wayne City Council Chambers, 306 Pearl Street, Wayne, Nebraska, on the 19th day of September, 2023, at or after 5:30 p.m. to consider the acquisition of the following tract of land legally described as follows:

Legal Description:

Lot 1, Centennial Valley Addition to the City of Wayne, Wayne County, Nebraska (1100 E 10th Street).

All oral or written comments on the proposed matter received prior to and at the public hearing will be considered.

Individuals requiring sensory accommodations, including interpreter services, Braille, large print, or recorded materials should contact Betty A. McGuire, City Clerk at 402-375-1733, no later than 4:30 p.m. on the Friday preceding the meeting.

The City of Wayne, Nebraska
By: Betty A. McGuire, City Clerk

Publish: 9/7/23

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Nebraska Clean Cities Coalition

Apprenticeship Designation Proposal to U.S. Department of Energy

August 12, 2023

Coalition Members

Nebraska Transportation Center (Host Organization)

City of Lincoln

South Sioux City

City of York

City of Wayne

Dakota City

City of Hastings

City of Waterloo

City of Cozad

City of Lexington

City of North Platte

City of Gretna

Falls City

Central City

City of Columbus

City of La Vista

City of Gothenburg

City of Sutton

Nebraska State Food and Agriculture Council

City of Omaha Parking Division

Omaha Public Power District

Nebraska Ethanol Board

1. Introduction

Multiple agencies and stakeholders in the State of Nebraska recognize the importance of increasing the use of domestic alternative fuels and advanced vehicle technologies to reduce the emissions that impact our air quality and public health.

Additionally, these entities recognize the need to help Nebraska businesses and families to reduce their transportation costs which would make a notable impact on the state's economy. While stakeholders have a good sense of what technology options are currently available and what is in the pipeline and their approximate costs, the execution and rollout strategy for these technologies, on both spatial and temporal dimensions, is unclear. There are significant financial decisions such as which fuel to commit a fleet to, and subsequent choices such as what changes need to be made to the fueling logistics, for a stakeholder to weigh as it strives to optimize costs and decarbonization. Currently, there is a lack of coordination among agencies and stakeholders in Nebraska as each pursues its own climate action plan. It is vital that these entities work together to maximize the efficiency and effectiveness of future deployments. This goal is aligned with one of the missions of the Nebraska Transportation Center (NTC) at the University of Nebraska-Lincoln (UNL).

Specifically, NTC's technology transfer and outreach goals are to develop and implement technology transfer programs that strengthen Nebraska's human resources and overall efficiency in both the public and private sectors. By leading and coordinating the Nebraska Clean Cities Coalition (NE-CCC), NTC will be able to enhance transportation systems and local economies across the state. The broader impacts of this activity are significant. According to the 2021 Clean Cities Coalitions Activity Report, "Coalitions based in universities created the highest average Energy Use Impact and had the highest average number of stakeholders."

2. Host Organization and Acting Coalition Director

The Nebraska Clean Cities Coalition (NE-CCC) will be housed at the Nebraska Transportation Center, a center that is approved by the UNL Board of Regents in 2006 to serve the needs of students and Nebraska communities. NTC is well-positioned to lead this effort as a center that operates with support from multiple staff members under the direction of a director. NTC operates as a service center. Its services include pre-award proposal preparation, post-award project management including accounting support and payroll support, IT support, research support including equipment field deployment and data analysis, proofreading and copy editing, website design, research communications, and technology transfer. The current NTC Director, Nathan Huynh, is a UNL employee who is on a 9-month appointment. Therefore, he has the capacity to serve as the NE-CCC's acting coalition director. In this role, his primary responsibility is to develop the proposal for the apprentice designation. Once this status is achieved, he will continue to serve as the coalition director until the full designation is achieved, at which time the coalition may choose a permanent coalition director.

Nathan Huynh joined UNL in January 2023 as a Professor in the Department of Civil and Environmental Engineering and as Director of NTC. Previously, he was a Professor at the University of South Carolina (14.5 years) and North Carolina A&T State University (1.5 years). Prior to his academic appointments, Dr. Huynh worked for the Port of Houston Authority as a project manager and systems analyst (4 years). He received his Ph.D. and M.S. degrees in Transportation Engineering from the University of Texas at Austin and his B.S. degree in Civil Engineering from Temple University.

The NE-CCC Director will have the support of the Administrative Coordinator and Grant Writer. Funding for NE-CCC as an apprentice coalition, and later as a fully designated coalition, will be used to pay the salary of these two staff positions. NTC already has an Administrative Coordinator; thus, a larger portion of the funding from DOE will be used to support the Grant Writer who will be primarily responsible for writing grant applications to secure funding to support NE-CCC initiatives. NE-CCC staff members will be supported by one or more staff members from the Metropolitan Energy Center (MEC) during the initial period. MEC recently submitted an application to the DOE's Vehicle Technology Office entitled "Clean Cities Midwest Expansion." If funded, MEC will have the resources to assist NE-CCC carry out the proposed activities. Additionally, MEC will submit a proposal to the DOE in early October to secure funding to provide mentoring support for NE-CCC. Lastly, once NE-CCC receives the apprentice coalition designation, it will apply for JumpStart grants from DOE to support its missions, outlined below, as well as funding from DOE to hire interns.

3. NE-CCC Vision and Missions

The vision for the Nebraska Clean Cities Coalition is to support the DOE's goal of fostering the economic, environmental, and energy security of the United States by working with stakeholders in Nebraska and in the region to advance affordable, domestic transportation fuels, energy efficient mobility systems, and other fuel-saving technologies and practices. To accomplish this vision, NE-CCC's mission is to reduce reliance on petroleum in transportation and promote the use of alternative transportation solutions in the state by:

- Establishing relationships with public- and private-sector stakeholders and connecting stakeholders with experts or others in the state and Midwest working on similar projects.

- Identifying funding opportunities and submitting grant applications to secure funding to support activities that lead to a cleaner and healthier Nebraska.
- Organizing and promoting events that educate transportation decision-makers about the benefits of using alternative fuels, advanced vehicles, and other measures to reduce petroleum consumption.
- Providing technical assistance to fleets deploying alternative fuels, advanced vehicles, and idle reduction.
- Disseminating up-to-date tools and information about clean energy projects throughout the state.
- Collaborating with other Clean Cities Coalitions in neighboring states on special projects and education.
- Working with industry partners and fleets to identify and address barriers to implementing projects that reduce petroleum consumption.

4. Current AFV Market Baseline and Goals

As of August 6, 2023, based on the DOE's Alternative Fuels Data Center website, the state of Nebraska has 13 biodiesel stations, 5 compressed natural gas stations, 119 Ethanol stations, 231 electric vehicle charging stations, and 11 liquefied petroleum gas stations. Nebraska is expected to have more EV charging stations over the next five years due to funding available from the NEVI Formula Program. Additionally, the City of Lincoln recently launched its EV Readiness Plan.

The above numbers serve as baseline values from which NE-CCC will measure its progress. Annually, the NE-CCC Director will assemble data based on voluntary reports from public and private entities that are members of the coalition. The two energy components that will be tracked are (1) energy savings from efficiency projects, measured in gasoline gallon equivalents (GGE), and (2) alternative fuel use. These metrics will be tracked by project types such as AFVs, HEVs, EVs, Idle Reduction, and VMT reduction. The ultimate metric that NE-CCC will use to measure its performance is Energy Use Impact (EUI). As an apprentice coalition, the goal is to attain a 10% or greater gain in EUI year-over-year, with the ultimate goal of producing an EUI that is comparable to other coalitions in the region.

5. Plan for Programs and Activities to Accelerate Market Adoption

The NE-CCC will perform the following activities once it receives the apprentice designation from DOE.

1. **Stakeholder listening sessions.** NE-CCC will organize and facilitate fuel and technology-specific listening sessions with fleets and other stakeholders to identify technology gaps and critical research needs to improve vehicle/infrastructure performance and usability.
2. **AFV Incentive and Compliance Coordination Efforts.** NE-CCC will organize and facilitate activities and projects that advance alternative fuels and advanced vehicle technologies. An example of such activity is to conduct outreach activities to disseminate information regarding incentives available to various stakeholders. The current incentives provided by the state include (1) Ethanol Blending Tax Credit, (2) Diesel Refuse Truck Replacement Program, (3) Diesel School Bus Replacement Program, (4) Alternative Fuel Vehicle (AFV) and Fueling Infrastructure Loans, (5) Alternative Fuel Tax Refund, (6) Ethanol and Biodiesel Tax Exemption, and (7) Natural Gas Vehicle and Idle Reduction Weight Exemption. The current incentives provided by utilities and private agencies include (1) Compressed Natural Gas (CNG) Vehicle Incentives, (2) Electric Vehicle (EV) and EV Charging Station Rebates, and (3) Electric Vehicle (EV) Event Incentive. While stakeholders may be aware of these incentives, there are many unknowns that may prevent them from taking advantage of these incentives. Our role as the NE-CCC will be to demystify the process by having coalition members who have gone through the process share their experiences and help connect interested stakeholders to experts who need technical assistance.
3. **AFV Infrastructure Development and Corridor Planning.** NE-CCC will work with Federal and state agencies responsible for projects that advance alternative fuels and advanced vehicle technologies. The goal is to make these agencies aware of past, ongoing, and planned efforts by NE-CCC.
4. **General Stakeholder Outreach/Awareness Events and Activities.** NE-CCC will plan, organize, and host a "Clean Cities Nebraska Transportation Summit" biennially. The intent of the summit is to build public-private partnerships and talk about successes and challenges associated with all forms of clean transportation, both within Nebraska and the region. Additionally, the summit will include hands-on rides and drives, vehicle or technology demonstrations, showcases of alternative fuel and advanced technology vehicles and refueling/charging systems, and site visits/tours.

Other activities that NE-CCC will perform once it receives the full coalition designation include:

5. **Technical Training and Education.** NE-CCC will organize and facilitate technical training and technical education regarding AFVs, their use, infrastructure, and safety issues for a variety of audiences. Target audiences may include, but are not limited to, technicians/mechanics, first responders, public safety officials, government agencies, fleet managers, and vocational/STEM student groups. Activities could include classroom training, technical webinars, or hands-on demonstrations.

6. **Technical Assistance and Fleet Coaching.** NE-CCC will work with national labs in providing information, technical assistance, and coaching to fleets and end-users. Such activities include reviewing equipment specifications, coordinating performance testing of new fueling stations, orientation training for end-users receiving new AFVs or fueling equipment, problem diagnosis, dealer education, etc.

6. Operating Structure

NE-CCC will consist of a director, administrative coordinator, grant writer, and interns. These personnel will be supported by the combination of DOE funding for coalitions, grants, and membership dues. A tiered system will be created based on the benefits provided. Anticipated dues for individual members are \$50 and for organizations are \$250 to \$5,000 depending on benefits.

7. Stakeholder Commitments

The initial stakeholders of the NE-CCC are listed on the cover page. Each stakeholder is committed to the following.

- Remaining actively involved in the governing board.
- Paying annual membership dues.
- Providing information about its organization's deployment of alternative fuel vehicles, technologies, and clean energy programs on an annual basis.
- Participating and supporting Activities 1 – 6 described in Section 5.
- Sharing and promoting the vision and mission of NE-CCC described in Section 3.
- Advocating for clean and sustainable transportation as individuals within their organizations.



September 19, 2023

Mark S. Smith
Program Manager, Technology Integration
Vehicle Technologies Office
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Dear Mr. Smith:

On behalf of the City of Wayne, I commit my support for the Nebraska Clean Cities Coalition (NE-CCC) as we seek formal designation by the U.S. Department of Energy as a Clean Cities coalition. This letter details specific commitments that the City of Wayne and I are making to serve the coalition and its mission in the State of Nebraska to advance sustainable and equitable transportation.

First, I will appoint a designated representative to serve as an active member of NE-CCC's governing board to support NE-CCC's plans to deliver impact on the Clean Cities mission in Nebraska.

Second, the City of Wayne makes the following commitments:

- Stay actively involved in the governing board
- Pay annual membership dues as applicable.
- Provide information about the City of Wayne's deployment of renewable and alternative fuels vehicles, technologies, and clear energy programs on an annual basis.
- Participate and support Activities 1 - 6 described in Section 3 of the proposal.
- Advocate for clean and sustainable transportation within my organization.

The City of Wayne and I look forward to working with our coalition director, other coalition stakeholders, the U.S. Department of Energy, and others to achieve full Clean Cities designation. I understand that this will require my time and energy. After the new coalition earns designation, I pledge to continue supporting the coalition and fulfill these commitments to advance the Clean Cities mission in Nebraska.

Sincerely,

Cale Giese, Mayor
City of Wayne, Nebraska

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Wayne, NE 68787
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cityofwayne.org

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