

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 Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky, Matt Eischeid, and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and Attorney Amy Miller. 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.