

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

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

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

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

Mayor Giese announced that the Wayne County Flood Study Public Open House will be held on Wednesday, December 6th, at 5:30 p.m. – 7:30 p.m. at the Wayne City Auditorium.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of November 21, 2023, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid 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: ROBERT WOHLER & SONS, SE, 6580.00; COONEY FERTILIZER, SE, 423675.27; PENRO CONSTRUCTION, SE, 22560.16; APPEARA, SE, 56.51; BEIERMANN ELECTRIC, SE, 97.50; BERNAL, GEORGINA, SE, 55.00; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1459.90; BOK FINANCIAL, RE, 10810.00; BOK FINANCIAL, RE, 5898.75; BOMGAARS, SU, 2084.87; BSN SPORTS, SU, 1436.16; CARHART LUMBER COMPANY, SU, 364.19; CITY EMPLOYEE, RE, 86.10; CITY EMPLOYEE, RE, 367.99; CITY EMPLOYEE, RE, 175.00; CITY EMPLOYEE, RE, 30.50; CITY EMPLOYEE, RE, 4.56; CITY EMPLOYEE, RE, 98.89; CITY EMPLOYEE, RE, 355.02; CITY EMPLOYEE, RE, 438.29; CITY OF WAYNE, RE, 965.52; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 5000.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 100000; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEMCO, SU, 851.05; DOTY & SONS CONCRETE PRODUCTS, SU, 4004.00; EAKES OFFICE PLUS, SE, 289.75; ED M. FELD EQUIPMENT, SU, 1415.33; ELKINS PORTABLE RESTROOMS, SE, 305.00; FASTWYRE BROADBAND, SE, 1638.66; FLOOR MAINTENANCE, SU, 990.77; GERHOLD CONCRETE, SU, 3227.65; HAWKINS, SU, 2291.61; HILAND DAIRY, SE, 127.93; HOMETOWN LEASING, SE, 465.14; ISLAND SPRINKLER SUPPLY, SU, 753.53; JEO CONSULTING GROUP, SE, 2890.36; JOHNSON FITNESS & WELLNESS, SU, 41.22; LINDSAY, JEANNE, RE, 150.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; NE DEPT OF ENVIRONMENT, SE, 86987.36; NE DEPT OF ENVIRONMENT, SE, 199790.45; NE HARVESTORE, SU, 984.50; NO SWETT FENCING, SU, 25022.87; PHILIP CARKOSKI CONSTRUCTION, SE, -5,883.50; PHILIP CARKOSKI CONSTRUCTION, SE, 5883.50; PLUMBING & HEATING WHOLESALE, SU, 34.01; SKARSHAUG TESTING LAB, SE, 265.56; SOOLAND BOBCAT, SU, 92.02; SPARLING INSTRUMENTS, SU, 325.00; SPORTS FACILITY MAINTENANCE, SU, 3767.00; STATE NEBRASKA BANK & TRUST, RE, 4675.00; STATE NEBRASKA BANK-PETTY CASH, RE, 102.53; TAYLOR, JOSHUA, RE, 65.00; VIAERO, SE, 70.42; W.T. COX SUBSCRIPTIONS, SU, 871.22; WAYNE HIGH CHEERLEADERS, FE, 480.00; WESCO, SU, 813.20; WISNER WEST, SU, 390.79; AHLERS, KYLE, RE, 2000.00; AMERITAS, SE, 206.54; AMERITAS, SE, 35.00; AMERITAS, SE, 127.43; AMERITAS, SE, 72.00; AMERITAS, SE, 3747.94; APPEARA, SE, 40.29; BLUE CROSS BLUE SHIELD, SE, 52125.38; BORDER STATES INDUSTRIES, SU, 3245.46; CERTIFIED TESTING SERVICES, SE, 1606.00; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, SE, 4.45; CITY OF WAYNE, PY, 122912.29; CITY OF WAYNE, RE, 7.41; CIVICPLUS, FE, 750.00; COUNTRY NURSERY, SU, 2000.00; DEMCO, SU, 775.11; ED M. FELD EQUIPMENT, SU, 405.98; GLOBAL PAYMENTS INTEGRATED, SE, 447.94; HARTINGTON TREE, SE, 3312.50; HILAND DAIRY, SE, 151.72; ICMA, SE, 1048.60; ICMA, SE, 495.46; ICMA, SE, 38.28; ICMA, SE, 205.20; ICMA, SE, 413.68; ICMA, SE, 144.86; ICMA, SE, 166.28; ICMA, SE, 70.00; ICMA, SE, 190.37; ICMA, SE, 8837.79; ICMA, SE, 127.36; IRS, TX, 20076.70; IRS, TX, 12356.27; IRS, TX, 4695.28; JEO CONSULTING GROUP, SE, 20440.48; JEPPESEN RENTALS, RE, 500.00; KENNY, JOE, RE, 500.00; KENNY, KELLY, RE, 500.00; KTCH, SE, 1200.00; MAIN STREET GARAGE, SE, 100.00; MERCHANT SERVICES, SE, 4838.36; MERCHANT SERVICES, SE, 91.92; MERCHANT SERVICES, SE, 1181.24; MILLER LAW, SE, 5537.67; NE DEPT OF REVENUE, TX, 6179.12; NEBRASKA GENERATOR SERVICE, SE, 4069.88; NPPD, SE, 184.00; NNEDD, E, 1951.36; NORTHEAST POWER, SE, 6620.00; OLSSON, SE, 39288.43; ONE CALL CONCEPTS, SE, 52.98; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 342.12; PAC N SAVE, SU, 1533.38; POSTMASTER, SU, 1097.73; RODRIGUEZ, NANCY, SE, 55.00; SCOTT, GREG, RE, 70.00; STATE NEBRASKA BANK & TRUST, SE, 72.96; WASTE CONNECTIONS, SE, 81.50; WAYNE HERALD, SE, 529.46; WAYNE HERALD, SE, 925.00; WAYNE HERALD, SE, 206.67; WAYNE SENIOR CENTER, RE, 279.00; WAYNE VETERINARY CLINIC, SE, 98.00; WIESELER, BO, RE, 55.00

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

Administrator Blecke presented Application and Certificate of Payment No. 1 from Otte Construction Company, LLC, in the amount of \$99,791.00 for the “Wayne City Hall and Police Relocation Project.” He also updated the Council on the progress of the project.

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving Application and Certificate of Payment No. 1 in the amount of \$99,791.00 to Otte Construction Company, LLC, for the “Wayne City Hall and Police Relocation Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid who were absent, the Mayor declared the motion carried.

Luke Virgil, Wayne Economic Development Director, was present representing the LB840 Revolving Loan Fund Review Committee. The Committee met on November 20, 2023, and reviewed a revolving loan fund application to Wayne’s Economic Development Program (WEDP) by Webber Hospitality, LLC, d/b/a “Geno’s Steakhouse & Lounge.” Steve & Brittany Webber have purchased Geno’s Steakhouse & Lounge, and they plan to continue operating it as a restaurant. Webber Hospitality, LLC, will utilize the WEDP Funds to purchase equipment for the restaurant and renovate the property at 121 W 1st Street. To match their request of \$200,000 from the WEDP, Webber Hospitality, LLC, has secured financing for \$320,000 via a traditional lender (State Nebraska Bank & Trust), is pursuing \$20,000 via the WAED RLF Program, and has provided matching funds of \$100,000 (personal equity). The total business purchase and expansion project is estimated to cost at least \$640,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Webber Hospitality, LLC:

- Approval of the loan request for \$200,000;
- A loan repayment period of 10 years; and
- An interest rate to be set at one half the rate set by the primary lender. (Primary Lender Rate – SNB&T, Wayne, NE: 7.25%; WEDP Rate: 3.625%)

At this time, there is over \$500,000 in the revolving loan fund. There is also about a \$25,000-\$30,000 monthly regeneration to the fund.

Steve and Brittany Webber were present to answer questions and to request Council consideration to changing the interest rate to 1.8%.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$200,000 revolving loan fund loan to Webber Hospitality, LLC, d/b/a Geno's Steakhouse & Lounge, with the following conditions:

- A loan repayment period of 10 years; and
- An interest rate to be set at 1.8%.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid who were absent and Councilmember Webber who abstained, the Mayor declared the motion carried.

Annually, the City is required to appoint a Street Superintendent to receive Highway Incentive Payments. This action item is to appoint Joel Hansen as the 2024 Street Superintendent.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, appointing Joel Hansen, Class A License Number S-1155, as the City Street Superintendent for calendar year 2024, January 1 thru December 31, 2024, for the purpose of the 2024 calendar year Highway Incentive payment to be issued to the City by the Nebraska Department of Transportation in February 2025. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid who were absent, the Mayor declared the motion carried.

The following Resolution, along with the Year-End Certification Form, must be approved, signed and returned to the Department of Transportation by December 31, 2023. This is an annual requirement for determining the City's calendar year 2023 incentive funds.

Councilmember Karsky introduced Resolution 2023-82, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2023-82

A RESOLUTION AUTHORIZING THE SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2023.

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

Administrator Blecke stated the following Resolution would formally appoint JEO Consulting Group, Inc., as the special engineer to be used on various City of Wayne projects in 2024. JEO was formally appointed back in 2018. We have found that we must formally appoint an engineer annually. Doing so eliminates the need to go through the procurement process for engineers on grant projects.

Councilmember Brodersen introduced Resolution 2023-83, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2023-83

A RESOLUTION APPOINTING JEO CONSULTING GROUP, INC., AS THE SPECIAL ENGINEER TO BE USED ON VARIOUS CITY OF WAYNE PROJECTS IN 2024.

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

For the 2024 plan year, the City will still be with BC/BS of Nebraska, but with a different plan. The City will be joining the League Insurance Government Health Team a/k/a "LIGHT." We looked into joining this about a year and a half ago, but our premiums couldn't justify changing at that time. This year is different. If we stay with our current plan, the premiums will increase by about 20%. By going with the LIGHT plan, the deductibles will remain the same - \$6,750 single/\$13,500 family, and the premiums will decrease slightly from last year. The only change with this plan is that the enrollment period is from 7/1 to 6/30 each year. Therefore, we may see some changes to the premiums at that time. This change will put us in a larger pool of employees, so hopefully the premium changes are minimal.

This is the recommendation of staff and Gary Boehle, our health insurance representative.

To become a member of LIGHT, we must pass the following Resolution, which includes two agreements attached thereto.

Councilmember Brodersen introduced Resolution 2023-84, and moved for its approval; Councilmember Pick seconded.

RESOLUTION NO. 2023-84

A RESOLUTION AUTHORIZING MEMBERSHIP IN THE LEAGUE INSURANCE GOVERNMENT HEALTH TEAM (LIGHT).

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

Mayor Giese requested Council consideration to approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief
Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Casey Junk, Water/Wastewater Superintendent
Luke Virgil, Economic Development Director

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief
Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Casey Junk, Water/Wastewater Superintendent
Luke Virgil, Economic Development Director

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

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session to prevent the needless injury to the reputation of an individual who has not requested a public hearing to discuss a personnel matter (the performance review/evaluation of City

Attorney Amy Miller), and to allow City Administrator Blecke and City Clerk McGuire to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid who were absent, the Mayor declared the motion carried, and executive/closed session began at 6:09 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the performance review/evaluation of City Attorney Amy Miller.

Councilmember Webber made a motion, which was seconded by Councilmember Buck, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Muir and Eischeid who were absent, the Mayor declared the motion carried, and open session resumed at 6:26 p.m.

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