

MINUTES
CITY COUNCIL MEETING
February 6, 2024

The Wayne City Council met in regular session at City Hall on February 6, 2024, 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 Terri Buck, Nick Muir, Clayton Bratcher, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmember Webber.

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 requested Council consideration to the appointment of Austyn Houser as Councilmember for Ward 2 (a seat vacated by Brendon Pick).

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, approving the mayoral appointment of Austyn Houser as Councilmember for Ward 2. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Webber who was absent, the Mayor declared the motion carried.

Attorney Miller then gave the Oath of Office to Austyn Houser as Councilmember for Ward 2.

Mayor Giese requested Council consideration to the appointment of Clayton Dredge as the Electric Distribution Superintendent.

Councilmember Bratcher made a motion, which was seconded by Councilmember Buck, approving the appointment of Clayton Dredge as the Electric Distribution Superintendent. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Webber who was absent, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, to approve the minutes of the meetings of January 16, 2024, and January 30, 2024, and to waive the readings thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Webber who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 1/16/24: COONEY FERTILIZER, INC, SE, 323189.71; OTTE CONSTRUCTION COMPANY, SE, 44853.00; PENRO CONSTRUCTION, SE, 155562.81

VARIOUS FUNDS: ABDO PUBLISHING COMPANY, SU, 91.80; ACES, SE, 1127.56; ALL-AMERICAN PUBLISHING, SE, 370.00; AMERITAS, SE, 112.75; AMERITAS, SE, 72.00; AMERITAS, SE, 3809.38; AMERITAS, SE, 175.19; AMERITAS, SE, 35.00; APPEARA, SE, 80.69; APPEARA, SE, 90.59; AUTO ANATOMY ALTERNATIVES, SE, 2232.50; BAKER & TAYLOR BOOKS, SU, 1817.47; BEIERMANN ELECTRIC, SE, 3948.48; BERNAL, GEORGINA, SE, 55.00; BLACK HILLS ENERGY, SE, 2591.64; BLUE CROSS BLUE SHIELD, SE, 44315.35; BOMGAARS, SU, 147.21; BOMGAARS, SU, 1,721.78; BROGIE, ED, RE, 200.00; CARHART LUMBER COMPANY, SE, 162.39; CARLSON WEST POVONDRA ARCHITECTS, SE, 5163.24; CIRBA SOLUTIONS SERVICES, SU, 108.95; CITY EMPLOYEE, RE, 383.70; CITY EMPLOYEE, RE, 164.50; CITY EMPLOYEE, RE, 345.00; CITY EMPLOYEE, RE, 175.13; CITY OF NORFOLK, RE, 298.24; CITY OF PONCA, RE, 10000.00; CITY OF PONCA, RE, 15538.45; CITY OF WAYNE, PY, 117023.61; CITY OF WAYNE, RE, 321.49; CITY OF WAYNE, SE, 534.01; CITY OF WEST POINT, RE, 22552.04; CITY OF WEST POINT, RE, 10000.00; CITY OF WISNER, RE, 2350.20; CITY OF WISNER, RE, 10000.00; CIVICPLUS, FE, 5209.31; COLORADO LIBRARY CONSORTIUM, FE, 75.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 15000.00; COMMUNITY SAFETY NET, SE, 160.00; COTTONWOOD WIND PROJECT, SE, 15896.46; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEARBORN LIFE INSURANCE COMPANY, SE, 89.44; DGR & ASSOCIATES, SE, 1032.00; ECHO GROUP, SU, 1584.00; ED M. FELD EQUIPMENT, SU, 1574.34; ED M. FELD EQUIPMENT, SU, 1179.00; ELITE DANCE CENTER, RE, 250.00; FAIR MANUFACTURING, SU, 6223.96; FAITH REGIONAL PHYSICIAN SERV, SE, 130.00; FASTWYRE BROADBAND, SE, 1638.66; FLOOR MAINTENANCE, SU, 364.62; FLOOR MAINTENANCE, SU, 213.20; FLOOR MAINTENANCE, SU, 1199.99; GALE/CENGAGE LEARNING, SU, 50.68; HILAND DAIRY, SE, 41.19; HILAND DAIRY, SE, 108.15; HOMETOWN LEASING, SE, 465.14; HYDRO OPTIMIZATION, FE, 500.00; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 150.67; ICMA, SE, 592.03; ICMA, SE, 1083.40; ICMA, SE, 9552.86; ICMA, SE, 523.20; ICMA, SE, 130.76; ICMA, SE, 72.03; ICMA, SE, 197.98; ICMA, SE, 39.80; ICMA, SE, 132.44; INGRAM LIBRARY SERVICES, SU, 2337.58; IRS, TX, 19434.64; IRS, TX, 12985.05; IRS, TX, 4545.28; JEO CONSULTING GROUP, SE,

1275.37; JEO CONSULTING GROUP, SE, 12112.88; JOHNSON FITNESS & WELLNESS, SE, 4074.29; KAY CONTRACTING, SE, 21321.00; KAY CONTRACTING, SE, 12985.00; LINDNER CONST, RE, 240.00; MAIN STREET GARAGE, SE, 420.00; MARCO, SE, 228.08; MARCO, SE, 180.50; MUTUAL OF OMAHA, SE, 369.00; NE DEPT OF REVENUE, TX, 6186.34; NE DEPT OF REVENUE, TX, 272.05; NE HARVESTORE, SU, 1070.02; NE LAW ENFORCEMENT, FE, 240.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 361.75; NNEDD, SE, 85.00; NORTHEAST NE INS AGENCY, SE, 134749.00; NORTHEAST POWER, SE, 23826.18; NORTHWEST ELECTRIC, SU, 811.75; ONE OFFICE SOLUTION, SU, 1800.00; O'REILLY AUTOMOTIVE STORES, SU, 63.06; O'REILLY AUTOMOTIVE STORES, SU, 280.24; OVERHEAD DOOR, SU, 351.65; PONCA RURAL FIRE BOARD, RE, 3719.61; PONCA RURAL FIRE BOARD, RE, 10000.00; POSTMASTER, SU, 1119.69; PREMIER BIOTECH, SE, 72.18; QUADIENT FINANCE USA, SU, 1000.00; ROSE EQUIPMENT, SE, 1130.77; SCHULTZ, EVERETT, RE, 750.00; SKARSHAUG TESTING LAB, SE, 404.49; STADIUM SPORTING GOODS, SU, 8.00; STAPLES, SU, 254.34; STATE NEBRASKA BANK-PETTY CASH, RE, 117.19; SUTHERLAND, CARLY, RE, 250.00; THE MAJESTIC THEATER, SE, 600.00; THE RETROFIT COMPANIES, SU, 215.00; TOTAL GRAPHICS, SU, 225.00; USA BLUE BOOK, SU, 52.46; UTILITIES SECTION, FE, 423.00; UTILITIES SECTION, FE, 395.00; VILLAGE OF WINSIDE, RE, 4971.81; VILLAGE OF WINSIDE, RE, 10000.00; WAHLTEK, SE, 3900.00; WAYNE COUNTY TREASURER, FE, -1733.00; WAYNE COUNTY TREASURER, FE, 1733.00; WAYNE HERALD, SE, 901.05; WAYNE HIGH SCHOOL, RE, 5519.00; WESCO, SU, 417.30; WISNER WEST, SU, 27.01; ZACH OIL COMPANY, RE, 150.00; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 457.48; APPEARA, SE, 113.02; AWWA, FE, 358.00; BLUE CROSS BLUE SHIELD, SE, 47803.60; BORDER STATES INDUSTRIES, SU, 5043.05; CARGILL, TREVOR, SE, 100.00; CARHART, BOB, RE, 500.00; CERTIFIED TESTING SERVICES, SE, 574.00; CINTAS, SU, 31.40; CITY OF WAYNE, SE, 337.56; CITY OF WAYNE, RE, 59.56; CORNHUSKER AUTO CENTER, SE, 3263.24; DSF WAYNE SHORT STOP, SU, 58.85; FAIRFIELD INN – KEARNEY, SE, 318.00; FIRST CONCORD GROUP, SE, 4703.72; FLOOR MAINTENANCE, SU, 401.60; GLOBAL PAYMENTS INTEGRATED, SE, 459.53; HILAND DAIRY, SE, 139.18; KTCH AM/FM RADIO, SE, 168.00; LOFFLER, SE, 457.38; LUTT OIL, SU, 16117.17; MERCHANT SERVICES, SE, 5521.63; MERCHANT SERVICES, SE, 1309.85; MERCHANT SERVICES, SE, 98.26; MILLER LAW, SE, 6250.00; MOTOROLA SOLUTIONS, SE, 13579.20; MUNICIPAL SUPPLY, SU, 999.85; MURPHY TRACTOR & EQUIPMENT, SU, 310.60; NAPIER, KYLE, SE, 100.00; NE RURAL WATER, FE, 550.00; NEBRASKA JOURNAL LEADER, SE, 135.76; NPPD, SE, 8827.44; NMPP ENERGY, FE, 400.00; NORFOLK DAILY NEWS, SE, 144.92; NORTHEAST POWER, SE, 5658.00; ONE CALL CONCEPTS, SE, 15.58; OPTK NETWORKS, SE, 408.54; PAC N SAVE, SU, 980.92; PLUNKETT'S PEST CONTROL, SE, 48.60; QUALITY FOOD CENTER, SU, 39.96; RODRIGUEZ, NANCY, SE, 82.50; SOOLAND BOBCAT, SU, 986.05; STAN HOUSTON EQUIPMENT, SU, 825.00; STATE FARM INSURANCE, SE, 563.00; STATE NEBRASKA BANK & TRUST, SE, 62.40; STEFFEN TRUCK EQUIPMENT, SU, 514.38; TITAN MACHINERY, SU, 320.00; TWIN CITY HARDWARE, SU, 126.74; VIAERO, SE, 70.44; WASTE CONNECTIONS, SE, 31.50; WAYNE COUNTY CLERK, SE, 10.00; WESCO, SU, 31222.60; WAPA, SE, 23814.34

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 Councilmember Webber who was absent, the Mayor declared the motion carried.

Marcy Luth of AMGL presented the FY22-23 Audit.

Lowell Heggemeyer, Park and Recreation Director, stated that since the last meeting, he received another proposal to repair and refinish the auditorium terrazzo floors. This company, Complete Floors,

Inc., of Norfolk, also included quotes for both the north and south meeting rooms. Their proposal is as follows:

1. South meeting room - \$4,560;
2. Entrance middle area - \$11,675; and
3. North meeting room - \$6,599

These prices are substantially lower than those quoted by DeMarco Bros. in Omaha. Mr. Heggemeyer's recommendation is to award the contract to Complete Floors and have them do the south meeting room first to see how that turns out. He also noted that an employee of Complete Floors used to work for DeMarco Bros.

Councilmember Brodersen introduced Resolution 2024-3 and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2024-3

A RESOLUTION ACCEPTING PROPOSAL AND AWARDED CONTRACT ON THE "WAYNE CITY AUDITORIUM TERRAZZO FLOOR REFINISHING PROJECT" – COMPLETE FLOORS, INC. – SOUTH MEETING ROOM - \$4,560; ENTRANCE MIDDLE AREA - \$11,675; AND NORTH MEETING ROOM - \$6,599.

It was noted that once the south meeting room is done, if staff would like a glossier grit, they could make that decision without having the matter come before Council again.

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

Lowell Heggemeyer, Park and Recreation Director, received three bids/proposals for the "Prairie Park Soccer Field Irrigation Project." After review of the said bids, his recommendation is to award the project to the lowest bidder, Green Stripe, LLC, Stanton, for the amount of \$35,000. The other two bids were from Guaranteed Landscaping & Sprinklers of Norfolk - \$65,250, and Claussen & Sons Irrigation of Carroll - \$42,913.70.

Councilmember Eischeid introduced Resolution 2024-4 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-4

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “PRAIRIE PARK SOCCER FIELD IRRIGATION PROJECT” - GREEN STRIPE, LLC - \$35,000.00.

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

Matthew Smith, Engineer with Olson, gave an update on the Prairie Park Project. Mr. Smith then presented and reviewed the plans, specifications and estimate of cost of \$597,825, for the “Prairie Park Lake Amenities’ Project.” By reducing the trail sidewalk from 10 feet to 8 feet, the estimate of cost was reduced by approximately \$63,000.

Councilmember Brodersen introduced Resolution No. 2024-5 and moved for its approval, Councilmember Karsky seconded.

RESOLUTION NO. 2024-5

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

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

Administrator Blecke stated the proposed agreement with Olsson to do a watershed mapping project of Logan Creek was in a response to the new floodplain regulation/map changes coming forward. Staff was not overly pleased with the data used and how the same was compiled. Wayne has had two floods (2018 and 2019), so we are of the opinion that things have changed. However, FEMA was already through the process so they were not going to change anything midstream. Staff was of the opinion that we might be able to get more properties out of the floodplain if we use more current data. FEMA was not going to provide that for us, so we would need to have somebody do it for us. Carter Hubbard with Olsson prepared the proposal.

Joel Hansen, Flood Plain Administrator, added that when the new maps come out, they will go into effect March of 2026. For timeline purposes, there is an appeal process to FEMA which provides us the

opportunity to provide scientific data to them that they would use to reconsider their model. That is why we have to have an engineer do that. Olsson will provide us with something to submit to FEMA. This is our only option to do that before the map goes into effect in 2026. There is no guaranty that this is going to change that either.

Mr. Hansen noted there is an alternate in this Letter of Agreement. It includes an area a little farther to the north. There was a gentleman that came to our open house and asked us to do anything we could to help him because his house will be going into the floodplain. When he purchased that property, he was of the understanding that was not going to be an issue. This alternate proposal will cost \$5,900.

Matthew Smith, representing Olsson, reviewed what their services would be for this project. In addition, Carter Hubbard joined the meeting via cell phone to answer questions.

Administrator Blecke stated staff thinks the channel has deepened and potentially widened, so there is more capacity there than what they are giving us credit for. Olsson thinks that the data used for these maps is probably 7-10 years old, so this would be more recent data.

After discussion, Councilmember Eischeid introduced Resolution No. 2024-6 and moved for its approval, Councilmember Brodersen seconded.

RESOLUTION NO. 2024-6

A RESOLUTION APPROVING LETTER AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE CITY OF WAYNE AND OLSSON FOR THE "LOGAN CREEK WATERSHED MAPPING PROJECT" - \$39,600 FOR ORIGINAL AREA AND AN ADDITIONAL \$5,800 FOR THE ALTERNATE ADDITIONAL AREA.

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

Mayor Giese declared the time was at hand for the public hearing on the One and Six Year Street Improvement Program.

Joel Hansen, Street and Planning Director, presented the One and Six Year Street Improvement Program. This is a yearly requirement to receive Highway Allocation Funds from the Nebraska Department of Transportation. He noted that just because a project is in the One and Six Year Street

Improvement Plan does not mean the project has to be done that year. However, if the City would want to do a project that is not in the One and Six Year Street Improvement Plan, another public hearing would have to be held to amend the plan.

He presented two proposals: one that had projects in 2024 and maintenance only each year until 2029; the other proposal had projects from 2024 through 2029.

Upcoming projects, which include some carry-over projects from previous year(s), include the following:

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>
M – 617(112)	2024	Prairie Park Streets – 5,900’ Construct Gravel Roads	\$600,000
M – 617(116)	2024	W. 7 th Street from Haas Avenue to Pheasant Run – 1,650’ Storm Sewer & Sidewalk	\$800,000
M – 617(132)	2025	E. 4 th Street and Thorman Street – 2,300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$900,000
M – 617(115)	2025	W. 3 rd Street from Oak Dr. to 250’ E. of Oak Dr. – 250’ Construct Concrete Paving, Curb & Gutter	\$ 70,000
M – 617(129)	2026	Fairgrounds Avenue from S. Main to S. Nebraska & from Dead End to Prairie Park – 915’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$800,000
M – 617(131)	2027	E. 21 st Street from Vintage Hill Drive to Centennial Road and Centennial Road from E. 14 th to E. 21 st – 4,500’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$ 1,500,000
M – 617(107)	2028	Clark Street & S. Pearl Street – 745’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$350,000
M – 617(114)	2028	W. 2 nd Street from Blaine St. to 360’ E of Blaine St. – 380’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$180,000
M – 617(98)	2028	Sherman Street from W. 5 th St. to W. 6 th St. – 300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$140,000
M – 617(113)	2028	Sherman Street from W. 3 rd St. to W. 4 th St. – 300’ Construct Concrete Paving, Curb & Gutter	\$140,000

M – 617(127)	2029	Downtown Alleys – 2,880’ Overlay and Concrete Paving	\$500,000
M – 617(130)	2029	W. 11 th Street from Main to Sherman – 1,550’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$850,000
M – 617(89)	2029	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$400,000
M – 617(120)	2029	Northern Ridge Drive from Highway 15 to W. 21 st St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Sewer	\$800,000
M – 617(119)	2029	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000
M – 617(133)	2029	E. 10 th Street from Schreiner Drive to east end of Viken Park Reconstruct Concrete Paving, Curb and Gutter – 200’	\$200,000

Councilmember Bratcher brought up concerns again about not only his neighborhood, but a few others, not having proper storm drainage. He would like to see improvements made to these neighborhoods.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

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

Councilmember Eischeid introduced Resolution 2024-7 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-7

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM (PROPOSAL WITH PROJECTS FROM 2024 – 2029).

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

The following Resolution would approve the mutual aid agreement between the City of Wayne and the Northeast Nebraska Mutual Aid District (NNMAD). The NNMAD includes the communities and rural fire districts of Allen, Bancroft, Concord, Dakota City, Dixon, Emerson, Homer, Laurel, Martinsburg, Newcastle, Pender, Ponca, Rosalie, South Sioux City, Thurston, Wakefield, Walthill and Winnebago, who

agree to respond to other members' emergency fire calls if there is a fire or disaster too big for the local firefighters to control.

Councilmember Brodersen introduced Resolution 2024-8, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-8

A RESOLUTION APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF WAYNE VOLUNTEER FIRE DEPARTMENT AND THE NORTHEAST NEBRASKA MUTUAL AID DISTRICT.

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

Councilmember Eischeid introduced Ordinance No. 2023-31, and moved for approval of the third and final reading thereof; Councilmember Buck seconded.

ORDINANCE NO. 2023-31

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF A 1681.90 SQUARE FOOT EASEMENT LOCATED IN LOT 1, JORGENSEN SUBDIVISION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

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

Administrator Blecke updated the Council on the Community Activity Center Relocation Project.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:10 p.m.