

**MINUTES
CITY COUNCIL MEETING
March 5, 2024**

The Wayne City Council met in regular session at City Hall on March 5, 2024, at 5:30 o'clock P.M.

Council President Jill Brodersen called the meeting to order, followed by the Pledge of Allegiance, with the following in attendance: Councilmembers Austyn Houser, Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky, and Matt Eischeid; City Administrator Wes Blecke; and City Attorney Amy Miller. Absent: Mayor Cale Giese and City Clerk Betty McGuire.

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.

Council President Brodersen 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, she 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 Eischeid made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of February 20, 2024, and to waive the reading thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ACES, SE, 1127.56; AMERITAS, SE, 72.00; AMERITAS, SE, 175.19; AMERITAS, SE, 35.00; AMERITAS, SE, 115.67; AMERITAS, SE, 3481.82; APPEARA, SE, 153.27; ARBOR DAY FOUNDATION, FE, 100.00; ARNIE'S FORD, SU, 676.75; BOMGAARS, SU, 2316.04; CARGILL, TREVOR, SE, 125.00; CARHART LUMBER COMPANY, SU, 1317.71; CARLSON WEST POVONDRA ARCHITECTS, SE, 1139.04; CHEMQUEST, SE, 2262.50; CITY EMPLOYEE, RE, 51.32; CITY

EMPLOYEE, RE, 24.86; CITY EMPLOYEE, RE, 123.54; CITY EMPLOYEE, RE, 133.44; CITY EMPLOYEE, RE, 101.50; CITY EMPLOYEE, RE, 400.00; CITY OF WAYNE, PY, 123050.53; CITY OF WAYNE, RE, 465.79; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 15000.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEARBORN LIFE INSURANCE COMPANY, SE, 106.64; DGR & ASSOCIATES, SE, 1527.50; DUTTON-LAINSON COMPANY, SU, 497.80; EAKES OFFICE PLUS, SE, 215.82; FIRST CONCORD GROUP, SE, 4499.72; FLOOR MAINTENANCE, SU, 75.80; FREDRICKSON OIL, SU, 891.00; GALE/CENGAGE LEARNING, SU, 154.64; GRADUATE LINCOLN, SE, 96.00; GRNE SOLAR, RE, 1000.00; H.K. SCHOLZ COMPANY, SE, 4240.00; HILAND DAIRY, SE, 269.58; HOLIDAY INN OF KEARNEY, SE, 245.90; ICMA, SE, 39.80; ICMA, SE, 197.98; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 523.20; ICMA, SE, 9908.23; ICMA, SE, 1083.40; ICMA, SE, 72.03; ICMA, SE, 132.44; ICMA, SE, 75.00; ICMA, SE, 150.67; ICMA, SE, 592.03; IRS, TX, 20016.26; IRS, TX, 11685.54; IRS, TX, 4681.20; JEO CONSULTING GROUP, SE, 2230.12; JMB CONTRACTING, RE, 1000.00; KOCH, KILEY, RE, 1000.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MATTEO SAND AND GRAVEL CO, SU, 900.31; MIDWEST TAPE, SU, 485.88; MUTUAL OF OMAHA, SE, 369.00; N.E. NEB CLERKS ASSOCIATION, FE, 20.00; NAPIER, KYLE, SE, 125.00; NDEE-FISCAL SERVICES, FE, 40.00; NE DEPT OF REVENUE, TX, 5737.44; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 171.00; NEBRASKA GENERATOR SERVICE, SE, 1233.98; NEBRASKA MAIN STREET NETWORK, FE, 937.50; NORTHEAST POWER, SE, 23826.18; O'REILLY AUTOMOTIVE STORES, SU, 17.29; OTTE CONSTRUCTION COMPANY, RE, 1000.00; OVERDRIVE, SU, 59.98; POSTMASTER, SU, 1115.54; PRAIRIE ROSE SIGN, RE, 500.00; QUADIENT FINANCE USA, SU, 1000.00; ROBERT WOehler & SONS, SE, 1719.91; ROBERT WOehler & SONS, SE, 1120.00; STAPLES, SU, 226.90; THOMPSON, LUCAS, RE, 1000.00; TOM'S BODY & PAINT SHOP, SE, 315.00; TRUCK CENTER COMPANIES, SU, 177.35; UNIVERSITY OF NORTHERN IOWA, FE, 1990.00; VAKOC, RE, 1000.00; WESCO, SU, 2452.44; WISNER WEST, SU, 101.20; WUEBBEN, JULIE, RE, 150.00; ADVANCED CONSULTING ENGINEERING SERVICES, SE, 334.22; APPEARA, SE, 63.28; ARNIE'S FORD, SE, 561.00; BLUE CROSS BLUE SHIELD, SE, 47883.28; BORDER STATES INDUSTRIES, SU, 3319.40; CERTIFIED TESTING SERVICES, SE, 1476.25; CITY EMPLOYEE, RE, 113.50; DUTTON-LAINSON COMPANY, SU, 7791.27; FLOOR MAINTENANCE, SU, 855.50; GALE/CENGAGE LEARNING, SU, 343.06; GLOBAL PAYMENTS INTEGRATED, SE, 744.31; HILAND DAIRY, SU, 34.75; HOMETOWN LEASING, SE, 465.14; KONE, SE, 2016.00; LUNDAHL, EARL, RE, 350.00; MARRIOTT HOTELS, SE, 321.00; MERCHANT SERVICES, SE, 5361.58; MERCHANT SERVICES, SE, 1220.23; MERCHANT SERVICES, SE, 91.41; MIDWEST TAPE, SU, 1888.51; MILLER LAW, SE, 6250.00; NPPD, SE, 184.00; NO SWETT FENCING, SU, 5275.00; NORTHEAST POWER, SE, 5258.00; ODEYS, SU, 6600.00; ONE CALL CONCEPTS, SE, 47.08; OPTK NETWORKS, SE, 408.54; PAC N SAVE, SU, 1259.50; PLUMBING & HEATING WHOLESALE, SU, 598.66; PRONUNCIATOR, SU, 450.00; QUALITY FOOD CENTER, SU, 29.52; RESCO, SU, 1027.20; SKARSHAUG TESTING LAB, SE, 249.49; STADIUM SPORTING GOODS, SE, 24.00; STAPLES, SU, 206.28; STATE NEBRASKA BANK & TRUST, SE, 63.44; STATE NEBRASKA BANK-PETTY CASH, RE, 100.55; TOTAL GRAPHICS, SU, 328.00; TRI-STATE COMMUNICATIONS, SU, 2395.00; UTILITIES SECTION, FE, 500.00; UTILITY EQUIPMENT, SU, 431.30; WASTE CONNECTIONS, SE, 61.50; WAYNE AMERICA, FE, 35.00; WAYNE HERALD, SU, 52.00; WESCO, SU, 127821.13; WAPA, SE, 24029.15

Councilmember Buck made a motion, which was seconded by Councilmember Bratcher, to approve the claims. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Council President Brodersen proclaimed "March" as Problem Gambling Awareness Month.

Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), was present requesting Council consideration to closing off a portion of East 10th Street 200' east of Angel Avenue to Hillside Drive for an electric vehicle power drive rally (State Championship) on Saturday, May 4th, from 7:00 a.m. until 5:00 p.m. He advised the Council that they no longer need portable restrooms as in the past, but would ask that the streets be cleaned/swept prior to the event. He noted that the church is willing to open up for the use of restrooms for their event.

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving the request of Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), to close off East 10th Street 200' east of Angel Avenue to Hillside Drive for the 2024 Power Drive State Championship on Saturday, May 4th, from 7:00 a.m. until 5:00 p.m., and that the streets be cleaned/swept prior to the event. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Blecke presented Application and Certificate of Payment No. 3 from Otte Construction Co., LLC, in the amount of \$100,493.00 for the "Wayne City Hall and Police Relocation Project." He also updated the Council on the progress of the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Application and Certificate of Payment No. 3 in the amount of \$100,493.00 to Otte Construction Co., LLC, for the "Wayne City Hall and Police Relocation Project." Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Matthew Smith, Engineer with Olsson, advised the Council that four bids were received on March 4th for the "Lake Wayne Amenities Project – Phase 3A." The bids were competitive and near the engineer's estimate for the project (\$520,000). He has reviewed the same and is recommending that the project be awarded to the low bidder, TR Harris Construction, Inc., for \$526,847.00.

Councilmember Eischeid introduced Resolution 2024-12 and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-12

A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE “LAKE WAYNE AMENITIES PROJECT – PHASE 3A” – TR HARRIS CONSTRUCTION, INC. - \$526,847.00.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Administrator Blecke stated that Laurel is in need of water and wastewater services and has reached out to us to help out until they are able to hire and train new employees. Staff has toured the Laurel facilities. This would only be for 30 days, with 2 possible 30-day extensions at a rate of \$60 per hour with mileage at the IRS rate, with a minimum of 2 hours per trip. After 30 days, we can adjust the rate at our sole discretion.

The Mayor of Laurel, Keith Knudsen, was present to answer questions and to explain the situation.

Councilmember Karsky introduced Resolution 2024-13 and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-13

A RESOLUTION APPROVING INTERLOCAL AGREEMENT WITH THE 2ND CLASS CITY OF LAUREL, NEBRASKA, FOR WATER/WASTEWATER SERVICES (2024).

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid introduced Ordinance No. 2024-1 and moved for approval of the second reading thereof; Councilmember Webber seconded.

ORDINANCE NO. 2024-1

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.082 B-3 NEIGHBORHOOD COMMERCIAL DISTRICT (H) MINIMUM YARD REQUIREMENTS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid 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. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to move for final approval of Ordinance No. 2024-1. Council President Brodersen stated the motion, and the result of roll call being all Yeas, the Council President declared the motion carried.

Discussion took place at the last meeting on the recommendations of the Planning Commission to incorporate several targeted areas for annexation. That map is included in the packet, as well as a revised map that shows just the area between Grainland Road and the Fairgrounds as being targeted for annexation.

Administrator Blecke advised the Council, per Mike Bacon, the City's TIF attorney, his recommendation is not to blight areas outside city limits. If it is contested, it could jeopardize the financial ability of the developer. You want to have the property targeted for annexation and annexed before you do a blight study. Developers can do any blight study they want at their expense. The City then has to approve it. Thirty-five percent of land inside city limits can be blighted. The small blighted area outside city limits does not go or count towards that percentage.

BJ Woehler was present to request Council to approve the map that the Planning Commission recommended.

Councilmember Karsky questioned whether or not the Planning Commission was aware of the information obtained from the City's TIF Attorney, Mike Bacon. The answer was that they were not.

After discussion, Councilmember Eischeid introduced Ordinance No. 2024-2 and moved for its approval (adjusting the Planning Commission's recommendation to include only the property north of Grainland Road - Woehler and Mrsny properties; Councilmember Muir seconded the motion, but then rescinded the same.

After further discussion, Councilmember Houser seconded the motion.

ORDINANCE NO. 2024-2

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF WAYNE.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who voted Nay, the Council President declared the motion carried. The second reading will take place at the next meeting.

Heather Headley, Library Director, presented her annual department report. Kim Endicott, Library Board President, was also present.

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

There being no further business to come before the meeting, Council President Brodersen declared the meeting adjourned at 6:47 p.m.