

AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
April 16, 2024

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. Proclamation – April 26, 2024, as “Arbor Day”
4. Approval of Minutes – April 2, 2024
5. Approval of Claims
6. Annual Green Team Update – Sandy Brown
7. Resolution 2024-15: Accepting bid and awarding contract on a new “Parks and Recreation Department Garage”

Background: Lowell Heggemeyer, Parks and Recreation Director, obtained 3 bids for a new garage for the Parks and Recreation Department. All are included in the packet. Lowell’s recommendation is to accept the bid of and award the project to Vakoc Builder’s Resource for \$14,571.77.

8. Action on the request of Roger Myers for Council consideration to waiving the rental fee and deposit for the use of the Freedom Park Shelter House for “Adult English as a Second Language (ESL) Classes
9. Public Hearing: Application for a Class D (Beer, Wine, Distilled Spirits, off sale only) Liquor License — Wisner West, Inc., d/b/a “Wayne East Prime Stop”

Background: This license will replace their old license due to a change in shareholders of the corporation.

10. Resolution 2024-16: Approving Application for a Class D Liquor License — Wisner West, Inc., d/b/a “Wayne East Prime Stop”
11. Action on the request of the Wayne Chicken Show Committee to close the following streets for the 44th Annual Henoween/Chicken Show Celebration:

- Friday, July 12th, from 2:30 p.m. until midnight for the annual Henoween Celebration: Main Street from 1st Street to 4th Street; 2nd Street from the east alley to the west alley and 3rd Street from Pearl Street to end at bump-outs by Bloom/Grace and Harder/Ankeny east of Main Street; and that closed areas on 3rd Street from the alley to Pearl Street be identified for handicap parking.
- Saturday, July 13th from 6:00 a.m. until 5:00 p.m. for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln Street from 10th Street to 8th Street; and intersections at 10th and Lincoln Streets, and 9th and Lincoln Streets are requested to be closed. The intersections at 10th and Douglas and 9th and Douglas will be open to allow traffic flow adjacent to the park.
- On behalf of Wayne Kiwanis: to close part of East 2nd Street from 6:00 a.m. until 10:30 a.m. on Saturday, July 13th from the intersection of 2nd and Main Streets to the alley for their omelet feed and seating area.
- Saturday, July 13th from 9:00 a.m. until 11:30 a.m. (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. West 1st Street from Main to Sherman Street and Grainland Road will be closed for the parade line up and monitoring entries via golf cart or ATV.
- Sunday, July 14th, for the Crowing Motors Car Show from 7:00 a.m. until 5:00 p.m.: 2nd Street from Main Street to Pearl Street and Pearl Street from 2nd - 3rd Street, including the intersection of 2nd and Pearl Street be closed.

12. [Resolution 2024-17: Acknowledging requirements for the temporary use of the State Highway System for special events \(Henoween and Chicken Show – July 12, 13, and 14th\)](#)
13. Action on a request to approve a fireworks display on Friday, July 12, 2024, for the Henoween Celebration at the ballfield at Prairie Park
14. [Resolution 2024-18: Declaring the official intent of the City of Wayne, Nebraska, to reimburse certain expenses in connection with the Electric System Project in the City from the proceeds of bonds issued by the City](#)

Background: This Resolution will allow the City to reimburse expenses for the Electric System Project from the proceeds of bonds issued by the City.

15. [Resolution 2024-19: Approving the purchase of a new LP XDT Vacuum Excavator and related equipment as per the bid proposal received from Vermeer High Plains through the Sourcewell Cooperative Pricing Program — Water/Sewer and Electric Departments](#)

Background: This piece of equipment will be shared by the Water/Sewer and Electric Departments. Vermeer is willing to take the old piece of equipment for \$20,000. If we do trade the same in, the cost for the new one will be \$49,606.34. If staff sells the old one on their own, they may be able to get more for the same. The price for the new piece of equipment would then be \$69,606.34 (without trade).

16. [Resolution 2024-20: Approving Amendment No. 1 to Task Order No. 04 with DGR Engineering for the “Northeast Substation Project”](#)
17. [Resolution 2024-21: Approving Amendment No. 1 to Task Order No. 05 with DGR Engineering for the “Proposed Generation Plant Project”](#)
18. [Action on Change Order No. 2 in the amount of \\$12,494.11 to Penro Construction Co., Inc., for the “Wayne Prairie Park Phase II Utilities Project” — Matthew Smith, Olsson](#)

Background: Most of the items for Change Order No. 2 are final quantity adjustments, but a few of the big-ticket items include adding storm sewer and inlet to the parking lot north of the lake, additional fire hydrant north of the baseball fields, and quantity adjustment for the water main. Matthew Smith will be at the meeting to answer any questions you may have.

19. [Action on Certificate of Payment No. 5 in the amount of \\$89,221.70 to Penro Construction Co., Inc., for the “Wayne Prairie Park Phase II Utilities Project” — Matthew Smith, Olsson](#)

Background: This is for work completed and approved by the Engineer. This represents full payment, other than seeding and holding the retainage. We will hold a final walk through and may possibly include each ditch pending USACE approval.

20. [Ordinance 2024-3 \(2\): Amending Wayne Municipal Code Title VII Traffic Code, Prohibition and Enforcement, Section 78-212 Speed; Maximum \(East 21st Street – Third and Final Reading\)](#)
21. [Ordinance 2024-5: Approving vacation of a portion of Walnut Street located within the City of Wayne, Wayne County, Nebraska, described as that portion of Walnut Street lying between the north line of Hillcrest Road and extending north to the south line of 14th Street \(Second Reading\)](#)
22. [Ordinance 2024-6: Approving a transfer of ownership of waterline located along previously vacated 12th Street, commencing on the east side of Main Street \(Hwy 15\) and continuing east, through Wayne State College Campus to the water valves located in what is commonly known as Lot 4 of WSC, legally described as Lots 2-23, Crestview Addition to the City of Wayne, Wayne County, Nebraska \(Lot 10 of WSC\), subject to WSC relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City’s water line \(Second Reading\)](#)

23. [Action on Application and Certificate of Payment No. 5 in the amount of \\$183,459.00 to Otte Construction Company, Inc. for the "Wayne City Hall & Police Relocation Project" - Carlson West Povondra Architects](#)

24. Action to set Mini-Retreat Date – Tuesday, April 30th, at 5:30 p.m. at the Wayne Fire Hall
25. Committee update on the Community Activity Center Relocation Project
26. Adjourn

CITY OF WAYNE
OFFICE OF THE MAYOR

Proclamation

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Wayne has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways.

NOW, THEREFORE, I, Cale Giese, Mayor of the City of Wayne, Nebraska, do hereby proclaim

April 26, 2024, as ARBOR DAY

in the City of Wayne, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands and to support our City's urban forestry program.

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Wayne, Nebraska, to be affixed this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Cale Giese, Mayor

ATTEST:

City Clerk

**MINUTES
CITY COUNCIL MEETING
April 2, 2024**

The Wayne City Council met in regular session at City Hall on April 2, 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 Austyn Houser, Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; Finance Director Beth Porter; and City Attorney Amy Miller. Absent: Councilmember Jason Karsky 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.

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 Buck, to approve the minutes of the meeting of March 19, 2024, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 3/19/24: OTTE CONSTRUCTION, SE, 215551.00

VARIOUS FUNDS: ACES, SE, 1127.56; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 3585.36; AMERITAS, SE, 72.00; AMERITAS, SE, 115.99; APPEARA, SE, 88.98; BAKER &

TAYLOR BOOKS, SU, 826.00; BARRONE, AYDEN, RE, 213.00; BEIERMANN ELECTRIC, SE, 68.50; BOMGAARS, SU, 2390.02; BORDER STATES INDUSTRIES, SE, 24989.86; CARLSON WEST POVONDRA ARCHITECTS, SE, 4145.74; CASEY ELECTRIC, SE, 2229.28; CENTER POINT LARGE PRINT, SU, 51.94; CIRBA SOLUTIONS SERVICES, SU, 326.85; CITY EMPLOYEE, RE, 86.61; CITY EMPLOYEE, RE, 473.11; CITY OF WAYNE, PY, 114706.32; CITY OF WAYNE, RE, 237.41; CLAUSSEN & SONS IRRIG, SE, 85.00; CORE & MAIN, SE, 890.96; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEARBORN LIFE INSURANCE COMPANY, SE, 75.68; DEMCO, SU, 655.21; DGR & ASSOCIATES, SE, 15325.50; DORING, JOSH, RE, 100.00; EAKES OFFICE PLUS, SE, 2323.29; FASTWYRE BROADBAND, SE, 1640.86; FIREMAN, RE, 262.00; FIREMAN, RE, 150.00; FLOOR MAINTENANCE, SU, 896.69; GALE/CENGAGE LEARNING, SU, 128.65; GERHOLD CONCRETE, SE, 1917.91; GRANQUIST, JIM, RE, 500.00; GROSSENBURG IMPLEMENT, SU, 153.73; H.K. SCHOLZ COMPANY, SU, 1720.00; HANSEN, DALTON, RE, 213.00; HAWKINS, SU, 1264.21; HILAND DAIRY, SE, 110.54; ICMA, SE, 39.80; ICMA, SE, 201.68; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 523.20; ICMA, SE, 9851.07; ICMA, SE, 1229.22; ICMA, SE, 138.72; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 150.67; ICMA, SE, 596.51; INGRAM LIBRARY SERVICES, SU, 830.72; IRS, TX, 4434.62; IRS, TX, 11971.03; IRS, TX, 18961.92; J. F. AHERN CO, SE, 3004.00; JEO CONSULTING GROUP, SE, 1491.50; JOHNSON FITNESS & WELLNESS, SU, 40.00; KARSKY, JASON, RE, 250.00; KEEZEL, MAX, RE, 100.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MONTINO, LAUREN, RE, 150.00; MUTUAL OF OMAHA, SE, 369.00; NE DEPT OF REVENUE, TX, 5773.11; NE EMERGENCY SERVICE, FE, 45.00; NE HARVESTORE, SU, 988.68; NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN, FE, 50.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 90.00; NORTHEAST POWER, SE, 29233.54; NSVFA FIRE SCHOOL, FE, 1080.00; OLSSON, SE, 16534.88; O'REILLY AUTOMOTIVE STORES, SU, 566.91; PARKER, BRETT, RE, 5.00; PLATIUM CHEMICALS, SU, 452.00; SANDRY FIRE SUPPLY, SU, 599.93; SIOUX SALES COMPANY, SU, 25.83; STATE NEBRASKA BANK-PETTY CASH, RE, 117.65; UNLIMITED LANDSCAPING, SE, 5048.00; USA BLUE BOOK, SU, 872.72; UTILITY EQUIPMENT, SU, 6161.02; VEL'S BAKERY, SU, 53.00; WAYNE AMERICA, FE, 260.00; WESCO, SU, 267.50; WISNER WEST, SU, 138.39; ZIMCO SUPPLY, SU, 3387.90; APPEARA, SE, 48.26; APPEARA, SE, 115.61; BEIERMANN ELECTRIC, SE, 1580.00; BLUE CROSS BLUE SHIELD, SE, 47245.89; BOK FINANCIAL, RE, 440371.51; CAMP ASSURANCE, RE, 200.00; CARHART LUMBER COMPANY, SU, 531.19; CERTIFIED TESTING SERVICES, SE, 277.50; CINTAS, SU, 349.00; CONTINENTAL FIRE SPRINKLER, SE, 995.00; COPY WRITE PUBLISHING, SE, 279.68; ED M. FELD EQUIPMENT, SE, 33.70; FIRST CONCORD GROUP, SE, 4499.72; FLOOR MAINTENANCE, SU, 71.30; GLOBAL PAYMENTS INTEGRATED, SE, 825.08; HILAND DAIRY, SE, 96.89; HOMETOWN LEASING, SE, 180.82; J.P. COOKE COMPANY, SU, 257.95; JEO CONSULTING GROUP, SE, 2980.62; KELLY SUPPLY COMPANY, SU, 209.73; MARRIOTT HOTELS, SE, 816.00; MERCHANT SERVICES, SE, 5833.90; MERCHANT SERVICES, SE, 1397.25; MERCHANT SERVICES, SE, 93.62; MICHAEL TODD INDUSTRIAL SUPPLY, SU, 495.22; MILLER LAW, SE, 6250.00; MORISSEY ENGINEERING, SE, 2800.00; NORTHEAST NE INS AGENCY, SE, 134875.00; NORTHEAST POWER, SE, 6006.00; OERTWICH, RANDY, SU, 4500.00; ONE CALL CONCEPTS, SE, 72.68; PAC N SAVE, SU, 233.31; PAC N SAVE, SU, 1640.10; POSTMASTER, SU, 1119.29; QUADIENT LEASING USA, SE, 655.38; SUMMIT CARBON SOLUTIONS, RE, -250.00; SUMMIT CARBON SOLUTIONS, RE, 450.00; THE MAJESTIC THEATER, SE, 200.00; WAYNE COMM SCHOOL FOUNDATION-POST PROM, RE, 200.00; WESCO, SU, 1273.30; WYNIA, KATIE, SE, 300.00

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

Roger Protzman, representing JEO Consulting Group, Inc., via zoom, presented Contractor's Application for Payment No. 3 in the amount of \$46,529.17 to Philip Carkoski Construction and Trenching, Inc., for the "2023 Wastewater Treatment Facility Ultraviolet Light Improvements Project." He also updated the Council on the progress of the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving Contractor's Application for Payment No. 3 in the amount of \$46,529.17 to Philip Carkoski Construction and Trenching, Inc., for the "2023 Wastewater Treatment Facility Ultraviolet Light Improvements Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried.

Administrator Blecke stated that part of the \$10M bond the City issued last year was to fund a new Parks and Recreation Building in Prairie Park. The City hired Carlson West Povondra Architects to assist with the design and bidding package. The estimated opinion of cost for this project is \$1,309,825. This bid will be for the structure, but does not include finished office spaces and parking/landscaping. The plan is to erect the building this fall and have City staff help as much as possible to construct the office space. Some of this finish work will have to be hired out.

A representative of Carlson West Povondra Architects was present to answer questions, as well as Lowell Heggemeyer, Parks and Recreation Director.

The only thing that has been added/changed since the beginning of this project is floor heat instead of radiant heat.

Councilmember Brodersen introduced Resolution 2024-14 and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-14

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE "PARKS AND RECREATION BUILDING 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 Karsky who was absent, the Mayor declared the motion carried.

Doug Temme, Andy Nelson and Rod Gilliland, representing the Wayne County Ag Society, were present regarding the possible annexation of the fairgrounds discussion that has taken place on the amended land use map agenda item over the last couple of Council meetings. Mr. Temme noted at this time they were not in favor of being annexed.

Some discussion took place regarding the outside water/sewer charges (double) that the Ag Society pays because they are outside city limits. Further discussion will take place on the matter.

Councilmember Eischeid introduced Ordinance No. 2024-2 and moved for approval of the third and final reading thereof; Councilmember Webber seconded the motion.

ORDINANCE NO. 2024-2

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

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

Councilmember Eischeid stated that he had spoken with a couple of homeowners who live along 21st Street that would be affected if the speed limit changes from 35 mph going east from the golf course parking lot, and they both expressed concern. They want to make sure it stays the way it is now – 25 mph until you get past the Armstrong property, and then it increases to 35 mph east to the city limits.

Councilmember Brodersen stated she thought the 25 mph speed limit should go farther east (Claycomb Road) before changing to 35 mph.

Councilmember Bratcher introduced Ordinance No. 2024-3 (2) and moved for approval of the second reading thereof; Councilmember Muir seconded.

ORDINANCE NO. 2024-3 (2)

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-212 SPEED; MAXIMUM; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR 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 Councilmember Karsky who was absent and Councilmember Brodersen who voted Nay, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Administrator Blecke stated the College and city staff have been discussing the option to vacate a portion of Walnut Street for a couple of years. The discussion picked up momentum when the new dorm was announced and then began construction. The College is concerned with the dorm being built where it is and making on-campus students cross a city street. The City has electrical infrastructure on the east side of Walnut Street that we will need to keep as an easement for maintenance. The City does not own 14th Street at the north end of Walnut Street, so this does not cause any issues with connectivity.

Councilmember Eischeid stated he and Councilmember Houser received an anonymous email from someone, regarding the following ordinance, whose biggest concern was whether or not emergency services were going to be able to provide service to the new dorm/area if the street is abandoned.

Joel Hansen, Street and Planning Director, addressed this concern.

Councilmember Brodersen introduced Ordinance No. 2024-5 and moved for approval thereof; Councilmember Webber seconded.

ORDINANCE NO. 2024-5

AN ORDINANCE APPROVING VACATION OF A PORTION OF WALNUT STREET LOCATED WITHIN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THAT PORTION OF WALNUT STREET LYING BETWEEN THE NORTH LINE OF HILLCREST ROAD AND EXTENDING NORTH TO THE SOUTH LINE OF 14TH STREET.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent and Councilmember Bratcher who voted Nay, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Administrator Blecke stated that action on the following Ordinance would officially give Wayne State College a City water line through campus. WSC could meter at each end, and the City would have no need to maintain this line. With the old 12th Street being turned into a pedestrian way years ago, the City

has limited access to the line should a major issue arise. Staff feels it is in both parties' best interest to have WSC own this line. This water line is only used for fire suppression at this point.

Councilmember Brodersen introduced Ordinance No. 2024-6 and moved for approval thereof; Councilmember Eischeid seconded.

ORDINANCE NO. 2024-6

AN ORDINANCE APPROVING TRANSFER OF OWNERSHIP OF WATER LINE LOCATED ALONG PREVIOUSLY VACATED 12TH STREET, COMMENCING ON THE EAST SIDE OF MAIN STREET (HWY 15), AND CONTINUING EAST, THROUGH WAYNE STATE COLLEGE (WSC) CAMPUS, TO THE WATER VALVES LOCATED IN WHAT IS COMMONLY KNOWN AS LOT 4 OF WSC, LEGALLY DESCRIBED AS LOTS 2-23, CRESTVIEW ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (LOT 10 OF WSC), SUBJECT TO WSC RELOCATING METERS AT THE EAST AND WEST BOUNDARY OF SAID TRANSFERRED WATER LINE, AT THE POINT OF CONNECTION TO THE CITY'S WATER LINE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

Administrator Blecke updated the Council on the property the City owns located at 300 S. Douglas Street. A "For Sale" sign is on the property. Council consensus was to wait until the flood plain determination is received before doing anything with the property.

Administrator Blecke updated the Council on the Community Activity Center Relocation Project. There will be a town hall type meeting on April 10th, one at 5:30 p.m. and then another at 7:00 p.m. at the Community Activity Center.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:19 p.m.

**COUNCIL APPROVED 4/2/24**

Vendor	Payable Description	Payment Total
PHILIP CARKOSKI CONSTRUCTION	UV IMPROVEMENTS- ARPA	46,529.17
ACE HARDWARE	HEATER SUPPLIES/BATTERIES/PLATE FILLER/REEL	427.43
ADVANCED ENGINEERED PUMP INC.	BEARINGS/GASKETS/O-RINGS	366.90
AMERITAS LIFE INSURANCE	AMERITAS ROTH	184.72
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,639.42
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	118.58
APPEARA	LINEN & MAT SERVICE	79.32
BROWN, SANDY	GREEN TEAM SUPPLIES/ADS	391.97
CARHART LUMBER COMPANY	WATER DEPT CABINETS	3,290.00
CASEY ELECTRIC	WIRE FOR OVERHEAD DOORS/SHOWER HEAT PUMP REPAIR	1,250.43
CITY EMPLOYEE	VISION REIMBURSEMENT	120.90
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	4,465.13
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	407.64
CITY EMPLOYEE	VISION REIMBURSEMENT	333.83
CITY OF WAYNE	PAYROLL	115,302.40
CITY OF WAYNE	UTILITY REFUND	.93
COLONIAL RESEARCH	MARKING PAINT	358.70
COMPLETE FLOORS, INC.	AUDITORIUM TERRAZZO	25,834.00
CONTINENTAL FIRE SPRINKLER CO	5YR INSPECTION ON WET FIRE SPRINKLER SYSTEM	1,035.00
COTTONWOOD WIND PROJECT, LLC	WIND ENERGY	19,794.84
DAS STATE ACCTG-CENTRAL FINANCE	WSC INTERNET CHARGES	69.73
DUTTON-LAINSON COMPANY	BOX PADS	1,324.00
EAKES OFFICE PLUS	COPY CHARGES/EGOLDFAX/PORTING FEE	895.62
ED M. FELD EQUIPMENT CO INC	AIR COMPRESSOR FILTER	238.75
ELECTRICAL ENGINEERING & EQUIPMENT	COUPLING/ELBOW/STEEL CHANNEL/WIRE PULL LUBE	1,097.69
ELLIS HOME SERVICES	AUDITORIUM MOP SINK REPAIR/HANK OVERIN COOLER INSTALL	880.17
EMPLOYERS MUTUAL CASUALTY CO	WORK COMP	185.92
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	369.32
GALE/CENGAGE LEARNING	BOOKS	51.33
GERHOLD CONCRETE CO INC.	FREEDOM PARK CONCRETE	647.60
GROSSENBURG IMPLEMENT INC	HYDRAULIC FILTER/CAP SCREW/FILTER ELEMENT-VOID	-427.28
GROSSENBURG IMPLEMENT INC	HYDRAULIC FILTER/CAP SCREW/FILTER ELEMENT	87.28
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	369.54
HYTREK LAWN	LIBRARY/SR CENTER ROCKS-LEAVES CLEAN UP	600.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA-ICMA	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	201.68
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	39.80

ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	523.20
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	130.76
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	138.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	75.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,229.22
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	150.67
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	596.51
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	9,851.07
IRS	FICA WITHHOLDING	19,051.28
IRS	FEDERAL WITHHOLDING	12,262.91
IRS	MEDICARE WITHHOLDING	4,455.50
IRS	FICA WITHHOLDING	12.96
IRS	MEDICARE WITHHOLDING	3.02
JILL BRODERSEN,	WASTE WATER FACILITY-SOLAR SHADES	283.08
JOHN'S WELDING AND TOOL LLC	VALVE WRENCH	20.40
KNIESCHE, VINCE	BUILDING PERMIT FEE REFUND	200.00
KNUST, KEN	BUILDING PERMIT DEPOSIT REFUND	500.00
KTCH AM/FM RADIO	RADIO ADS	168.00
L.G. EVERIST	CRUSHED QUARTZITE	852.76
LUTT OIL	GASOLINE	6,350.38
MAIN STREET GARAGE, LLC	WHEEL ALIGNMENT	131.25
MIDWEST LABORATORIES, INC	WASTEWATER ANALYSIS	207.57
MUNICIPAL SUPPLY INC	SAFETY FLANGE/WATER METER PRO CODER-VOID	-1,245.60
MUNICIPAL SUPPLY INC	SAFETY FLANGE/WATER METER PRO CODER	1,245.90
NE DEPT OF REVENUE	STATE WITHHOLDING	5,858.03
NEBRASKA PUBLIC POWER DIST	TRANSMISSION SUBSTATION CHARGES/METER REPORTS	8,827.44
NO SWETT FENCING	BATTING CAGES	66,180.00
NORTHEAST NEBRASKA NEWS	LIBRARY RENEWAL	48.50
ONE NEBRASKA LIBRARY	ONE NEBRASKA LIBRARY CONSORTIUM DUES	750.00
OPTK NETWORKS	POLICE ETHERNET SERVICES	408.54
PEPSI COLA OF SIOUXLAND INC	CAC POP	59.95
R PERRY CONSTRUCTION INC	BUILDING PERMIT DEPOSIT REFUND	500.00
SEBADE CONSTRUCTION	BUILDING PERMIT DEPOSIT REFUND	500.00
SIRSI CORPORATION	2024 LIBRARY DUES	-750.00
STATE NEBRASKA BANK & TRUST	MONTHLY ACH FEE	62.80
TIMBERLYNE	BUILDING PERMIT DEPOSIT REFUND	500.00
US FOODSERVICE, INC.	SENIOR CENTER NOON MEAL SUPPLIES	2,853.31
VERIZON WIRELESS SERVICES LLC	CELL PHONES/METER READ TABLETS	574.49
WAYNE COUNTY COURT	BOND	500.00
WAYNE COUNTY COURT	GARNISHMENT	141.95
WAYNE DIRT DEVILS	AUDITORIUM DEPOSIT REFUND	200.00
	Grand Total:	376,895.97



Look at the Impact You Make in Wayne

Started new

MARKER/PEN/PENCIL

recycling in 2023



175,000

POUNDS of electronics
recycled since 2013



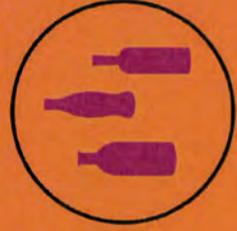
4,464 **POUNDS** of light
strings since 2016



4,500 **POUNDS**
of batteries recycled
since 2017



239 **TONS** of glass
recycled since 2016



**AWARDED \$132,000 IN
GRANT FUNDS SINCE 2013**

WAYNE RECYCLING & TRASH CENTER (RTC) COLLECTION TONNAGE

Tonnage figures provided by Waste Connections 3/8/24

WAYNE RTC TONNAGE YEAR OVER YEAR

YEAR OVER YEAR	2016	2017	2018	2019	2020	2021*	2022	2023	Change from 2022
GARBAGE	3,737.42	4,258.01	4,368.19	4,000.42	3,977.46	4657.99	4,811.42	5,280.25	10%
MIXED RECYCLING	126.57	131.24	114.09	125.46	221.50	115.84	141.16	167.63	19%
STEEL SCRAP	20.42	26.16	26.04	16.09	3.15	37.58	32.60	7.32	-78%
BALED CARDBOARD	84.23	78.01	74.92	58.49	23.69	15.11	12.00	22.73	89%

*Waste Connections does not believe the recycling & cardboard data is accurate due to transition from Gill Hauling in 2021.

WAYNE RTC TONNAGE BY MONTH 2022 to 2023

BY MONTH	GARBAGE		MIXED RECYCLING		STEEL SCRAP		BALED CARDBOARD	
	2022	2023	2022	2023	2022	2023	2022	2023
JANUARY	380.89	354.15	8.82	8.84	2.98			
FEBRUARY	327.11	391.12	7.41	8.25	3.08			
MARCH	363.90	458.38	7.51	7.26	1.93	3.72		11.44
APRIL	426.28	437.49	8.07	7.61	2.53			
MAY	477.92	494.73	10.16	8.22	3.66			
JUNE	464.32	464.47	7.81	19.64	2.50		12.00	
JULY	339.26	428.51	15.64	11.04	2.99			
AUGUST	399.81	459.60	7.95	22.91	2.53	3.6		
SEPTEMBER	423.51	428.99	8.27	11.12	0.00			11.29
OCTOBER	434.59	487.26	14.71	23.27	3.15			
NOVEMBER	405.54	449.44	27.47	19.43	3.37			
DECEMBER	368.29	426.11	17.34	20.04	3.88			
TOTALS	4,811.42	5,280.25	141.16	167.63	32.6	7.32	12	22.73

3 HIGHEST MONTHS OF TRASH COLLECTION AT WAYNE RTC YEAR OVER YEAR

2016		2017		2018		2019		2020		2021		2022		2023	
SEP	358.50	MAY	407.36	JAN	486.41	MAY	417.42	SEP	442.74	AUG	462.05	MAY	477.92	MAY	494.73
NOV	353.23	AUG	403.01	FEB	485.42	JULY	410.15	MAY	388.28	SEP	459.49	JUNE	464.32	OCT	487.26
AUG	349.96	SEP	380.54	MAR	430.44	AUG	397.23	AUG	378.20	OCT	437.94	OCT	434.59	JUNE	464.47

Trends

- 2023 was the highest trash year since 2016.
- Between 2022-2023, trash increased by 10% and mixed recycling increased by 19%.
- Trash has increased every year since 2020.
- May & August are in the top 3 highest months of trash 5 times out of the last 8 years.

WAYNE GREEN TEAM'S TOP 4 RECYCLING PROGRAMS

ELECTRONICS RECYCLING IN POUNDS

DATE	POUNDS	INC/DEC YOY
4/20/2013	12,084	
10/11/2014	15,262	26%
9/19/2015	22,885	50%
9/24/2016	15,967	-30%
9/23/2017	19,282	21%
9/15/2018	17,871	-7%
9/14/2019	17,127	-4%
9/18/2021	24,655	44%
9/24/2022	13,650	-45%
9/23/2023	15,685	15%
TOTAL	174,468	

Collected by vendors and paid with NDEE grant funds.

BATTERY RECYCLING IN POUNDS

YEAR	COST	POUNDS	INC/DEC YOY
2017 (started Nov)	\$338.32	68	
2018	\$1,409.26	558	721%
2019	\$1,357.26	615	10%
2020	\$659.70	319	-48%
2021	\$2,033.40	907	184%
2022	\$2,448.00	1112	23%
2023	\$1,938.00	947	-15%
TOTAL	\$3,764.54	4,526	

Shipped to Cirba Solutions mostly with NDEE grant funds and minimal Wayne Green Team funds.

GLASS RECYCLING IN TONS

YEAR	TONS	INC/DEC YOY
2017	37.63	
2018	19.75	-48%
2019	39.35	99%
2020	19.78	-50%
2022	49.93	152%
2023	72.44	45%
TOTAL	238.88	

Picked up by Ripple Glass for free.

LIGHT STRING RECYCLING IN POUNDS

DATE	COST	POUNDS	INC/DEC YOY
Jan-16	\$54.25	217	
Feb-17	\$56.55	377	74%
4/23/2018	\$111.05	542	44%
2/4/2019	\$108.95	528	-3%
6/1/2020	\$97.25	415	-21%
6/1/2021	\$86.00	430	4%
4/19/2022	\$345.00	875	103%
5/16/2023	\$275.00	660	-25%
1/5/2024	\$215.00	420	-36%
TOTAL	\$1,349.05	4,464	

Picked up by RetroFit and paid with Wayne Green Team funds.

RESOLUTION NO. 2024-15

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON NEW
“PARKS AND RECREATION DEPARTMENT GARAGE.”**

WHEREAS, three bids/proposals were received for a new “Parks and Recreation Department Garage;” and

WHEREAS, the bids/proposals have been reviewed by City Staff for recommendation to City Council; and

WHEREAS, City Staff is recommending that the bid/proposal outlined below be accepted as recommended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid/proposal for said project, as submitted by the following contractor, is the best bid/proposal received.

<u>Bidder</u>	<u>Amount of Bid</u>
Vakoc Builder’s Resource 803 Providence Road, Suite 102 Wayne NE 68787	\$14,571.77

BE IT FURTHER RESOLVED that the bid/proposal, as above set forth and filed with the City Clerk, and attached hereto, be and the same is hereby accepted.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

VAKOC BUILDER'S RESOURCE

2 MILES WEST OF WAYNE, NEBRASKA ON HWY 35

Phone: 402-375-5386

ESTIMATE

DATE: 4-5-24

Estimate No. 1006272

TO: Lowell Heggemeyer
Wayne Parks & Rec.

CONFIDENTIAL DOCUMENT: The information contained in this document is the result of time and effort expended by VBR for the express confidential use of the addressee. It is provided with the understanding that the recipient will not violate the trust by revealing it to an unauthorized third party.

PROJECT: Shed - worked on by Jay L. & Nick D.

Due to the current instability and volatility of building materials availability and pricing, no assurance can be given that the information contained in this estimate will be accurate beyond the date shown above. Our suppliers are invoking price adjustments with unprecedented frequency. Common justifications offered by distributors and vendors are inflationary pressures, delivery costs, labor shortages and supply chain disruption. Extended lead times are common.

We propose the materials as a package as listed herein. Prices are subject to change without notice. Items listed by specific manufacturer or model may be substituted on an "as equal" basis. The materials quantities and structural sufficiency should be reviewed and verified by customer. Only items specifically described are included. We will provide updated pricing upon request if there is reasonable intent to purchase and based upon our time limitations. Our Estimate represents calculations of the quantities based upon the judgment of the estimator and there is no guarantee regarding its accuracy, completeness or structural sufficiency. We are not architects or engineers. All materials listed herein are subject to availability and may be deleted if not available through normal distribution channels.

Applicable sales tax will be added to the cost of materials. Exemption requires copies of Nebr. Dept. of Rev. Form 17 and Form 13, Sec. B. Non-stocked, special-order materials must be picked up or delivered within 15 days from the date it arrives at our yard. We reserve the right to review Estimates and offer or decline an updated version. We reserve the right to correct clerical errors. Estimates may or may not include delivery. Delivery terms are to be negotiated and stated in writing. Dimension lumber and sheathing products are packaged for roll-off or jobsite-provided forklift unloading. Bundle or roll roofing products may be delivered to the roof or unloaded by jobsite-provided forklift.

All sales are subject to prior credit approval and terms of sale as listed below and stated in the VBR credit policy.

TERMS OF SALE:

1. Payment Terms: Net 10th Prox.
2. No further credit will be extended to accounts 60 days past due.
3. Past due accounts shall be subject to a finance charge at a rate of 1.33% per month of the unpaid balance which is an annual percentage rate of 16%.
4. Payments are accepted as cash, check or money order. Credit card payments are not acceptable for payment of materials quoted within this Estimate.
5. No materials may be returned unless authorization is received from Vakoc Builder's Resource.
6. Returned stock materials are subject to a restocking fee and must be returned in the original condition including shipping cartons if applicable. Weathered materials will not be accepted for return.
7. ALL SPECIAL ORDERS ARE NON-RETURNABLE unless allowed by our vendor in which case that vendor's restocking charge will apply. Special orders may require a non-refundable prepayment. Steel building/roofing panels and accessories, trusses, custom-sized items, specially-assembled doors, etc. are examples of special order items.
8. We are material suppliers, not Sub-Contractors, and therefore do not allow retainages on any invoice.
9. Before an account reaches 90 days past due in Nebraska, we have the option to file a Mechanics Lien against the property to which the materials were delivered.
10. Returned checks will cause a \$25.00 handling fee to be added to the account.

ESTIMATE

Builder's Resource

3mi west of Hwy Jctn 15 & 35
 803 Providence Rd, Ste 102
 Wayne NE 68787
 Phone: (402)-375-5386

Estimate Number 1006272

Estimate Date 4/3/2024

Page 1

SOLD CASH
TO

SHIP Wayne Park & Rec
TO

AMOUNT	0	TERMS	Due Immediately	SHIP DATE
NO of PACKAGES	0			SHIP NO
PO NUMBER				SHIP VIA
CUSTOMER ID	CASH	SALESPERSON1		SALESPERSON2

ITEM	ORDERED	SHIPPED	BO	DESCRIPTION	PRICE	AMOUNT	TAX
	1.00	.00	1.00	**Framing Materials**	.00	.00	N
810	2.00	.00	2.00	Foam Sill Sealer-4"	6.65	13.30	N
117513MSR	6.00	.00	6.00	2x4-16' #1 Pres Trtd btm plate	13.79	82.74	N
117513MSR	16.00	.00	16.00	2x4-16' MSR 1650 dbl top plate	10.55	168.80	N
12012	100.00	.00	100.00	2x4-8' SPF studs	5.17	517.00	N
14812SS	2.00	.00	2.00	2x12-20' SS HF	45.11	90.22	N
				4-10' pcs (2ea for 8' garage dr header)			
15088	34.00	.00	34.00	LVL 1-3/4x11-7/8" (LF)	8.40	285.60	N
				2-17" for 16' garage dr header			
01	1.00	.00	1.00	Truss Pkg	1,932.82	1,932.82	N
				2-gable, 18-common, 24" overhang, 4/12			
112612MSR	8.00	.00	8.00	2x4-16' MSR 1650 3 rat runs	10.55	84.40	N
112612MSR	7.00	.00	7.00	2x4-16' MSR 1650 spacers	10.55	73.85	N
				3 spacers per truss- 7 pc			
113812MSR	4.00	.00	4.00	2x6-20' MSR 1650 subfacla eve	19.80	79.20	N
113812MSR	4.00	.00	4.00	2x6-16' MSR 1650 subfacla gable	14.99	59.96	N
01	8.00	.00	8.00	2x4-12' MSR 1650- gable overhangs	7.31	58.48	N
				32 pcs - 3'			
01	1.00	.00	1.00		.00	.00	N
01	1.00	.00	1.00	Roof Materials	.00	.00	N
241154	36.00	.00	36.00	OSB 4x8-19/32 SE	28.59	1,029.24	N
263360	1.00	.00	1.00	PEAK Syn Underlay 42"x286" 10sq Rl	78.75	78.75	N
78560177	3.00	.00	3.00	TriBuilt TMG Ice/Water 3' x 33.3'	47.59	142.77	N
01	1.00	.00	1.00	Std Pkg - Ocean Blue Pnl Loc Plus	2,008.50	2,008.50	N
				panels ridge cap, closures, screws			

TAXABLE	NONTAXABLE	FREIGHT	SALES TAX	MISC	TOTAL
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PREPAYMENT	.00		NET DUE	19,332.82
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Date: 3/25/2024 - 3:30 PM

Design Name: Garage Design

Design ID: 310352243636

Estimated Price: **\$17,176.11**

**Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*

MENARDS®

Design & Buy™ GARAGE

How to recall and purchase your design at home:

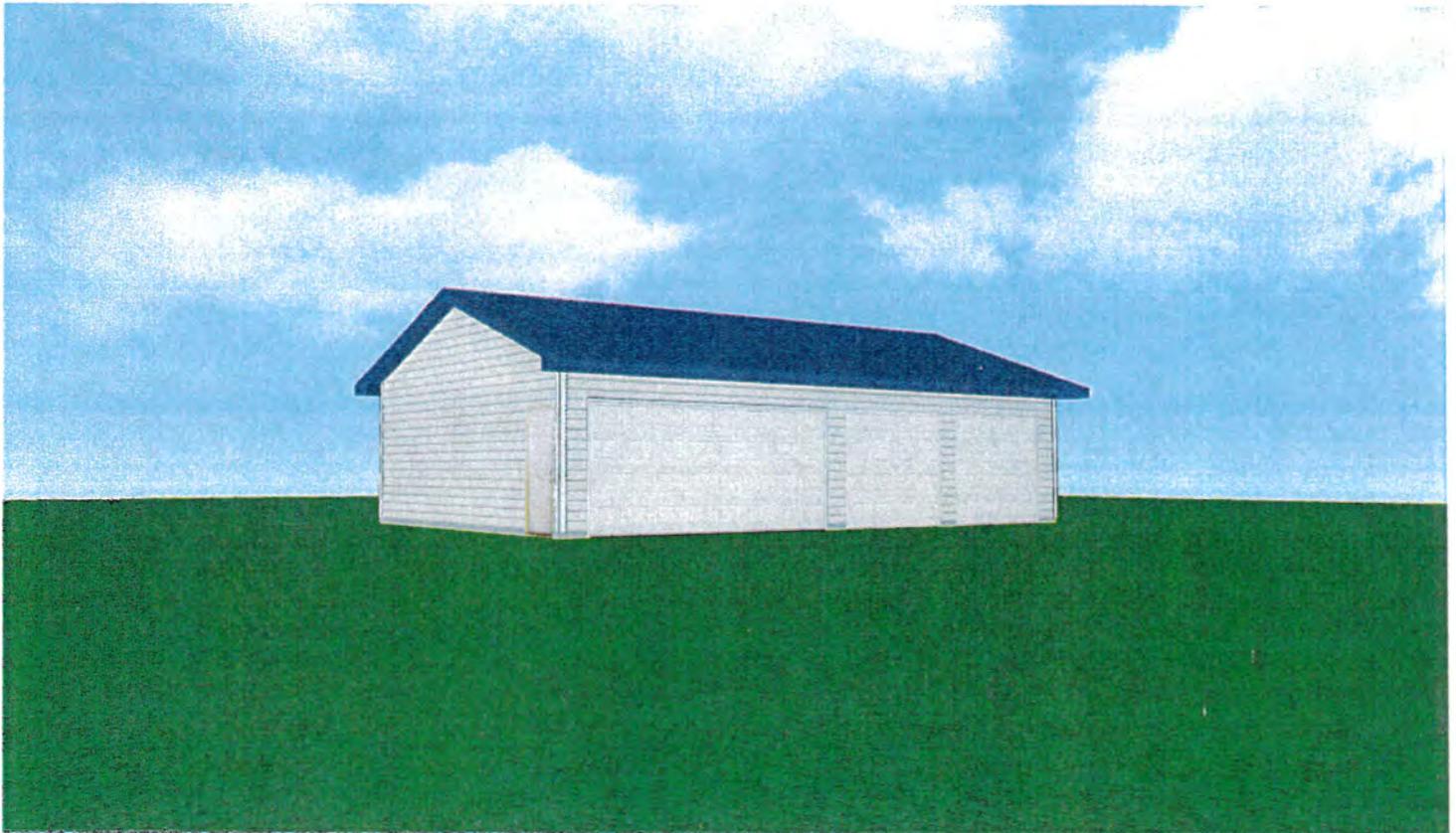


OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Garage Designer
3. Recall your design by entering Design ID: 310352243636
4. Follow the on-screen purchasing instructions

How to purchase your design at the store:

1. Enter Design ID: 310352243636 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions



Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

CARHART LUMBER COMPANY-WAYNE
105 MAIN STREET
P O BOX 430
WAYNE NE 68787
PHONE: (402) 375-2110
 Contractor Reg # 28575
 Visit us Online at www.carhartlumber.com



CUST NO: 2098	JOB NO: 000	PURCHASE ORDER	REFERENCE: REC GARAGE	TERMS: NET 10TH	CLERK: MK	DATE / TIME: 3/28/24 2:39
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SOLD TO:
 WAYNE REC & LEISURE DEPT
 PO BOX 8
 WAYNE NE 68787-0808
 402-375-1733

SHIP TO:
 WAYNE REC GARAGE
 24'x38'x8'

TERMINAL: 561
 EXP. DATE: 4/30/24

TAX: 021 WAYNE NO-TAX

ESTIMATE: 157553/1

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/ PER	EXTENSION
1					WALLS				
2		2	RL	40CSS	OC FOAM SILL SEA 3-1/2X50'108/CT		2	3.99 /RL	7.98 N
3					ADDED TO SKU 4SSS				
4		7	PC	2416T	2X4-16 #1 SYP TREATED	12.97	7	11.29 /PC	79.03 N
5					*** ONE COPY OF MSDS FORM FOR				
6					PRESSURE TREATED WOOD DUST**				
7		28	EA	126TITEN	1/2X6" TITEN HD ZINC ANCHOR	3.89	28	3.50 /EA	98.00 N
8		1	EA	366599	1/2X12 SDS+ HAMMER BIT	14.79	1	14.29 /EA	14.29 N
9		120	PC	24STLP	2X4-92 5/8 STUD PREMIUM	4.65	120	4.05 /PC	486.00 N
10		76	LF	11LVL	1-3/4"X11-7/8" LVL 2.0E GP	7.55	76	7.20 /LF	547.20 N
11					2@38'				
12		1	PC	21282H	2X12-8 SELECT KD HF	19.70	1	16.00 /PC	16.00 N
13		18	PC	2416	2X4-16 #2 & BTR SPF	10.95	18	9.50 /PC	171.00 N
14		31	PC	12OSB	4X8 1/2" OSB/WAFERBOARD	24.00	31	20.65 /PC	640.15 N
15		1	EA	P650839	PASLODE 3-1/4" X .131" NAILS	78.99	1	65.00 /EA	65.00 N
16		1	BX	P650238	PASLODE NAILS 2 3/8X.113RS 5M	99.99	1	85.00 /BX	85.00 N
17		2	RL	BARR9	BARRICADE PLUS HP WRAP 9'X100'	104.99	2	96.95 /RL	193.90 N
18		1	EA	123447	204 TYVEK TAPE 2" X 55 YARDS	17.99	1	16.19 /EA	16.19 N
19		1	EA	303383	7/8" STINGER STAPLEPAC	64.99	1	59.99 /EA	59.99 N
20									
21					ROOF				
22		1	EA	TRUSS	24'x38' 4/12 GABLE ROOF TRUSS		1	2150.00 /EA	2,150.00 N
23					TAKE WITH TRUSS ORDER				
24					LAYOUT DRAWING				
25					TRUSS ENGINEERING DRAWING				
26					TRUSS WARNING SHEET				
27		25	PC	2416	2X4-16 #2 & BTR SPF	10.95	25	9.50 /PC	237.50 N
28		9	PC	26162	2X6-16 #2 KD SPF	14.25	9	12.36 /PC	111.24 N
29		40	PC	58OSB	4X8 19/32 OSB/WAFERBOARD	29.15	40	25.73 /PC	1,029.20 N
30		160	EA	100684	PC58 CLIP PLYWOOD 5/8"STEEL250		160	0.20 /EA	32.00 N
31		1	BX	P650238	PASLODE NAILS 2 3/8X.113RS 5M	99.99	1	85.00 /BX	85.00 N
32		1	EA	240699	SDWC15600-KT 6" TRUSS SCREW T30	59.99	1	42.99 /EA	42.99 N
33									
34					ROOFING				

Continued...



Loaded By: _____ Delivered By: _____
 PURCHASER ACKNOWLEDGES THAT NO EXPRESS WARRANTY IS MADE BY CARHART LUMBER COMPANY IN CONNECTION WITH THE PRODUCT OR GOODS SOLD AND THAT MANUFACTURER'S WARRANTIES ARE NEITHER GRANTED NOR EXTENDED BY CARHART LUMBER COMPANY. STATEMENTS RELATING TO ANY PRODUCT SOLD MADE PRIOR TO EXECUTION OF THIS DOCUMENT ARE NOT WARRANTIES AND DO NOT FORM A PART OF ANY AGREEMENT BETWEEN PURCHASER AND CARHART LUMBER COMPANY.

CARHART LUMBER COMPANY-WAYNE

105 MAIN STREET

P O BOX 430

WAYNE NE 68787

PHONE: (402) 375-2110

Contractor Reg # 28575

Visit us Online at www.carhartlumber.com



CUST NO: 2098	JOB NO: 000	PURCHASE ORDER:	REFERENCE: REC GARAGE	TERMS: NET 10TH	CLERK: MK	DATE / TIME: 3/28/24 2:39
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SOLD TO:
WAYNE REC & LEISURE DEPT
PO BOX 8

WAYNE NE 68787-0008

SHIP TO:
WAYNE REC GARAGE
24'x38'x8'

EXP. DATE: 4/30/24

TERMINAL: 561

TAX: 021 WAYNE NO-TAX

ESTIMATE: 157553/1

LINE	SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/ PER	EXTENSION
35		2	EA	61005	RHINOROOF SYN FELT 42'X286' 10SQ		2	85.00 /EA	170.00 N
36		1	EA	303383	7/8" STINGER STAPLEPAC	64.99	1	59.99 /EA	59.99 N
37		1	EA	NSMP	ROOF STEEL & SOFFIT PACKAGE		1	3393.05 /EA	3,393.05 N
38		42	EA	123498	MINI CLEAR SNOW GUARD	4.19	42	3.99 /EA	167.58 N
39		3	EA	123501	SNOW GUARD ADHESIVE	21.49	3	14.99 /EA	44.97 N
40									
41					DOORS				
42		1	EA	NSDRS	3-0x6-8 PRIMED 6 PANEL STEEL DOO		1	465.88 /EA	465.88 N
43					4/16" PRIMED JAMB				
44					BALL BEARING HINGES				
45		1	EA	NSDRS	4 9/16" WHT CLAD JAMB		1	302.61 /EA	302.61 N
46		1	EA	NSDRS	PREPAINTED WHITE DOOR		1	149.07 /EA	149.07 N
47		1	EA	NSDRS	16'x7' WHITE GARAGE DOOR		1	1414.19 /EA	1,414.19 N
48					RAISED PANEL NON INSULATED				
49					OPERATOR PREP				
50		2	EA	NSDRS	8'x7' WHITE GARAGE DOOR		2	849.77 /EA	1,699.54 N
51					PAISED PANEL NON INSULATED				
52					KEYED EXTERIOR LOCK				
53		1	EA	100647	GARAGE DOOR OPENER SMART/MED		1	269.99 /EA	269.99 N
54		1	BN	165980	EWC42 BUILDER CEDAR SHIMS 15"		1	7.49 /BN	7.49 N
55		1	EA	203319	CL100201 LEVER LD ENTRY		1	62.99 /EA	62.99 N
56		1	EA	132594	Soudafoam 12 Oz. Min Expan foam		1	6.99 /EA	6.99 N
57		6	EA	732951	1-1/2"X60 ANGLE SLOTTED		6	25.99 /EA	155.94 N
58		1	EA	SF	MISC FASTENERS		1	50.00 /EA	50.00 N
59									
60					SIDING				
61		8	EA	WSUFT	12'6" UNDERSILL TRIM WHITE	9.85	8	8.87 /EA	70.96 N
62		96	EA	NSSDG	8"x16" WHITE EXPERT FINISH LP		96	24.73 /EA	2,374.08 N
63		8	EA	NSSDG	5/4x4x16" WHITE LP SMART TRIM		8	28.00 /EA	224.00 N
64		4	EA	NSSDG	4" OUTSIDE CORNER POST WHITE		4	96.65 /EA	386.60 N
65		8	EA	775085	DAP 18300 SEALANT 230 WHITE		8	6.99 /EA	55.92 N
66		1	EA	319060	1/4" 18GA FINISH STAPLER HITACHI		1	109.99 /EA	109.99 N

This is an ESTIMATE only.

TAXABLE 0.00
NON-TAXABLE 17809.49
SUBTOTAL 17809.49

TAX AMOUNT 0.00

TOTAL 17809.49



TOT WT: 7132.60

X

Received By

Loaded By: _____ Delivered By: _____

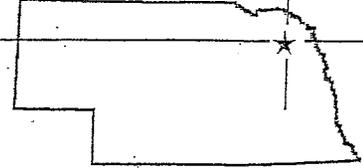
PURCHASER ACKNOWLEDGES THAT NO EXPRESS WARRANTY IS MADE BY CARHART LUMBER COMPANY IN CONNECTION WITH THE PRODUCT OR GOODS SOLD AND THAT MANUFACTURER'S WARRANTIES ARE NEITHER GRANTED NOR EXTENDED BY CARHART LUMBER COMPANY. STATEMENTS RELATING TO ANY PRODUCT SOLD MADE PRIOR TO EXECUTION OF THIS DOCUMENT ARE NOT WARRANTIES AND DO NOT FORM A PART OF ANY AGREEMENT BETWEEN PURCHASER AND CARHART LUMBER COMPANY.

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Roger Myers

Address: 613 1/2 West 2nd St.

Wayne, NE

Telephone No.: 402-369-1145

Date of Request: 4-16-24

Description of Requested Topic: Request wavior of rental fee and

deposit for the use of Freedom Park for adult

English as a Second Language (ESL) classes. This

wavior request is for ~~the~~ May through September, 2024.

The classes would meet once a week, possibly twice, depending

on student interest and availability. I have been teaching

these ESL students, on a volunteer basis, for the past three

semesters at the college. We are only able to meet during the times



college classes are in session, but several students would like to meet throughout the summer if an off campus space is available. Thank you.

RESOLUTION NO. 2024-16

WHEREAS, Wisner West, Inc., d/b/a “Wayne East Prime Stop,” made application to the Nebraska Liquor Control Commission for a Retail Class D Liquor License at 1330 E 7th Street, Wayne, Wayne County, Nebraska; and

WHEREAS, said application has been forwarded to the City of Wayne for public hearing and recommendation by the City Council; and

WHEREAS, notice of hearing on said application was published in one issue of the Wayne Herald on April 4, 2024; and

WHEREAS, a hearing was held on April 16, 2024, and all persons desiring to present evidence for or against said application were heard.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the application of the license aforementioned be recommended for approval to the Nebraska Liquor Control Commission.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.frontdesk@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

License Class: D

License Number:
126360



Office Use Only

NEW / REPLACING 39949 TOP Yes / No

Hot List Yes / No Initial: VT

PLEASE READ CAREFULLY

See directions on the next page. Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

APPLICANT NAME Wisner West, Inc.

TRADE (DBA) NAME Wayne East Prime Stop

PREVIOUS TRADE (DBA) NAME Wayne East

CONTACT NAME AND PHONE NUMBER Holly Schroeder, 402-529-3563

CONTACT EMAIL ADDRESS holly@prime-stop.com

PAYMENT TYPE <u>Passport</u> AMOUNT <u>\$400</u> RECEIVED <u>3/21/24</u> DATE DEPOSITED <u>[Signature]</u>	 126360 2400002940 0000
---	----------------------------

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS**

RETAIL LICENSE(S) **Application Fee \$400 (nonrefundable)**
CLASS C LICENSE TERM IS FROM NOVEMBER 1 – OCTOBER 31
ALL OTHER CLASSES TERM IS MAY 1 – APRIL 30

- A BEER, ON SALE ONLY
- B BEER, OFF SALE ONLY**
- C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE**
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(4) YES NO
- D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY**
- F BOTTLE CLUB,
- I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(5) YES NO
- J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- AB BEER, ON AND OFF SALE
- AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
- IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
- Class K Catering endorsement (Submit Form 106) – Catering license (K) expires same as underlying retail license
- Class G Growler endorsement (Submit Form 165) – Class C licenses only

**Class B, Class C, Class D license do you intend to allow drive through services under Neb Rev. Statute 53-178.01(2) YES NO

ADDITIONAL FEES WILL BE ASSESSED AT THE CITY/VILLAGE OR COUNTY LEVEL WHEN THE LICENSE IS ISSUED

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert FORM 104)
- Partnership License (requires insert FORM 105)
- Corporate License (requires FORM 101 & FORM 103)
- Limited Liability Company (LLC) (requires FORM 102 & FORM 103)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)

Name _____ Phone Number _____

Firm Name _____

Email address _____

Should we contact you with any questions on the application? YES _____ NO _____

PREMISES INFORMATION

Trade Name (doing business as) Wayne East Prime Stop
Street Address 1330 E 7th Street 1330 E 7th St
City Wayne County Wayne Zip Code 68787-1534
Premises Telephone number 402-375-1449
Business e-mail address holly@prime-stop.com
Is this location inside the city/village corporate limits YES X NO

MAILING ADDRESS (where you want to receive mail from the Commission)

Check if same as premises

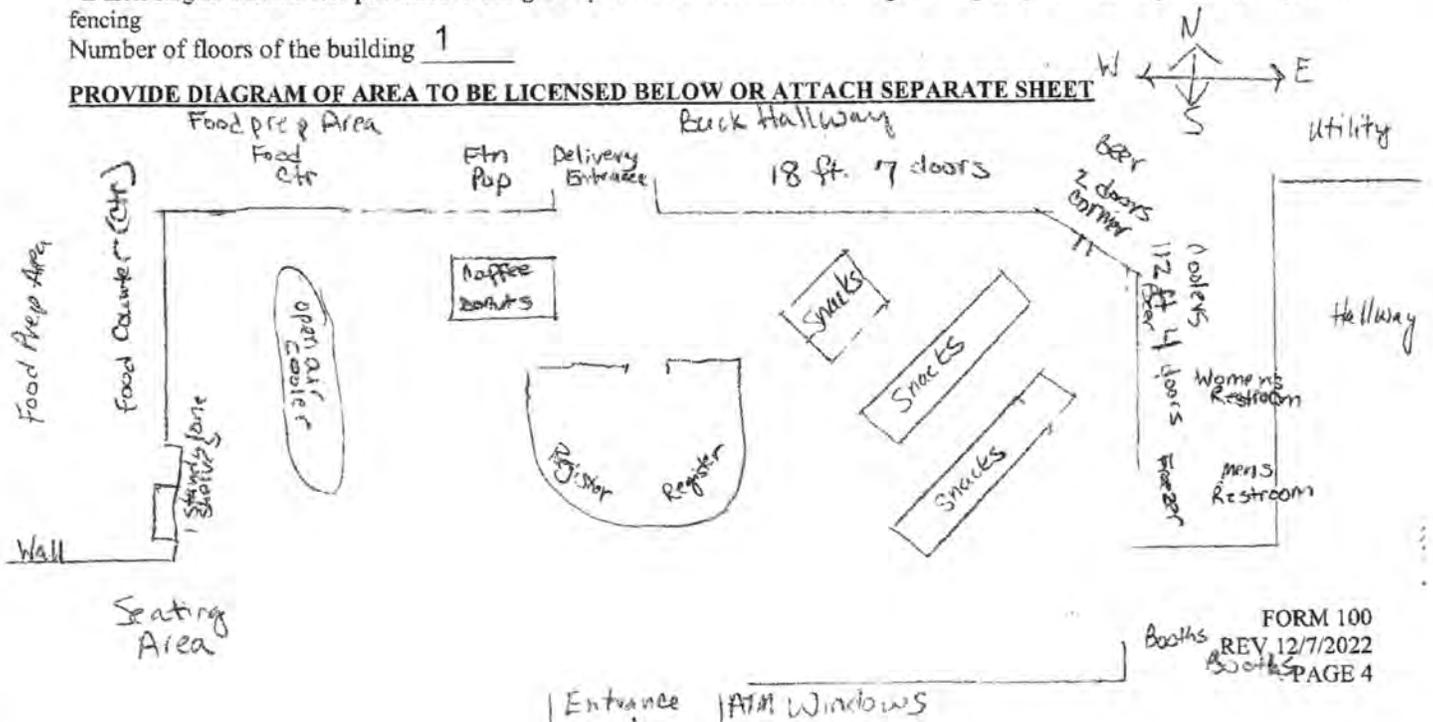
Name Wisner West, Inc.
Street Address 1801 Ave E, PO Box 739
City Wisner State NE Zip Code 68791-0739

DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED

IN THE SPACE PROVIDED BELOW DRAW OR ATTACH A DIAGRAM OF THE AREA TO BE LICENSED
DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS
PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)
INDICATE THE DIRECTION OF NORTH

Building length 50 x width 80 in feet
Is there a basement? Yes No X If yes, length x width in feet
Is there an outdoor area? Yes No X If yes, length x width in feet+
*If including an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing
Number of floors of the building 1

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



APPLICANT INFORMATION

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Matthew Herbert Albers	04/2006	Dakota City, NE	DUI	Guilty By Conviction
Matthew Herbert Albers	04/2006	Dakota City, NE	Speeding 21+	Guilty By Conviction

2. Was this premise licensed as liquor licensed business within the last two (2) years?

YES NO

If yes, provide business name and license number Wisner West, Inc. D 39949

3. Are you buying the business of a current retail liquor license?

YES NO

If yes, give name of business and liquor license number _____

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES NO

If yes

a) Attach temporary operating permit (TOP) (Form 125)

- a) Submit a copy of the business purchase agreement _____
- b) Include a list of alcohol being purchased, list the name brand, container size and how many _____
- c) Submit a list of the furniture, fixtures and equipment _____

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES NO

If yes, list the lender(s) _____

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES NO

If yes, explain. (all involved persons must be disclosed on application)

No silent partners 019.01E Silent Partners; Profit Sharing: No licensee or partner, principal, agent or employee of any Retail Liquor License shall permit any other person not licensed or included as a partner, principal, or stockholder of any Retail Liquor License to participate in the sharing of profits or liabilities arising from any Retail Liquor License. (53-1,100)

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES NO

If yes, list such item(s) and the owner, _____

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?

YES NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Nebraska Revised Statute 53-177(1) **AND PROVIDE FORM 134 – CHURCH OR FORM 135 – CAMPUS AND LETTER OF SUPPORT FROM CHURCH OR CAMPUS**)

9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties. (Nebraska Revised Statute 53-125(15))

YES NO

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.
a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

Citizens State Bank, Wisner - Authorized signers - Holly Schroeder, Matthew Albers, Ann Albers, Kathleen Albers

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

Herbert Albers, Jr. B-56290, D-016551, D-39949 - Deceased

Kathleen J Albers, B-56290, D-016551, D-39949 Decrease in ownership shares

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Holly S Schroeder	03/2024	Liquor Exam.com
Matthew H Albers	03/2024	Liquor Exam.com
Jeffry T Albers	03/2024	Rsgiving.com

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business
Holly S Schroeder	01/01/2004	Wisner West, Inc., 1801 Ave E, Wisner NE
Matthew H Albers	01/01/2005	Wisner West, Inc., Wayne East 1330 E 7th Street, Wayne, NE
Holly Cunningham	12/11/2017	Wisner West, Inc., Discount Fuels 84610 US Hwy 81, Norfolk, NE

13. If the property is owned, submit a copy of the deed or proof of ownership. If leased, submit a copy of the lease covering the entire license year.

Documents must be in the name of applicant as owner or lessee

Lease expiration date _____
 Deed
 Purchase Agreement

14. When do you intend to open for business? Currently Open

15. What will be the main nature of business? Convenience Store

16. What are the anticipated hours of operation? Open 24 Hours - 7 days per week

17. List the principal residence(s) for the past 10 years for **ALL** persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS						
APPLICANT CITY & STATE	YEAR		SPOUSE CITY & STATE	YEAR		
	FROM	TO		FROM	TO	
Holly Schroeder, Wisner, NE	1997	2024	Todd Schroeder, Wisner, NE	1997	2024	
Matthew Albers, Wisner, NE	2004	2024	Justin Reifert, Wisner, NE	2013	2024	
Jeffry Albers, Wisner, NE	1987	2024	Ann Albers, Wisner, NE	1987	2024	
Holly Cunningham, Norfolk, NE	2007	2024	Brandon Cunningham, Norfolk, NE	2007	2024	

If necessary, attach a separate sheet

Extra Page

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

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- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Ann Albers	03/2024	RServing.com
Holly Cunningham	03/2024	RServing.com

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business
Jeffry Albers/ Owner-Director	08/1987	Herb Albers Feedlot, Inc, Wisner NE
Ann Albers/Office Director	01/01/1989	Wisner West, Inc., Wisner NE

13. If the property is owned, submit a copy of the deed or proof of ownership. If leased, submit a copy of the lease covering the entire license year.

Documents must be in the name of applicant as owner or lessee

Lease expiration date _____
 Deed
 Purchase Agreement

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RESIDENCES FOR THE PAST 10 YEARS					
APPLICANT CITY & STATE	YEAR		SPOUSE CITY & STATE	YEAR	
	FROM	TO		FROM	TO

If necessary, attach a separate sheet

PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34

Must be signed by all applicant(s) and spouse(s) owning more than 25%
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)


Signature of APPLICANT

Holly S Schroeder
Printed Name of APPLICANT


Signature of SPOUSE

Todd Schroeder
Printed Name of SPOUSE


Signature of APPLICANT

Matthew H Albers
Printed Name of APPLICANT


Signature of SPOUSE

Justin Reifert
Printed Name of SPOUSE

PERSONAL OATH AND CONSENT OF INVESTIGATION

SIGNATURE PAGE – PLEASE READ CAREFULLY

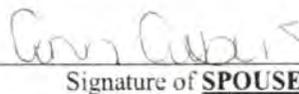
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**Must be signed by all applicant(s) and spouse(s) owning more than 25%
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)**


Signature of **APPLICANT**


Signature of **SPOUSE**

Jeff Albers
Printed Name of **APPLICANT**

Ann Albers
Printed Name of **SPOUSE**

Signature of **APPLICANT**

Signature of **SPOUSE**

Printed Name of **APPLICANT**

Printed Name of **SPOUSE**

PERSONAL OATH AND CONSENT OF INVESTIGATION

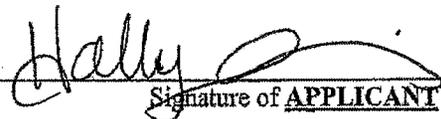
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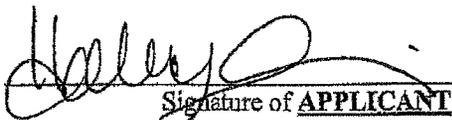
**Must be signed by all applicant(s) and spouse(s) owning more than 25%
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)**


Signature of APPLICANT

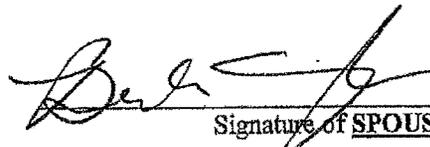
Holly Cunningham
Printed Name of APPLICANT


Signature of SPOUSE

Brandon Cunningham
Printed Name of SPOUSE


Signature of APPLICANT

Holly Cunningham
Printed Name of APPLICANT


Signature of SPOUSE

Brandon Cunningham
Printed Name of SPOUSE

**CORPORATION
FORM 101**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.frontdesk@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

License
Class: _____

License Number: _____



INSTRUCTIONS

1. All officers, directors and stockholders and their spouses must be listed
2. President/CEO and all members holding over 25 % shares of stock and their spouse must sign the signature page of the application
3. Form 147 is required for President/CEO and all members holding over 25% shares of stock and their spouses must submit fingerprints.
4. Attach copy of Articles of Organization

Name of Corporation that will hold license as listed on the Articles of Incorporation

Wisner West, Inc.,

Name of Registered Agent: Herbert W. Albers

Corporation Address: 1801 Ave E 1801 Avenue E

City: Wisner State: NE Zip Code: 68791-2253

Corporation Phone Number: 402-529-3563 Fax Number 402-529-6552

Total Number of Corporation Shares Issued: 25,000 100

Name of President/CEO

Name and information must be listed on following page

Last Name: Schroeder First Name: Holly MI: S

Home Address: 1709 Hillcrest Rd City: Wisner

State: NE Zip Code: 68791-2011 Phone Number: 402-750-5814

Signature of President/CEO

List names of all officers, directors and stockholders including spouses (even if a spousal affidavit has been submitted)

Last Name: Albers First Name: Kathleen MI: J
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Title: Shareholder Number of Shares 2500 10
Spouse Full Name (indicate N/A if single): N/A
Spouse Social Security Number: _____ Date of Birth: _____

Last Name: Albers First Name: Jeffry MI: T
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Title: Shareholder Number of Shares 7500 30
Spouse Full Name (indicate N/A if single): Ann Elizabeth Albers
Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Last Name: Schroeder First Name: Holly MI: S
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Title: President Number of Shares 7500 30
Spouse Full Name (indicate N/A if single): Todd Mark Schroeder *spousal
Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Last Name: Albers First Name: Matthew MI: H
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Title: Secretary Number of Shares 7500 30
Spouse Full Name (indicate N/A if single): Justin Michael Reifert *spousal
Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]

List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Is the applying corporation owned 100% by another corporation/company??

YES NO

If yes, provide Form 185

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: January Ending Date: December

Is this a Non-Profit Corporation?

YES NO

If yes, provide the Federal ID # _____

Nebraska Secretary of State

WISNER WEST, INC.

Mon Mar 25 07:01:12 2024

SOS Account Number

0968993

Status

Active

Principal Office Address

1801 AVE E
PO BOX 739
WISNER, NE 68791
USA

Registered Agent and Office Address

KATHLEEN J ALBERS
1801 AVE E
BOX 739
WISNER, NE 68791

Nature of Business

TRUCK STOP AND QUICK MART

Entity Type

Domestic Corp

Date Filed

Aug 02 1988

Next Report Due Date

Jan 01 2026

Corporation Position	Name	Address
President	HOLLY S SCHROEDER	1709 HILLCREST RD WISNER, NE 68791 USA
Secretary	MATTHEW H ALBERS	2478 6TH ROAD WISNER, NE 68791 USA
Director	JEFFRY T ALBERS	592 X ROAD WISNER, NE 68791 USA
Director	KATHLEEN ALBERS	2408 6TH RD WISNER, NE 68791-0000
Director	MATTHEW H ALBERS	2478 6TH ROAD WISNER, NE 68791 USA
Director	HOLLY S SCHROEDER	1709 HILLCREST RD WISNER, NE 68791 USA

STATE OF

NEBRASKA



United States of America, }
State of Nebraska } ss.

Department of State

I, Allen J. Beermann, Secretary of State of the
State of Nebraska do hereby certify that

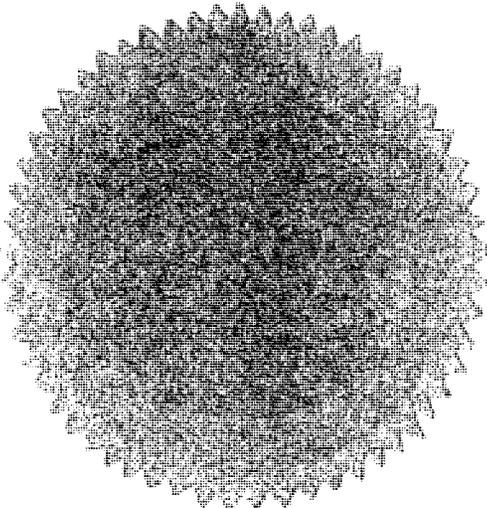
the attached is a true and correct copy of
the Articles of Incorporation of

WISNER WEST, INC.

with its registered office located in Wisner,
Nebraska, as filed and recorded in this
office on August 2, 1988.

I further certify that said corporation
is in good standing as of this date.

In Testimony Whereof,



I have hereunto set my hand and
affixed the Great Seal of the State
of Nebraska.

Done at Lincoln this

second

day of August

in the year of our Lord, one thou-
sand nine hundred and eighty-eight.

Allen J. Beermann
SECRETARY OF STATE

DEPUTY

AUG 2 1988

Receipt No. 94220
STATE OF NEBRASKA } SS
SECRETARY'S OFFICE }
Filed and recorded on film roll
88-23 page 709
Allen J. Beermann
By AM Secretary of State

ARTICLES OF INCORPORATION
OF
WISNER WEST, INC.

\$98.00pd.

ARTICLE I.

NAME

The name of the Corporation is WISNER WEST, INC.

ARTICLE II.

DURATION

The period of the Corporation's duration is perpetual.

ARTICLE III.

PURPOSES

The purposes for which this Corporation is organized are as follows:

1. To engage in the operation of the retail business including but not limited to retail sales of petroleum products and related items, groceries and sundries and to own and operate a retail establishment for the accomplishment of said purposes.
2. To purchase, lease sell, mortgage, operate and otherwise acquire real estate wherever located; to buy, sell, lease, exchange, and generally deal in all kinds of property, real, personal or mixed.
3. To engage in any retail, commercial, wholesale, industrial, agricultural, or other type of enterprise calculated or designed to be profitable for this Corporation.

4. To do and transact all other lawful business incident to, necessary or suitable or advisable for, or in any way connected with, said purposes for which the Corporation is formed.

5. To do everything necessary, proper, advisable or convenient for the accomplishment of the purposes hereinabove set forth, and to do all other things which are not forbidden by the laws of the State of Nebraska, or by these Articles of Incorporation.

ARTICLE IV.

AUTHORIZED SHARES

The aggregate number of shares which this Corporation shall have authority to issue is 25,000 shares of common stock with the par value of each said share being \$1.00 with the total authorized capital stock being \$25,000.00.

ARTICLE V.

INITIAL REGISTERED OFFICE AND INITIAL REGISTERED AGENT

The address of the initial registered office of the Corporation is Rural Route #2, Box 93, Wisner, County of Cuming, State of Nebraska, and the name of the initial registered agent at such address is Herbert W. Albers, Jr., Rural Route #2, Box 93, Wisner, Nebraska 68791.

ARTICLE VI.

BOARD OF DIRECTORS

The affairs of the Corporation shall be conducted by a Board of Directors which shall have and shall exercise all of the powers of the Corporation. The Directors need not be

stockholders. The number of Directors which shall constitute the Board of Directors shall be such as from time to time shall be fixed by, or in the manner provided in the By-Laws, but in no case shall the number be less than two unless there are less than two stockholders, in which event the number shall not be less than the number of stockholders. Directors shall be elected by the Stockholders at the annual meeting and shall take office as provided from time to time by the By-Laws. Additional Directors may be elected at any special meeting of the stockholders pursuant to the By-Laws. Election of Directors shall be by written ballot if so requested by any person entitled to vote. Any Director may be removed by vote of the holders of the majority of the capital stock at any special meeting of the stockholders called for that purpose; provided, that any such removal of one Director shall cause the term of the office of all Directors to terminate, and at the meeting of which a Director is removed, a new Director shall be elected to serve until they are removed or until their successors are elected and qualified.

ARTICLE VII.

OFFICERS

The officers of the Corporation shall be a President, Vice President, Secretary and Treasurer and such subordinate officers as may be appointed by the Board of Directors, who shall be chosen by the Board of Directors in such a manner as may be provided from time to time in the By-Laws.

VIII.

ARTICLES

BY-LAWS

The initial By-Laws of the Corporation shall be adopted by the shareholders. Thereafter, By-Laws, unless otherwise provided under the Nebraska Business Corporation Act, may be adopted, amended or repealed either by the shareholders or by the Board of Directors at any regular special meeting.

ARTICLE IX.

POWERS

The Corporation will have and exercise all powers and rights conferred upon corporations by the Nebraska Business Corporation Act and any enlargements of such powers conferred by subsequent legislative acts; and, in addition thereto, the Corporation shall have and exercise all powers and rights not otherwise denied corporations by the laws of the State of Nebraska, as are necessary, suitable, proper, convenient or expedient to the attainment of the purposes set forth in Article III. above.

ARTICLE X.

PRIVATE PROPERTY OF STOCKHOLDERS

Private property of Stockholders shall not be subject to payment of Corporation debts which shall be exempt from liability therefor.

ARTICLE XI.

INTEREST OF DIRECTORS OF TRANSACTIONS

In the absence of fraud, no contract or other transaction between the Corporation and any other person, corporation, firm, syndicate, association, partnership, or joint venture shall be wholly or partially invalidated or otherwise affected by reason of the fact that one or more of the Directors of the corporation, firm, syndicate or association, or members of such partnership or joint venture are pecuniarily or otherwise interested in such contractual transaction; provided, that the fact such Director or Directors of the Corporation are so situated or so interested or both, shall be disclosed or shall have been known to the Board of Directors of the Corporation. Any Director or Officer of the Corporation who is also a Director or Officer of such other corporation, firm, syndicate, or association, or a member of such partnership, or joint venture, or pecuniarily or otherwise interested in such contract or transaction, may be counted for the purposes of determining the existence of a quorum at any meeting of the Board of Directors of the Corporation which shall authorize any such contract or transaction and in the absence of fraud, and as long as he acts in good faith, any such Director may vote thereat to authorize any such contract or transaction, with like force and effect as if he were not a Director or Officer of such other corporation, firm, syndicate, or association, or a member of such partnership, or joint venture, or pecuniarily or otherwise interested in such contract or transaction.

ARTICLE XII.

RESTRICTION ON STOCKHOLDER'S SALE OF STOCK

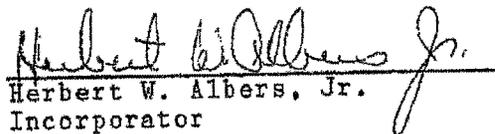
Restrictions on the sale and transfer of issued and outstanding stock in the Corporation shall be provided for from time to time in the By-Laws.

ARTICLE XIII.

NAME AND ADDRESS OF INCORPORATORS

The name and address of the Incorporator is Herbert W. Albers, Jr., Rural Route #2, Box 93, Wisner, Cuming County, Nebraska 68791.

The undersigned, being the incorporator hereinabove named, for the purpose of forming a corporation under the Nebraska Business Corporation Act does hereby adopt and sign these Articles of Incorporation on this 1st day of August, 1988.


Herbert W. Albers, Jr.
Incorporator

File No. 3096 State of Nebr. County of Cuming) Filed for record Aug. 4, 1988, at 11:05 A.M. in Book 6 of Inc. Page 455.


Cuming Co. Clerk

MANAGER APPLICATION FORM 103

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.frontdesk@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

License
Class: _____

License Number: _____

RECEIVED

MAR 26 REC'D

NEBRASKA LIQUOR
CONTROL COMMISSION

MANAGER MUST:

- Be at least 21-years of age
- Complete all sections of the application.
- Form must be signed by a **member or corporate officer**
- Include Form 147 –Fingerprints are required
- Provide a copy of one of the following: US birth certificate, US Passport, naturalization papers OR legal resident documentation
- Be a resident of the state of Nebraska and if an US citizen be a registered voter in the State of Nebraska
- Spouse who **will** participate in the business, the spouse must meet the same requirements as the manager applicant:

Spouse who **will not** participate in the business

- Complete the Spousal Affidavit of Non Participation (Form 116). **Be sure to complete both halves of this form.**

CORPORATION/LLC INFORMATION

Name of Corporation/LLC: Wisner West, Inc.

PREMISES INFORMATION

Premises Trade Name/DBA: Wayne East Prime Stop

Premises Street Address: 1330 E 7th Street 1330 E 7th St

City: Wayne County: Wayne Zip Code: 68787-1534

Premises Phone Number: 402-375-1449

Premises Email address: hollyc@prime-stop.com

Holly S. Schneider

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

The individual whose name is listed as a corporate officer or managing member as reported or listed with the Commission.

MANAGER INFORMATION

Last Name: Cunningham First Name: Holly MI: S

Home Address: 84497 Timber Ridge St

City: Norfolk County: Stanton Zip Code: 68701-7004

Home Phone Number: [REDACTED]

Driver's License Number: [REDACTED]

Social Security Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: [REDACTED]

Email address: hscunninghamn.hc@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES

NO

Spousal

Spouse's information

Spouses Last Name: Cunningham First Name: Brandon MI: J

Social Security Number: [REDACTED]

Driver's License Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: [REDACTED]

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS

APPLICANT

SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Norfolk, NE	1980	2024	Norfolk, NE	1997	2024

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2001	2017	Faith Regional	Justin Young	402-644-7396
2000	2010	Fairplay Golf Course	Kurt Pitleski	402-371-9877

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, **EVER** been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, **include traffic violations**. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Brandon Cunningham	03/2019	Norfolk, NE	Wreckless Driving	Guilty by Conviction

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act ([§53-131.01](#)) and do you intend to supervise, in person, the management of the business?

YES NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Holly Cunningham	03/2024	ServSafe Alcohol

*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Holly Cunningham/Event Coordinator	Current	Stables- Norfolk, NE

5. Have you enclosed Form 147 regarding fingerprints?

YES NO

PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

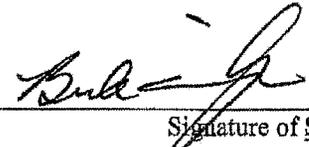
Must be signed by applicant and spouse.



Signature of **APPLICANT**

Holly Cunningham

Printed Name of **APPLICANT**



Signature of **SPOUSE**

Brandon Cunningham

Printed Name of **SPOUSE**

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of **\$45.25 per person** **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the **NSP PayPort** online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
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Fingerprint cards should be submitted with the application.

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****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name Wisner West, Inc.

Name of Person Being Fingerprinted: Holly Sue Schroeder

Date of Birth: [REDACTED] Last 4 SSN: [REDACTED]

Date fingerprints were taken: 03/07/2024

Location where fingerprints were taken: Norfolk, NE

How was payment made to NSP?

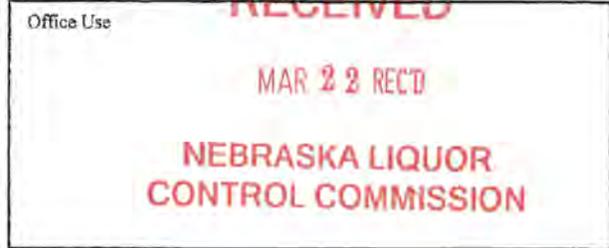
NSP PAYPORT CASH CHECK SENT TO NSP CK # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Holly Sue Schroeder
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Todd M Schroeder
Signature of **NON-PARTICIPATING SPOUSE**
Todd M Schroeder
Print Name

Holly S Schroeder
Signature of **APPLICANT**
Holly S Schroeder
Print Name

State of Nebraska, County of Cuming

State of Nebraska, County of Cuming

The foregoing instrument was acknowledged before me
this 15, March 2024 (date)

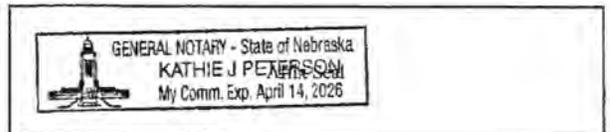
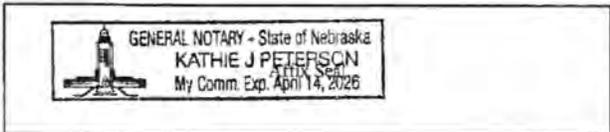
The foregoing instrument was acknowledged before me
this 15, March 2024 (date)

by Todd M. Schroeder
Name of person acknowledged
(Individual signing document)

by Holly S. Schroeder
Name of person acknowledged
(Individual signing document)

Kathie Peterson
Notary Public Signature

Kathie Peterson
Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

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It is recommended to make payment through the **NSP PayPort** online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521
- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
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Fingerprint cards should be submitted with the application.

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****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name Wisner West, Inc.

Name of Person Being Fingerprinted: Matthew Herbert Albers

Date of Birth: Last 4 SSN:

Date fingerprints were taken: 03/07/2024

Location where fingerprints were taken: Norfolk, NE

How was payment made to NSP?

NSP PAYPORT CASH CHECK SENT TO NSP CK #

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Matthew H. Albers

SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

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301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
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I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

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Justin Reifert
Signature of **NON-PARTICIPATING SPOUSE**

Justin Reifert
Print Name

Matthew H. Albers
Signature of **APPLICANT**

Matthew H. Albers
Print Name

State of Nebraska, County of Cuming

The foregoing instrument was acknowledged before me
this 3/7/2024 (date)

by Justin Reifert
Name of person acknowledged
(Individual signing document)

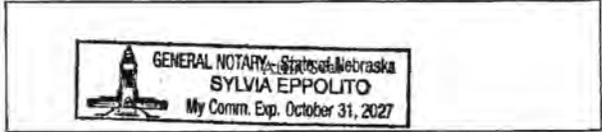
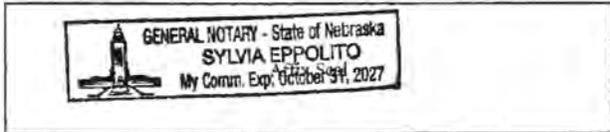
State of Nebraska, County of Cuming

The foregoing instrument was acknowledged before me
this 3/7/2024 (date)

by Matthew Albers
Name of person acknowledged
(Individual signing document)

Sylvia Eppolito
Notary Public Signature

Sylvia Eppolito
Notary Public Signature



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****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name Wisner West Inc.

Name of Person Being Fingerprinted: Jeffrey Thomas Albers

Date of Birth: Last 4 SSN:

Date fingerprints were taken: 03-14-2024

Location where fingerprints were taken: Norfolk, Nebraska

How was payment made to NSP?

NSP PAYPORT CASH CHECK SENT TO NSP CK #

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Jeff Albers
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**PRIVACY ACT STATEMENT/
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Trade Name Wisner West Inc.

Name of Person Being Fingerprinted: Ann Elizalbeth Albers

Date of Birth: Last 4 SSN:

Date fingerprints were taken: 03-14-2024

Location where fingerprints were taken: Norfolk, Nebraska

How was payment made to NSP?

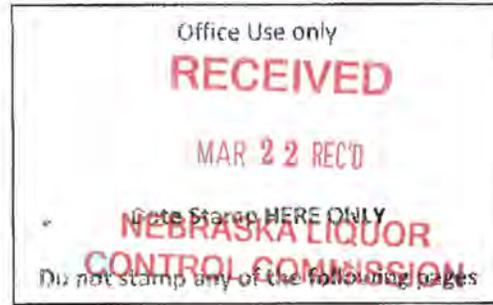
NSP PAYPORT CASH CHECK SENT TO NSP CK #

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Ann Elizalbeth Albers
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**
- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol;
It is recommended to make payment through the **NSP PayPort** online system at www.ne.gov/go/nsp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****
The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521

- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices may be released to the applicants;
Fingerprint cards should be submitted with the application.

Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating a FBI identification record are set forth in Title 28, CFR, 16.34.

****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name Wisner West, Inc.

Name of Person Being Fingerprinted: Holly Cunningham

Date of Birth: Last 4 SSN:

Date fingerprints were taken: 3/19/24

Location where fingerprints were taken: Norfolk, Nebraska

How was payment made to NSP?

NSP PAYPORT CASH CHECK SENT TO NSP CK #

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

Holly Cunningham
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.

Brandon J. Cunningham
Signature of **NON-PARTICIPATING SPOUSE**

Brandon Cunningham
Print Name

Holly Cunningham
Signature of **APPLICANT**

Holly Cunningham
Print Name

State of Nebraska, County of Stanton Madison

The foregoing instrument was acknowledged before me
this 21st day of March, 2024 (date)

by Brandon J. Cunningham
Name of person acknowledged
(Individual signing document)

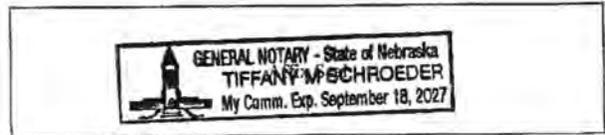
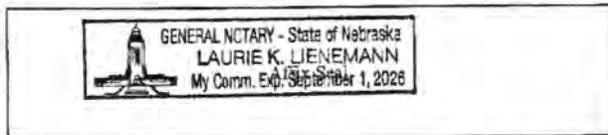
State of Nebraska, County of Cuming

The foregoing instrument was acknowledged before me
this 21st day of March, 2024 (date)

by Holly Cunningham
Name of person acknowledged
(Individual signing document)

Laurie K. Lienemann
Notary Public Signature

Tiffany M. Schroeder
Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.



BUSINESS PLAN



Wisner West, Inc. is a group of three family owned convenience stores operating in the communities of Wisner, Wayne and Norfolk, Nebraska. Each community served by Wisner West Prime Stops has a significant need for 24 hour service due to each communities strong agricultural and manufacturing ties. We are open 24 hours per day, 7 days a week – providing diesel fuel, gas, to go food, beer/liquor, lottery and a selection of convenience items. Herb and Kathy Albers opened their first location in Wisner in 1989, followed by the Wayne location in 1997 and the Norfolk Discount Fuels location in 2005. We strive to provide the customer with all their fueling needs, a clean facility, unique tasty foods to go, and a friendly experience.

Wisner West, Inc. is a family owned corporation built on the foundation of service and honesty. It is our aim to be profitable that in turns allows Wisner West to provide a worthy compensation to our employees, while maintaining strength of character and honesty. We value the principles of responsible, honest business. Our goal as a profitable business is to reflect the principles of honesty, work ethic, kindness, and loyalty. We ask employees to adhere to the qualities of self-control in opinions, speech, and habits to help create a positive work environment. We strive to be an integral part of the communities we do business in either through volunteering our time or monetarily supporting causes of

merit within the community. With the passing of Herb Albers, Jr. the corporation has changed shareholder percentages but holds the same core values Herb and Kathy set out with in 1989.

Currently, Holly Schroeder (30% Shareholder) is serving as President; Matthew Albers (30% Shareholder) is serving as Secretary and Jeff Albers (30% Shareholder) is a Director. Kathy continues to hold 10% of the shares of Wisner West, Inc.

Once the Norfolk Discount Fuels location was added we began to identify the convenience stores under the Prime Stop logo in order for our customers and vendors to be able to identify all three locations as under the same umbrella. The main office is located in Wisner, NE attached to the first store. Each location is overseen by Matt and Holly on a daily basis, with the addition of a manager at the Wayne and Norfolk locations. Wisner West, Inc. is an integral part of the economy at each of its locations – the weekly payroll averages \$25,000 or more. Additionally, due to the fact we are open 24 hours we are able to offer flexibility in employment for both our full time and part time employees.

Wisner West, Inc. finances through Citizens State Bank, Wisner, Nebraska and holds checking accounts at Wayne and Norfolk at Elkhorn Valley Banks for daily deposit needs.

The market for pricing at a convenience store is very competitive, Wisner West utilizes Sapp Bros. Petroleum for diesel fuel and gas procurement, Coremark and Cash-Wa for in-store items, where we participate in various rebate programs offered by them. Pricing is overseen by the management team. The Management Team consists of Holly Schroeder – President, General Manager and Wisner location manager

Matt Albers – Secretary and Operations Manager

Jeff Albers – Director

Holly Cunningham – Wayne East Prime Stop and Discount Fuels Prime Stop Location Manager

Jennifer Cleveland – Office Manager including IT Management

Megan Farewell – Accounts Receivable Manager

Mary Orris – Food Manager

As mentioned previously, Prime Stops (as each location is now referred to) is tied to agriculture, manufacturing, and transportation in each community. Each location is located such that it is the only 24 hour convenience store available offering diesel fuel, gas and other amenities in the community. We are

able to serve farmers, truckers, feeders of livestock, and manufacturing labor with all their needs to and from work. Prime Stop also offers parking for over the road haulers as needed.

Revenue Trends	2019	2020	2021	2022	2023
FUELS	\$13,498,440.74	\$10,149,559.80	\$15,089,836.49	\$17,508,656.00	\$18,105,869.57
IN-STORE	\$5,323,831.03	\$5,657,936.91	\$6,051,640.75	\$6,216,165.22	\$6,528,964.07

Expense Trends					
Wages	\$1,239,016.90	\$1,288,249.14	\$1,293,871.18	\$1,498,992.42	\$1,576,743.64
Insurance	\$156,192.95	\$109,286.89	\$119,658.04	\$119,002.68	\$128,490.55
Interest Expense	\$156,432.85	\$88,101.80	\$81,765.06	\$49,053.99	\$53,361.56
Advertising/Donations	\$96,250.25	\$70,600.96	\$95,967.17	\$94,705.42	\$105,713.18

Analysis: Fuel margins continue to be tighter and tighter as well as margins on in-store items. The battle with wages looks to continue through 2024 and then hopefully level out, ideally our payroll will become more manageable with retirees in process and more efficiencies in place. In 2024 looking to significantly decrease promotions and donations, as new higher interest rates and insurance rates are climbing. All categories are being set up with weekly margin analysis through new software in our back office system.

- Projections –
- 6% increase In-Store Sales
 - 5% increase in fuel sales
 - Decrease advertising and donations by 25%
 - Manage payroll through decrease in turnover, expanding job duties

Trevino, Victoria

From: Holly Schroeder <holly@prime-stop.com>
Sent: Tuesday, March 26, 2024 3:46 PM
To: Trevino, Victoria
Cc: Holly Schroeder
Subject: RE: D-126361 Discount Fuels/Prime Stop Replacing Application
Attachments: liquor license Form 103 Holly S 2.pdf; liquor license passport.pdf; liquor license birth cert.pdf; liquor license Holly C Form 103 Wayne East.pdf; Liquor License business plan copy.pdf

Good Afternoon,

I replied in blue to your requests below and the information requested is attached to this email. Anything else please let me know.

Thank you,

Holly Schroeder

From: Trevino, Victoria <Victoria.Trevino@nebraska.gov>
Sent: Monday, March 25, 2024 2:34 PM
To: Holly Schroeder <holly@prime-stop.com>
Subject: D-126361 Discount Fuels/Prime Stop Replacing Application

You don't often get email from victoria.trevino@nebraska.gov. [Learn why this is important](#)

EXTERNAL EMAIL

Good afternoon,

We received your liquor license application. However, the following requirements are missing:

- ✓ 1. The mailing address has a physical address and a PO Box listed. Did you want both addresses listed for the mailing address, or one of the two listed? [Please just use the PO Box 739, Wisner, NE 68791 that is where we receive our mail.](#)
- ✓ 2. Please send a copy of the birth certificate or passport for the manager of the Discount Fuels/Prime Stop. [Attached is Holly Cunninghams birth certificate for Discount Fuels](#)
[Holly Cunningham is also the manager at Wayne East a separate form 103 is attached for her at that location](#)
[Holly Schroeder is the manager at Wisner West Prime Stop Wisner a form 103 is attached along with a copy of her passport](#)
 - a. It appears that the spouse of the manager submitted the affidavit, so we will not need anything else from them.
- ✓ 3. Todd Schroeder and Justin Reifert submitted both the Form 147 and the Spousal Affidavit of Non-Participation. Do they wish to be backgrounded checked, or file the affidavit instead? If the affidavit is filed, they cannot have anything to do with the business or the operation of the business. [Please accept the Spousal Affidavit of Non-participation neither are involved with Wisner West, Inc.](#)
- ✓ 4. Please submit a copy of the business plan. [Business plan is attached.](#)

Please return the requested items at your earliest convenience, so we may continue processing your application.



WAYNE AMERICA

March 21, 2024

[Back to Top](#)

Police Chief Marlen Chinn
City of Wayne
306 Pearl St.
Wayne, NE 68787

Dear Chief Chinn:

On behalf of the Chicken Show Committee, this letter is a request for street closures for the 44th Annual Chicken Show on Friday, Saturday, and Sunday July 12, 13, and 14, 2024. See enclosed maps for details of each closure request.

On Friday, July 12 the Committee is requesting the closure of the following streets from 2:30 pm until Midnight for the Annual Henoween celebration: Main Street from 1st Street to 4th Street; 2nd Street from East alley to West alley and 3rd Street from Pearl Street to end at the bump-outs by Bloom/Grace and Harder/Ankeny east of Main Street. We request that closed areas on 3rd street from the alley to Pearl St. be identified for handicap parking.

On Saturday, July 13, the Committee is requesting the closure of the following streets from 6:00 am until 5:00 pm, for the Annual Chicken Show celebration in Bressler Park: 10th Street from Lincoln Street to Douglas Street; Lincoln from 10th Street to 8th Street. Intersections at 10th and Lincoln Streets, and 9th and Lincoln are requested to be closed, with the intersections at 10th and Douglas and 9th and Douglas open to allow traffic flow adjacent to the park.

The Committee is requesting on behalf of Wayne Kiwanis to close part of East 2nd street from 6 am- 10:30 am on July 13 from the intersection of 2nd and Main to the alley for their omelet feed and seating area.

The Committee is requesting the closure of the following streets for the Parade from 9:00 am until 11:30 am (or until the end of the parade): Main Street from 1st Street to 10th Street (including intersections) and 10th Street from Main Street to Lincoln Street. Lincoln Street from 10th Street to 7th Street will also be used for the parade. Parade entries will be instructed to exit west on 7th street or continue south on Lincoln. We would like the parade line up streets (W 1st Street from Main to Sherman and then Grainland Road) to be considered closed for the purpose of monitoring entries via golf cart or ATV. Entrants will be informed that candy or other parade toss may not be thrown from any motorized entry.

On Sunday, July 14, we ask that 2nd Street from Main Street to Pearl, and Pearl from 2nd – 3rd including the intersection of 2nd & Pearl street be closed for the Crowing Motors Car Show from 7 am-5pm. The Crowing Motors Car show will take place Sunday afternoon approximately 11 am – 4 pm.

We ask that all street closures be properly identified adequately prior to the street closing so that event set -up is not delayed. The committee suggests that signs be installed early Friday morning for downtown, and Friday evening for Bressler Park and the parade route on 10th and Lincoln Streets.

The Chicken Show Committee appreciates your assistance during this event. Please contact us at 402-375-2240 if you have any questions or concerns regarding these requests.

Sincerely,
Rachel Miller
Wayne America

RESOLUTION NO. 2024-17

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

WHEREAS, the annual Wayne Henoween Celebration will be held on Main Street from 1st Street to 4th Street on July 12, 2024, from 2:30 p.m. until midnight , at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Transportation; and

WHEREAS, the annual Wayne Chicken Show parade will be held on Main Street from 1st Street to 10th Street (including the intersections) and 10th Street from Main Street to Lincoln Street, and Lincoln Street from 10th Street to 7th Street on July 13, 2024, from 9:00 a.m. until 11:30 a.m. (or until the end of the parade), at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Transportation; and

WHEREAS, the Wayne Area Chamber of Commerce, in compliance with City of Wayne policy for events held on public right-of-way, will provide special events insurance coverage for both events to indemnify, defend, and hold harmless the City of Wayne and the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

WHEREAS, during the above time periods of these events, the City of Wayne acknowledges all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359.

NOW, THEREFORE, BE IT RESOLVED, that during the above time periods of these events, the City of Wayne, Nebraska, accepts and will carry out all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359; and

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that if a claim is made against the State of Nebraska, it shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2024-18

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF WAYNE, NEBRASKA TO REIMBURSE CERTAIN EXPENSES IN CONNECTION WITH THE ELECTRIC SYSTEM PROJECT IN THE CITY FROM THE PROCEEDS OF BONDS ISSUED BY THE CITY

BE IT RESOLVED by the Council (the “**Council**”) of the City of Wayne, Nebraska (the “**City**”) as follows:

Section 1. Findings. (a) The City has begun improvements to the electric system, including a new electric energy center for the City (the “**Project**”), and the City anticipates spending funds in the amount of approximately \$60,000,000 to pay the costs of the Project.

(b) The City anticipates issuing bonds to finance the costs of the Project and the costs of other improvements in the city in a principal amount of \$60,000,000 (the “**Bonds**”). The City has incurred hard costs of the Project within the past 60 days and anticipates incurring additional costs of the Project prior to the issuance of the Bonds and desires to preserve its ability to reimburse such costs under the provisions of the Internal Revenue Code of 1986, as amended (the “**Code**”), and the applicable regulations thereunder, including but not limited to Section 1.150-2 thereof (the “**Regulations**”).

(c) It is necessary, desirable, advisable and in the best interests of the City that it declare its official intent to permit the City to reimburse costs of the Project made by the City from the proceeds of the Bonds in accordance with the requirements of the Code and Regulations.

Section 2. Declaration of Intent and Related Matters. (a) The Council hereby declares the official intent of the City to reimburse all or part of the costs of the Project through the issuance of Bonds, the interest on which may be excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended.

(b) The Bonds will be issued in the amount and upon the terms and conditions provided in a bond ordinance to be passed by the Council at a meeting held for such purpose. Notwithstanding any other provision of this Resolution, nothing contained herein is intended to obligate the City to issue the Bonds or to reimburse any particular expenditure.

(c) The Mayor, City Clerk and City Administrator (each an “**Authorized Officer**”) are hereby individually authorized to take any further action as such Authorized Officer shall deem necessary or desirable without further action by the Council to carry out the transactions contemplated by this Resolution.

Section 3. Effective Dates. This Resolution will be in full force and effect from and after its passage and adoption by the Council and approval by the Mayor.

Section 4. Conflicting Resolutions Repealed. All resolutions of the Council, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION 2024-19

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF AN LP XDT VACUUM EXCAVATOR AND RELATED EQUIPMENT AS PER THE BID PROPOSAL RECEIVED FROM VERMEER HIGH PLAINS THROUGH THE SOURCEWELL COOPERATIVE PRICING PROGRAM.

WHEREAS, City staff have prepared specifications for a new LP XDT Vacuum Excavator and related equipment; and

WHEREAS, City staff solicited a proposal from Vermeer High Plains for the purchase of a new LP XDT Vacuum Excavator and related equipment through the Sourcewell Cooperative Pricing Program; and

WHEREAS, staff has reviewed the proposal and recommends that the vacuum excavator and related equipment, as submitted by the following vendor, is the lowest, responsible and best price received:

<u>Name and Address</u>	<u>Amount of Base Bid</u>
Vermeer High Plains	\$49,606.34
5700 North 70th Street	(With Trade)
Lincoln NE 68507	or
	\$69,606.34
	(Without Trade)

BE IT RESOLVED that the proposal, as above set forth, filed with the City Clerk for the purchase of a new vacuum excavator and related equipment be, and the same is hereby accepted.

BE IT FURTHER RESOLVED that documents by and between the City and the vendor necessary to order and procure said equipment be executed within fifteen (15) days of the Notice of Award.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



Vermeer High Plains

5700 North 70th • Lincoln, NE 68507

402-467-5396 • 402-467-2207 Fax

www.vermeerhp.com

Ship To: IN STORE PICKUP

Invoice To: CITY OF WAYNE
PO BOX 8
WAYNE NE 68787-0008

Branch 01 - LINCOLN, NE		
Date 04/04/2024	Time 8:29:38 (O)	Page 1
Account No WAYNE007	Phone No 4023752896	Inv No 02 Q01090
Ship Via	Purchase Order PENDING	
Tax ID No		
JON MAGUIRE		Salesperson 140 / 140

EQUIPMENT QUOTE - NOT AN INVOICE

Description **** Q U O T E **** EXPIRY DATE: 04/27/2024 Amount

New VERMEER LP XD Traile LP573XDT, 12K GVWR, 2X100 GAL WTR T 65591.34
 ****INCLUDING THE FOLLOWING OPTIONS****
 LP573XDT, 12K GVWR, 2X100 GAL WTR TANKS
 HYDRAULIC JACK
 RECIRCULATION KIT

Trade Ins
 =====

Serial #: CMWFX30XKC0001475 20000.00-
 2012 DITCHWITCH FX30 WITH 626 HRS

Miscellaneous Charges/Credits
 =====

FREIGHT AND PREP Qty: 1 Price: 4015.00 4015.00

Subtotal: 49606.34
 Quote Total: 49606.34

Authorization: _____
 SOURCEWELL 110421-VRM PUBLIC UTILITY

Good for thirty (30) days from date of quote.

Thank You For Your Business!



Vermeer High Plains

5700 North 70th • Lincoln, NE 68507

402-467-5396 • 402-467-2207 Fax

www.vermeerhp.com

Ship To: IN STORE PICKUP

Invoice To: CITY OF WAYNE
PO BOX 8
WAYNE NE 68787-0008

Branch 01 - LINCOLN, NE		
Date 04/09/2024	Time 18:17:46 (O)	Page 1
Account No WAYNE007	Phone No 4023752896	Inv No 01 Q01107
Ship Via	Purchase Order PENDING	
Tax ID No		
JON MAGUIRE		Salesperson 140 / 140

EQUIPMENT QUOTE - NOT AN INVOICE

Description **** Q U O T E **** EXPIRY DATE: 05/09/2024 Amount

New VERMEER LP XD Traile LP573XDT, 12K GVWR, 2X100 GAL WTR T 65591.34

****INCLUDING THE FOLLOWING OPTIONS****

LP573XDT, 12K GVWR, 2X100 GAL WTR TANKS

HYDRAULIC JACK

RECIRCULATION KIT

Miscellaneous Charges/Credits

FREIGHT AND PREP Qty: 1 Price: 4015.00 4015.00

Subtotal: 69606.34

Quote Total: 69606.34

Authorization: _____

SOURCEWELL 110421-VRM PUBLIC UTILITY

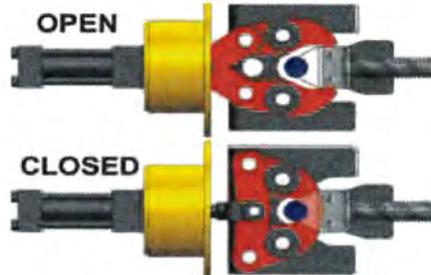
Good for thirty (30) days from date of quote.

Thank You For Your Business!

LP XDT VACUUM EXCAVATOR



CV5 (CYCLONE 4-WAY VALVE SILENCER) FILTRATION SYSTEM. .5-micron filtration. The CV5 filter housing also contains the 4-way valve for reverse pressure and an oversized silencer for quiet operation. The silencer is located inside the 28-in (71-cm) diameter cyclone.



REAR HYDRAULIC CLAW DOOR. Rear hydraulic claw door has an over-center locking mechanism for a no-fuss positive lock and unlock.



I BEAM TRAILER. Units are built from start to finish at our factory, including the trailer which consists of a sturdy I beam construction.



STRONG ARM (OPTION). With 270-degree rotation, the strong arm supports the weight of the vacuum hose, and the roller head makes handling efficient by allowing smooth, fluid movements and adjustments.



SIDE HOSE AND TOOLING (SHT) STORAGE (OPTION). The new SHT package allows for 60 ft (18 m) of suction hose storage on a trailer-mounted unit. This doubles the traditional 30-ft (9-m) hose storage on all other brands.



FLOWMASTER (OPTION). The FlowMaster option can be used to hydraulically exercise water valves and hydrants, making sure they will work properly in times of need.

LP XDT VACUUM EXCAVATOR

DIMENSIONS - TRAILER	573	573 Heavy	873	873 Heavy	1273
Length	231 in (586.7 cm)	231 in (586.7 cm)	268.8 in (682.8 cm)	268.8 in (682.8 cm)	265 in (673.1 cm)
Width	92 in (234 cm)	97 in (246 cm)	92 in (234 cm)	102 in (259 cm)	102 in (259 cm)
Height	95 in (241 cm)	95 in (241 cm)	95 in (241 cm)	95 in (241 cm)	122 in (310 cm)
Empty weight	6,300 lb (2,858 kg)	6,300 lb (2,858 kg)	7,400 lb (3,357 kg)	7,500 lb (3,402 kg)	9,400 lb (4,264 kg)
GVWR	9,995 lb (4,533 kg) / 12,000 lb (5,443 kg)	14,000 lb (6,350.3 kg)	14,000 lb (6,350.3 kg)	20,000 lb (9,071.8 kg)	24,000 lb (10,886.2 kg)
Trailer axles	(2) 7,000 lb (3,175 kg)	(2) 7,000 lb (3,175 kg)	(2) 7,000 lb (3,175 kg)	(2) 10,000 lb (4,535.9 kg)	(2) 12,000 lb (5,443.1 kg)
ENGINE					
Make and model	Kohler diesel Tier 4 Final	Kohler diesel Tier 4 Final	Kohler diesel Tier 4 Final	Kohler diesel Tier 4 Final	Kohler diesel Tier 4 Final
Horsepower	24 hp (17.9 kW)	24 hp (17.9 kW)	24 hp (17.9 kW)	24 hp (17.9 kW)	24 hp (17.9 kW)
Fuel tank capacity	30 gal (113.5 L)	30 gal (113.5 L)	30 gal (113.5 L)	30 gal (113.5 L)	30 gal (113.5 L)
Enclosure	Yes	Yes	Yes	Yes	Yes
WATER TANK					
Water tank capacity	200 gal (757.1 L)	300 gal (1,135.6 L)	200 gal (757.1 L)	400 gal (1,514.1 L)	400 gal (1,514.1 L)
Number of tanks	2	2	2	2	2
High pressure pump flow rate	4 gpm (15.1 L/min)	4 gpm (15.1 L/min)	4 gpm (15.1 L/min)	4 gpm (15.1 L/min)	4 gpm (15.1 L/min)
High pressure pump	3,000 psi (206.8 bar)	3,000 psi (206.8 bar)	3,000 psi (206.8 bar)	3,000 psi (206.8 bar)	3,000 psi (206.8 bar)
High pressure hose length	50 ft (15 m)	50 ft (15 m)	50 ft (15 m)	50 ft (15 m)	50 ft (15 m)
Low water shutoff	Yes	Yes	Yes	Yes	Yes
SPOIL TANK					
Spoil tank capacity	500 gal (1,892.7 L)	500 gal (1,892.7 L)	800 gal (3,028.3 L)	800 gal (3,028.3 L)	1,200 gal (4,542.5 L)
Door type	Hydraulic	Hydraulic	Hydraulic	Hydraulic	Hydraulic
Tank lift type	Hydraulic	Hydraulic	Hydraulic	Hydraulic	Hydraulic
VACUUM					
Type of filters	.5 micron	.5 micron	.5 micron	.5 micron	.5 micron
Hose length	30 ft (9.1 m)	30 ft (9.1 m)	30 ft (9.1 m)	30 ft (9.1 m)	30 ft (9.1 m)
Hose width	3 in (7.6 cm)	3 in (7.6 cm)	3 in (7.6 cm)	3 in (7.6 cm)	3 in (7.6 cm)
Vacuum	580 cfm (985 m ³ /hr)	580 cfm (985 m ³ /hr)	580 cfm (985 m ³ /hr)	580 cfm (985 m ³ /hr)	580 cfm (985 m ³ /hr)
Vacuum blower type	PD blower	PD blower	PD blower	PD blower	PD blower
Vacuum mercury	14 in hg (.4 bar)	14 in hg (.4 bar)	14 in hg (.4 bar)	14 in hg (.4 bar)	14 in hg (.4 bar)
CONTROL PANEL					
Controls	Curbside	Curbside	Curbside	Curbside	Curbside
Gauges	Analog	Analog	Analog	Analog	Analog
OPTIONS (FOR ALL)					
<ul style="list-style-type: none"> • Strong arm • Recirculation kit • SHT package • FlowMaster package • Hydraulic jack 					

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Vermeer



**EQUIPPED TO
DO MORE.**

RESOLUTION NO. 2024-20

A RESOLUTION APPROVING AMENDMENT NO. 1 TO TASK ORDER NO. 04 WITH DGR ENGINEERING FOR THE “NORTHEAST SUBSTATION PROJECT.”

WHEREAS, the Wayne City Council, on March 1, 2016, appointed DGR Engineering as the special engineer on the City of Wayne Electric Distribution Projects; and

WHEREAS, DGR Engineering prepared Task Order No. 4 to the Master Agreement for Professional Services for a project entitled: “Northeast Substation Project.” and

WHEREAS, it is necessary to amend Task Order No. 4 to include additional fees (\$673,000) for said services described therein; and

WHEREAS, said additional engineering services brings the revised fee established by this amendment to \$687,709.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that Amendment No. 1 to Task Order No. 4 between the City of Wayne and DGR Engineering is hereby approved for the “Northeast Substation Project.”

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

AMENDMENT 1
To Task Order No. 04
Master Agreement for Professional Services
DGR Engineering and City of Wayne, Nebraska

Amendment Effective Date: April 16, 2024

Task Order No. 04 Dated: September 20, 2022

Task Order No. 04 Project Name: **Northeast Substation.**

The Preliminary engineering phase of the Task Order project is now completed. This Amendment 1 restates the entire content of the Task Order services and adjusts the scope of work and fee to include the remaining project engineering services as follows:

TASK ORDER PROJECT DESCRIPTION: The project consists of a new 69 to 13.8 kV, single bay, single power transformer electrical substation in the Northeast part of the City of Wayne. New major equipment that will be part of the project includes, a power transformer, circuit interrupter, medium-voltage switchgear, high-voltage GOAB switches and a power control enclosure.

DGR CONTACT PERSON: Paul Davis, Project Manager

CLIENT CONTACT PERSON: Wes Blecke, City Administrator
Clayton Dredge, Electric Distribution Superintendent

SCOPE OF WORK: The services to be performed will consist of the following under this agreement:

Preliminary Phase: [Complete]

- Prepare a substation electrical one-line diagram for this project.
- Prepare substation site layout options and substation orientation.
- Develop a preliminary civil site drawing to determine how the new substation and potential generation additions will be accommodated within the site footprint.
- Assemble a preliminary design memorandum to summarize the findings and recommendations, including updated opinions of probable cost.

Design Phase:

- Coordinate and arrange for soil borings and geotechnical testing necessary for the project to be used in designing foundations for the substation structures. Soil borings and geotechnical testing is to be completed by others.
- Prepare specifications and bidding documents for major materials and distribute to

interested suppliers. The initial list of major equipment includes the new power transformer, circuit switcher, metalclad switchgear, control/relay panel, CVT's, and group operated air break switches.

- Develop controls and protective relaying design for the substation equipment. Include a design for future breaker that can be used to accommodate future generation.
- Develop physical design including site work, foundations, steel structures, bus work, shielding, ground grid, raceway, equipment installation, control building, and equipment wiring.
- Produce drawings, plans, sketches, elevations, schematics, diagrams, descriptions, and documents as necessary to describe the intended construction.
- Produce schematics to be provided to the switchgear manufacturer for bidding purposes for the following external equipment CVT, Power Transformer 16.8/28 MVA and Circuit Switcher.
- SCADA is not included as part of the project. This can be added if the City of Wayne plans to include this in the future. The relaying that is being installed will be SCADA ready for future connection and communication.

Transmission Coordination:

- Coordinate with Northeast Power on the interconnection with the substation.
- Discuss materials and timing of interconnections.

Bidding Phase:

- Coordinate four (5) major bid packages:
 1. Power transformer
 2. 15 kV metalclad switchgear and control panel
 3. Steel structures
 4. Substation Equipment including the following: circuit switcher, GOAB Switches and CVT.
 5. Substation Construction.
- Provide bidding documents to interested bidders, issue planholder lists, and respond to bidder questions.
- Assist the City of Wayne in receiving bids, attend bid openings when necessary, analyze bids, develop spreadsheets detailing bid results, and make recommendations on the award of contracts.

Construction Phase:

- Conduct a preconstruction conference, including the contractor and the City of Wayne personnel.

- Assist in construction administration and scheduling.
- Review shop drawings submitted by the Contractor or material suppliers.
- Generate and process pay requests, field orders, and change orders (if necessary).
- Make periodic site visits at intervals appropriate to the stage of construction, to observe construction and measure units completed. If desired by the City of Wayne, perform resident project observation (resident project observation is not included in our fee estimates).
- Respond to Contractor questions.
- Develop testing specifications for testing the new relays.
- Determine protective relay settings for the substation equipment, for both switchgear and control panel.
- Assist with commissioning of substation equipment.

Final Phase:

- Perform final on-site quantity checks of installed units.
- Conduct a final construction review, and develop and furnish punch-list(s) to the Contractor.
- Develop and process final close-out documents.
- Furnish record drawings, along with a final inventory of installed units.

FEE ARRANGEMENT:

Component	Previous Fee Completed	Fee Changes by this Amendment #1	Revised Fee Established by this Amendment #1	Fee Type
Preliminary	\$14,709	**	\$ 14,709	Hourly Estimate
Design	**	538,000	538,000	Lump Sum
Transmission Coordination	**	21,000	21,000	Lump Sum
Bidding	**	33,000	33,000	Lump Sum
Construction Administration	**	71,000	71,000	Hourly-Estimate
Final Phase	**	10,000	10,000	Hourly-Estimate
Total	\$ 14,709	\$ 673,000	\$ 687,709	

All "Lump Sum" work is inclusive of personnel, subsistence, travel, computer, and other costs, and will not be exceeded.

All "Hourly" work will be billed at the then-current Hourly Fee Schedule. A copy of the current Hourly Fee Schedule A is included. In addition to the amount relating to the personnel grade of the individuals doing the work, the only other expenses expected to be billed directly are travel-related costs (primarily mileage); and subsistence costs if overnight stays are required (food and lodging). The fees shown above include an estimate of these expenses.

If additional assistance outside of the original scope of work is needed, Client will be consulted prior to Consultant performing such work, upon terms and conditions mutually agreed upon between the parties.

SPECIAL TERMS AND CONDITIONS: The following services are not included in this scope of work:

- The associated generator projected is not part of this task order.
- Soil Borings are not part of this cost and will be completed by others.
- A Supervisory Control and Data Acquisition (SCADA) system is not currently included in the substation project. However, this can be amended at a later date if the City decides to incorporate this into the project.

City of Wayne, NE

DeWild Grant Reckert and Associates Company
d/b/a DGR Engineering

By: _____

By: _____

Date: _____

Date: _____

DGR ENGINEERING

JANUARY 2024

HOURLY FEE SCHEDULE A

Personnel Grade	Engineer Hourly Rate	Technician Hourly Rate	Administrative Hourly Rate
01	\$126	\$75	\$75
02	\$134	\$80	\$80
03	\$142	\$85	\$85
04	\$152	\$90	\$90
05	\$162	\$95	\$95
06	\$172	\$100	\$102
07	\$182	\$106	\$109
08	\$193	\$113	\$117
09	\$204	\$120	\$125
10	\$216	\$127	\$135
11	\$228	\$135	\$145
12	\$241	\$143	\$155
13	\$254	\$151	\$170
14	\$264	\$161	\$200
15	\$271	\$172	\$249

Reimbursable Expenses:

1. Standard vehicle mileage at the IRS standard mileage rate in effect at the time.
2. Survey/staking/heavy duty trucks at IRS standard mileage rate plus \$0.25 per mile.
3. Other travel, subsistence, lodging at actual out-of-pocket cost.
4. GPS Survey Equipment (when used) at \$31.25 per hour.
5. ATV and UTV Equipment (when applicable) at \$12.50 per hour.

PRELIMINARY COST ESTIMATE

Northeast Substation Wayne, NE

Rev. 4/10/24

<u>Description</u>		<u>Total</u>
Steel	\$	129,800.00
Major Equipment and Buswork	\$	2,411,200.00
Control Enclosure and Relay Panels	\$	1,214,000.00
Raceway and Grounding	\$	370,000.00
Foundations	\$	656,000.00
Sitework	\$	544,500.00
Control & Power Cable/Wiring	\$	213,430.00
Mobilization, Commissioning & Misc.	\$	167,000.00
		<hr/>
	Subtotal = \$	5,705,930.00
	Contingencies = \$	738,000.00
	Engineering = \$	688,000.00
	Resident Construction Observation =	<hr/>
	TOTAL = \$	7,131,930.00

Prices reflect estimated 2024 construction cost

Cost does not include soil disposal if necessary

Does not include stormwater detention or water quality

The sitework is for the substation and does not include the future generation site

[Back to Top](#)

RESOLUTION NO. 2024-21

A RESOLUTION APPROVING AMENDMENT NO. 1 TO TASK ORDER NO. 05 WITH DGR ENGINEERING FOR THE “PROPOSED GENERATION PLANT PROJECT.”

WHEREAS, the Wayne City Council, on March 1, 2016, appointed DGR Engineering as the special engineer on the City of Wayne Electric Distribution Projects; and

WHEREAS, DGR Engineering prepared Task Order No. 5 to the Master Agreement for Professional Services for a project entitled: “Proposed Generation Plant Project;” and

WHEREAS, it is necessary to amend Task Order No. 5 to include additional fees (\$25,000) for said services described therein; and

WHEREAS, said additional engineering services brings the revised fee established by this amendment to \$41,853.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that Amendment No. 1 to Task Order No. 5 between the City of Wayne and DGR Engineering is hereby approved for the “Proposed Generation Plant Project.”

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

AMENDMENT 1
To Task Order No. 05
Master Agreement for Professional Services
DGR Engineering and City of Wayne, Nebraska

Amendment Effective Date: April 16, 2024

Task Order No. 05 Dated: January 3, 2024

Task Order No. 05 Project Name: **Proposed Generation Plant.**

TASK ORDER PROJECT DESCRIPTION: The City of Wayne, Nebraska has previously expressed interest in adding generation to the proposed substation site on the northeast part of Wayne. Previous discussions included a potential partnership with Northeast Power to own and / or operate the generation assets, with upwards of 20 MW to 40 MW proposed.

The proposed Amendment allows for continued discussion and planning around site selection, site layout, and generator selection / plant makeup. This Amendment restates the entire content of the previous Task Order and adjusts the fee accordingly.

DGR CONTACT PERSON: Paul Davis, Project Manager

CLIENT CONTACT PERSON: Wes Blecke, City Administrator
 Clayton Dredge, Electric Distribution Superintendent

FEE ARRANGEMENT:

Component	Previous Fee Completed	Fee Changes by this Amendment #1	Revised Fee Established by this Amendment #1	Fee Type
Preliminary	\$16,853	\$25,000	\$ 41,853	Hourly Estimate
Total	\$ 16,853	\$ 25,000	\$ 41,853	

The other portions of the contract, such as design, bidding, construction, etc., will be developed after the preliminary portion of the project is complete and further direction is offered by the City of Wayne.

All "Hourly" work will be billed at the then-current Hourly Fee Schedule. In addition to the amount relating to the personnel grade of the individuals doing the work, the only other expenses expected to be billed directly are travel-related costs (primarily mileage); and subsistence costs if overnight stays are required (food and lodging). The fee amounts shown above include an estimate of these expenses.

If additional assistance outside of the original scope of work is needed, Client will be consulted prior to Consultant performing such work, upon terms and conditions mutually agreed upon between the parties.

The current DGR Engineering 2024 Hourly Fee Schedule is attached.

SPECIAL TERMS AND CONDITIONS: None.

City of Wayne, NE

**DeWild Grant Reckert and Associates Company
d/b/a DGR Engineering**

By: _____

By: _____

Date: _____

Date: _____

DGR ENGINEERING

JANUARY 2024

HOURLY FEE SCHEDULE A

Personnel Grade	Engineer Hourly Rate	Technician Hourly Rate	Administrative Hourly Rate
01	\$126	\$75	\$75
02	\$134	\$80	\$80
03	\$142	\$85	\$85
04	\$152	\$90	\$90
05	\$162	\$95	\$95
06	\$172	\$100	\$102
07	\$182	\$106	\$109
08	\$193	\$113	\$117
09	\$204	\$120	\$125
10	\$216	\$127	\$135
11	\$228	\$135	\$145
12	\$241	\$143	\$155
13	\$254	\$151	\$170
14	\$264	\$161	\$200
15	\$271	\$172	\$249

Reimbursable Expenses:

1. Standard vehicle mileage at the IRS standard mileage rate in effect at the time.
2. Survey/staking/heavy duty trucks at IRS standard mileage rate plus \$0.25 per mile.
3. Other travel, subsistence, lodging at actual out-of-pocket cost.
4. GPS Survey Equipment (when used) at \$31.25 per hour.
5. ATV and UTV Equipment (when applicable) at \$12.50 per hour.



CHANGE ORDER NO.: 002

Owner: City of Wayne
Engineer: **Olsson**
Contractor: Penro Construction Co., Inc.
Project: Wayne Prairie Park Phase II Utilities
Contract Wayne Fairground Recreational Development
Date Issued: 4/5/2024

Owner's Project No.:
Engineer's Project No.: **A22-02746**
Contractor's Project No.:

Effective Date of Change Order: 4/16/2024

The Contract is modified as follows upon execution of this Change Order:

Description: **Quantity Adjustments**

Attachments:

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 716,931.00	Original Contract Times: Substantial Completion: 6/15/2024 Final Completion: 6/31/2024
Increase from previously approved Change Orders No. 0 to No. 1 \$ 13,907.10	Increase from previously approved Change Orders No. 0 to No. 1: Substantial Completion: _____ Final Completion: _____
Contract Price prior to this Change Order: \$ 730,838.10	Contract Times prior to this Change Order: Substantial Completion: _____ Final Completion: _____
Increase this Change Order: \$ 12,494.11	Increase this Change Order: Substantial Completion: _____ Final Completion: _____
Contract Price incorporating this Change Order: \$ 743,332.21	Contract Times with all approved Change Orders: Substantial Completion: _____ Final Completion: _____

Recommended by Engineer (if required)
By: Matthew Smith
Title: Team Leader
Date: 4/16/2024

Accepted by Contractor
Matthew Smith
President
4-16-2024

Authorized by Owner
By: _____
Title: _____
Date: _____

Approved by Funding Agency (if applicable)
By: _____
Title: _____
Date: _____

CERTIFICATE OF PAYMENT: 5



Date of Issuance: 04/16/24

Project: Wayne Prairie Park Phase II Utilities

Project No.: A22-02746

Contractor: Penro Construction Co., Inc.

DETAILED ESTIMATE

Description	Unit Price	Extension
See Attached.		
PLEASE REMIT PAYMENT TO: Penro Construction Co., Inc.		

Value of Work Completed This Request: \$735,580.10

Original Contract Cost: \$716,931.00
 Approved Change Orders:
 No. 1 \$13,907.10
 No. 2 \$12,494.11
 No. 3 \$0.00

Total Contract Cost: \$743,332.21

Value of completed work and materials stored to date \$735,580.10
 Less retainage percentage 5% \$36,779.00
 Net amount due including this estimate \$698,801.10
 Less: Estimates previously approved:

No. 1 <u>\$114,027.84</u>	No. 3 <u>\$117,428.59</u>	No. 5 <u>\$0.00</u>
No. 2 <u>\$222,560.16</u>	No. 4 <u>\$155,562.81</u>	No. 6 <u>\$0.00</u>

Total Previous Estimates: \$609,579.40

NET AMOUNT DUE THIS ESTIMATE: \$89,221.70

The undersigned hereby certifies, based upon periodic observations as set forth in scope of work and the data included in all applicable payment applications that, to the best of its knowledge, information and belief: (1) the work has progressed as indicated in the applicable payment applications; (2) the work performed and materials delivered by Contractor are in conformance with the plans and specifications; and (3) the Contractor, in accordance with the contract, is entitled to payment as indicated above.

This certification does not constitute a warranty or guarantee of any type. Client shall hold its Contractor solely responsible for the quality and completion of the Project, including construction in accordance with the construction documents. Any duty or obligation of Olsson hereunder is for the sole benefit of the Client and not for any third party, including the Contractor or any Subcontractor.

cc: - Owner
Penro Construction Co., Inc.
Project File

OLSSON

By: Matthew Smith

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
ITEM NO.	DESCRIPTION OF WORK	Qty	Total Est Unit Price	Schedule Value (0.1%)	Cy from previous pay app	Total From previous pay app	Cy this period	Total from this period	Materials presently in place #	Total quantity to date (Est)	Total Completed and Subject to Date (4/14/24)	% (M/F)	Balance to Finish (Est)	Retention	
1	MOBILIZATION	1.0	\$11,850.00	\$11,850.00	0.00	\$11,850.00	0.00	\$11,850.00	\$0.00	1	\$11,850.00	100.00%	\$0.00	\$552.50	
2	TRAFFIC CONTROL	1.0	\$2,840.00	\$2,840.00	0.00	\$2,840.00	0.00	\$2,840.00	\$0.00	1	\$2,840.00	100.00%	\$0.00	\$142.00	
3	REMOVE & REPLACE UNSUITABLE SOILS	0.0	\$0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0	\$0.00	0.00%	\$0.00	\$0.00	
4	8" 60' WATER MAIN	228.0	\$40.80	\$9,286.40	228.0	\$9,286.40	1,373.00	\$58,283.20	\$0.00	3684	\$1,919,871.20	100.00%	\$0.00	\$7,474.58	
5	2" WATER SERVICE LINE	100.0	\$17.00	\$1,700.00	0.00	\$1,700.00	0.00	\$1,700.00	\$0.00	100	\$1,700.00	100.00%	\$0.00	\$85.00	
6	2" WATER SERVICE LINE	122.0	\$32.72	\$3,992.24	0.00	\$3,992.24	122.00	\$3,992.24	\$1,299.00	122	\$3,992.24	100.00%	\$0.00	\$159.61	
7	WATER METER ASSEMBLY	1.0	\$8,850.00	\$8,850.00	0.00	\$8,850.00	0.00	\$8,850.00	\$0.00	1	\$8,850.00	100.00%	\$0.00	\$442.50	
8	1" WATER SERVICE LINE	1.0	\$181.50	\$181.50	0.00	\$181.50	0.00	\$181.50	\$0.00	1	\$181.50	100.00%	\$0.00	\$9.08	
9	2" VERTICAL FIRE HYDRANT EXTENSION	1.0	\$1,310.00	\$1,310.00	0.00	\$1,310.00	0.00	\$1,310.00	\$0.00	1	\$1,310.00	100.00%	\$0.00	\$65.50	
10	3" VERTICAL FIRE HYDRANT EXTENSION	1.0	\$1,500.00	\$1,500.00	0.00	\$1,500.00	0.00	\$1,500.00	\$0.00	1	\$1,500.00	100.00%	\$0.00	\$75.00	
11	8" M.G. VALVE	3.0	\$7,300.00	\$21,900.00	3.0	\$21,900.00	3.00	\$21,900.00	\$1,668.89	6	\$16,181.98	113.09%	\$5,868.89	\$277.44	
12	8" M.G. VALVE	1.0	\$848.00	\$848.00	0.00	\$848.00	0.00	\$848.00	\$0.00	1	\$848.00	100.00%	\$0.00	\$32.40	
13	2" VERTICAL FIRE HYDRANT EXTENSION	5.0	\$302.50	\$1,512.50	5.0	\$1,512.50	0.00	\$1,512.50	\$0.00	5	\$1,512.50	100.00%	\$0.00	\$75.63	
14	2" VERTICAL FIRE HYDRANT EXTENSION	1.0	\$223.50	\$223.50	0.00	\$223.50	0.00	\$223.50	\$0.00	1	\$223.50	100.00%	\$0.00	\$11.18	
15	8" M.G. VALVE	1.0	\$883.50	\$883.50	0.00	\$883.50	0.00	\$883.50	\$0.00	1	\$883.50	100.00%	\$0.00	\$44.18	
16	2" WATER SERVICE ASSEMBLY	2.0	\$2,400.00	\$4,800.00	2.0	\$4,800.00	0.00	\$4,800.00	\$0.00	2	\$4,800.00	100.00%	\$0.00	\$240.00	
17	2" WATER SERVICE ASSEMBLY	1.0	\$3,300.00	\$3,300.00	0.00	\$3,300.00	0.00	\$3,300.00	\$0.00	1	\$3,300.00	100.00%	\$0.00	\$165.00	
18	2" WATER SERVICE ASSEMBLY	1.0	\$1,170.00	\$1,170.00	0.00	\$1,170.00	0.00	\$1,170.00	\$0.00	1	\$1,170.00	100.00%	\$0.00	\$58.50	
19	8" WATER MAIN CONNECTION	1.0	\$1,850.00	\$1,850.00	0.00	\$1,850.00	1.00	\$1,850.00	\$0.00	1	\$1,850.00	100.00%	\$0.00	\$92.50	
20	8" CONNECTION SLEEVE	2.0	\$458.00	\$916.00	0.00	\$916.00	2.00	\$916.00	\$0.00	2	\$916.00	100.00%	\$0.00	\$45.80	
21	YARD HYDRANT ASSEMBLY	15.0	\$1,170.00	\$17,550.00	15.0	\$17,550.00	0.00	\$17,550.00	\$0.00	15	\$17,550.00	100.00%	\$0.00	\$877.50	
22	48" SANITARY SEWER MANHOLE	7.0	\$29,120.00	\$203,840.00	7.0	\$203,840.00	0.00	\$203,840.00	\$0.00	7	\$203,840.00	100.00%	\$0.00	\$10,192.00	
23	8" SANITARY SEWER MAIN	2348.0	\$38.10	\$89,448.00	2348.0	\$89,448.00	0.00	\$89,448.00	\$0.00	2348	\$89,448.00	100.00%	\$0.00	\$4,472.40	
24	8" SANITARY SERVICE CONNECTION	20.0	\$453.80	\$9,076.00	20.0	\$9,076.00	0.00	\$9,076.00	\$0.00	20	\$9,076.00	100.00%	\$0.00	\$453.80	
25	2" SANITARY FORCE MAIN	815.0	\$14.18	\$11,566.70	815.0	\$11,566.70	0.00	\$11,566.70	\$0.00	815	\$11,566.70	100.00%	\$0.00	\$578.25	
26	2" SANITARY FORCE MAIN BORE	350.0	\$33.50	\$11,725.00	350.0	\$11,725.00	0.00	\$11,725.00	\$0.00	350	\$11,725.00	100.00%	\$0.00	\$586.25	
27	4" TAMPEREED 12" SANITARY CAP	34.0	\$261.25	\$8,982.50	0.00	\$8,982.50	34.00	\$8,982.50	\$0.00	34	\$8,982.50	100.00%	\$0.00	\$449.13	
28	60" HOPE STORM PIPE	300.0	\$57.00	\$17,100.00	300.0	\$17,100.00	0.00	\$17,100.00	\$2,568.00	300	\$14,532.00	100.00%	\$2,568.00	\$1,284.00	
29	60" HOPE STORM PIPE	100.0	\$33.00	\$3,300.00	0.00	\$3,300.00	0.00	\$3,300.00	\$0.00	100	\$3,300.00	100.00%	\$0.00	\$1,650.00	
30	6" X 6" JUNCTION BOX W/ MANHOLE	1.0	\$11,950.00	\$11,950.00	0.00	\$11,950.00	0.00	\$11,950.00	\$0.00	1	\$11,950.00	100.00%	\$0.00	\$597.50	
31	6" X 6" JUNCTION BOX W/ MANHOLE	1.0	\$29,400.00	\$29,400.00	0.00	\$29,400.00	0.00	\$29,400.00	\$0.00	1	\$29,400.00	100.00%	\$0.00	\$1,470.00	
32	CLASS C REPAIR	37.0	\$135.50	\$4,995.50	37.0	\$4,995.50	0.00	\$4,995.50	\$0.00	37	\$4,995.50	100.00%	\$0.00	\$249.78	
33	2" ELECTRICAL SETTING (SIGNAL ONLY)	0.0	\$140.75	\$0.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0	\$0.00	0.00%	\$0.00	\$0.00	
34	CONCRETE REMOVAL AND REPAIR AT LIFT STATION	1.0	\$1,050.00	\$1,050.00	0.00	\$1,050.00	0.00	\$1,050.00	\$0.00	1	\$1,050.00	100.00%	\$0.00	\$52.50	
35	2" HOPE STORM PIPE	17.0	\$80.00	\$1,360.00	17.0	\$1,360.00	0.00	\$1,360.00	\$0.00	17	\$1,360.00	100.00%	\$0.00	\$68.00	
36	2" HOPE STORM PIPE	157.0	\$84.10	\$13,293.70	0.00	\$13,293.70	157.00	\$13,293.70	\$0.00	157	\$13,293.70	100.00%	\$0.00	\$664.69	
37	CHUBB INLET	1.0	\$4,580.00	\$4,580.00	0.00	\$4,580.00	0.00	\$4,580.00	\$0.00	1	\$4,580.00	100.00%	\$0.00	\$229.00	
38	1" VERTICAL PIPE HYDRANT EXTENSION	1.0	\$1,250.00	\$1,250.00	0.00	\$1,250.00	0.00	\$1,250.00	\$0.00	1	\$1,250.00	100.00%	\$0.00	\$62.50	
39	Contract Total		\$743,332.21	\$743,332.21	10,397.0	\$777,856.80	1,969.91	\$158,401.61	\$5,322.83	12,397.51	\$765,580.10	100.00%	\$14,075.00	\$718,505.10	

ORDINANCE NO. 2024-3 (2)

AN ORDINANCE AMENDING TITLE VII TRAFFIC CODE, PROHIBITIONS AND ENFORCEMENT, SECTION 78-212 SPEED; MAXIMUM; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Title VII Traffic Code, Prohibitions and Enforcement, Section 78-212 of the Wayne Municipal Code is amended to read as follows:

Sec. 78-212 Speed; maximum.

(A) No person shall operate a motor vehicle on the streets of the city at a rate of speed greater than is reasonable and proper, having regard to the traffic, the use of the road and the condition of the road, nor at a rate of speed such as to endanger the life and limb of any person, nor in any case in excess of 25 mph on any street within the corporate limits of the city, except on the following streets:

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>
City access roads	Prairie Park south of E. 4 th Street and east of Fairground Avenue	20 mph
East 7 th Street	From a point 800 feet east of the east line of Pine Heights Road (as extended south) east to the east line of Centennial Road	45 mph
Main Street	From the south line of 14 th Street north to a point 2,100 feet north of Country Club Road	45 mph
Main Street	From the south line of 7 th Street north to the south line of 14 th Street	30 mph
West 7 th Street	From a point 700 feet west of the west line of Oak Drive (as extended north) west to Pheasant Run	45 mph
7 th Street	From 800 feet west of the west line of Sherman Street to a point 800 feet east of the east line of Pine Heights Road (as extended south)	30 mph
South Main Street	From the north line of Clark Street (as extended east) south to the corporate limits at Logan Creek	30 mph
West 7 th Street	From 800 feet west of the west line of Sherman Street to a point 700 feet west of the west line of Oak Drive (as extended north)	35 mph

East 21st Street	From a point 1,246 1,906 feet east of the east line of North Main Street east to the city limits	35 mph
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(B) Speed limits shall be plainly indicated by appropriate signs. Unless otherwise posted, the speed limit within the corporate limits of the city shall be 25 mph.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 16th day of April, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2024-5

AN ORDINANCE APPROVING VACATION OF A PORTION OF WALNUT STREET LOCATED WITHIN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, DESCRIBED AS THAT PORTION OF WALNUT STREET LYING BETWEEN THE NORTH LINE OF HILLCREST ROAD AND EXTENDING NORTH TO THE SOUTH LINE OF 14TH STREET.

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

Section 1. That vacation of the portion of Walnut Street lying between the north line of Hillcrest Road and extending north to the south line of 14th Street, is in the best interest of the City of Wayne, Nebraska.

Section 2. That the portion of Walnut Street lying between the north line of Hillcrest Road and extending north to the south line of 14th Street, Wayne, Wayne County, Nebraska, is hereby vacated.

Section 3. The City of Wayne, Nebraska, shall reserve in said street, an electrical easement for installing and/or maintaining all electrical utilities in and along the street herein vacated.

Section 4. Ownership of all water lines located in the above-described portion of Walnut Street are hereby granted, conveyed, and transferred to the Board of Trustees of Nebraska State Colleges (Board).

Section 5. Any easements or licenses benefiting the City of Wayne, Nebraska in relation to the foregoing water lines located in the above described portion of Walnut Street are hereby released and waived.

Section 6. Ownership of the real property of above-described vacated portion of Walnut Street are hereby granted to the Board.

Section 7. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of April, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

Walnut Street from the North line of Hillcrest Drive to the South line of 14th Street, abutted on the east by Lot 1, Hillcrest Addition, and Lots 1-23, Crestview Addition, and abutted on the west by Lots 13-24, Block 15, College Hill First Addition, and Lots 13-24, Block 14, College Hill First Addition, and Lots 7-12, Block 1, College Hill First Addition, and all vacated streets and alleys contained therein, all located in Wayne, Wayne County, Nebraska.

ORDINANCE NO. 2024-6

AN ORDINANCE APPROVING TRANSFER OF OWNERSHIP OF WATER LINE LOCATED ALONG PREVIOUSLY VACATED 12TH STREET, COMMENCING ON THE EAST SIDE OF MAIN STREET (HWY 15), AND CONTINUING EAST, THROUGH WAYNE STATE COLLEGE (WSC) CAMPUS, TO THE WATER VALVES LOCATED IN WHAT IS COMMONLY KNOWN AS LOT 4 OF WSC, LEGALLY DESCRIBED AS LOTS 2-23, CRESTVIEW ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (LOT 10 OF WSC), SUBJECT TO WSC RELOCATING METERS AT THE EAST AND WEST BOUNDARY OF SAID TRANSFERRED WATER LINE, AT THE POINT OF CONNECTION TO THE CITY'S WATER LINE.

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

Section 1. That the transfer of ownership of the City of Wayne's water line located along previously vacated 12th street, commencing on the east side of Main Street (Hwy 15), and continuing east, through Wayne State College (WSC) campus, to the water valves located in what is commonly known as Lot 4 of WSC, legally described as Lots 2-23, Crestview Addition to the City of Wayne, Wayne County, Nebraska (Lot 10 of WSC), subject to the Board of Trustees of Nebraska State Colleges (Board) relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, is in the best interest of the City of Wayne, Nebraska.

Section 2. That the portion of ownership of the water line described above is hereby granted, conveyed, and transferred from the City of Wayne, Nebraska, to the Board, subject to the Board relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, is in the best interest of the City of Wayne, Nebraska.

Section 3. Any easements or licenses benefiting the City of Wayne, Nebraska in relation to the foregoing water lines are hereby released and waived, subject to the Board relocating meters at the east and west boundary of said transferred water line, at the point of connection to the City's water line, as said release and waiver is in the best interest of the City of Wayne, Nebraska.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this _____ day of April, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

[Back to Top](#)**Betty McGuire - [External] 23115 Wayne City Hall & Police Relocation Pay App No. 05**

From: Adrienne Geer <ageer@cwparchitects.com>
To: "wblecke@cityofwayne.org" <wblecke@cityofwayne.org>, "betty@cityofwayne...."
Date: 4/15/2024 4:01 PM
Subject: [External] 23115 Wayne City Hall & Police Relocation Pay App No. 05
Cc: Gavin Tupper <gtupper@cwparchitects.com>, Kelley Rosburg <krosburg@cwpar...>
Attachments: ACP-05 240415.pdf

Re: Wayne City Hall & Police Relocation
513 Main Street
Wayne, NE 68787

CWPA Project No. 23115

Dear Wes:

Attached please find the Owner's copy of Application for Payment No. 05, period to March 29, 2024, submitted by Otte Construction Company, LLC. We have reviewed this application and recommend payment be made directly to the Contractor in the amount of \$183,459.00.

I have forwarded the contractor's copy directly to Otte Construction Company, LLC.

If you have any questions, please do not hesitate to call me.

Sincerely,
Carlson West Povondra Architects

Gavin Tupper
Construction Administrator

GT/ajg

Adrienne Geer
Office Manager
CARLSON WEST POVONDRA ARCHITECTS
5060 Dodge Street, Omaha, NE 68132

T 402.551.1500
C 402.306.3589

www.cwparchitects.com

G702

Application and Certificate for Payment

To Owner: **Project:** Wayne City Hall & Police Relocation
 City of Wayne 513 Main Street
 306 Pearl Street Wayne, NE 68787
 Wayne, NE 68787

From Contractor: **Via Architect:** Carlson West Povondra Architects
Otte Construction Company, LLC
 521 Centennial Rd. 5060 Dodge Street
 Wayne, NE 68787 Omaha, NE 68132

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703, Continuation Sheet, is attached.

- 1. ORIGINAL CONTRACT SUM \$ 4,204,500.00
- 2. NET CHANGE BY CHANGE ORDERS \$ 2,356.00
- 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 4,206,856.00
- 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 715,719.00
- 5. RETAINAGE:
 - a. 10% of Completed Work (Columns D + E on G703) \$ 71,572.00
 - b. 10% of Stored Material (Column F on G703) \$ -
- 6. TOTAL EARNED LESS RETAINAGE \$ 71,572.00
 (Line 4 minus Line 5 Total) \$ 644,147.00
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 460,688.00
 (Line 6 from prior Certificate) \$ 183,459.00
- 8. **CURRENT PAYMENT DUE** \$ 183,459.00
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 minus Line 6) \$ 3,562,709.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 6,333.00	\$ (3,977.00)
Total approved this month	\$ -	\$ -
TOTAL	\$ 6,333.00	\$ (3,977.00)
NET CHANGES by Change Order	\$	2,356.00

Application No: **5** Distribution To:

Period To: 3/29/2024 Owner
 Contract For: General Architect
 Contract Date: 10/17/2023 Contractor

Project NOS: CWPA 23115 Field
 Other

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates of Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: OTTE CONSTRUCTION COMPANY, LLC
 By: J. R. Nelson Date: 3/27/24
 State of: NEBRASKA
 County of: WAVYNE

Subscribed and sworn to before me this 27 day of MARCH 2024
 County of: WAVYNE
 Notary Public: Wayne Nelson
 My commission expires: 1/22/2028



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 183,459.00
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Carlson West Povondra Architects
 By: [Signature] Date: 04.15.2024

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

APPLICATION NUMBER: 5

APPLICATION DATE: 3/27/2024

PERIOD TO: 3/29/2024

G703

ARCHITECTS PROJECT NO: CWPA 23115

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)						
1	General Conditions, Supervision, Project Start-Up	73,220	12,119		7,637	0	19,756	53,464	1976
2	Bonds & Insurance	40,960	40,960	0	0	0	40,960	0	4096
3	Submittal Exchange Allowance	8,500	7,920	0	0	0	7,920	580	792
4	Site Demo & Earthwork	192,030	77,629	5,024	5,024	0	82,653	109,377	8265
5	Building Demolition & Infills	76,490	61,340	7,980	7,980	0	69,320	7,170	6932
6	Concrete Figs, Slabs, Walls, Steps	190,410	97,777	21,315	21,315	0	119,092	71,318	11909
7	Waterproofing, Drainage, & Backfilling	23,470	0	3,584	3,584	0	3,584	19,886	358
8	Structural Steel & Erection	106,250	10,500	40,191	40,191	0	50,691	55,559	5069
9	Precast Hollowcore	15,540	0	0	0	0	0	15,540	0
10	Rough Carpentry & Sheathing	27,470	0	8,304	8,304	0	8,304	19,166	830
11	TPO Roofing & Sheetmetal	65,030	0	0	0	0	0	65,030	0
12	Roof Specialties	8,270	0	0	0	0	0	8,270	0
13	Doors, Frames, & Hardware	183,940	46,259	0	0	0	46,259	137,681	4626
14	Aluminum Entrance, Windows, & Glazing	96,250	0	0	0	0	0	96,250	0
15	Metal Studs, Insulation, Drywall, Ballistic Panels	381,830	21,594	36,761	36,761	0	58,355	323,475	5836
16	EIFS System	27,100	0	0	0	0	0	27,100	0
17	Metal Wall Panels	68,320	0	0	0	0	0	68,320	0
18	Acoustical Ceilings	52,000	0	0	0	0	0	52,000	0
19	Finish Floorings & Sealers	114,990	0	0	0	0	0	114,990	0
20	Painting, Wall Coverings, & Caulking	147,400	0	0	0	0	0	147,400	0
22	Cabinetry, Millwork, & Tops	202,230	0	0	0	0	0	202,230	0
22a	Council Chambers Custom Millwork	21,070	0	0	0	0	0	21,070	0
23	Sectional Overhead Doors	33,530	0	0	0	0	0	33,530	0
24	Wall Protection & Signage	7,870	0	0	0	0	0	7,870	0
25	Toilet Partitions, Accessories, VD's, & FE's	21,120	0	0	0	0	0	21,120	0
26	FRP Paneling	8,340	0	0	0	0	0	8,340	0
27	Lockers	18,220	407	0	0	0	407	17,813	41
28	Roller Shades	3,330	0	0	0	0	0	3,330	0

G703

APPLICATION NUMBER: 4

APPLICATION DATE: 2/28/2024

PERIOD TO: 2/29/2024

ARCHITECTS PROJECT NO: CWIPA 23115

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
29	Food Service Appliances	30,080	0	0	0	0	0	30,080	0
30	Flagpole	5,120	0	0	0	0	0	5,120	0
31	Awnings	6,500	0	0	0	0	0	6,500	0
32	Plumbing & HVAC	352,970	70,458	27,532	27,532	0	97,990	254,980	9799
33	Electrical	642,750	47,440	33,168	33,168	0	80,608	562,142	8061
33a	Fire Alarm	20,000	0	0	0	0	0	20,000	0
33b	Emergency Generator	63,000	0	0	0	0	0	63,000	0
33c	Switchgear	113,000	5,660	11,300	11,300	0	16,960	96,040	1696
33d	Audio, Visual, & Access Control	310,000	0	0	0	0	0	310,000	0
33e	Data & Communications	149,000	0	0	0	0	0	149,000	0
34	Concrete Site Paving	170,780	0	0	0	0	0	170,780	0
35	Storm Sewer Utilities	32,720	0	0	0	0	0	32,720	0
36	Planting Beds	5,000	0	0	0	0	0	5,000	0
37	Installation of OFCI & Allowance Items	8,400	0	0	0	0	0	8,400	0
38	Thru-Wall Depositories Allowance	10,000	0	0	0	0	0	10,000	0
39	Athletic Wall & Floor Pads Allowance	20,000	0	0	0	0	0	20,000	0
40	Owner Contingency Allowance	50,000	11,823	1,047	1,047	0	12,870	37,130	1287
CO 001	Office Window & Flooring Revisions	2,356	0	0	0	0	0	2,356	0
		4,206,856	511,876	203,843	203,843	0	715,719	3,491,137	71572

CONDITIONAL LIEN WAIVER FOR PARTIAL / PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

1. IDENTIFYING INFORMATION.

Claimant Name: OTTE CONSTRUCTION COMPANY, LLC
Customer Name: CITY OF WAYNE
Job Location: 513 MAIN ST., WAYNE, NEBRASKA 68787
Owner: CITY OF WAYNE
Through Date: MARCH 27, 2024

2. CONDITIONAL WAIVER AND RELEASE.

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: CITY OF WAYNE
Check Amount: \$183,459.00
Check Payable to: OTTE CONSTRUCTION COMPANY, LLC

3. EXCEPTIONS.

This document does not affect any of the following:

- a) Retentions.
- b) Extras for which the claimant has not received payment.
- c) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:

Date(s) of waiver and release: N/A
Amount(s) of unpaid progress payment(s): \$ 0.00

- d) Contract rights, including (i) a right based on rescission, abandonment, or breach of contract, and (ii) the right to recover compensation for work not compensated by the payment.

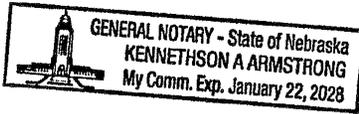
4. SIGNATURE.

Claimant Signature: *[Signature]* Date: 3/27/24
Claimant Title: TATE NELSON - PROJECT MANAGER

5. NOTARIZATION.

State of Nebraska
County of Wayne

The foregoing instrument was acknowledged before me, Kennethson Armstrong, this 3/27/2024 (mm/dd/yyyy), by the undersigned, Tate Nelson, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument.



[Signature]
Notary Public

My Commission Expires: 1/22/2028