

**MINUTES
CITY COUNCIL MEETING
March 19, 2024**

The Wayne City Council met in regular session at City Hall on March 19, 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; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmember Jason Karsky.

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 Buck made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of March 5, 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:

VARIOUS FUNDS: ACE HARDWARE & HOME, SE, 641.24; ALL HOURS TOWING, SE, 225.00; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 113.72; AMERITAS, SE, 72.00; AMERITAS, SE, 3468.60; ANKENY, ABBY, RE, 150.00; APPEARA, SE, 230.17; CARLSON WEST

POVONDRA ARCHITECTS, SE, 3000.00; CASEY ELECTRIC, SE, 835.10; CENTER POINT LARGE PRINT, SU, 405.77; CITY EMPLOYEE, RE, 2081.40; CITY EMPLOYEE, RE, 1148.07; CITY EMPLOYEE, RE, 44.54; CITY EMPLOYEE, RE, 4200.00; CITY EMPLOYEE, RE, 759.96; CITY OF WAYNE, PY, 113654.86; CITY OF WAYNE, RE, 611.68; COLONIAL RESEARCH, SU, 150.53; COPY WRITE PUBLISHING, SE, 15.92; COPY WRITE PUBLISHING, SU, 68.00; COPY WRITE PUBLISHING, SU, 482.89; COTTONWOOD WIND PROJECT, SE, 15418.48; DAS STATE ACCTG-CENTRAL FINANCE, SE, 69.73; DEARBORN LIFE INSURANCE, SE, 3197.83; DITCH WITCH UNDERCON, SE, 95.78; DOESCHER REPAIR, SE, 144.00; EAKES OFFICE PLUS, SE, 148.17; FLOOR MAINTENANCE, SU, 726.84; FREED-HARDEMAN UNIV, SU, 75.00; GALE/CENGAGE LEARNING, SU, 187.11; HILAND DAIRY, SE, 289.59; HOMETOWN LEASING, SE, 284.32; HYPERION, SE, 84.24; ICMA, SE, 39.80; ICMA, SE, 201.68; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 9841.99; ICMA, SE, 523.20; ICMA, SE, 150.67; ICMA, SE, 1226.88; ICMA, SE, 596.51; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 138.72; IRS, TX, 18768.80; IRS, TX, 4389.40; IRS, TX, 11784.58; JACK'S UNIFORMS, SU, 49.95; JOHN'S WELDING AND TOOL, SU, 193.88; KASEYA US, SE, 9902.58; KTCH, SE, 168.00; LAWLER FIXTURE CO, SU, 15445.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 493.89; LINDNER CONST, RE, 1000.00; LUTT OIL, SU, 4479.29; LYNN PEAVEY, SU, 180.81; MEYER, BRYCE, SE, 25.00; MICRO FOCUS (US), SE, 3306.43; MIDWEST LABORATORIES, SE, 207.57; MIDWEST TAPE, SU, 549.92; MUNICIPAL SUPPLY, SU, 8521.04; NE DEPT OF REVENUE, TX, 5706.69; NE DEPT OF REVENUE-GAMING DIVISION, FE, 600.00; NEBRASKA GENERATOR SERVICE, SE, 1790.48; NPPD, SE, 8643.44; NORFOLK DAILY NEWS, SE, 795.17; NORTHEAST COMMUNITY COLLEGE, FE, 50.00; NORTHEAST NE INS AGENCY, SE, 3817.00; ODEYS, SU, 1039.70; O'REILLY AUTOMOTIVE STORES, SU, 76.14; OTTE CONSTRUCTION COMPANY, SE, 100493.00; OUR SAVIOR CHURCH, RE, 200.00; OVERDRIVE, SU, 873.26; PIP MARKETING, SIGNS & PRINT, SU, 4503.94; PRAIRIE PLAINS RESOURCE INSTITUTE, SE, 1730.00; RODRIGUEZ, NANCY, SE, 55.00; SEMPER BELLATOR, RE, 10000.00; SIRSI CORPORATION, FE, 750.00; SPERRY, KYLE, SE, 25.00; STADIUM SPORTING GOODS, SU, 12.00; STAPLES, SU, 51.88; THOMPSON SOLUTIONS GROUP, SE, 820.74; TRAF-SYS INC, SU, 1727.00; TYLER TECHNOLOGIES, SE, 250.00; US BANK, SU, 21916.38; US FOODSERVICE, SU, 1912.30; VERIZON, SE, 574.49; WAYNE AUTO PARTS, SU, 209.51; WAYNE COUNTY CLERK, SE, 42.00; WAYNE HERALD, SE, 1456.00; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 1804.50; WAYNE VETERINARY CLINIC, SE, 70.00; ZACH HEATING & COOLING, SE, 350.39; BIG RIVERS ELECTRIC CORPORATION, SE, 157190.25; BLACK HILLS ENERGY, SE, 3208.25; BORDER STATES INDUSTRIES, SU, 1120.95; BSN SPORTS, SU, 270.57; CARPENTER PAPER COMPANY, SU, 743.76; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, RE, 182.31; CORE & MAIN, SU, 801.86; GROSSENBURG IMPLEMENT, SU, 26.49; NE STATE FIRE MARSHAL, SE, 120.00; PEERLESS WIPING CLOTH, SU, 482.08; PIP MARKETING, SIGNS & PRINT, SU, 1098.27; QUALITY 1 GRAPHIC, SU, 60.00; SUDBECK, MATT, RE, 500.00; WESCO, SU, 23972.82

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.

Mark Lenihan, Superintendent of Wayne Public Schools, was present requesting Council consideration to waiving the City Auditorium rental fee for the Mid-States Conference Art Show that will take place on April 21st – April 28th. The deposit has been paid. Students are always supervised by their

sponsor. This art show will bring a lot of visitors to Wayne. It also opens up an opportunity for the residents in Wayne to be able to look at some tremendous art work (400-450 pieces).

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the request of Mark Lenihan, Superintendent of Wayne Public Schools, to waive the City Auditorium rental fee for the Mid-States Conference Art Show that will take place on April 21st – April 28th. 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 presented Application and Certificate of Payment No. 4 from Otte Construction Co., LLC, in the amount of \$215,551.00 for the “Wayne City Hall and Police Relocation Project.” He also updated the Council on the progress of the project.

Mayor Giese asked that the architects be at a future meeting to provide an update on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Application and Certificate of Payment No. 4 in the amount of \$215,551.00 to Otte Construction Co., LLC, for the “Wayne City Hall and Police Relocation Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried.

Administrator Blecke stated the following ordinance comes forward for second reading. The amended map approved at the first reading is attached thereto.

BJ Woehler was present to again request Council approve the land use map that was originally forwarded to the Council by the Planning Commission. He said he had met with the Fair Board and they are receptive to annexing the fairgrounds.

Administrator Blecke stated he had a fair board member contact him who was not in favor of annexing the fairground property.

Councilmember Eischeid introduced Ordinance No. 2024-2 and moved for approval of the second reading thereof; Councilmember Brodersen 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. The third and final reading will take place at the next meeting.

Joel Hansen, Street Superintendent stated the current ordinance for speed limits includes the old gravel road down to the ball fields at Prairie Park, which is listed at 20 mph. There is no sign installed at that location. With all of the new roads in Prairie Park and anticipated traffic increases with the new campground, lake and all of its amenities being constructed, it seems prudent to make sure those new roads are also included in the 20 mph speed limit, and that signs are installed to make people aware of it as well. Staff suggests waiving the 3 readings on this ordinance so signs can be installed as soon as possible, with the roads likely being opened within the week.

In addition, the Mayor has requested the speed limit on E. 21st Street be reviewed for a possible change.

Councilmember Eischeid stated he would like the speed limit 25 mph up to the end of the residential subdivision (Armstrong property), then 35 mph down to Claycomb Road. Since the County Road does not have a speed limit sign, the speed limit is then 50 mph to Centennial Road.

Mr. Hansen stated if the Council wanted to move the location of the East 21st Street speed limit to the east side of the Armstrong property at the top of that hill, they would need to change the number in the ordinance from 1,246 feet to 1,906 feet.

Because the Council wanted to pass and waive the three readings on part of this ordinance, but wanted to have more discussion on the portion regarding East 21st Street, Attorney Miller advised the Council to make one motion for the access road and West 7th Street and then waive the three readings and move for final approval, and then do another motion on this ordinance for first reading on the changes regarding East 21st Street.

Councilmember Eischeid introduced Ordinance No. 2024-3 and moved for its approval, with the following changes:

- **City Access Roads:** ~~Extending from 4th Street to the City Summer Sports Complex parking lot~~ **Prairie Park south of E. 4th Street and east of Fairground Avenue – 20 mph**
- **West 7th Street:** From a point 700 feet west of the west line of Oak Drive (as extended north) west ~~to the north-south county road which is 1 mile west of the intersection of Seventh and Main Streets~~ **to Pheasant Run;**

Councilmember Webber seconded.

ORDINANCE NO. 2024-3

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, the Mayor declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to suspend the statutory rules requiring ordinances to be read by title on three different days. 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 made a motion, which was seconded by Councilmember Webber, to move for final approval of Ordinance No. 2024-3. 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 Houser then introduced Ordinance No. 2024-3 and moved for its approval, with the following changes as it pertains to East 21st Street:

- **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**

Councilmember Webber seconded.

ORDINANCE NO. 2024-3

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 second reading will take place at the next meeting.

Joel Hansen, Street Superintendent, stated with the opening of the new access entrance into Prairie Park and the pending opening of the R. Perry apartments, staff anticipates an increase in traffic on East 4th Street. That street is an arterial street from Main Street to Dearborn Street, which is meant to move a larger volume of traffic across that area of the community, while making lower volume streets stop before entering it. When the Bencoter Addition was built, the newer streets entering onto 4th Street did not see much traffic, and posting stop signs was not a priority. Now, with that subdivision nearly built out and with the activity on the south side of the road, staff feels this street should be considered an arterial street all the way east to Centennial Road, due to not only these reasons, but also the addition of the new Dollar General store. Every other street east of Logan Street has stop signs before entering onto 4th Street from Logan Street to Dearborn Street. This will maintain that consistency for traffic flow on 4th Street. Stop signs, by Federal regulations, are not to be used to slow the speed of traffic, but rather to dictate which street takes priority at an intersection. Busier streets with larger daily traffic counts go first, with the cross streets stopping before they enter into the intersection. This is why all of the city streets that cross our highways have either a stop sign or a traffic light.

Councilmember Brodersen introduced Ordinance No. 2024-4 and moved for its approval; Councilmember Webber seconded.

ORDINANCE NO. 2024-4

AN ORDINANCE AMENDING CHAPTER 78, ARTICLE I, SECTION 78-12 STOP SIGN LOCATIONS; EAST OF MAIN STREET, SOUTH OF 7TH STREET; 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 Councilmembers Karsky who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Karsky who was absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to move for final approval of Ordinance No. 2024-4. 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 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 6:38 p.m.