

MINUTES
CITY COUNCIL MEETING
June 18, 2024

The Wayne City Council met in regular session at City Hall on June 18, 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, Brittany Webber, Clayton Bratcher, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmember Nick Muir.

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 Webber, to approve the minutes of the meeting of June 4, 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 Muir 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: APPEARA, SE, 80.71; BAKER & TAYLOR BOOKS, SU, 878.09; BEAUDETTE, MAKAYLA, RE, 200.00; FIREMAN, RE, 304.82; CARLSON WEST POVONDRA ARCHITECTS, SE, 6068.90; CITY EMPLOYEE, RE, 255.00; CITY EMPLOYEE, RE, 576.40; CITY EMPLOYEE, RE, 37.34; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, RE, 1143.10; CUSIP SERVICE BUREAU, SE, 91.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 69.73; DEARBORN LIFE INSURANCE, SE,

3258.01; DEMCO, SU, 155.34; ELECTRONIC ENGINEERING, SE, 34179.29; FIREMAN, RE, 199.76; FIREMAN, RE, 150.00; FIREMAN, RE, 150.00; FLORES, ELIA, RE, 70.00; FIREMAN, RE, 176.50; HILAND DAIRY, SE, 304.86; ISLAND SPRINKLER SUPPLY, SE, 443.52; JEO CONSULTING GROUP, SE, 1008.19; JOHN'S WELDING AND TOOL, SU, 6.24; KAY CONTRACTING, SE, 1355.00; LUTT OIL, SU, 8383.30; MAIN STREET GARAGE, SE, 100.00; MIDWEST LABORATORIES, SE, 299.37; MIDWEST TAPE, SU, 44.99; FIREMAN, RE, 150.00; FIREMAN, RE, 150.00; NATP, FE, 95.00; NPPD, SE, 8827.44; NIELSEN TREE FARM, SU, 5050.00; NORTHEAST NE INS AGENCY, SE, 17481.00; ONE CALL CONCEPTS, SE, 91.76; PEPSI COLA OF SIOUXLAND, SU, 59.95; PLUNKETT'S PEST CONTROL, SE, 107.64; STATE NEBRASKA BANK & TRUST, RE, 79700.00; SUDBECK UNDERGROUND, SE, 2200.00; US FOODSERVICE, SE, 2916.99; US BANK, SU, 16976.01; VERIZON, SE, 574.39; WASTE CONNECTIONS, SE, 31.50; WAYNE COUNTY TREASURER, SE, 359.67; WAYNE FIRE DEPARTMENT, RE, 1030.20; WOHLER, MATT, RE, 200.00; ACE HARDWARE & HOME, SU, 566.47; AMERITAS, SE, 224.30; AMERITAS, SE, 35.00; AMERITAS, SE, 3689.98; AMERITAS, SE, 72.00; AMERITAS, SE, 108.86; APPEARA, SE, 52.80; BENSCOTER, LOUIS, RE, 2891.55; BIG RIVERS ELECTRIC CORPORATION, SE, 80952.84; BLACK HILLS ENERGY, SE, 644.76; BOARDERS INN & SUITES, SE, 1819.30; CARHART LUMBER COMPANY, SU, 2525.14; CRISTAL K MCDONALD, RPR, ICSR, SE, 120.90; CITIZENS STATE BANK, RE, 1771.01; CITY EMPLOYEE, RE, 340.27; CITY OF WAYNE, PY, 142737.19; CITY OF WAYNE, RE, 394.12; COPY WRITE PUBLISHING, SE, 342.27; CORE & MAIN LP, SU, 775.50; DANKO EMERGENCY EQUIPMENT, SU, 770.00; DATA443 RISK MITIGATION, SE, 146.28; EAKES OFFICE PLUS, SE, 557.63; ELKINS PORTABLE RESTROOMS, SE, 400.00; FLOOR MAINTENANCE, SU, 893.06; GALE/CENGAGE LEARNING, SU, 133.20; GERHOLD CONCRETE, SU, 4777.75; GRAINLAND ESTATES, RE, 4882.02; HAWKINS, SU, 3377.51; HENSLEY, BRITTANY, SE, 400.00; HUNDERTMARK CLEANING SYSTEMS, SU, 9500.00; ICMA, SE, 72.03; ICMA, SE, 138.72; ICMA, SE, 72.03; ICMA, SE, 202.78; ICMA, SE, 39.80; ICMA, SE, 130.76; ICMA, SE, 10306.93; ICMA, SE, 533.56; ICMA, SE, 152.88; ICMA, SE, 75.00; ICMA, SE, 1229.22; ICMA, SE, 596.51; INGRAM LIBRARY SERVICES, SU, 742.59; IRS, TX, 5400.78; IRS, TX, 23092.72; IRS, TX, 13685.22; JOHNSON FITNESS & WELLNESS, SE, 820.90; KTCH, SE, 168.00; L & L THOMPSON CONSTRUCTION, SE, 14700.00; MAXNET SECURITY, SE, 2812.50; MICHAEL TODD INDUSTRIAL SUPPLY, SU, 455.00; MUNICIPAL SUPPLY, SU, 1046.55; NE DEPT OF REVENUE, TX, 6695.15; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 97.00; NORTHEAST NE INS AGENCY, SE, 32.00; NORTHEAST TIRE SERVICE, SE, 90.00; OLSSON, SE, 17056.35; O'REILLY AUTOMOTIVE STORES, SU, 194.99; PER MAR SECURITY SERVICES, SE, 1441.44; QUALITY FOOD CENTER, SU, 25.98; SARGENT DRILLING, SE, 1275.00; STADIUM SPORTING GOODS, SE, 148.00; STAPLES, SU, 596.53; TITAN MACHINERY, SU, 214.19; TOM'S BODY & PAINT SHOP, SE, 28.75; UTILITY EQUIPMENT, SE, 2371.13; WAYNE AUTO PARTS, SU, 126.19; WAYNE COUNTY CLERK, SE, 96.00; WAYNE COUNTY CLERK, SE, 1270.66; WAYNE COUNTY COURT, RE, 141.95; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 446.00; WAYNE HERALD, SE, 2042.95; WAYNE RURAL FIRE, RE, 264.48; WAYNE VETERINARY CLINIC, SE, 140.00; WESCO, SU, 406.60; WINNING FINISH, SE, 465.00; WISNER WEST, SU, 60.55

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

Mayor Giese declared the time was at hand for the public hearing on an application for Community Development Block Grant — Public Works Funds (\$435,000).

Andrea Larson and Grace Peterson with the Northeast Nebraska Economic Development District were present to answer questions.

The City of Wayne is requesting \$435,000 for the Prairie Park project, of which \$400,000 will be used for project activities, \$10,000 for construction management, and \$25,000 for general administration of the grant. The Prairie Park project is located at 111 Dearborn Street, located in southeast Wayne, approximately .3 miles east off Highway 15 on Fairground Avenue. Prairie Park is being developed in phases across 30 acres of the City's decommissioned sanitary sewage lagoon site. This phase will focus on 3 new baseball fields/softball fields, a bathhouse/shower house, and ADA trail connections to the existing trail system. The total project budget is \$555,000 with \$435,000 in CDBG grant funds and local matching funds of \$120,000 from the City of Wayne. All funds will benefit at least 59.3% of low- and moderate-income people; no persons are anticipated to be displaced as a result of CDBG activities, however, the City will follow its plans for assisting persons actually displaced.

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

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

Councilmember Karsky introduced Resolution 2024-27, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2024-27

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT – PUBLIC WORKS FUNDS (\$435,000.00).

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

Administrator Blecke stated the City is also making an application for Rural Community Recovery Program Grant Funds (RCRPGF) for \$1,371,340.00, to be used for the "Prairie Park Redevelopment Project." This is a very competitive grant.

As described in the "Letter of Intent," Prairie Park is a redevelopment project being constructed in phases at the City's decommissioned sanitary sewage lagoon, a site of over 30 acres. Plans for the park

include the following: a 4 acre lake; 2 full sized soccer/rugby/football fields; 3 new baseball/softball fields; 17 full service, pull through camper pads; designated parking lots; a bath/shower house for campers/athletes/trail users; ADA connections to the existing trail system; an amphitheater; lake amenities (including an ADA fishing pier, fishing jetties, kayak launch); and, certain paved access points through the park.

Andrea Larson and Grace Peterson with the Northeast Nebraska Economic Development District were present to answer questions. Ms. Larson stated this is a new grant program, and reiterated that it is very competitive, but it is well funded. The Department of Economic Development believes that the average grant asked for will be \$1m - \$1.5m. So, what the City of Wayne is requesting is not out of the realm of possibilities. They noted that this grant does not have any match requirement tied to it.

Councilmember Brodersen introduced Resolution 2024-28, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-28

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR COMMUNITY RECOVERY PROGRAM GRANT FUNDS (\$1,371,340.00).

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

Mayor Giese stated the time was at hand for the public hearing regarding the application for a Retail Class C Liquor License for Wildcat Lanes, LLC, d/b/a "Wildcat Lanes," located at 1221 Lincoln Street.

Darin and Jessi Jensen, the owners of Wildcat Lanes, were present to answer questions.

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

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

Councilmember Webber introduced Resolution No. 2024-29 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2024-29

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS C LIQUOR LICENSE — WILDCAT LANES, LLC, D/B/A "WILDCAT LANES."

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

Roger Protzman, Engineer with JEO Consulting Group, Inc., was present to review Task Order No. 240725 for the “2024 Water Supply Well Project.”

This Task Order includes engineering design, bidding, and construction phase services to assist staff with a new supply well. The engineering fees will be \$126,350 (lump sum) for design and bidding services and \$52,605 (hourly) for construction management and project oversight services. These amounts do not reflect the 5% discount per the Master Agreement.

This project will take about 18-24 months to complete. The cost opinion is around \$1m.

Councilmember Eischeid introduced Resolution No. 2024-30 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2024-30

A RESOLUTION APPROVING SCOPE OF SERVICES AND TASK ORDER NO. 240725 WITH JEO CONSULTING GROUP, INC., FOR THE “2024 WATER SUPPLY WELL PROJECT” - \$126,350 (LUMP SUM – DESIGN AND BIDDING SERVICES), and \$52,605 (STANDARD HOURLY RATE – CONSTRUCTION MANAGEMENT AND OVERSIGHT SERVICES).

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

Marlen Chinn, Police Chief, stated the following Resolution will amend the Interlocal Agreement between the School District and the City of Wayne regarding the School Resource Officer position. This Interlocal Agreement has been amended for the 2024-2025 school year. It increases the hours from 10 to 15 and the hourly amount from \$35.00 to \$44.00 based on 15 hours per week for 40 weeks out of the year.

Councilmember Brodersen introduced Resolution No. 2024-31 and moved for its approval;

Councilmember Karsky seconded.

RESOLUTION NO. 2024-31

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT TO SHARE LAW ENFORCEMENT RESOURCES BETWEEN THE CITY OF WAYNE AND WAYNE COMMUNITY SCHOOL DISTRICT #90-0017.

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

Administrator Blecke stated the following Resolutions would approve the plans and specifications for an electric power transformer and also a 79 kV circuit switcher – Northeast Substation project.

Paul Davis with DGR Engineering, the City's engineer on this project, reviewed the plans and specs for the transformer. The cost estimate will be approximately \$2m, and the lead time to receive the same is about 2 years.

Councilmember Eischeid introduced Resolution No. 2024-32 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2024-32

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR AN ELECTRIC POWER TRANSFORMER 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 Muir who was absent, the Mayor declared the motion carried.

Mr. Davis then reviewed the plans and specs for the circuit switcher. The cost estimate for this will be approximately \$120,000, and the lead time for this equipment could be longer than 2 years to get.

Councilmember Eischeid introduced Resolution No. 2024-33 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-33

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR A 69 Kv CIRCUIT SWITCHER 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 Muir who was absent, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, presented Certificate of Payment No. 3 in the amount of \$335,440.19 to Cooney Fertilizer, Inc. for the “Wayne Prairie Park Phase I Grading Project.”

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Certificate of Payment No. 3 in the amount of \$335,440.19 to Cooney Fertilizer, Inc., for the “Wayne Prairie Park Phase I Grading Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Keith Moje, representing Otte Construction, LLC, updated the Council on the “Wayne City Hall and Police Relocation Project.” During the discussion on paving the parking lot, Mr. Moje stated they will attempt to get a couple of quotes for concrete when that part of the project is bid out.

Bob Soukup, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 7 from Otte Construction Co., LLC, in the amount of \$271,455.00 for the “Wayne City Hall and Police Relocation Project.”

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving Application and Certificate of Payment No. 7 in the amount of \$271,455.00 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 Muir who was absent, the Mayor declared the motion carried.

Mr. Soukup then presented Change Estimate No. 1, which is a credit of \$127,134.00 to Otte Construction Co., LLC, for the “Wayne Parks and Rec Maintenance Building Project.”

This Change Order represents the credit given to change from an IMP building panel system to a standard metal panel with interior insulation/vapor barrier system, and revisions to the foundation design per PR 001 issued by CWP on 5/8/24.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Change Estimate No. 1, which is a credit of \$127,134.00 to Otte Construction Co., LLC, for the “Wayne Parks and Rec Maintenance Building Project.” Mayor Giese stated the motion, and the result of

roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Joel Hansen, Street and Planning Director, stated staff has received the new “Wayne Urban Area Boundary Map,” from the Department of Transportation. This map is revised about every ten years by the Department of Transportation. Council must approve the same as well as the County. The same was forwarded to Wayne County for their review and approval, and they have approved the same.

Mr. Hansen also advised the Council that he was notified by the State that the highway project that was going to take place in 2025 has now been delayed until 2027 (7th and Main Streets).

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, approving the “Wayne Urban Area Boundary Map.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent, the Mayor declared the motion carried.

Discussion took place on the proposal received from BJ Woehler on the 306 Pearl Street property (old City Hall). Administrator Blecke stated he had put out a “Request for Proposal” on this property back in April. The deadline was June 10th. Only one proposal was received.

BJ Woehler and Chele Meisenbach were present to answer questions. Mr. Woehler’s main goal is to save the building. He thinks the best use for the building is downtown housing. He would use the basement and first floor for daycare/offices.

After further discussion, no action taken on the matter.

Joel Hansen, Street and Planning Director, updated the Council on the “Floodplain Mapping Project.” Carter Hubbard of Olsson advised him that the cross sections they surveyed were so close to what the Nebraska Department of Natural Resources (NDNR) had in their model that he would say there is less than a 5% chance the City would be able to remove any buildings by updating the models and maps with the survey data. The buildings that Mr. Hubbard references are the individual properties Olsson surveyed for the City in 2020 that were being impacted with NDNR’s proposed floodplain back before Olsson found an error in their flow calculations. Even with those corrections, some of the properties are still being

impacted with the new maps, and from Mr. Hubbard's statement above, likely will not change with Olsson doing more work.

Administrator Blecke updated the Council on the 1100 E 10th Street property. FNBO is not interested in expanding their lease. They have committed to another property.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:38 p.m.