

MINUTES
CITY COUNCIL MEETING
September 3, 2024

The Wayne City Council met in regular session at City Hall on September 3, 2024, at 5:30 o'clock P.M.

Council President Jill Brodersen called the meeting to order, followed by the Pledge of Allegiance, with the following in attendance: Councilmembers Austyn Houser, Brittany Webber, Clayton Bratcher, Jason Karsky, and Matt Eischeid; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Mayor Cale Giese and Councilmembers Terri Buck and 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 Eischeid made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of August 20, 2024, and to waive the reading thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ACES, SE, 1127.56; AERZEN USA CORPORATION, SU, 750.28; AMERITAS, SE, 112.16; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 72.00; AMERITAS, SE, 3565.02; ANDERSON, PEGGY, RE, 45.00; APPEARA, SE, 116.26; ARKFELD LOCK & SECURITY, SE, 424.06; AXON ENTERPRISE, SU, 1669.00; BC VOLLEYBALL, FE, 200.00; BEATTY, KELLI, RE, 100.00; BEIERMANN ELECTRIC, SE, 1857.96; BENSCOTER, LOUIS, RE, 1000.00; BERNAL, GEORGINA, SE, 55.00; BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY, SU, 1647.80; BLACK HILLS ENERGY, SE, 2114.43; BOMGAARS, SU, 1430.40; BORDER STATES INDUSTRIES, SU, 2120.12; BSN SPORTS, SU, 98.30; CARHART LUMBER COMPANY, SU, 254.17; CARLSON WEST POVONDRA ARCHITECTS, SE, 2636.67; CARPENTER PAPER COMPANY, SU, 818.92; CARROLL DISTRIBUTING, SU, 509.81; CINTAS, SU, 218.57; CIRBA SOLUTIONS SERVICES, SU, 108.95; CITY EMPLOYEE, RE, 756.17; CITY EMPLOYEE, RE, 148.55; CITY EMPLOYEE, RE, 483.60; CITY EMPLOYEE, RE, 10.78; CITY EMPLOYEE, RE, 105.90; CITY OF WAYNE, PY, 146599.94; CITY OF WAYNE, RE, 956.07; CORE & MAIN, SU, 2648.40; DAS STATE ACCTG-CENTRAL FINANCE, SE, 612.33; DEARBORN LIFE INSURANCE COMPANY, SE, 72.24; DEMCO, SU, 267.07; DORING, BRENT, RE, 64.00; DUTTON-LAINSON, SU, 4761.40; EAKES OFFICE PLUS, SE, 290.60; ECHO GROUP, SU, 474.60; ED M. FELD EQUIPMENT, SE, 1100.00; ED M. FELD EQUIPMENT CO, SE, 2784.19; FIRST CONCORD GROUP, SE, 8999.44; FLOOR MAINTENANCE, SU, 543.80; GERHOLD CONCRETE, SU, 5031.00; GERHOLD CONCRETE, SU, 4318.28; GFOA, FE, 170.00; GILL, ASHLEY, RE, 150.00; GROSSENBURG IMPLEMENT, SU, 1881.81; GROSSENBURG IMPLEMENT, SU, 15.12; HAWKINS, SU, 4187.42; HELENA AGRI-ENTERPRISES, SU, 466.00; HILAND DAIRY, SE, 119.62; HOCHSTEIN, KIRK, RE, 150.00; HOMETOWN LEASING, SE, 456.78; ICMA, SE, 39.80; ICMA, SE, 202.78; ICMA, SE, 72.03; ICMA, SE, 130.76; ICMA, SE, 533.56; ICMA, SE, 10573.60; ICMA, SE, 72.03; ICMA, SE, 138.72; ICMA, SE, 1229.22; ICMA, SE, 152.88; ICMA, SE, 803.82; ICMA, SE, 75.00; IRS, TX, 42.54; IRS, TX, 23655.32; IRS, TX, 13835.59; IRS, TX, 5532.22; IRS, TX, 9.94; JEO CONSULTING GROUP, SE, 1808.56; JOHNSON FITNESS & WELLNESS, SE, 8401.51; JORGENSEN, HUNTER, RE, 500.00; KELLY SUPPLY COMPANY, SU, 20.35; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MIDWEST ALARM SERVICES, SE, 403.29; MILLER LAW, SE, 6250.00; MUNICIPAL SUPPLY, SU, 483.78; NE DEPT OF REVENUE, TX, 6661.78; NE DEPT OF REVENUE, TX, 5.93; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 1382.90; NEBRASKA MAIN STREET NETWORK, FE, 1875.00; NERC, SE, 1176.67; NORTHEAST COMM COLLEGE, SE, 400.00; NORTHEAST NE INS AGENCY, SE, 3937.87; NORTHEAST POWER, SE, 29233.54; NORTHWEST ELECTRIC, SU, 7016.83; O'REILLY AUTOMOTIVE STORES, SU, 38.20; O'REILLY AUTOMOTIVE STORES, SU, 2.04; OVERDRIVE, SU, 1982.40; OVERHEAD DOOR, SU, 105.50; PER MAR SECURITY SERVICES, SE, 4265.42; PREMIER BIOTECH, SE, 288.72; R PERRY CONSTRUCTION, SE, 4077.19; RANDOLPH PUBLIC SCHOOLS, FE, -400.00; RANDOLPH YOUTH VOLLEYBALL, FE, 100.00; RANDOLPH YOUTH VOLLEYBALL, RE, 400.00; RANDOLPH YOUTH VOLLEYBALL, FE, 100.00; ROBERT WOehler & SONS, SU, 390.08; SKARSHAUG TESTING LAB, SE, 312.36; STAN HOUSTON EQUIPMENT, SE, 228.00; STAPLES, SU, 571.39; STATE NEBRASKA BANK-PETTY CASH, RE, 104.32; SUDBECK UNDERGROUND, SE, 3996.00; TOM'S BODY & PAINT SHOP, SU, 42.00; TR HARRIS CONSTRUCTION, SE, 16150.00; TRI-STATE COMMUNICATIONS, SU, 895.00; UTILITIES SECTION, FE, 195.00; UTILITY EQUIPMENT, SU, 365.80; VERIZON, SE, 574.59; WAYNE AMERICA, SU, 38.00; WESCO, SU, 5103.90; WISNER WEST, SU, 190.27; ZIMCO SUPPLY, SU, 345.00; APPEARA, SE, 79.32; BLUE CROSS BLUE SHIELD, SE, 55669.35; CIRBA SOLUTIONS SERVICES, SU, 108.95; FIRE CATT, SE, 5635.75; FLOOR MAINTENANCE, SU, 823.33; GROSSENBURG IMPLEMENT, SU, 84.34; GROSZ, MIKE, RE, 500.00; HELENA AGRI-ENTERPRISES, SU, 840.00; HILAND DAIRY, SE, 81.02; IOWA PUMP WORKS, SE, 8230.00; JEO CONSULTING GROUP, SE, 6057.43; KAY PARK REC CORP, SU, 9816.40; MUTUAL OF OMAHA, SE, 405.00; NORTHWEST ELECTRIC, SU, 203.18; ONE CALL CONCEPTS, SE, 82.24; TYLER TECHNOLOGIES, FE, 45274.35; VAN DIEST SUPPLY, SU, 373.75; WESCO, SU, 4960.52; WAPA, SE, 23633.99

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

Council President Brodersen declared the time was at hand for the public hearing on the proposed FY 2024-2025 budget.

Finance Director Beth Porter stated these numbers are based on the final numbers set at the budget work session. In addition, because of the passage of LB148 two years ago, the following changes have been made again this year:

- At least 3 copies of the proposed budget have to be available to the public;
- A presentation is being given outlining the key provisions of the proposed budget, including a comparison with the prior year's budget;
- Any member of the public desiring to speak will be allowed to address the governing body and be given a reasonable amount of time to do so; and
- The methods and dates of meeting notices are recorded in the meeting minutes.

The total of the FY 2024-2025 budget is \$58,895,419. The property tax proposal for the General Fund operation is \$1,117,043.58, which compares to the 2023 tax asking of \$1,072,999.61. Pursuant to State Law, the maximum levy for a municipality is \$0.45 per \$100 of property valuation. When combined with the debt service asking, the combined amount for the proposed budget year is \$1,225,693.58 or \$.337972 per \$100 of property valuation, which is lower than last year - \$.358201. The valuation in the community, as reported by the County Assessor for 2024, is \$362,661,606 which is up 10.51% from last year. The 2024 operating budget is \$58,231,544; the 2023 operating budget was \$53,585,042. The combined levy from 2023 to 2024 has decreased from \$.417696 to \$.393959. The changes since the budget workshop for property taxes is a decrease to \$1,105,995 (-20,011) and adjustment to general fund reserves is \$616,875 (-20,011).

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

There being no further comments, Council President Brodersen closed the public hearing.

Administrator Blecke stated as the City's contract with Big Rivers will be expiring at the end of 2026, the City will be looking to use its power plant capacity in the market so the City can contract for energy only services. Dave Peterson with JEO has been retained as the City's consultant to lead us to the best arrangement in the energy market for January 2027 and beyond.

Mr. Peterson was present to explain the RFP and the process with determining the best choice for assistance with the energy market.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the "Request for Proposal" for assistance with Southwest Power Pool Market Participant duties, the purchase of hourly energy to build energy portfolio and management of power plant generation resources. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke stated the original resolution regarding the public works grant was brought before Council in June. However, since that time, Northeast Nebraska Economic Development District has found the amount needs to be increased from \$435,000 to \$480,000 and that the percentage reference for low-to-moderate income people needed to be removed.

The City is now requesting \$480,000 for the Prairie Park project, of which \$450,000 will be used for project activities, \$5,000 for construction management, and \$25,000 for general administration of the grant. The Prairie Park project is 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 an amphitheater/shelter house (ADA accessible); playground/exercise area & equipment (ADA accessible); parking and camper pad paving (ADA accessible); and sidewalk/trail paving (ADA accessible). The total project budget is \$615,000 with \$480,000 CDBG grant funds and local matching funds of \$135,000 from the City of Wayne. All funds will benefit low-to-moderate income clientele (LMC) through the removal of architectural

barriers; 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.

Councilmember Brodersen introduced Resolution 2024-47, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2024-47

A RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT – PUBLIC WORKS FUNDS (\$480,000.00).

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke stated Council discussed the \$300,000 loan on the books with the CRA at its last retreat. Direction from Council was to bring back terms to have the CRA receive credit for certain expenses it paid for Western Ridge, as well as have the CRA make payments from the housing incentives for new construction as those loans are paid off. This Memorandum of Understanding will credit the CRA with \$110,000 it paid to the City for Western Ridge streets (3 payments to the Street Fund - \$30k in 2014, \$30k in 2015, and \$50k in 2016). The remaining balance of \$190,000 will be paid back over approximately 10 years at 0% interest. Should any of the housing loans default, the City and CRA can renegotiate those terms.

Councilmember Karsky introduced Resolution 2024-48, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-48

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND THE COMMUNITY REDEVELOPMENT AUTHORITY.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke stated the outstanding balance for the housing loan incentives for new construction with the CRA is \$128,000. As these loans are paid back to the CRA, the CRA will make payments to the City. Should any of these loans default, the City and CRA can renegotiate said terms of the note. Also, per Council guidance, the CRA will discontinue the down payment incentive for new construction.

Councilmember Houser made a motion, which was seconded by Councilmember Bratcher, approving the Promissory Note of \$128,000 from the Community Redevelopment Authority to the City of Wayne. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke stated that after the credit for street payments (\$110k) and the amount in receivables for the down payment incentives (\$128k), the CRA will need to pay the remainder of \$62,000 to satisfy in full the \$300,000 loan from 2012-2013. The terms of this note are \$6,200 payments for 10 years at 0% interest.

Councilmember Houser made a motion, which was seconded by Councilmember Bratcher, approving the Promissory Note of \$62,000 from the Community Redevelopment Authority to the City of Wayne. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 10 from Otte Construction Company, LLC, in the amount of \$208,562.00 for the “Wayne City Hall and Police Relocation Project.”

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving Application and Certificate of Payment No. 10 in the amount of \$208,562.00 to Otte Construction Company, LLC, for the “Wayne City Hall and Police Relocation Project.” Council President

Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

The following two resolutions pertain to increasing the 911 dispatch fees for both Carroll and Winside. The last time dispatch fees were increased was in 2008 (\$1,520 per year) and before that was in 1998. Because staff had some concerns regarding the language that was taken from the original resolution, the recommendation was to table this matter until the next meeting.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to table action on Resolution 2024-49 until the next meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to table action on Resolution 2024-50 until the next meeting. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Council President declared the motion carried.

Administrator Blecke stated the following Resolution would amend the Interlocal Agreement approved on June 4, 2024, with Laurel for water/wastewater services. This would extend the agreement for six months, provide for a monthly fee of \$250 per month, and increase the hourly rate to \$90 for regular business hours and \$180 for hours outside of regular business hours.

Councilmember Eischeid introduced Resolution No. 2024-51 and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-51

A RESOLUTION AMENDING THE INTERLOCAL AGREEMENT WITH THE 2ND CLASS CITY OF LAUREL, NEBRASKA, FOR WATER/WASTEWATER SERVICES PREVIOUSLY APPROVED ON JUNE 4, 2024.

Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Buck and Muir who were absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Council President Brodersen declared the meeting adjourned at 6:13 p.m.