

**AGENDA
CITY COUNCIL MEETING
COUNCIL CHAMBERS – CITY HALL
306 PEARL STREET
October 1, 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. Approval of Minutes – September 17, 2024
4. Approval of Claims
5. Presentation of the City of Wayne’s recertification under the Economic Development Certified Community Program — Deb Poehling, Northeast Field Service Representative for the Nebraska Department of Economic Development

Background: The City of Wayne has been approved for recertification from 2024-2029. Wayne was originally EDCC certified in 2008 and had been EDCC recertified in 2012 and 2018.

6. ~~Action on the recommendation by the LB840 Revolving Loan Fund Review Committee on the application of Michael and Rebecca Brudigam, d/b/a “Tom’s Auto Body” for \$110,000 to purchase the business and real estate~~

Background: The LB840 Revolving Loan Fund Review Committee will be meeting on Friday to review the application by Michael & Rebecca Brudigam, d/b/a “Tom’s Auto Body.” Their request is for \$110,000 to purchase the business and real estate. After they have met, their recommendation will be put in letter form and distributed to you on Monday.

7. Action on the appointment of Luke Virgil, Economic Development Director, to the Problem Resolution Team (Replacing Jennifer Canham)

Background: This will be a temporary appointment until the Assistant Director of Housing position is filled.

8. Action on the reappointment of Abby Schademann (term will end 2028) and the appointment of Dakota Schroll (fill a vacant position – Mike Carnes) to the Library Board
9. Action on Application and Certificate of Payment No. 11 in the amount of \$287,832.00 to Otte Construction Company, LLC, for the “Wayne City Hall & Police Relocation Project” – Carlson West Povondra Architects

Background: This is for work completed and approved by the Project Engineer.

10. [Resolution 2024-58: Approving the sale of Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska \(400 Chicago Street\) to Lowell and Terri Heggemeyer for \\$15,000](#)
11. [Ordinance 2024-12: Directing the sale of Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska \(400 Chicago Street\) to Lowell & Terri Heggemeyer for \\$15,000](#)
12. [Resolution 2024-59: Approving the purchase of a new Bobcat L95 Compact Wheel Loader for the Parks & Recreation Department](#)

Background: This new wheel loader will replace the 2018 Bobcat tool cat that has 2000 hours on it. Lowell obtained two quotes. The low quote with trade-in was from Sooland Bobcat, Sioux City, for \$60,083.04. The two quotes and a picture of the 2018 Bobcat are included in the packet.

13. [Resolution 2024-60: Approving Capacity Purchase Agreement between the City of Wayne, Northeast Nebraska Public Power District and Big Rivers Electric Cooperative](#)

Background: This amended Capacity Purchase Agreement, which was approved by Northeast Power last night, increases the \$1.25 kw-month to \$4.50 per kw-month effective June 1, 2025, and includes an annual increase of 2% or a maximum of \$5.50 per kw month.

14. [Action to approve a sewer lining project on Pine Heights Road – Casey Junck, Water/Wastewater Superintendent](#)

Background: This particular section of sewer backed up a couple years ago in November, 2022, and the flow ended up going into Allison Szantor's basement. The cause of the backup was determined to be a massive amount of tree roots that completely plugged our sewer main. We ended up jetting the main several times to get it open, but eventually had to have Johnson Service come and use their root cutter. After that, they performed a root foaming treatment. We had their crew camera the line last month when they were in town, and it was already being taken over by roots again, so they went ahead and cleaned it as best as they could. Staff had Johnson Service come back yesterday to provide a quote to line it so that the roots will not be able to penetrate the seams and cause any future backups. The only alternative to lining the main is tearing out the street and completely replacing the sewer main, which would be much more expensive. The proposed estimate for this work is \$29,994.00. Their invoice is included in the packet.

15. [Action on the request of Josie Broders, owner of Wayne Area Event Center, to discuss her inability to repay her LB840 loan payment before 10/10/24 and to request Council consideration to extending the due date/payment date from 10/10/24 to 10/31/24](#)
16. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
September 17, 2024**

The Wayne City Council met in regular session at City Hall on September 17, 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, she advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to approve the minutes of the meeting of September 3, 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: ACE HARDWARE, SU, 3537.81; ALERT 360, SE, 84.24; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 130.85; AMERITAS, SE, 72.00; AMERITAS, SE, 3657.86; APPEARA, SE, 111.38; ARC-HEALTH & SAFETY, SE, 38.00; BSN SPORTS, SU, 19.99; CDW

GOVERNMENT, SU, 986.10; CITY EMPLOYEE, RE, 132.36; CITY EMPLOYEE, RE, 37.83; CITY OF WAYNE, PY, 123567.82; CITY OF WAYNE, RE, 1354.08; COPY WRITE PUBLISHING, SE, 425.13; CORNHUSKER INTERNATIONAL TRUCKS, SU, 140.33; CXT PRECAST CONCRETE PRODUCTS, SE, 50000.00; DAHLEN, RACHEL, SE, 15.00; DANKO EMERGENCY EQUIPMENT, SU, 4250.00; DEARBORN LIFE INSURANCE COMPANY, SE, 3432.02; DUTTON-LAINSON COMPANY, SU, 360.66; EAKES OFFICE PLUS, SE, 469.82; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 629.89; ELKINS PORTABLE RESTROOMS, SE, 525.00; FAITH REGIONAL PHYSICIAN SERV, SE, 90.00; GLOBAL PAYMENTS INTEGRATED, SE, 1534.89; GROSSENBURG IMPLEMENT, SU, 744.34; ICMA, SE, 202.78; ICMA, SE, 1429.22; ICMA, SE, 72.03; ICMA, SE, 39.80; ICMA, SE, 130.76; ICMA, SE, 10625.44; ICMA, SE, 152.88; ICMA, SE, 533.56; ICMA, SE, 72.03; ICMA, SE, 75.00; ICMA, SE, 138.72; ICMA, SE, 803.82; IRS, TX, 4794.06; IRS, TX, 20498.74; IRS, TX, 13489.13; KTCH, SE, 588.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 535.00; LUTT OIL, SU, 6846.20; MERCHANT SERVICES, SE, 1514.05; MERCHANT SERVICES, SE, 99.15; MERCHANT SERVICES, SE, 6664.35; MIDWEST ALARM SERVICES, SE, 469.00; MIDWEST LABORATORIES, SE, 235.57; MIDWEST TURF & IRRIGATION, SU, -42857.00; NE DEPT OF REVENUE, TX, 6268.21; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE LIBRARY ASSOCIATION, FE, 535.00; NPPD, SE, 8250.24; NORFOLK DAILY NEWS, SE, 45.00; ODEYS, SU, 9437.95; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 49.68; PAC N SAVE, SU, 6.36; PAC N SAVE, SU, 1061.17; PLUNKETT'S PEST CONTROL, SE, 111.95; PLUNKETT'S PEST CONTROL, SE, 113.73; POSTMASTER, SU, 1202.70; QUALITY 1 GRAPHIC, SU, 200.00; QUALITY FOOD CENTER, SU, 66.70; STADIUM SPORTING GOODS, SE, 182.00; STAPLES, SU, 19.08; STATE NEBRASKA BANK & TRUST, SE, 69.76; STATE NEBRASKA BANK-PETTY CASH, RE, 100.00; STATE NEBRASKA BANK-PETTY CASH, RE, 105.95; US BANK, SU, 15863.94; US FOODSERVICE, SU, 2416.71; VAN LIERE, SHELBY, SE, 45.00; VANDONKERSOED, KYLAH, SE, 45.00; WACHHOLTZ, MARIAH, RE, 250.00; WALLIN-SCHENSE, KAYE, RE, 15.00; WAYNE AUTO PARTS, SU, 1047.62; WAYNE COUNTY CLERK, SE, 16.00; WAYNE COUNTY CLERK, SE, 22.00; WAYNE HERALD, SE, 232.00; WAYNE HERALD, SE, 1221.85; WAYNE HERALD, SE, 190.00; WESCO, SU, 14503.85; WISNER WEST, SU, 307.33; ZACH HEATING & COOLING, SE, 1036.37; ALLO COMMUNICATIONS, SE, 29.42; ARC-HEALTH & SAFETY, FE, 250.00; ARNIE'S FORD, SE, 2105.81; BAKER & TAYLOR BOOKS, SU, 878.81; BEBEE, TIMOTHY J & LESLIE A, RE, 3076.61; BENSCOTER INC, RE, 4738.32; BENSCOTER, LOUIS, RE, 6305.66; BIG RIVERS ELECTRIC CORPORATION, SE, 246987.19; BLACK HILLS ENERGY, SE, 454.81; BLACKSTONE LABORATORIES, SE, 70.00; CARLSON WEST POVONDRA ARCHITECTS, SE, 2188.40; CENTRAL SAND AND GRAVEL, SU, 2126.53; CITIZENS STATE BANK, RE, 6703.73; CITIZENS STATE BANK, RE, 12356.47; CITY EMPLOYEE, RE, 843.56; CITY EMPLOYEE, RE, 170.00; CITY OF WAYNE, RE, -231.98; CITY OF WAYNE, RE, 231.98; CITY OF WAYNE, RE, 1262.98; COTTONWOOD WIND PROJECT, SE, 9131.37; CREDIT BUREAU SERVICES, RE, 47.73; DUTTON-LAINSON COMPANY, SU, 3268.85; EAKES OFFICE PLUS, SE, 40.49; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 439.92; FASTWYRE BROADBAND, SE, 392.97; FIRST CONCORD GROUP, FE, 4499.72; GERHOLD CONCRETE, SU, 1173.90; GIESE, BRECK, RE, 3359.78; GRAINLAND ESTATES LLC, RE, 7530.91; HILAND DAIRY, SU, 133.77; HILAND DAIRY, SU, 265.31; INGRAM LIBRARY SERVICES, SU, 1098.69; JE MEURET GRAIN, RE, 3359.78; JEO CONSULTING GROUP, SE, 3280.84; JORGENSEN, KEN, RE, 2140.44; KELLY SUPPLY COMPANY, SU, 98.77; MAIN STREET GARAGE, SE, 145.00; MZRB LLC, RE, 3422.58; OLSSON, SE, 26617.85; PETERSON, CARTER, RE, 1398.46; PROGRESSIVE PROPERTIES, RE, 3972.32; PROGRESSIVE PROPERTIES, RE, 1404.31; PROGRESSIVE PROPERTIES, RE, 4533.10; REEG, BETTY S. Revocable Trust, RE, 2796.91; REHAB SYSTEMS, SE, 31458.50; REYES, STEPHANIE, RE, 150.00; STADIUM SPORTING GOODS, SU, 2264.00; STAPLES, SU, 383.60; THRASHER, RE, 500.00; THRASHER, RE, -500.00; TOMPKINS, RODNEY R. Irrevocable Trust, RE, 2796.91; VAKOC, SU, 17829.17; VAN DIEST SUPPLY, SU, 300.00; VAN LIERE, SHELBY, SE, 30.00; VANDONKERSOED, KYLAH, SE, 30.00; WAYNE HOSPITALITY, RE, 18964.84; WESCO, SU, 5296.50; WINDOM RIDGE, RE, 3768.03

Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, 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.

Christian Legler, representing the Wayne Rotary Club, was present to request Council to consider waiving the rental fee for the Freedom Park Shelter House on Friday, October 25, 2024, from 10:00 a.m. to 11:00 a.m. for a Chamber Coffee and then for an additional date (yet to be determined) in October for another Rotary sponsored event. The Rotary Club is a non-profit organization.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, to approve the request of Christian Legler, representing the Wayne Rotary Club, to waive the rental fee for the Freedom Park Shelter House on Friday, October 25, 2024, from 10:00 a.m. to 11:00 a.m. for a Chamber Coffee and then also for an additional date (yet to be determined) in October for another Rotary sponsored event, with a refundable deposit. 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.

Bob Soukup, representing Carlson West Povondra Architects, was present via zoom, to review Change Estimate Proposal No. 002 in the amount of \$56,495.00 to Otte Construction Company, LLC, for the "Wayne Parks & Rec Maintenance Building Project." This Change Order is for existing soils over excavation, disposal of removals onsite, hauling of new imported suitable soils, and leveling and re-compaction of building site per the soils report.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving Change Estimate Proposal No. 002 in the amount of \$56,495.00 to Otte Construction Company, LLC, for the "Wayne Parks & 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.

Bob Soukup, representing Carlson West Povondra Architects, then presented Application and Certificate of Payment No. 1 from Otte Construction Company, LLC, in the amount of \$167,967.00 for the "Wayne Parks & Rec Maintenance Building Project." In addition, he updated the Council on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Application and Certificate of Payment No. 1 in the amount of \$167,967.00 to Otte Construction Company, LLC, for the “Wayne Parks & Rec Maintenance Building Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir was absent, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, presented Certificate of Payment No. 2 in the amount of \$154,575.00 to TR Harris for the “Prairie Park Lake Amenities Project.” In addition, he updated the Council on the project.

Councilmember Karsky made a motion, which was seconded by Councilmember Webber, approving Certificate of Payment No. 2 in the amount of \$154,575.00 to TR Harris for the “Prairie Park Lake Amenities 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.

The following two Resolutions were tabled at the last meeting until a few questions could be answered. But, the last time dispatch fees were increased for Carroll and Winside was in 2008 (\$1,520 per year) and before that was in 1998. Staff is recommending that the original Interlocal Agreement be amended to reflect an increase to \$3,000 for the 24/25 fiscal year, with an escalation of 4% thereafter for four more years.

Marlen Chinn, Police Chief, was present to answer questions.

Councilmember Eischeid introduced Resolution 2024-49, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-49

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE VILLAGE OF CARROLL FOR DISPATCH/911 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.

Councilmember Eischeid introduced Resolution 2024-50, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-50

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE VILLAGE OF WINSIDE FOR DISPATCH/911 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.

The following Resolution is a requirement by the Nebraska Department of Transportation when a state highway will be closed for a celebration/parade. This Resolution pertains to the Annual Christmas in Wayne Celebration/Annual Parade of Lights to be held on Thursday, November 21, 2024.

Luke Virgil, representing Wayne America, Inc., was present to answer questions.

Discussion took place on whether or not this event should go back to being held on the first Thursday after Thanksgiving instead of the Thursday before Thanksgiving. Mr. Virgil stated this is a kickoff for the entire "end of the year" push for Wayne's retailers to get into the black. They encourage shopping throughout the season starting on November 21st. It is bigger than just a Christmas celebration. The street will be closed from 6:30 p.m. until 7:30 p.m. from 6th and Main Street south to 1st and Main Street.

Councilmember Eischeid advised the Council he would vote nay on this matter for the reason that he is not the only one that has expressed displeasure in having the event the Thursday before Thanksgiving.

Councilmember Brodersen introduced Resolution No. 2024-52 and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-52

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

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

Luke Virgil, representing Wayne America, Inc., was present requesting Council consideration to prohibit parking on Main Street in the 200 and 300 blocks of Main Street from 5:30 p.m. until 8:00 p.m. for the Christmas in Wayne Celebration/Annual Parade of Lights Event to be held on Thursday, November 21, 2024.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving the request of Wayne America, Inc., to prohibit parking on Main Street in the 200 and 300 blocks of Main Street from 5:30 p.m. until 8:00 p.m. for the Christmas in Wayne Celebration/Annual Parade of Lights Event to be held on Thursday, November 21, 2024. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Muir who was absent and Councilmember Eischeid who voted Nay, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing regarding the tax asking/property tax levy.

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).

Beth Porter, Finance Director, was 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.

The following Resolution would approve the final property tax request of \$1,225,693.58. This Resolution does not include the airport levy.

Councilmember Brodersen introduced Resolution 2024-53, and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-53

A RESOLUTION APPROVING FINAL PROPERTY TAX REQUEST FOR FY 2024-2025.

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.

The base year started in 1998. The restricted funds are the property taxes, payments in lieu of property taxes, local option sales taxes, motor vehicle taxes, state aid, transfers of surpluses from any user fee, and any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements, but which were not spent and are not expected to be spent for capital improvements. Cities are given the opportunity to increase the base limitation of the restricted funds budget by 1%. The State Auditor is also recommending that entities pass this 1% increase. This increases our base number we can use for our restricted fund revenues.

Councilmember Webber introduced Resolution No. 2024-54 and moved for its approval, Councilmember Brodersen seconded.

RESOLUTION NO. 2024-54

A RESOLUTION APPROVING THE ALLOWABLE 1% INCREASE IN BASE LIMITATION OF RESTRICTED FUNDS' BUDGET 2024-2025.

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.

Councilmember Brodersen introduced Resolution 2024-55, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-55

A RESOLUTION TO ADOPT THE 2024-2025 BUDGET FOR THE CITY OF WAYNE.

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.

Councilmember Eischeid introduced Ordinance 2024-11, and moved for its approval; Councilmember Webber seconded.

ORDINANCE NO. 2024-11

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; 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 Muir 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 Muir 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. 2024-11. 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 the land acquisition from Virgil L. Kardell, Trustee of the Virgil L. Kardell Trust. The legal description is as follows:

The East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 7, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, EXCEPTING HOWEVER that part conveyed to Leo H. Holt and Velma I. Holt, Husband and Wife, by Joint Tenancy Warranty Deed which was recorded May 4, 1971, in Deed Record Book 50 at Page 420 in the County Clerk's Office of Wayne County, Nebraska; AND FURTHER EXCEPTING Lots 1, 2, 3 and 4, Country Living Acres located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, as set forth in that certain instrument recorded May 2, 1979, on Microfilm No. 790514, in the County Clerk's Office of Wayne County, Nebraska; AND FURTHER EXCEPTING that party conveyed to the City of Wayne, Nebraska, a Municipal Corporation, by Quitclaim Deed recorded August 16, 1985, on Microfilm No. 850762, in the County Clerk's Office of Wayne County, Nebraska; AND FURTHER EXCEPTING a tract of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 26 North, Range 4 East of the 6th P.M., Wayne County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of Lot 3, Block 3, Vintage Hill 1st Addition to the City of Wayne, Wayne County, Nebraska, point being on the North line of 14th Street; thence North along the East line of said Lot 3, 280.00 Feet; thence East and parallel to the North line of said 14th Street, 280.00 Feet; thence South and parallel to the East line of said Lot 3, 280.00 Feet to a point on the North line of said 14th Street; thence West on said North line, 280.00 Feet to the point of beginning, containing 1.80 acres, more or less, as previously conveyed to Region IV, Inc., in those certain Trustee's Deeds recorded January 4, 2002, on Microfilm No. 020014 and Microfilm No. 020015, in the records of said County

The purchase price for the 63 acres, more or less, is \$1,240,000. The property is located south of 21st Street and west of Centennial Road.

Administrator Blecke provided the background on the proposed purchase and the process for securing land for an electric substation. He said the city currently has 3.26 acres in the northeast portion of the city. However, as plans have been developed and more information obtained, it has been determined that this is not enough land for installing a larger electrical generation system. Administrator Blecke said that in order to put the proposed system in place, a retaining wall would need to be installed, and he has been told the cost estimate for that is \$1M. Mr. Kardell was then approached about selling a few more acres. He then offered to sell the whole parcel. The City would then have enough land to adequately construct the electric substation/generation system that would be large enough for future generation needs. If the City would purchase the entire parcel, there would be no need for a \$1M retaining wall. It was noted that this purchase would be paid for by the Electric Fund, and any money recouped (rental, sale, etc.) would be paid back into the Electric Fund.

Luke Virgil, Executive Director of Wayne Area Economic Development, spoke in favor of the purchase of said property.

Brian Seiffert and Amy Schweers spoke in opposition to the purchase of the entire parcel of real estate instead of what the City needed for just the substation and generation projects. In addition, they asked Council not to act on this matter this evening, but to table it.

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 Brodersen introduced Resolution 2024-56, and moved for its approval; Councilmember Eischeid seconded.

RESOLUTION NO. 2024-56

A RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE LOCATED SOUTH OF 21ST STREET AND WEST OF CENTENNIAL ROAD IN WAYNE COUNTY, NEBRASKA, FROM VIRGIL L. KARDELL, TRUSTEE OF THE VIRGIL L. KARDELL TRUST - \$1,240,000 (63.04 ACRES MORE OR LESS).

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 the land acquisition from Cornerstone, LLC. The legal description is as follows:

Lots 3 and 4, Kardell East 14th Street Addition, Wayne, Wayne County, Nebraska.

The purchase price for this property is \$60,000 for one acre. The assessed value is \$68,875.

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 Brodersen introduced Resolution No. 2024-57 and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2024-57

A RESOLUTION APPROVING THE ACQUISITION OF LOTS 3 AND 4, KARDELL EAST 14TH STREET ADDITION, WAYNE, WAYNE COUNTY, NEBRASKA, FROM CORNERSTONE, LLC - \$60,000.

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 Agenda Item Nos. 22 and 23 will be stricken from the Agenda. Chad Sebade withdrew his offer to purchase Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska (400 Chicago Street) for the sum of \$15,000.

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session for the purpose of preventing the needless injury to the reputation of an individual when such individual has not requested a public hearing, to discuss the nonpayment of an LB840 loan installment and to allow Mayor and Council, Administrator Blecke, City Clerk McGuire, Attorney Miller, and Luke Virgil, Executive Director of Wayne Area Economic Development, to be in attendance. 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 executive/closed session began at 6:54 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to discussing the non-payment of an LB840 loan installment.

Councilmember Bratcher made a motion, which was seconded by Councilmember Brodersen, to resume open session. 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 open session resumed at 7:12 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 7:12 p.m.

**COUNCIL APPROVED 9/17/24**

	Payable Description	Payment Total
OTTE CONSTRUCTION	PARKS & REC MAINTENANCE BUILDING	167,967.00
TR HARRIS CONSTRUCTION	PRAIRIE PARK	154,575.00

Vendor	Payable Description	Payment Total
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	140.20
AMERITAS LIFE INSURANCE	AMERITAS ROTH	184.72
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,894.00
APPEARA	LINEN & MAT SERVICE	76.64
APPEARA	STREET MAT SERVICE	62.81
ARNIE'S FORD INC	COIL BOOTS/SPARK PLUGS	611.15
AUTOMATIC SYSTEMS CO	BLOWER REPAIRS	1,171.25
BELITZ, GARRETT	FOOTBALL REF	132.00
BENSCOTER CONSTRUCTION LLC	BUILDING PERMIT DEPOSIT REFUND	-1,000.00
BENSCOTER CONSTRUCTION LLC	BUILDING PERMIT DEPOSIT REFUND REISSUE	1,000.00
BENSON, ANNA	FREEDOM PARK DEPOSIT REFUND	150.00
BIO-ELECTRONICS	DEFIBRILLATOR	1,266.64
BLACKSTONE LABORATORIES	OIL TESTING	35.00
BOMGAARS	SUPPLIES	3,358.21
BURR, THOMAS	FOOTBALL REF	30.00
CINTAS	FIRST AID SUPPLIES	590.31
CITY EMPLOYEE	SAFETY BOOTS/COVERALLS	275.00
CITY EMPLOYEE	VISION REIMBURSEMENT	297.08
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	166.74
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	74.68
CITY EMPLOYEE	VISION REIMBURSEMENT	417.15
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	133.70
CITY EMPLOYEE	SAFETY BOOTS	154.57
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	3,187.58
CITY EMPLOYEE	SAFETY BOOTS	160.45
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,682.83
CITY OF NORFOLK	911 MISCELLANEOUS BILLING	149.12
CITY OF WAYNE	UTILITY REFUNDS	77.36
CITY OF WAYNE	UTILITY WRITE OFFS	-137.06
CITY OF WAYNE	UNCASHED UTILITY CHECKES VOIDED	-918.46
CITY OF WAYNE	PAYROLL	125,961.57
COULTER, JAYDEN	FOOTBALL REF	75.00
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	612.33
DEMCO INC	RECORD CHECKING CARDS	155.46
DGR & ASSOCIATES CO	NORTHEAST SUBSTATION	28,119.00
DUNNING, CAROL	VOLUNTEER DONUTS FOR GREEN TEAM RECYCLING	60.00

DUTTON-LAINSON COMPANY	CABLE SPLICE	208.80
EAKES OFFICE PLUS	POLICE COPY CHARGES	126.78
EISCHEID, MATT	RIGHT OF WAY DEPOSIT REFUND	1,000.00
ELECTRICAL ENGINEERING & EQUIPMENT	WEATHER HEAD	17.15
ELLIS HOME SERVICES	SENIOR CENTER A/C SERVICE CALL	95.00
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	308.13
GALE/CENGAGE LEARNING	BOOKS	159.84
GERHOLD CONCRETE CO INC.	CONCRETE	2,367.44
GROSSENBURG IMPLEMENT INC	WIPER BLADES/CAP SCREW	21.65
HAYDEN, HUNTER	FOOTBALL REF	144.00
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	151.73
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	138.72
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	130.76
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,536.96
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	152.88
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	803.82
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	10,573.60
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA-ICMA	72.03
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	75.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	534.38
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	41.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	202.78
IRS	FICA WITHHOLDING	20,866.38
IRS	FEDERAL WITHHOLDING	13,871.05
IRS	MEDICARE WITHHOLDING	4,880.12
ISLAND SPRINKLER SUPPLY CO	BACKFLOW REPAIR KIT	468.87
JEO CONSULTING GROUP	MARKET PARTICIPANT ASSISTANCE	884.69
KARSKY, RYAN	FOOTBALL REF	45.00
KELLY SUPPLY COMPANY	AIR COMPRESSOR OIL	435.24
KRUNTORAD, MICHAEL	FOOTBALL REF	60.00
LUTT OIL	UNIT 15 BRAKE REPAIR	1,176.32
MAIN STREET GARAGE, LLC	TIRE REPAIR	67.64
MARCO INC	COPIER LEASE	175.92
MARCO TECHNOLOGIES LLC	COPIER LEASE	180.50
MARKWORTH, NATALI	VOID UNCASHED CHECK-UNCLAIMED PROPERTY	-72.29
MILLER, DREW	FOOTBALL REF	30.00
MUNICIPAL SUPPLY INC	HYDRANT LUBRICATING OIL	189.97
NDEE-FISCAL SERVICES	TRANSFER STATION PERMIT	500.00
NE DEPT OF REVENUE	STATE WITHHOLDING	6,401.67
NE DEPT OF REVENUE-COMPLIANCE DIV	PAYROLL DEDUCTION	347.09
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	928.00
NE STATE TREASURER	UNCLAIMED PROPERTY	133.04
NE STATE TREASURER	UNCLAIMED PROPERTY-UTILITY REFUNDS	918.46
O'NEILL, DALI	AUDITORIUM DEPOSIT/RENTAL REFUND	850.00
PREMIER BIOTECH, INC.	RANDOM TESTING	72.18
PROCHASKA, MADELYN	VOID UNCASHED CHECK-UNCLAIMED PROPERTY	-33.75
REDDEN, GAVIN	FOOTBALL REF	15.00
REINHARDT, DREW	FOOTBALL REF	15.00
SEILER INSTRUMENT & MFG. CO. INC.	CATALYST ON DEMAND	970.00

SKARSHAUG TESTING LAB INC	RUBBER GLOVES/SLEEVES	3,824.85
STAN HOUSTON EQUIPMENT CO	POLE PRUNER	1,231.98
STAPLES, INC	OFFICE SUPPLIES	236.80
STATE NEBRASKA BANK & TRUST	CAC PETTY CASH FOR CONCESSION STAND	200.00
THE RETROFIT COMPANIES, INC	RECYCLING FEES	5,364.55
THETA PHI ALPHA	REISSUE AUDITORIUM DEPOST	200.00
THETA PHI ALPHA	AUDITORIUM DEPOSIT REFUND	-200.00
TRI-STATE COMMUNICATIONS, INC.	REPAIR POWER TO MASTER SWITCH CONNECTION	250.00
USA BLUE BOOK	REPLACEMENT CAP	228.32
VERIZON WIRELESS SERVICES LLC	CELL PHONES	623.33
WATSON, DIONDRE	RECOVERED FUNDS	-27.00
WAYNE COUNTY COURT	BOND	1,000.00
WAYNE DANCE COMPANY	AUDITORIUM DEPOSIT REFUND	-200.00
WAYNE DANCE COMPANY	REISSUE AUDITORIUM DEPOSIT	200.00
WESCO DISTRIBUTION INC	WOOD POLES	10,723.54
WILLIAMS, LACEY	VOID UNCASHED CHECK-WRITE OFF	-20.00
YORK, KASEN	VOID UNCASHED CHECK-WRITE OFF	-20.00
	Grand Total:	591,982.98

G702

Application and Certificate for Payment

To Owner:
 City of Wayne
 306 Pearl Street
 Wayne, NE 68787

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

From Contractor:
 Otte Construction Company, LLC
 521 Centennial Rd.
 Wayne, NE 68787

Via Architect:
 Carlson West Povondra Architects
 5060 Dodge Street
 Omaha, NE 68132

Application No: 11
Period To: 9/30/2024
Contract For: General
Contract Date: 10/17/2023

Distribution To:
 Owner
 Architect
 Contractor

Project NOS: CWPA 23115
 Field
 Other

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	\$ 108,664.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$ 4,313,164.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 2,615,166.00

5. RETAINAGE:

a. 10% of Completed Work (Columns D + E on G703)	\$ 259,336.00
b. 10% of Stored Material (Column F on G703)	\$ 2,181.00
Total Retainage (Lines 5a + 5b, or Total in Column 1 of G703)	\$ 261,517.00
6. TOTAL EARNED LESS RETAINAGE	\$ 2,353,649.00
(Line 4 minus Line 5 Total)	

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

8. CURRENT PAYMENT DUE

9. BALANCE TO FINISH, INCLUDING RETAINAGE
 (Line 3 minus Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 112,641.00	\$ (3,977.00)
Total approved this month	\$ -	\$ -
TOTAL	\$ 112,641.00	\$ (3,977.00)
NET CHANGES by Change Order		\$ 108,664.00

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: Wayne **Date:** 9/23/24
 State of: Nebraska

County of: Wayne
 Subscribed and sworn to before me this 23 day of September 2024
 County of: Wayne
 Notary Public: Wayne
 My commission expires: 11/22/2028



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 \$
 (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: _____ **Date:** _____

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: 11

APPLICATION DATE: 9/23/2024

PERIOD TO: 9/30/2024

ARCHITECTS PROJECT NO: CWPA 23115

G703

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	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1	General Conditions, Supervision, Project Start-Up	73,220	40,026	5,600	0	0	45,626	27,594	4563	
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	122,763	59,360	0	0	182,123	9,907	18212	
5	Building Demolition & Infills	76,490	73,760	2,730	0	0	76,490	0	7649	
6	Concrete Figs, Slabs, Walls, Steps	190,410	190,410	0	0	0	190,410	0	19041	
7	Waterproofing, Drainage, & Backfilling	23,470	23,470	0	0	0	23,470	0	2347	
8	Structural Steel & Erection	106,250	87,288	0	0	0	87,288	18,962	8729	
9	Precast Hollowcore	15,540	15,540	0	0	0	15,540	0	1554	
10	Rough Carpentry & Sheathing	27,470	27,470	0	0	0	27,470	0	2747	
11	TPO Roofing & Sheetmetal	65,030	57,313	0	0	0	57,313	7,717	5731	
12	Roof Specialties	8,270	8,270	0	0	0	8,270	0	827	
13	Doors, Frames, & Hardware	183,940	86,840	0	0	0	86,840	97,100	8684	
14	Aluminum Entrance, Windows, & Glazing	96,250	0	0	0	0	0	96,250	0	
15	Metal Studs, Insulation, Drywall, Ballistic Panels	381,830	374,928	3,200	0	0	378,128	3,702	37813	
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	48,700	9,800	0	0	58,500	56,490	5850	
20	Painting, Wall Coverings, & Caulking	147,400	0	12,000	0	0	12,000	135,400	1200	
22	Cabinetry, Millwork, & Tops	202,230	0	0	0	0	21,809	180,421	2181	
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: 11
 APPLICATION DATE: 9/23/2024
 PERIOD TO: 9/30/2024
 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)	THIS PERIOD	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
29	Food Service Appliances	30,080	0	0	0	0	0	0	30,080	0
30	Flagpole	5,120	0	0	0	0	0	0	5,120	0
31	Awnings	6,500	1,000	0	0	0	0	1,000	5,500	100
32	Plumbing & HVAC	352,970	285,416	0	12,300	0	0	297,716	55,254	29772
33	Electrical	642,750	482,809	0	48,248	0	0	531,057	111,693	53106
33a	Fire Alarm	20,000	6,000	0	6,000	0	0	12,000	8,000	1200
33b	Emergency Generator	63,000	50,400	0	3,150	0	0	53,550	9,450	5355
33c	Switchgear	113,000	90,400	0	5,650	0	0	96,050	16,950	9605
33d	Audio, Visual, & Access Control	310,000	62,000	0	62,000	0	0	124,000	186,000	12400
33e	Data & Communications	149,000	81,950	0	7,450	0	0	89,400	59,600	8940
34	Concrete Site Paving	170,780	0	0	33,480	0	0	33,480	137,300	3348
35	Storm Sewer Utilities	32,720	0	0	0	0	0	0	32,720	0
36	Planting Beds	5,000	0	0	0	0	0	0	5,000	0
37	Installation of OFCI & Allowance Items	8,400	0	0	0	0	0	0	8,400	0
38	Thru-Wall Depositories Allowance	10,000	0	0	0	0	0	0	10,000	0
39	Athletic Wall & Floor Pads Allowance	20,000	0	0	0	0	0	0	20,000	0
40	Owner Contingency Allowance	50,000	29,312	0	-2,963	0	0	26,349	23,651	2635
CO 001	Office Window & Flooring Revisions	2,356	0	0	0	0	0	0	2,356	0
CO 002	Additional Paving at West Parking Lot	106,308	0	0	30,000	0	0	30,000	76,308	3000
		4,313,164	2,295,352	298,005	21,809	2,615,166	61%	1,697,998	261517	

[Back to Top](#)

Betty McGuire - Fwd: Re: 300 Chicago

From: Wes Blecke
To: Betty McGuire
Date: 9/19/2024 9:25 AM
Subject: Fwd: Re: 300 Chicago

Please place this offer on the agenda for Oct 1.
Wes

>>> Lowell Heggemeyer 9/19/2024 9:23 AM >>>

Yes I would like this on the Oct 1st. agenda I know I will have a lot of sidewalk to put in but I would ask that the city puts the ramp in with the plates and I would match in to that. Joel also said the city would like a easement on the west for the storm sewer.

>>> Wes Blecke 9/18/2024 11:59 AM >>>

Would you like this to go to Council for Oct 1?

Also, please chat with Joel so you know all of the restrictions (in particular flood plain) that are on this lot.
Wes

>>> Lowell Heggemeyer 9/18/2024 11:32 AM >>>

Terri and I would like to down size on our house size since the girls are gone, so we would like to make a offer of \$15,000 for the lot at 300 Chicago. We are thinking a small home on slab with a garage coming in off Douglas. Would like at least 24-30 months to finish since we will do a lot of the work ourselves beside the framing.

RESOLUTION NO. 2024-58

A RESOLUTION AUTHORIZING THE SALE OF LOT 19, SOUTHVIEW II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (400 CHICAGO STREET), TO LOWELL AND TERRI HEGGEMEYER, HUSBAND AND WIFE.

WHEREAS, the City of Wayne is the owner of the following described property, to-wit:

Legal Description:

Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska (400 Chicago Street); and

WHEREAS, there are no current delinquent real estate taxes or special assessments payable to Wayne County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the City of Wayne, Nebraska, that the City Clerk is directed to prepare an ordinance directing the sale of the following parcel of real estate legally described as follows:

Legal Description:

Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska (400 Chicago Street),

to Lowell and Terri Heggemeyer, Husband and Wife, for the sum of \$15,000.00 and other valuable consideration.

PASSED AND APPROVED this 1st day of October, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2024-12

AN ORDINANCE DIRECTING THE SALE OF LOT 19, SOUTHVIEW II ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA (400 CHICAGO STREET) TO LOWELL AND TERRI HEGGEMEYER, HUSBAND AND WIFE.

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

Section 1. The Mayor and City Council are directed to convey by Warranty Deed to Lowell and Terri Heggemeyer, Husband and Wife, a tract of land legally described as:

Legal Description:

Lot 19, Southview II Addition to the City of Wayne, Wayne County, Nebraska (400 Chicago Street),

for the sum of \$15,000.00 and other valuable consideration.

Section 2. Notice of the sale and the terms contained in Section 1 shall be published for three consecutive weeks in the Wayne Herald, provided that if a remonstrance against said sale signed by legal electors thereof equal in number to 30% of the electors of the City voting at the last regular municipal election held therein, be filed with the governing body within thirty days of the passage and publication of this ordinance, said property shall not then, nor within one year thereafter, be sold.

Section 3. 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 1st day of day of October, 2024.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION 2024-59

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A BOBCAT L95 COMPACT WHEEL LOADER AND RELATED EQUIPMENT AS PER THE BID PROPOSAL RECEIVED FROM SOOLAND BOBCAT, SIOUX CITY, IOWA (\$60,083.04).

WHEREAS, the Parks and Recreation Department has prepared specifications for a new Bobcat L95 Compact Wheel Loader and related equipment; and

WHEREAS, said Department solicited proposals from two Bobcat dealers for the purchase of a new Bobcat L95 Compact Wheel Loader and related equipment; and

WHEREAS, said Department has reviewed the proposals and recommends that the wheel loader 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>
Sooland Bobcat	\$91,556.28
3109 Highway 75 North	Less Trade-In - \$31,473.24
Sioux City IA 51105-2218	Total - \$60,083.04

BE IT RESOLVED that the proposal, as above set forth, filed with the City Clerk for the purchase of a new wheel loader 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.

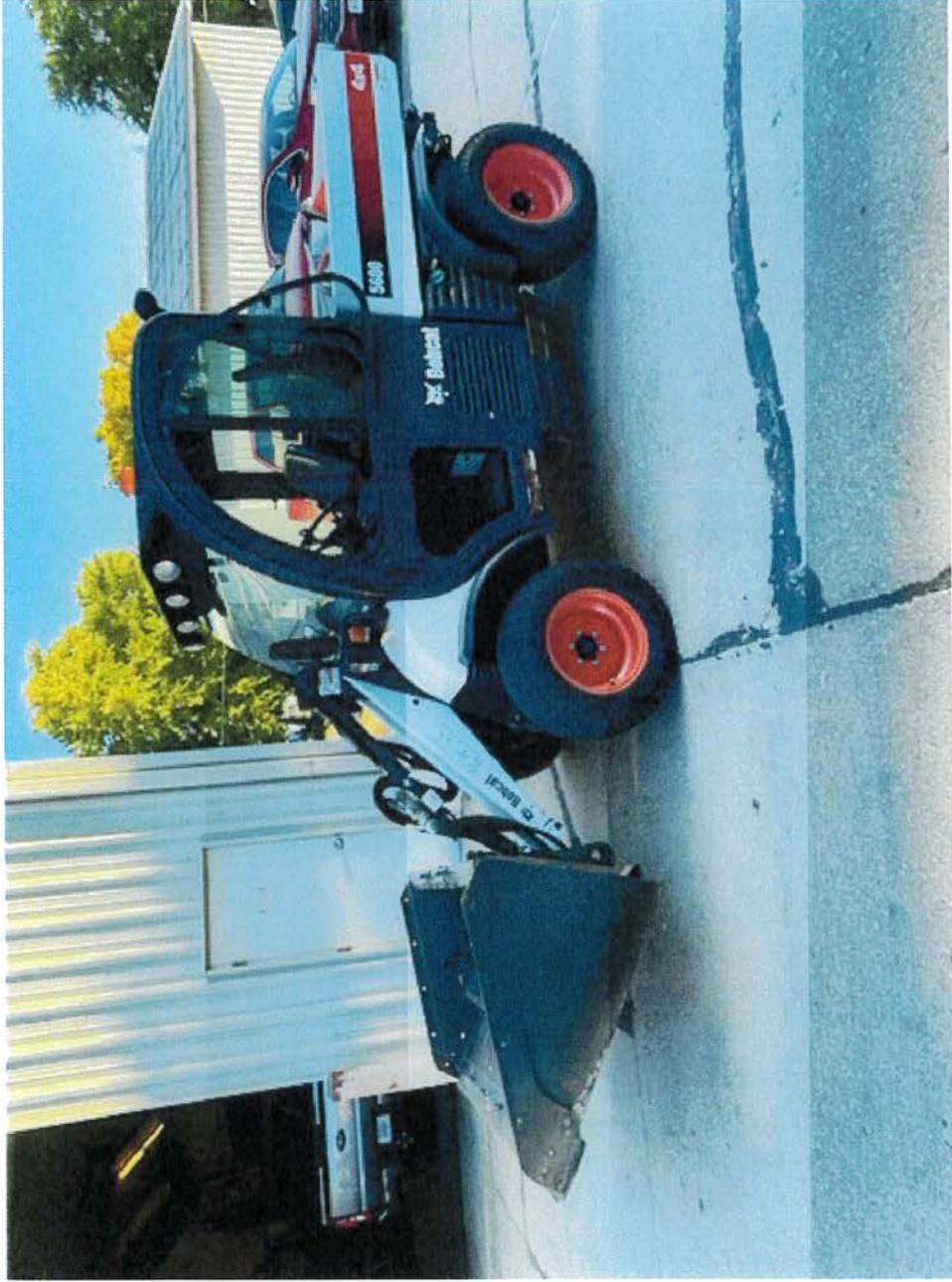
PASSED AND APPROVED this 1st day of October, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk



2018 Bobcat-Toolcat 2000H. Trade in.

L95

Compact Wheel Loader



The Bobcat® L95 compact wheel loader brings a high bucket capacity, swift travel speeds and impressive maneuverability to the jobsite, enabling you to move mountains of material in less time.

- 3,981-pound rated operating capacity, 1.2-yard bucket capacity, 10.5-foot lift height
- Move faster – and get the job done quicker – with travel speed as high as 24 mph
- Three drive modes provide faster travel preferences and high-precision attachment operation
- Standard high-flow auxiliary hydraulics provide up to 27 gpm for peak attachment efficiency
- A heated air-ride seat cushions rough terrain and machine vibration for a smooth, comfortable ride

Starting at

\$100,924 USD*

Special Offers

Choose financing as low as 0% for 48 months* or a \$5,000 USD*/\$6,500 CAD* cash rebate on the L95.

[Contact Dealer for Pricing](#)

[Find a Dealer](#)

[View Current Offers](#)

new update
9-6-24



Product Quotation
 Quotation Number: **MB728708**
 Quote Sent Date: **Sep 06, 2024**
 Expiration Date: **Oct 06, 2024**

Your Bobcat Contact
Mason Brekke
 Phone:
 Email: mason.brekke@doosan.com

Your Customer Contact

Deliver to
CITY OF WAYNE
 PO BOX 8
 WAYNE, NE, 68787-0008

Bobcat Dealer
 Kevin Powell
Sooland Bobcat, Sioux City, IA
3109 HIGHWAY 75 NORTH
SIOUX CITY, IA, 51105-2218

Bill to
NEW GOVERNMENT CUSTOMER
2391333
 250 E Beaton Dr
 West Fargo, ND, 58078-2656

Item Name	Item Number	Quantity	Price Each	Total
Bobcat L95 Compact Wheel Loader	M0705	1	76,702.24	76,702.24
Standard Equipment:				
74 HP 2.4L Turbocharged Bobcat engine with integrated Diesel Oxidation Catalyst (DOC)			Inching Pedal	
Articulation Lock Bar			Instrumentation: Hour meter, RPM, System Voltage; Engine Temperature and Fuel Gauges; Warning Lights	
Attachment Control Device			Lift Arm Support	
Automatic Park Brake with Slope Assist			Machine IQ Ready (device is an accessory)	
Automatic Ride Control			Mirrors: Right & Left Side	
Auxiliary Hydraulics, High Flow with pressure release couplers			Operator Canopy: Roll Overprotective Structure (ROPS) meets ISO 3471; Falling Object Protective Structure (FOPS) meets ISO 3449 Level II	
Back-up Alarm			Power Bob-Tach Attachment Mounting System	
Battery Disconnect Switch			Retrieval Pin	
Bobcat Standard 5" Display			Road Lights - Halogen (Front)	
Bucket Level Indicator			Spark Arrester Muffler	
Canopy with; Cup Holders, Dual Quick Charge USB /12 V Power Outlet, Interior Storage Compartments, Keyless Ignition, Retractable 2 Seat Belt, Tilt and Telescoping Steering Column, Vinyl Suspension Seat			Standard 405/70 R20 Tires	
Differential Lock			Tie Down Points	
Engine and Hydraulics Systems De-rate			Two Speed Travel (24.8 MPH)	
Front Horn			Wheel Fenders	
Glow Plugs			Work lights - LED (2 front & 2 rear)	
Hydrostatic Transmission with Electronic Gearbox, 4 speeds, Advanced Attachment Control, & Flex Drive (Engine Speed Dial)			Z-Bar Mechanical Self Leveling	
HVAC Cab Comfort Package	M0705-P01-C02	1	8,659.44	8,659.44
<i>Included:</i> Enclosed Cab with HVAC, Front and rear wiper / washer, Dome light, Rear defrost, Radio Ready, Heated Air Ride Seat				
L85 General Purpose Bucket	7427815	1	3,038.48	3,038.48
Cutting Edge Kit	7423019	1	353.12	353.12
Total for Bobcat L95 Compact Wheel Loader				88,753.28
Quote Total - USD				88,753.28
Dealer P.D.I.				200.00
Freight Charges				2,500.00
Destination Charges				103.00

Souland Bobcat

Quote Total - USD	91,556.28
Trade in toolcat	- 31,473.24
	\$60,083.04

Comment:

*Plus applicable taxes. IF Tax Exempt, please include Tax Exempt Certificate with the order.

*Prices per the NASPO Construction Equipment Master Agreement OK-SW-192.

<https://www.naspovaluepoint.org/portfolio/construction-equipment-2018-2023/clark-equipment-company/>

State and Contract Number Summary:

AK - N2019CE0002

CA - 52000C

IA - OK-SW-192

KS - OK-SW-192

MO - CC190249002

NE - 15336

NM - 90-000-19-00068AA

OK - SW192

RI - OK-SW-192

SD - 17286

UT - PA3043

WI - 505ENT-O22-CONSTREQUIP-03.

*All orders should include 1) Accounts Payable Contact and email address, 2) W9 with correct legal entity name, and 3) Bill to Address.

*Orders may be placed with the contract holder or authorized dealer as allowed by the terms and conditions of the contract. *A Copy of all orders must be provided to Heather.Messmer@Doosan.com.

*Contact Holder Information: Clark Equipment Company dba Bobcat Company, Govt Sales, 250 E Beaton Drive, West Fargo, ND 58078. TID# 38-0425350.

*Payment Terms: Net 60 Days. Credit cards accepted.

*Remittance address: Clark Equipment Company d/b/a Bobcat Company, P. O. Box 74007382, Chicago, IL 60674-7382

Customer acceptance:

Quotation Number:: MB728708

Purchase Order: _____

Authorized Signature:

Print: _____ Sign: _____

Date: _____ Email: _____

Addresses



Quotation Number: **ZK752155**
 Quote Sent Date: **Sep 19, 2024**
 Expiration Date: **Oct 19, 2024**
 Prepared By: **Zach Kruse**
 Phone: +14026409939
 Email: zkruse@nebraskaharvestore.com

Customer
CITY OF WAYNE
 PO BOX 8
 WAYNE, NE, 68787-0008
 Phone: +1 402 375 1300

Contact

Dealer
Bobcat of Norfolk, Norfolk, NE
3201 SOUTH 13TH STREET
NORFOLK, NE, 68701-9304

Item Name	Item Number	Quantity	Price Each	Total
Bobcat L95 Compact Wheel Loader	M0705	1	100,924.00	100,924.00
Standard Equipment:				
74 HP 2.4L Turbocharged Bobcat engine with integrated Diesel Oxidation Catalyst (DOC)				
Articulation Lock Bar				
Attachment Control Device				
Automatic Park Brake with Slope Assist				
Automatic Ride Control				
Auxiliary Hydraulics, High Flow with pressure release couplers				
Back-up Alarm				
Battery Disconnect Switch				
Bobcat Standard 5" Display				
Bucket Level Indicator				
Canopy with; Cup Holders, Dual Quick Charge USB /12 V Power Outlet, Interior Storage Compartments, Keyless Ignition, Retractable 2 Seat Belt, Tilt and Telescoping Steering Column, Vinyl Suspension Seat				
Differential Lock				
Engine and Hydraulics Systems De-rate				
Front Horn				
Glow Plugs				
Hydrostatic Transmission with Electronic Gearbox, 4 speeds, Advanced Attachment Control, & Flex Drive (Engine Speed Dial)				
Inching Pedal				
Instrumentation: Hour meter, RPM, System Voltage; Engine Temperature and Fuel Gauges; Warning Lights				
Lift Arm Support				
Machine IQ Ready (device is an accessory)				
Mirrors: Right & Left Side				
Operator Canopy: Roll Overprotective Structure (ROPS) meets ISO 3471; Falling Object Protective Structure (FOPS) meets ISO 3449 Level II				
Power Bob-Tach Attachment Mounting System				
Retrieval Pin				
Road Lights - Halogen (Front)				
Spark Arrester Muffler				
Standard 405/70 R20 Tires				
Tie Down Points				
Two Speed Travel (24.8 MPH)				
Wheel Fenders				
Work lights - LED (2 front & 2 rear)				
Z-Bar Mechanical Self Leveling				
HVAC Cab Comfort Package	M0705-P01-C02	1	11,394.00	11,394.00
<i>Included:</i> Enclosed Cab with HVAC, Front and rear wiper / washer, Dome light, Rear defrost, Radio Ready, Heated Air Ride Seat				
L95 Light Material Bucket	7484959	1	5,100.00	5,100.00
Cutting Edge Kit	7484982	1	449.76	449.76

Total for Bobcat L95 Compact Wheel Loader 117,867.76

Quote Total - USD	117,867.76
Dealer P.D.I.	200.00
Freight Charges	2,500.00
Destination Charges	90.00
Discount	
State of Nebraska Discount	-28,430.12
2018 Bobcat 5600 1990 Hrs	-28,000.00

Bobcat of Norfolk

Sales total before Taxes	64,227.64
Taxes	0.00
Quote Total - USD	64,227.64

Customer acceptance:

Quotation Number:: ZK752155

Purchase Order: _____

Authorized Signature:

Print: _____ Sign: _____

Date: _____ Email: _____ Tax Exempt: Y / N

RESOLUTION NO. 2024-60

A RESOLUTION APPROVING THE CAPACITY PURCHASE AGREEMENT BETWEEN NORTHEAST NEBRASKA PUBLIC POWER DISTRICT, THE CITY OF WAYNE, NEBRASKA, AND BIG RIVERS ELECTRIC COOPERATIVE, AND AUTHORIZING THE EXECUTION THEREOF.

WHEREAS, the City of Wayne wishes to enter into a Capacity Purchase Agreement with Northeast Nebraska Public Power District (“Northeast”) and Big Rivers Electric Cooperative (Big Rivers); and

WHEREAS, pursuant to said agreement, Northeast will purchase from the City of Wayne, and Wayne will sell to Northeast, Wayne’s share of the Southwest Power Pool accredited capacity from the Cottonwood Wind Energy Center for \$4.50 per kw-month, beginning June 1, 2025, and ending coincident with the termination of the Power Purchase Agreement between Northeast and Cottonwood Wind Project, LLC, dated March 2017; and

WHEREAS, this will result in a monthly payment of \$3,762 ($\4.50×836 kWh) from Northeast to the City of Wayne during the first year of this agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Wayne, Nebraska, that the City shall enter into the Capacity Purchase Agreement, a copy of which is attached hereto and incorporated herein by reference, with Northeast Nebraska Public Power District and Big Rivers Electric Cooperative, and that the Mayor is hereby authorized to execute said Capacity Purchase Agreement.

PASSED AND APPROVED this 1st day of October, 2024.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

CAPACITY PURCHASE AGREEMENT

AGREEMENT

This Capacity Purchase Agreement ("Agreement") is made by and between the Northeast Nebraska Public Power District ("Northeast"), the City of Wayne, Nebraska ("Wayne"), and Big Rivers Electric Cooperative ("Big Rivers") effective as of June 1, 2025. This Agreement may refer to Northeast, Wayne and Big Rivers each as a Party and collectively as the Parties.

RECITALS

WHEREAS, Northeast and Wayne have entered into contracts for capacity and energy from NextEra Energy Resources' Cottonwood Wind Energy Center in Webster County, Nebraska, and the nameplate capacities Northeast and Wayne purchased in megawatts ("MW") are as follows:

Northeast	14.70 MW	86.1%
Wayne	2.38 MW	13.9%
Total	17.08 MW	100.0%

and

WHEREAS, for the 2025 Calendar Year, the Southwest Power Pool ("SPP") has credited the purchases with a total of 6 MW of capacity for Resource Adequacy purposes, which may vary from year to year as SPP Resource Adequacy rules change, or the performance of the Cottonwood facility changes; and

WHEREAS, based upon the quantities purchased by Northeast and Wayne, Wayne's share of the 6 MW of SPP-accredited capacity is 836 kw.

THEREFORE, based on the foregoing recitals, and for good and valuable consideration, the receipt and sufficiency of which each Party acknowledges and accepts, the Parties hereby agree as follows:

- 1) Northeast will purchase from Wayne, and Wayne will sell to Northeast, Wayne's share of SPP-accredited capacity from the Cottonwood Wind Energy Center for \$4.50 per kw-month beginning June 1, 2025, and ending coincident with the termination of the Power Purchase Agreement between Northeast Nebraska Public Power District and Cottonwood Wind Project, LLC, dated March 2017. This will result in a monthly payment of \$3,762 from Northeast to Wayne during the first year (12 months) of this Agreement;
- 2) Big Rivers will charge Northeast \$3,762 per month on Northeast's invoice starting with the invoice for June 2025 and give a credit of \$3,762 per month on Wayne's invoice for the same period. If the amount of accredited capacity changes, Big Rivers will recalculate this amount, accordingly, based on \$4.50 per kilowatt month, or any future kilowatt month charge for the transferred capacity, with an annual increase of 2% or a maximum of \$5.50 per kilowatt month

- 3) Either Northeast or Wayne may terminate this Agreement by providing the other Party and Big Rivers with written notice no later than October 1 of the year preceding the planning year in which the arrangement is to terminate. For instance, if the Agreement is to terminate on May 31, 2026, written notice must be provided to all parties by October 1, 2025.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

NORTHEAST NEBRASKA PUBLIC POWER DISTRICT

By: _____

Name: _____
Board President

Date: _____

CITY OF WAYNE, NEBRASKA

By: _____

Name: _____
Mayor

Date: _____

BIG RIVERS ELECTRIC COOPERATIVE

By: _____

Name: _____

Date: _____



PO Box 1065
Kearney, NE 68848
(308) 237-6651 / (308) 440-8464
bretm@midlandscontracting.com

Estimate

ESTIMATE#	1052089443
DATE	09/26/2024
PO#	

CUSTOMER
CITY OF WAYNE PO BOX 8 WAYNE NE 687870008 (402) 375-1733

SERVICE LOCATION
PO BOX 8 WAYNE NE 687870008 cjunck@cityofwayne.org

DESCRIPTION

Estimate			
Description	Qty	Rate	Total
Mobilization (LS) Mobilization reduced from \$10,000 to \$3,000. If work is coordinated with other work in the area.	1.00	3,000.00	3,000.00
8" CIPP (LS) 8" pipe - MH 2-4 to 2-1 North of E 7th and Pine Heights Rd	1.00	11,139.00	11,139.00
8" CIPP (LS) 8" pipe - MH 2-5 to 2-4 South of 9TH & Pine Heights Rd	1.00	12,855.00	12,855.00
Service Reinstatement (each)	20.00	150.00	3,000.00

CUSTOMER MESSAGE
<p>CLARIFICATIONS:</p> <ul style="list-style-type: none"> -Prices are valid for 120 days. -Timing of work will be based on our workload at time of acceptance. -City shall provide water for jetting and a waste disposal site. -We require the City to locate, expose, and provide access to all service points (manholes, cleanouts, etc.) -Basic cones and signs provided by Johnson Service. <p>Any additional traffic control measures to be provided by City.</p> <ul style="list-style-type: none"> -Post CCTV inspection is included in above pricing.

Estimate Total: \$29,994.00

[Back to Top](#)

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. Please return this form and any additional information to the City Clerk's office at 306 Pearl Street.

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: Wayne Area Event Center / Josie Broders

Address: 2611 N Highway 15

Wayne, NE 68787

Telephone No.: 402-369-6428

Date of Request: 9/26/2024 (for city council meeting on October 1st, 2024)

Description of Requested Topic: _____

Request to discuss inability to repay LB840 funds before 10/10/24 due to
unexpected downturn in revenue/events and ask that the council allow the
date be changed to 10/31/2024 to make the payment for LB840 loan.

