

**MINUTES
CITY COUNCIL MEETING
October 15, 2024**

The Wayne City Council met in regular session at City Hall on October 15, 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 Terri Buck, Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky, and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmembers Austyn Houser and Matt Eischeid.

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 Bratcher, to approve the minutes of the meeting of October 1, 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 Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS APPROVED 10/1/24: OTTE CONSTRUCTION, SE, 287832.00
2023/2024 VARIOUS FUNDS: ACE HARDWARE, SU, 568.86; APPEARA, SE, 62.81; AUTO ANATOMY ALTERNATIVES, SE, 35.00; BAKER & TAYLOR BOOKS, SU, 903.69; BOMGAARS, SU,

2824.11; CARROT-TOP INDUSTRIES, SU, 553.87; CERTIFIED TESTING SERVICES, SE, 2722.50; CITY EMPLOYEE, RE, 173.84; CITY EMPLOYEE, RE, 500.00; COPY WRITE PUBLISHING, SE, 494.70; CORE & MAIN LP, SU, 264.17; COTTONWOOD WIND PROJECT, SE, 13866.42; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 8.46; ELKINS PORTABLE RESTROOMS, SE, 550.00; FLOOR MAINTENANCE, SU, 785.58; GERHOLD CONCRETE, SU, 1040.00; GLOBAL PAYMENTS INTEGRATED, SE, 346.45; HILAND DAIRY, SE, 126.99; INGRAM LIBRARY SERVICES, SU, 717.78; JEO CONSULTING GROUP, SE, 1026.00; KTCH, SE, 820.00; LUTT OIL, SU, 8075.41; MAIN STREET GARAGE, SE, 304.00; MERCHANT SERVICES, SE, 113.12; MERCHANT SERVICES, SE, 1592.31; MERCHANT SERVICES, SE, 7256.47; MIDWEST LABORATORIES, SE, 217.57; MUNICIPAL SUPPLY, SE, 727.76; NPPD, SE, 8250.24; NORTHEAST POWER, SE, 27387.63; ONE CALL CONCEPTS, SE, 99.68; O'REILLY AUTOMOTIVE STORES, SU, 97.35; PAC N SAVE, SU, 5422.85; PAC N SAVE, SU, 1340.34; PLUNKETT'S PEST CONTROL, SE, 111.95; QUADIANT FINANCE USA, SU, 175.75; QUALITY FOOD CENTER, SU, 23.38; REEDER CREATIVES, SE, 28180.00; STATE NEBRASKA BANK & TRUST, SE, 65.60; T & R ELECTRIC, SU, 4507.01; TYLER TECHNOLOGIES, SE, 3965.00; US BANK, SU, 14414.27; USA BLUE BOOK, SU, 780.24; VAN LIERE, SHELBY, SE, 60.00; WASTE CONNECTIONS, SE, 31.50; WAYNE AMERICA, SU, 20.00; WAYNE AUTO PARTS, SU, 274.60; WAYNE COUNTY CLERK, SE, 10.00; WAYNE HERALD, SE, 494.00; WAYNE HERALD, SE, 363.00; WAYNE HERALD, SE, 1937.71; WESCO, SU, 1326.80; WAPA, SE, 17832.34; WHITE FARMHOUSE REALTY, SE, -1300.00; WHITE REALTY & APPRAISAL, SE, 1300.00; WISNER WEST, SU, 131.63; ALLO COMMUNICATIONS, SE, 624.46; BIG RIVERS ELECTRIC CORPORATION, SE, 227462.68; BLACK HILLS ENERGY, SE, 444.34; CITY OF NORFOLK, SE, 149.12; DAS STATE ACCTG-CENTRAL FINANCE, SE, 74.73; EAKES OFFICE PLUS, SE, 1473.39; FAITH REGIONAL PHYSICIAN SERV, SE, 90.00; GALE/CENGAGE LEARNING, SU, 106.56; JANWAY COMPANY, SU, 220.00; KAY CONTRACTING, SE, 1784.00; NE DEPT OF REVENUE-CHARITABLE GAMING DIV, RX, 1061.00; PEPSI, SU, 111.50; PER MAR SECURITY SERVICES, SE, 1173.48; SEARS AUTO SALES & TOWING, SE, 75.00; WAYNE VETERINARY CLINIC, SE, 168.00

2024/2025 VARIOUS FUNDS: AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 3695.24; AMERITAS, SE, 72.00; AMERITAS, SE, 112.16; APPEARA, SE, 64.57; AVILA, FATIMA, RE, 150.00; BEIERMANN ELECTRIC, SE, 2774.00; BORDER STATES INDUSTRIES, SU, 1499.18; BURR, THOMAS, SE, 30.00; CHENLO, SHITERA, RE, 150.00; CIRBA SOLUTIONS SERVICES, SU, 376.50; CITY EMPLOYEE, RE, 20.02; CITY EMPLOYEE, RE, 239.51; CITY EMPLOYEE, RE, 3580.21; CITY EMPLOYEE, RE, 280.70; CITY EMPLOYEE, RE, 160.00; CITY OF WAYNE, PY, 123625.69; CITY OF WAYNE, RE, 701.68; COREY, JAMISON, SE, 30.00; COULTER, JAYDEN, SE, 45.00; DEARBORN LIFE INSURANCE COMPANY, SE, 3372.39; EMPLOYERS MUTUAL CASUALTY, RE, 500.00; ENGELBRETSSEN, BARBARA, RE, 150.00; FIRST SOURCE TITLE & ESCROW, SE, 125.00; HILAND DAIRY, SE, 173.20; ICMA, SE, 10327.26; ICMA, SE, 72.03; ICMA, SE, 2437.50; ICMA, SE, 803.82; ICMA, SE, 72.03; ICMA, SE, 138.72; ICMA, SE, 202.78; ICMA, SE, 75.00; ICMA, SE, 152.88; ICMA, SE, 41.00; ICMA, SE, 533.56; ICMA, SE, 130.76; IRS, TX, 4817.32; IRS, TX, 13293.11; IRS, TX, 20598.02; KARSKY, RYAN, SE, 45.00; KELLY SUPPLY COMPANY, SU, 459.30; KRUNTORAD, MICHAEL, SE, 30.00; MILLER, DREW, SE, 30.00; NE DEPT OF REVENUE, TX, 6252.93; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE LIBRARY COMMISSION, FE, 1355.00; NORTHEAST NE INS AGENCY, SE, 134875.00; OPTK NETWORKS, SE, 408.54; PRONUNCIATOR, SU, 450.00; QUADIANT LEASING USA, SE, 655.38; REDDEN, GAVIN, SE, 30.00; US FOODSERVICE, SU, 2393.28; W.T. COX SUBSCRIPTIONS, SU, 948.23; WASTE CONNECTIONS, SE, 31.50; WAYNE HERALD, SE, 52.00; WAYNE KIWANIS, FE, 160.00; WESCO, SU, 1551.50; AVERY BROTHERS SIGN, SU, 13958.00; BEIERMANN ELECTRIC, SE, 278.29; BELITZ, GARRETT, SE, 120.00; BSN SPORTS, SU, 468.94; CARPENTER PAPER COMPANY, SU, 257.70; CITIZENS STATE BANK, RE, 5858.12; CITY EMPLOYEE, RE, 255.79; CITY OF NORFOLK, RE, 1500.00; CITY OF WAYNE, RE, 84.66; EAKES OFFICE PLUS, SE, 203.76; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 44.02; FAIRFIELD INN – KEARNEY, SE, 839.70; GERHOLD CONCRETE, SU, 575.18; GRAINLAND ESTATES, RE, 1333.92; HAYDEN, HUNTER, SE, 135.00; IOWA PUMP WORKS, SU, 500.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 620.00; LUTT OIL, SE, -1,176.32; MUNICIPAL SUPPLY, SU, 415.95; OLSSON,

SE, 8195.79; O'REILLY AUTOMOTIVE STORES, SU, 45.90; QUADIENT LEASING USA, SE, 3397.26; SCHULTZ, EVERETT, RE, 500.00; SEARS AUTO SALES & TOWING, SE, 75.00; STADIUM SPORTING GOODS, SE, 60.00; STAPLES, SU, 43.86; THRASHER, RE, 500.00; VESSCO, SU, 1738.49; VUVABCI, DIANA, RE, 200.00; WALLING, TANNER, SE, 30.00; WESCO, SU, 834.60; WRIEDT PROPERTIES, RE, 500.00; YORK, JODI, RE, 50.00

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

Phil Monahan, Fire Chief, introduced Abigail Scheuring and requested Council consideration to approving her membership application to the Wayne Volunteer Fire Department.

Councilmember Karsky made a motion, which was seconded by Councilmember Buck, approving the membership application of Abigail Scheuring to the Wayne Volunteer Fire Department. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Lin Brummels, representing the Northeast Nebraska Resource Conservation and Development organization, a/k/a "RC&D," to close westbound traffic on 3rd Street between Lincoln and Pearl Streets on Saturday, October 26, 2024, from 7:00 a.m. to noon or earlier for set up; allow two lanes of one-way traffic heading eastbound on 3rd Street, with cars entering at Lincoln Street and exiting at Pearl Street for the event; and prohibit parking on 3rd Street between Lincoln and Pearl Streets beginning Friday, October 25, 2024, for the Household Hazardous Waste Recycling Event. There is a \$10 flat fee per vehicle. They can only do this when they secure a grant for the same.

James Rabe, Chair of the organization, as well as Sandy Brown, representing the Green Team, were present and in support of the request.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving the request of Lin Brummels, representing the Northeast Resource Conservation and Development organization, a/k/a "RC&D," to close westbound traffic on 3rd Street between Lincoln and Pearl Streets on Saturday, October 26, 2024, from 7:00 a.m. to noon or earlier for set up; allow two lanes

of one-way traffic heading eastbound on 3rd Street, with cars entering at Lincoln Street and exiting at Pearl Street for the event; and prohibit parking on 3rd Street between Lincoln and Pearl Streets beginning Friday, October 25, 2024, for the Household Hazardous Waste Recycling Event. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Bob Soukup, representing Carlson West Povondra Architects, presented Change Order No. 3, for \$12,042 to Otte Construction Co., LLC, for the “Wayne City Hall & Police Relocation Project.”

Keith Moje, representing Otte Construction Co., LLC, was also present to answer questions.

This Change Order represents soil excavation on the west parking lot of the new City Hall.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Change Order No. 3 for \$12,042 to Otte Construction Co., LLC, for the “Wayne City Hall & Police Relocation Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Matthew Smith, representing Olsson, updated the Council on the Prairie Park Project.

Jordan Utesch, representing Olsson, presented Change Order No. 001 for \$4,454 to TR Harris for the “Wayne Prairie Park Phase 3 Lake Amenities Project.” This Change Order increase was to change from timber columns to concrete on the fishing pier as requested by the City.

Councilmember Karsky made a motion, which was seconded by Councilmember Buck, approving Change Order No. 001 for \$4,454 to TR Harris for the “Wayne Prairie Park Phase 3 Lake Amenities Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Jorden Utesch, representing Olsson, presented Certificate of Payment No. 3 in the amount of \$187,639.38 to TR Harris for the “Wayne Prairie Park Lake Amenities Project.” This payment is for the trail and finishing out the fishing pier.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Certificate of Payment No. 3 in the amount of \$187,639.38 to TR Harris for the “Wayne Prairie Park Lake Amenities Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Administrator Blecke, on behalf of Luke Virgil, Director of Wayne Area Economic Development, was present representing the LB840 Revolving Loan Fund Review Committee. The Review Committee met with Michael & Rebecca Brudigam, who have a purchase agreement for Tom’s Auto Body (108 Pearl Street). Michael & Rebecca are requesting \$110,000 in WEDP Funds with a 15-year repayment and an interest rate of 1% to 2%. They will utilize the WEDP Funds for business start-up costs such as building/property acquisition, equipment/inventory purchases, and working capital. To match their request of \$110,000 from the WEDP, Michael & Rebecca have secured \$110,000 in financing from State Nebraska Bank & Trust, Wayne, NE, and a \$100,000 loan from the NENEDD Business RLF, and have provided matching funds of \$30,000 (personal equity). The total project is estimated to cost at least \$350,000. Following the meeting with Michael & Rebecca, the Review Committee discussed the request for an LB840 RLF Loan of \$110,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Michael & Rebecca Brudigam (Tom’s Auto Body):

- Approval of the loan request of \$110,000;
- A loan repayment period of 10 years; and
- An interest rate to be set at one half the rate set by the primary lender. (Primary Lender Rate – SNB&T, Wayne, NE: 8.5% fixed for 20 years; WEDP Rate: 4.25% fixed)

Michael and Rebecca Brudigam were present and requested Council to give consideration to extending the loan repayment period to 15 years and decrease the interest rate to 1-2%.

After discussion Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$110,000 revolving loan fund loan to Michael and Rebecca Brudigam d/b/a “Tom’s Auto Body,” with the following changes:

- A loan repayment period of 15 years; and
- An interest rate of 2%.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Preliminary Plat for "Vintage Hill 4th Addition."

The applicant is Arrowhead Development-Wayne LLC. The developers are proposing to develop the area north of the existing Vintage Hill area by adding 27 more lots. The Planning Commission has met and is recommending approval of the Preliminary Plat. The Final Plat will be coming before you on November 5th.

Administrator Blecke stated the Planning Commission held a public hearing on this matter on October 7, 2024, and approved the same, with the "Finding of Fact" being staff's recommendation.

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

Josh Seal, representing FoleyShald Engineering, was present to review the preliminary plat and plat exhibits with Council.

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

Councilmember Karsky introduced Resolution 2024-61, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-61

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR "VINTAGE HILL 4TH ADDITION," CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Casey Junck, Water/Wastewater Superintendent, was present and advised the Council that back in 2011 when the wastewater treatment plant was built, the City had the current system installed by HOA. At that time, we had zero monitoring of our lift stations, and the wells operated off a dial-up internet system

called “SCADA 3000.” In 2019, we had HOA install radios at our lift stations and wells and integrated everything into the same system that the treatment plant was running on. That price was approximately \$133,239 for the software and control work. Then, in November, 2023, staff started having massive communication failures. HOA was unable to determine the cause after making numerous trips to Wayne from Lincoln and many hours of monitoring through remote access. HOA ended up presenting us with a quote of \$17,900 to replace all of our radios. They also proposed to charge the City nearly \$20,000 for all of the labor and trip charges, but had no solution for the communication failures. The City went ahead with replacing all of our radios, and the problems, for the most part, went away. However, he was notified by HOA that our software was out of date and would need to be replaced. HOA said they would no longer be supporting the software and provided us with a quote of \$83,871 to upgrade to their newest software. Staff then contacted Automatic Systems who has a salesman that was originally with HOA when we upgraded in 2019 who was familiar with our system. Staff asked him to provide us a quote to upgrade our software. Their quote was \$58,566. Staff is comfortable with going with Automatic Systems since their salesman is familiar with the City’s system and they are a reputable company.

Councilmember Brodersen introduced Resolution 2024-62, and moved for its approval; Councilmember Karsky seconded.

RESOLUTION NO. 2024-62

A RESOLUTION APPROVING THE PURCHASE OF SCADA HARDWARE AND SOFTWARE FROM AUTOMATIC SYSTEMS CO., FOR \$58,566.00.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, setting the date for the next Council “Mini-Retreat” for Tuesday, October 29th, at 5:30 p.m. at the Wayne Fire Hall. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Houser and Eischeid who were absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:26 p.m.