

**MINUTES
CITY COUNCIL MEETING
November 5, 2024**

The Wayne City Council met in regular session at City Hall on November 5, 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, Terri Buck, Nick Muir, Clayton Bratcher, and Jason Karsky; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Mayor Cale Giese and Councilmembers Brittany Webber 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.

Council President Brodersen 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 Houser made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meetings of October 15, 2024, and October 29, 2024, and to waive the readings thereof. Council President Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Webber and Eischeid 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 APPROVED 10/15/24: TR HARRIS, SE, 187639.38

2023/2024 VARIOUS FUNDS: BIO-ELECTRONICS, SU, 197.14; CARLSON WEST POVONDRA ARCHITECTS, SE, 3764.19; DGR, SE, 31585.50; VESSCO, SU, 893.40;

2024/2025 VARIOUS FUNDS: ACES, SE, 1127.56; AMERITAS, SE, 113.83; AMERITAS, SE, 184.72; AMERITAS, SE, 35.00; AMERITAS, SE, 72.00; AMERITAS, SE, 3582.56; APPEARA, SE, 196.52; BOMGAARS, SU, 1026.67; CINTAS, SU, 240.13; CIRBA SOLUTIONS SERVICES, SU, 125.50; CITY EMPLOYEE, RE, 358.95; CITY EMPLOYEE, RE, 921.35; CITY EMPLOYEE, RE, 500.00; CITY EMPLOYEE, RE, 76.25; CITY OF WAYNE, PY, 121738.64; CITY OF WAYNE, RE, 338.11; CORE & MAIN, SU, 72.95; DEARBORN LIFE INSURANCE COMPANY, SE, 79.12; DEMCO, SU, 200.94; DSF WAYNE SHORT STOP, SU, 70.62; DUBBS, MEGAN, RE, 150.00; ED M. FELD EQUIPMENT CO, SU, 490.65; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 431.37; ENGINEERED CONTROLS, SE, 2690.00; FIREMAN'S ASSOCIATION, RE, 5000.00; FIRST CONCORD GROUP, SE, 6694.58; FLOOR MAINTENANCE, SU, 264.62; GERHOLD CONCRETE, SU, 1377.07; GRAINGER, SU, 14796.18; GROSSENBURG IMPLEMENT, SU, 128.04; GROSSENBURG IMPLEMENT, SE, 3351.72; HARRINGTON SERVICES, SE, 77.74; HILAND DAIRY, SE, 96.98; HILAND DAIRY, SE, 108.40; ICMA, SE, 10327.26; ICMA, SE, 533.56; ICMA, SE, 75.00; ICMA, SE, 130.76; ICMA, SE, 138.72; ICMA, SE, 803.82; ICMA, SE, 72.03; ICMA, SE, 72.03; ICMA, SE, 202.78; ICMA, SE, 41.00; ICMA, SE, 152.88; ICMA, SE, 2437.50; IRS, TX, 4719.64; IRS, TX, 20180.22; IRS, TX, 13044.74; JEO CONSULTING GROUP, SE, 1000.00; KAY CONTRACTING, SE, 1016.25; KELLY SUPPLY COMPANY, SU, 342.96; KENNY, JOE, RE, 500.00; LAQUINTA INNS & SUITES, SE, 344.85; LIFE LINE SCREENING, RE, 200.00; MAIN STREET GARAGE, SE, 335.00; MARCO, SE, 175.92; MIDWEST ALARM SERVICES, SE, 402.00; NE DEPT OF REVENUE, TX, 6086.23; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 347.09; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 879.00; NEXIC, SE, 2113.13; NORFOLK AUTO CENTER, SE, 95.10; O'REILLY AUTOMOTIVE STORES, SU, 234.77; OVERDRIVE, SU, 3.92; POUTRE, GARRY, RE, 467.36; R PERRY CONSTRUCTION, RE, 1000.00; SD LOCAL TRANSPORTATION ASSISTANCE, FE, 125.00; SEIFFERT, BRIAN, RE, 500.00; SIRSI CORPORATION, SE, 8154.18; STADIUM SPORTING GOODS, SU, 210.00; STAPLES, SU, 166.48; STATE FARM INSURANCE, SE, 563.00; STATE NEBRASKA BANK & TRUST, RE, 3196.25; STEELE POOL, SE, 3650.00; T & R ELECTRIC, SE, 3109.65; THREE RIVERS LIBRARY SYSTEM, FE, 5.00; TITLE SERVICES OF THE PLAINS, RE, 150.00; ULINE, SU, 133.46; UTILITY EQUIPMENT, SU, 1734.60; VASELAAR, JANEY, RE, 200.00; VERIZON, SE, 594.76; VIRGIL, LUKE, RE, 125.00; VIVANCO, DIANA, RE, 200.00; VIVANCO, DIANA, RE, -200.00; WASTE CONNECTIONS, RE, 150.00; WAYNE COUNTY COURT, RE, 400.00; WESCO, SU, 13789.03; WISNER WEST, SU, 141.75; BEIERMANN ELECTRIC, SE, 250.00; BIGGERSTAFF, SIDNEY, RE, 200.00; BIO-ELECTRONICS, SE, 400.00; BLUE CROSS BLUE SHIELD, SE, 60196.30; CARPENTER PAPER COMPANY, SU, 758.83; CERTIFIED TESTING SERVICES, SE, 4161.00; CITY EMPLOYEE, RE, 286.77; CITY EMPLOYEE, RE, 160.00; CITY EMPLOYEE, RE, 349.55; CITY EMPLOYEE, RE, 1632.82; CITY EMPLOYEE, RE, 100.00; CITY EMPLOYEE, RE, 452.20; CITY EMPLOYEE, RE, 437.59; CITY OF WAYNE, PY, 122177.30; CITY OF WAYNE, RE, 113.68; COMMUNITY REDEVELOPMENT, RE, 15000.00; CUSTER COUNTY COURT, RE, 300.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEARBORN LIFE INSURANCE COMPANY, SE, 3377.78; DISPLAY SALES, SU, 692.30; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 395.59; FASTWYRE, SE, 839.05; GLOBAL PAYMENTS INTEGRATED, FE, 771.01; HELENA AGRIBUSINESS ENTERPRISES, SU, 286.88; HILAND DAIRY, SE, 126.24; HOMETOWN LEASING, SE, 456.78; JEANETTE JOHNSON, SE, 5000.00; JEFF'S RPM SERVICE, SE, 901.15; JEO CONSULTING GROUP, SE, 494.00; MAIN STREET GARAGE, SE, 284.78; MARCO TECHNOLOGIES, SE, 180.50; MERCHANT SERVICES, SE, 7223.87; MERCHANT SERVICES, SE, 1562.66; MERCHANT SERVICES, SE, 174.01; MIDWEST LABORATORIES, SE, 907.07; MORNINGSIDE PLUMBING, RE, 500.00; NE CODE OFFICIAL ASSOCIATION, FE, 450.00; NEBRASKA GENERATOR SERVICE, SE, 4103.63; NORTHEAST POWER, SE, 7327.00; ONE CALL CONCEPTS, SE, 87.30; OPTK NETWORKS, SE, 408.54; OVERHEAD DOOR, SE, 130.60; PAC N SAVE, SU, 1164.95; POSTMASTER, SU, 1218.90; PREMIER BIOTECH, SE, 72.18; QUADIENT FINANCE, SU, 175.75; QUALITY FOOD CENTER, SU, 31.98; R PERRY CONSTRUCTION, RE, 500.00; SEARS AUTO SALES & TOWING, SE, 75.00;

SKARSHAUG TESTING LAB, SE, 317.91; SOOLAND BOBCAT, SU, 2182.00; STAN HOUSTON EQUIPMENT, SU, 283.50; STATE NEBRASKA BANK & TRUST, SE, 65.60; STATE NEBRASKA BANK-PETTY CASH, RE, 107.09; T & S TRUCKING, SE, 313.94; THOMPSON, LUCAS, RE, 500.00; WASTE CONNECTIONS, SE, 86.50; WAYNE HERALD, SE, 190.00; WAYNE HERALD, SE, 854.00; WAYNE HERALD, SE, 834.47; WAYNE STATER, SE, 150.00

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

Brittany Knudsen, representing the Wayne Girl Scouts, was present requesting Council consideration to waiving the rental fee for the use of the Freedom Park Shelter House on Saturday, November 9, 2024, for a special event for the Brownie Troop.

Mayor Giese arrived at 5:32 p.m.

Councilmember Karsky made a motion, which was seconded by Councilmember Bratcher, approving the request of Brittany Knudsen, representing the Wayne Girl Scouts, to waive the rental fee for the use of the Freedom Park Shelter House on Saturday, November 9, 2024, for a special event. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Webber and Eischeid who were absent, the Mayor declared the motion carried.

Stephanie Hays, on behalf of Monica Dolezal-Bruning with the Farm Service Agency, was present to request Council consideration to waiving the rental fee for the use of the Freedom Park Shelter House on Thursday, December 5, 2024, from 12:30 p.m. – 2:30 p.m. for an event.

Councilmember Karsky made a motion, which was seconded by Councilmember Buck, approving the request of Stephanie Hays, on behalf of Monica Dolezal-Bruning with the Farm Service Agency, to waive the rental fee for the use of the Freedom Park Shelter House on Thursday, December 5, 2024, from 12:30 p.m. – 2:30 p.m. for an event. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Webber and Eischeid who were absent, the Mayor declared the motion carried.

Administrator Blecke, on behalf of BJ Woehler who was unable to attend the meeting, was requesting Council consideration to waiving the moving permit fees for a 10'x10' shed – specifically the need for a certified engineer's statement per Wayne Municipal Code Sec. 150.03 Moving Buildings. He plans to move the shed to his acreage on Grainland Road.

After discussion, Councilmember Karsky made a motion, which was seconded by Councilmember Brodersen, to approve the request of BJ Woehler to waive the requirement for a certified engineer's statement per Wayne Municipal Code Sec. 150.03 Moving Buildings. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Webber 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 Final Plat for the "Vintage Hill Fourth Addition." The applicant is Arrowhead Development-Wayne LLC.

Joel Hansen, Zoning Administrator, stated the Planning Commission held a public hearing on this matter on November 4, 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.

Attorney Miller stated that Breck Giese was the abstention at the Planning Commission meeting. His concern was where the water would be draining and if the drainage system was going to be big enough to keep the water from flooding his property. This is something that has to go through the engineering reports and process and has nothing to do with the final plat or lot layout. She reviewed State Statute and found that the City would not be held liable; however, if the water was draining onto his property and not into a natural drainage way or ditch, there could be a potential suit between the land owner who is damaged and the land owner who did not drain the water properly.

Joel Hansen stated there was a drainage study provided along with the preliminary plat that said the water would fit within the culvert that is currently under the road.

Shane Baack, as well as Thomas Kayton, representing Arrowhead Development – Wayne LLC, were present to answer any questions.

Luke Virgil, Director of Wayne Area Economic Development, spoke in support of this project/development.

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

Councilmember Brodersen introduced Resolution 2024-63, and moved for its approval; Councilmember Muir seconded.

RESOLUTION NO. 2024-63

A RESOLUTION APPROVING THE FINAL PLAT FOR THE “VINTAGE HILL FOURTH 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 Webber and Eischeid who were absent, the Mayor declared the motion carried.

Administrator Blecke presented the Subdivision Agreement for Vintage Hill Fourth Addition. He advised the Council that the only material change from the July draft is that the developer is asking for up to \$160k for water improvements (it was about \$114k in July). The sewer (\$250k) and engineering (\$50k) financial assistance has stayed the same. He again noted that this is an area that is not eligible for tax increment financing.

Shane Baack advised the Council, with these incentives, their goal is to get lot prices down to the \$50,000 - \$60,000 range and up, depending upon the size of the lot. Their goal is to get young professionals and families to move to Wayne. There has to be a stock of newer homes or lots to build on, and at this time, there are not a lot of either one of those.

After discussion, Councilmember Brodersen introduced Resolution 2024-64, and moved for its approval; Councilmember Bratcher seconded.

RESOLUTION NO. 2024-64

A RESOLUTION APPROVING THE “VINTAGE HILL FOURTH ADDITION,” SUBDIVISION AGREEMENT.

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

Bob Soukup, representing Carlson West Povondra Architects, presented Application and Certificate of Payment No. 12 from Otte Construction Company, LLC, in the amount of \$505,484.00 for the “Wayne City Hall and Police Relocation Project.” He noted the bulk of what is in this pay application is interior electrical and audiovisual equipment, as well as a lot of the new pavement on the west side of the facility.

Keith Moje with Otte Construction Company, LLC, updated the Council on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving Application and Certificate of Payment No. 12 in the amount of \$505,484.00 to Otte Construction Company, LLC, for the “Wayne City Hall and Police Relocation Project.” Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Webber and Eischeid who were absent, the Mayor declared the motion carried.

Bob Soukup, representing Carlson West Povondra Architects, then presented Application and Certificate of Payment No. 2 from Otte Construction Company, LLC, in the amount of \$208,539.00 for the “Wayne Parks & Rec Maintenance Building Project.” In addition, he and Keith Moje updated the Council on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, approving Application and Certificate of Payment No. 2 in the amount of \$208,539.00 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 Eischeid was absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:14 p.m.