

**MINUTES
CITY COUNCIL MEETING
December 3, 2024**

The Wayne City Council met in regular session at City Hall on December 3, 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, Nick Muir, Brittany Webber, Clayton Bratcher, Jason Karsky, Matt Eischeid and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller.

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 Karsky, to approve the minutes of the meeting of November 19, 2024, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 11/19/24: TR HARRIS, SE, 36154.62

VARIOUS FUNDS: ACES, SE, 1127.56; AMERITAS, SE, 160.22; AMERITAS, SE, 72.00; AMERITAS, SE, 4047.82; AMERITAS, SE, 35.00; AMERITAS, SE, 224.30; APPEARA, SE, 52.80; AVERY

BROTHERS SIGN COMPANY, SU, 6153.00; BLOOM & GRACE, SE, 4850.00; BOMGAARS, SU, 1171.78; CARHART LUMBER COMPANY, SU, 132.79; CITY EMPLOYEE, RE, 1580.78; CITY EMPLOYEE, RE, 500.00; CITY EMPLOYEE, RE, 12.02; CITY EMPLOYEE, RE, 46.39; CITY EMPLOYEE, RE, 926.07; CITY OF WAYNE, PY, 131002.60; CITY OF WAYNE, RE, 207.77; COLONIAL RESEARCH, SU, 419.88; COLORADO LIBRARY CONSORTIUM, FE, 25.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 5000.00; CORE & MAIN, SU, 205.56; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DEMCO, SU, 195.85; DOVALOS, GUILLERMO, RE, 50.00; ED M. FELD EQUIPMENT, SU, 444.60; FAIRFIELD INN – KEARNEY, SE, 1214.55; FIREMAN, RE, 51.25; FIRST CONCORD GROUP, SE, 4294.72; FIRST SOURCE TITLE & ESCROW, SE, 185.00; FLOOR MAINTENANCE, SU, 726.26; GALE/CENGAGE LEARNING, SU, 133.20; GRANBERG, KAREN, RE, 150.00; GROSSENBURG IMPLEMENT, SU, 9300.00; HAWKINS, SU, 735.09; ICMA, SE, 2437.50; ICMA, SE, 533.56; ICMA, SE, 261.52; ICMA, SE, 163.96; ICMA, SE, 202.78; ICMA, SE, 138.72; ICMA, SE, 75.00; ICMA, SE, 152.88; ICMA, SE, 10219.24; ICMA, SE, 803.82; IRS, TX, 5069.24; IRS, TX, 14445.65; IRS, TX, 21675.62; JEO CONSULTING GROUP, SE, 17239.18; LIGHT OF THE WORLD GOSPEL MINISTRIES, RE, 150.00; LUETH, AARON, RE, 500.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 180.50; MILLER LAW, SE, 6250.00; MUNICIPAL SUPPLY, SU, 4718.38; MUTUAL OF OMAHA, SE, 383.40; NDEE-FISCAL SERVICES, SE, 285446.06; NE DEPT OF REVENUE, TX, 6279.47; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 365.29; NERC, SE, 1274.44; NORTHEAST POWER, SE, 27387.63; O'REILLY AUTOMOTIVE STORES, SU, 44.49; POSTMASTER, SU, 1220.91; RELIABLE ELECTRIC PRODUCTS, SU, 496.74; SOOLAND BOBCAT, SU, 60000.00; STAPLES, SU, 120.14; STATE NEBRASKA BANK & TRUST, SE, 7073.75; SUDBECK UNDERGROUND, SE, 10736.00; SUN RIDGE SYSTEMS, SE, 3561.00; THRASHER, RE, 1125.00; UTILITY EQUIPMENT, SU, 222.94; VAN WALL EQUIPMENT, SU, 2612.76; WAYNE SENIOR CENTER, SE, 519.25; WAYNE STATE COLLEGE, RE, 72700.39; WAYNE STATE COLLEGE, RE, -72,700.39; WESCO, SU, 1551.50; WISNER WEST, SU, 181.25; Y & Y LAWN SERVICE, SE, 100.00; ACE HARDWARE & HOME, SU, 4030.83; AGOUMBA, SEDJRO, SE, 15.00; ALTEC INDUSTRIES, SU, 66.79; AMGL, SE, 12860.00; APPEARA, SE, 115.61; ARNIE'S FORD, SE, 391.50; BARTOS, BRANDON, SE, 15.00; BELITZ, GARRETT, SE, 245.00; BLUE CROSS BLUE SHIELD, SE, 56525.80; BORDER STATES INDUSTRIES, SU, 794.35; BROWN, SANDY, RE, 51.12; CERTIFIED TESTING SERVICES, SE, 1765.50; CERTIFIED TESTING SERVICES, SE, 122.00; CITY EMPLOYEE, RE, 90.18; CITY EMPLOYEE, RE, 343.90; CITY EMPLOYEE, RE, 4942.63; CITY EMPLOYEE, RE, 1970.40; CIVICPLUS, FE, 9232.28; COPY WRITE PUBLISHING, SE, 470.67; DEARBORN LIFE INSURANCE, SE, 92.88; DEARBORN LIFE INSURANCE COMPANY, SE, 3329.92; DEMCO, SU, 180.39; ED M. FELD EQUIPMENT, SU, 65.36; ELKINS PORTABLE RESTROOMS, SE, 412.50; FIN FOLK, SU, 3992.00; FLOOR MAINTENANCE, SU, 472.10; FREDRICKSON OIL, SU, 1060.37; GLOBAL PAYMENTS INTEGRATED, SE, 954.55; HAYDEN, HUNTER, SE, 220.00; HILAND DAIRY, SU, 104.29; HOMETOWN LEASING, SE, 456.78; JORGENSEN CONCRETE & CONSTRUCTION, SE, 1850.00; JUNCK, CARTER, SE, 15.00; KAY CONTRACTING, SE, 5595.00; MCCORKINDALE, BRAYDN, SE, 99.00; MERCHANT SERVICES, SE, 91.93; MERCHANT SERVICES, SE, 1331.68; MERCHANT SERVICES, SE, 5822.39; MILLER LAW, RE, 121.00; NORTHEAST POWER, SE, 6883.00; ONE CALL CONCEPTS, SE, 58.24; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 52.92; PAC N SAVE, SU, 1027.69; PAC N SAVE, SU, 7.95; QUADIANT FINANCE USA, SU, 824.25; QUALITY FOOD CENTER, SU, 8.43; RESCO, SU, 26594.27; RODRIGUEZ, NANCY, SE, 110.00; SEARS AUTO SALES & TOWING, SE, 255.00; SKARSHAUG TESTING LAB, SE, 317.61; STAPLES, SU, 73.47; TR HARRIS CONSTRUCTION, SE, 58174.50; WALLING, TANNER, SE, 30.00; WASTE CONNECTIONS, SE, 31.50; WESCO, SU, 2811.96

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, the Mayor declared the motion carried.

Mayor Giese adjourned the meeting sine die.

This being the time for the new Council to organize and Parker Bolte, Austyn Houser, Brittany Webber and Dwaine Spieker having qualified for Councilmembers of the 1st, 2nd, 3rd and 4th Wards respectively, City Attorney Amy Miller presented the oaths of office to the newly elected Councilmembers.

Mayor Giese then reconvened the meeting.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, nominating Jill Brodersen as President of Council. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese then presented plaques to outgoing Councilmembers Buck and Muir in appreciation of their valued contributions made to the City of Wayne as Councilmembers from 2017-2024, and from 2018-2024 respectively.

Luke Virgil, Wayne Economic Development Director, was present representing the LB840 Revolving Loan Fund Review Committee. The Committee met on November 26, 2024, and reviewed a revolving loan fund application to Wayne's Economic Development Program (WEDP) by Pepper & Print, LLC (Jason & Heidi Claussen & Ransen & Elizabeth Broders), who have a purchase agreement to buy 110 Main Street. Pepper & Print, LLC, will utilize the WEDP Funds for business costs such as building/property acquisition and building renovations. To match their request of \$112,500 from the WEDP, Pepper & Print, LLC, has secured financing of \$112,500 via a traditional lender (State Nebraska Bank & Trust), and will provide \$25,000 (personal equity) in matching funds. The total project is estimated to cost at least \$250,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Pepper & Print, LLC:

- Approval of the loan request for \$112,500;
- A loan repayment period of 10 years, based on a 20-year amortization; and
- An interest rate to be set at one half the rate set by the primary lender. (Primary Lender Rate – SNB&T, Wayne, NE: 7.5%; WEDP Rate: 3.75%)

The Claussens, as well as the Broders, were present to answer questions and to request Council consideration to changing/reducing the interest rate to 2%.

After discussion, Councilmember Houser made a motion, which was seconded by Councilmember Spieker, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$112,500 revolving loan fund loan to Pepper & Print, LLC (Jason & Heidi Claussen & Ransen & Elizabeth Broders), with the following conditions:

- A loan repayment period of 10 years, based on a 20-year amortization; and
- An interest rate to be set at 2%.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke, on behalf of Carlson West Povondra Architects, presented Application and Certificate of Payment No. 13 from Otte Construction Company, LLC, in the amount of \$326,369.00 for the “Wayne City Hall and Police Relocation Project.” He also updated the Council on the project.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving Application and Certificate of Payment No. 13 in the amount of \$326,369.00 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, the Mayor declared the motion carried.

Administrator Blecke, on behalf of Carlson West Povondra Architects, then presented Application and Certificate of Payment No. 3 from Otte Construction Company, LLC, in the amount of \$149,368.00 for the “Wayne Parks & Rec Maintenance Building Project.”

Lowell Heggemeyer, Parks and Recreation Director, updated the Council on the project.

Councilmember Karsky made a motion, which was seconded by Councilmember Houser, approving Application and Certificate of Payment No. 3 in the amount of \$149,368.00 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, the Mayor declared the motion carried.

Annually, the City is required to appoint a Street Superintendent to receive Highway Incentive Payments. This action item is to appoint Joel Hansen as the 2025 Street Superintendent.

Councilmember Spieker made a motion, which was seconded by Councilmember Webber, appointing Joel Hansen, Class A License Number S-1155, as the City Street Superintendent for calendar year 2025, January 1 thru December 31, 2025, for the purpose of the 2025 calendar year Highway Incentive payment to be issued to the City by the Nebraska Department of Transportation in February 2026. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution, along with the Year-End Certification Form, must be approved, signed and returned to the Department of Transportation by December 31, 2024. This is an annual requirement for determining the City's calendar year 2024 incentive funds.

Councilmember Brodersen introduced Resolution 2024-69, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-69

A RESOLUTION AUTHORIZING THE SIGNING OF THE YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT FORM – 2024.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke stated the following Resolution would formally appoint JEO Consulting Group, Inc., as the special engineer to be used on various City of Wayne projects in 2025. JEO was formally appointed back in 2018. We have found that we must formally appoint an engineer annually. Doing so eliminates the need to go through the procurement process for engineers on grant projects.

Councilmember Karsky introduced Resolution 2024-70, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2024-70

A RESOLUTION APPOINTING JEO CONSULTING GROUP, INC., AS THE SPECIAL ENGINEER TO BE USED ON VARIOUS CITY OF WAYNE PROJECTS IN 2025.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolutions pertains to unpaid mowing costs for 121 W 11th Street owned by Zachary Mildenstein and would direct the City Clerk to file a lien against the property for the cost of work hired by the City to abate violations of City Code after proper notices were given to the property owner(s).

Councilmember Brodersen introduced Resolution No. 2024-71 and moved for its approval; Councilmember Spieker seconded.

RESOLUTION NO. 2024-71

A RESOLUTION DIRECTING THE CITY CLERK TO CERTIFY MOWING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE WEST 50' OF LOTS 1, 2, 3, AND 4, BLOCK 23, COLLEGE HILL FIRST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 121 W. 11TH STREET, WAYNE, NEBRASKA (ZACHARY MILDENSTEIN - \$1,575).

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Agenda Item No. 17 – Resolution 2024-72 Directing the City Clerk to certify mowing costs to the Wayne County Clerk and Wayne County Treasurer to become a lien on 800 E 6th Street – GLP Development Corporation, c/o Victoria Pick - \$600.00, was not acted upon because said amount of \$600 was paid today.

Lowell Heggemeyer, Parks and Recreation Director, obtained a State Bid from the Sid Dillon Fleet & Commercial dealership for a 2025 Chevrolet Silverado 3500HF Flatbed Truck for \$53,330. This will take the place of a 1991 Chevy flatbed truck. It is under the budgeted amount of \$60,000.

Councilmember Eischeid introduced Resolution 2024-73 and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2024-73

A RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING THE PURCHASE OF A 2025 CHEVROLET SILVERADO 3500HD FLATBED TRUCK, AS PER THE STATE BID PROPOSAL RECEIVED FROM THE SID DILLON FLEET & COMMERCIAL DEALERSHIP - \$53,330.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Joel Hansen, Street and Planning Director, stated the next agenda items pertains to renaming the stub section of Vintage Hill Drive going east from Claycomb Road to “Thomas Drive” to match the extension of that street for the Vintage Hill 4th Addition. However, the legal definition of the segment of street staff is wanting to rename to “Thomas Drive” should be “the section of Vintage Hill Drive between Claycomb Road and Jordan Drive.” He requested the legal definition be stated in the motion.

Councilmember Spieker made a motion, which was seconded by Councilmember Bolte, to rename the section of Vintage Hill Drive between Claycomb Road and Jordan Drive to “Thomas Drive.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese requested Council consideration to approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief
Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Casey Junk, Water/Wastewater Superintendent
Luke Virgil, Economic Development Director

Councilmember Brodersen made a motion, which was seconded by Councilmember Webber, approving the following appointments:

Betty McGuire, City Clerk
Beth Porter, Finance Director
Joel Hansen, Street and Planning Director
Marlen Chinn, Police Chief
Lowell Heggemeyer, Park and Recreation Director
Diane Bertrand, Senior Center Coordinator
Heather Headley, Library Director
Jeff Triggs, Electric Production Superintendent
Casey Junk, Water/Wastewater Superintendent
Luke Virgil, Economic Development Director

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese requested Council consideration to appointing Trish Peters (to fill the vacancy left by Dwaine Spieker) to the Planning Commission.

Councilmember Spieker made a motion, which was seconded by Councilmember Webber, approving the appointment of Trish Peters (to fill the vacancy left by Dwaine Spieker) to the Planning Commission. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese requested Council consideration to appointing Councilmember Bratcher to the "Stool to Cool Task Force."

After some discussion, consensus was to allow Terri Buck and Nick Muir to remain on said Task Force if they so wanted to.

Councilmember Brodersen made a motion, which was seconded by Councilmember Houser, approving the appointment of Councilmember Bratcher to the "Stool to Cool Task Force." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

City Attorney Miller proceeded to the rostrum to discuss her contract with the Council. She was not asking for anything different and would prefer it be kept as a base amount instead of changed to an hourly amount as sometimes previously discussed.

Councilmember Spieker made a motion, which was seconded by Councilmember Eischeid, to enter into executive/closed session to prevent the needless injury to the reputation of an individual who has not requested a public hearing to discuss a personnel matter (the performance review/evaluation of City Attorney Amy Miller), and to allow City Administrator Blecke and City Clerk McGuire to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and executive/closed session began at 6:11 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session relates to the performance review/evaluation of City Attorney Amy Miller.

Councilmember Spieker made a motion, which was seconded by Councilmember Bratcher, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried, and open session resumed at 6:44 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:44 p.m.