

**MINUTES**  
**CITY COUNCIL MEETING**  
**February 18, 2025**

The Wayne City Council met in regular session at City Hall on February 18, 2025, 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, Parker Bolte, Brittany Webber, Clayton Bratcher, Jason Karsky and Jill Brodersen; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmembers Dwaine Spieker 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.

Mayor Giese proclaimed the month of "March" as Problem Gambling Awareness Month.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meeting of February 4, 2025, 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 Spieker 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:

**APPROVED 2/4/25:** OTTE CONSTRUCTION, SE, 218267.00; OTTE CONSTRUCTION, SE, 54333.00  
**VARIOUS FUNDS:** A TO Z VAC N SEW, SU, 36.90; ACE HARDWARE & HOME, SU, 657.37; AMERITAS, SE, 4027.88; AMERITAS, SE, 251.02; AMERITAS, SE, 35.00; AMERITAS, SE, 116.66; AMERITAS, SE, 72.00; APPEARA, SE, 86.15; APPEARA, SE, 52.80; BERNAL, GEORGINA, SE, 55.00; BERNAL, HERWIN, RE, 500.00; CARLSON WEST POVONDRA ARCHITECTS, SE, 3197.71; CASEY SCHROEDER, SE, 614.24; CINTAS, SU, 226.52; CIRBA SOLUTIONS SERVICES, SU, 125.50; CITY EMPLOYEE, RE, 1386.31; CITY EMPLOYEE, RE, 1258.50; CITY EMPLOYEE, RE, 1479.66; CITY EMPLOYEE, RE, 300.05; CITY EMPLOYEE, RE, 4.76; CITY OF WAYNE, PY, 127801.08; CITY OF WAYNE, RE, 45.51; COPY WRITE PUBLISHING, SU, 622.31; CORE & MAIN, SU, 298.10; COTTONWOOD WIND PROJECT, SE, 16497.41; CROWNE PLAZA-KEARNEY, SE, 299.82; DAS STATE ACCTG-CENTRAL FINANCE, SE, 74.73; DEARBORN LIFE INSURANCE CO, SE, 3499.41; DUTTON-LAINSON COMPANY, SU, 2448.16; EAKES OFFICE PLUS, SE, 40.49; ED M. FELD EQUIPMENT, SU, 168.00; FLOOR MAINTENANCE, SU, 504.59; GARCIE, LIBNEY, RE, 105.00; HANSEN BROTHERS PARTS & SERVICE, SE, 119.72; HAYDEN, HUNTER, SE, 60.00; HILAND DAIRY, SE, 132.55; HUNDERTMARK CLEANING SYSTEMS, SU, 3204.65; HYDRAULIC EQUIPMENT, SE, 22231.92; ICMA, SE, 1286.94; ICMA, SE, 11417.43; ICMA, SE, 612.21; ICMA, SE, 632.07; ICMA, SE, 270.84; ICMA, SE, 144.28; ICMA, SE, 572.26; ICMA, SE, 158.98; ICMA, SE, 272.00; ICMA, SE, 170.50; ICMA, SE, 210.87; IRS, TX, 5038.54; IRS, TX, 14893.91; IRS, TX, 21543.58; J. F. AHERN CO, SE, 385.00; JOHN'S WELDING AND TOOL, SE, 123.96; KOEHLMOOS, KLAY, SE, 60.00; KTCH, SE, 170.00; LUTT OIL, SU, 5793.44; MIDWEST LABORATORIES, SE, 276.57; MOBILITYWORKS, SE, 173.25; MOMAR INCORPORATED, SU, 687.81; NE DEPT OF REVENUE, TX, 6766.40; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 392.15; NE RURAL WATER, FE, 1885.00; NEBRASKA JOURNAL LEADER, SE, 248.84; NPPD, SE, 8250.24; OPTK NETWORKS, SE, 408.54; O'REILLY AUTOMOTIVE STORES, SU, 64.12; O'REILLY AUTOMOTIVE STORES, SU, 65.45; PASSIO TECHNOLOGIES LLC-CID 253, SE, 10253.00; STAPLES, SU, 89.04; STATE NEBRASKA BANK & TRUST, SE, 66.96; THOMPSON SOLUTIONS GROUP, SU, 3210.22; TRUCK CENTER COMPANIES, SU, 41.73; US BANK, SU, 16694.86; US FOODSERVICE, SU, 2920.67; WASTE CONNECTIONS, SE, 35.50; WAYNE AMERICA, FE, 35.00; WAYNE AUTO PARTS, SU, 59.87; WAYNE COUNTY CLERK, SE, 54.00; WAYNE COUNTY TREASURER, FE, 891.39; WAYNE HERALD, SE, 1511.00; WAYNE HERALD, SE, 1098.19; WAYNE HERALD, SE, 190.00; WESCO, SU, 1305.40; WEST POINT AUTO & TRUCK CENTER, SE, 998.21; WAPA, SE, 25604.90; WHITE REALTY & APPRAISAL, FE, 3500.00; WISNER WEST, SU, 131.04; ZACH HEATING & COOLING, SE, 394.66; ALLO COMMUNICATIONS, SE, 1260.14; BAKER & TAYLOR BOOKS, SU, 1282.77; BEIERMANN ELECTRIC, SE, 449.73; BIG RIVERS ELECTRIC CORPORATION, SE, 228005.25; BLACK HILLS ENERGY, SE, 5642.02; BOMGAARS, SU, 498.50; BOWERS, AMY, RE, 150.00; BROWN, SANDY, SE, 244.68; CARLSON WEST POVONDRA ARCHITECTS, SE, 2265.15; CEDAR CO COURT, FE, 150.00; CIRBA SOLUTIONS SERVICES, SU, 1255.00; CITIZENS STATE BANK, RE, 2350.35; CITIZENS STATE BANK, RE, 3303.32; CITY EMPLOYEE, RE, 101.00; CITY EMPLOYEE, RE, 295.24; CITY OF NORFOLK, SE, 149.12; CITY OF WAYNE, RE, 300.00; COPY WRITE PUBLISHING, SE, 187.00; DOOSAN BOBCAT NORTH AMERICA, SU, 52779.51; EAKES OFFICE PLUS, SU, 3695.00; EAKES OFFICE PLUS, SE, 227.56; FLOOR MAINTENANCE, SU, 283.31; GRAINLAND ESTATES, RE, 2274.37; HAWKINS, SU, 155.29; HAYDEN, HUNTER, SE, 60.00; HILAND DAIRY, SU, 145.84; INGRAM LIBRARY SERVICES, SU, 1066.08; KOEHLMOOS, KLAY, SE, 60.00; MIDWEST LABORATORIES, SE, 168.00; MIDWEST TAPE, SU, 41.38; MIDWEST TURF & IRRIGATION, SU, 63166.00; MUNICIPAL SUPPLY, SU, 131.01; NDEE-FISCAL SERVICES, FE, 40.00; ONE NEBRASKA LIBRARY, FE, 750.00; PENDER COMMUNITY HOSPITAL, RE, 150.00; RADARSIGN, SE, 70.00; SAPP BROS., INC -OMAHA, SU, 1505.00; SEARS AUTO SALES & TOWING, SE, 75.00; SEBADE HOUSING, RE, 15002.41; SEBADE HOUSING, RE, 7946.93; SEBADE HOUSING, RE, 3637.23; STEFFEN TRUCK EQUIPMENT, SU, 527.07; WAYNE RENTALS, RE, 2410.94;

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

Luke Virgil, Wayne Economic Development Director, was present representing the LB840 Revolving Loan Fund Review Committee. The Committee met on February 11, 2025, and reviewed a revolving loan fund application to Wayne's Economic Development Program (WEDP) by Kay Contracting, Inc. (Mike Kay). Kay Contracting, Inc., has a purchase agreement to buy Milo Meyer Construction. They are requesting \$400,000 in WEDP funds, with a repayment term of 15 years and an interest rate of 2%. They will utilize the WEDP funds for business costs, such as building/property acquisition and equipment acquisition.

To match their request of \$400,000 from the WEDP, Kay Contracting, Inc., has secured financing of \$2,985,885.50 via State Nebraska Bank & Trust, Wayne, NE, and has pledged over \$930,000 in existing equipment assets as business equity. The total project is estimated to cost approximately \$3.4 million. Following the meeting with Kay Contracting, Inc., the Review Committee discussed the request for an LB840 RLF Loan of \$400,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Kay Contracting, Inc. (Mike Kay):

1. Loan amount of \$400,000;
2. A loan repayment period of 10 years, based on a 15-year amortization; and
3. 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%)

Mr. Virgil stated that two other LB840 loans have been given to entities located outside of city limits, but within the two-mile zoning jurisdiction.

Mike Kay, Vice President of Kay Contracting, Inc., was present to answer questions and to request Council consideration to changing the interest rate to 2%. When asked, Mr. Kay stated he would take into consideration the question of being annexed.

It was noted that there is water and sewer to the site, and there is still a sewer hook-up fee outstanding on this property. The property is on city water at this time.

After discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Karsky, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$400,000 revolving loan fund loan to Kay Contracting, Inc. (Mike Kay), with the following conditions:

- A loan repayment period of 10 years, based on a 15-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, with the exception of Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), was present requesting Council consideration to closing off a portion of East 10<sup>th</sup> Street 200' east of Angel Avenue to Hillside Drive for an electric vehicle power drive rally (State Championship) on Saturday, May 3<sup>rd</sup>, from 7:00 a.m. until 5:00 p.m.

Councilmember Karsky made a motion, which was seconded by Councilmember Bolte, approving the request of Anthony Cantrell, on behalf of the Wayne High School, and in conjunction with EVERON (Electric Vehicle Energy Research of Nebraska), to close off East 10<sup>th</sup> Street 200' east of Angel Avenue to Hillside Drive for the 2024 Power Drive State Championship on Saturday, May 3<sup>rd</sup>, from 7:00 a.m. until 5:00 p.m., and that portable restrooms be provided and the streets be cleaned/swept prior to the event. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Phil Monahan, Fire Chief, requested Council consideration to approving the membership application of Casey Caskey to the Wayne Volunteer Fire Department. Casey is a full-time fire fighter in Norfolk and also a paramedic. The department will now have 28 members and one cadet.

Councilmember Houser made a motion, which was seconded by Councilmember Bolte, approving the membership application of Casey Caskey 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 Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Blake and Emma Erwin have purchased two lots in the Fairway Estates Subdivision. They would like to eliminate the 14' utility easement between the two lots so they can build over that lot line. City staff has confirmed that there are no existing utilities in this easement.

City Staff stated there is another easement on the property, and if and when they build, if it would affect that easement, they would need to come back before Council for approval to vacate the same.

Councilmember Brodersen introduced Ordinance No. 2025-4, and moved for approval thereof; Councilmember Bolte seconded.

#### ORDINANCE NO. 2025-4

AN ORDINANCE AUTHORIZING THE RELEASE AND ABANDONMENT OF THE SIDE YARD UTILITY EASEMENTS CONSISTING OF THE EAST 7 FEET OF SIDE-YARD UTILITY EASEMENT IN LOT 19 AND THE WEST 7 FEET OF SIDE-YARD UTILITY EASEMENT IN LOT 18, OF THE REPLAT OF LOTS 15, 16, 17, 18, AND 19, FAIRWAY ESTATES TO THE 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 Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bolte, 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 Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Bolte, to move for final approval of Ordinance No. 2025-4. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Jilliane Allemann, Science Educator, Wayne Community Schools, was present requesting Council consideration to allowing her to keep her pet rabbit inside city limits (at the school). Ms. Allemann completed the necessary application.

After discussion, Councilmember Bratcher made a motion, which was seconded by Councilmember Bolte, approving the Animal Permit Application of Jilliane Allemann, Science Educator, Wayne Community Schools, to have a rabbit inside city limits (at the school). Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker 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 in regard to amending the Future Land Use Map of the Comprehensive Plan for the City of Wayne.

Joel Hansen, Street & Planning Director, stated the Planning Commission met on February 3, 2025, to review the "Future Land Use Map of the Comprehensive Plan."

The Planning Commission does an annual review of the "Future Land Use Map." After deliberation and discussion, the Planning Commission forwarded a recommendation to the Council to amend the Future Land Use Corporate Limits Map to include adding the five houses on the north side of East 21<sup>st</sup> Street, east of the golf course to be targeted for future annexation.

The Planning Commission recommended approval of this Future Land Use Map, 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.

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

After discussion, Councilmember Houser introduced Ordinance No. 2025-5 and moved for its approval; Councilmember Bolte seconded the motion.

#### ORDINANCE NO. 2025-5

#### AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR THE CITY OF WAYNE.

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

Councilmember Houser made a motion, which was seconded by Councilmember Bolte, 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 Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Councilmember Houser made a motion, which was seconded by Councilmember Bolte, to move for final approval of Ordinance No. 2025-5. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker 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 the "Sawyer Addition."

The applicant is Mitch Sawyer. The Planning Commission met on February 3, 2025, and is recommending approval of the Preliminary Plat, 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.

Isaac Kreikemeier, Engineer with JEO Consulting Group, representing Mitch Sawyer who could not be present, reviewed the preliminary plat with Council.

Luke Virgil, Economic Development Director, spoke in favor of approving the preliminary plat and the project.

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

Councilmember Webber introduced Resolution 2025-9, and moved for its approval; Councilmember Brodersen seconded.

#### RESOLUTION NO. 2025-9

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE "SAWYER 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 Spieker and Eischeid who were absent, the Mayor declared the motion carried.

Mayor Giese did not have any names to bring forward for the Facilities' Building Committee or the Problem Resolution Team.

Councilmember Houser made a motion, which was seconded by Councilmember Webber, to enter into executive/closed session to protect the financial interests of the City to discuss the Final Touch building and the future use/plans with said building, and to allow City Administrator Blecke, City Clerk McGuire, and City Attorney Miller, to be in attendance. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker and Eischeid who were absent, executive/closed session began at 6:18 p.m.

Mayor Giese again stated the matter to be discussed in executive/closed session pertains to discussing the Final Touch building and the future use/plans with said building.

Councilmember Webber made a motion, which was seconded by Councilmember Houser, to resume open session. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker and Eischeid who were absent, the Mayor declared the motion carried, and open session resumed at 6:48 p.m.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:48 p.m.