

MINUTES
CITY COUNCIL MEETING
April 1, 2025

The Wayne City Council met in regular session at City Hall on April 1, 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, Dwaine Spieker, Brittany Webber, Clayton Bratcher, and Matt Eischeid; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmembers Jason Karsky and Jill Brodersen.

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 April 25, 2025, as "Arbor Day."

Councilmember Spieker made a motion, which was seconded by Councilmember Webber, to approve the minutes of the meeting of March 18, 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 Karsky and Brodersen 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: ACES, SE, 1161.39; AMERITAS, SE, 217.30; AMERITAS, SE, 35.00; AMERITAS, SE, 3861.38; AMERITAS, SE, 72.00; AMERITAS, SE, 120.13; APPEARA, SE, 124.48; ARDUSAR, SHARON, RE, 200.00; B & D SECURITIES, SU, 12335.36; BEIERMANN ELECTRIC, SE, 135.00;

BORDER STATES INDUSTRIES, SU, 619.15; BRADY WORLDWIDE, SU, 1966.09; BRUCKNER, BRIAN, RE, 500.00; CARHART LUMBER COMPANY, SU, 111.98; CARROT-TOP INDUSTRIES, SU, 625.42; CIRBA SOLUTIONS SERVICES, SU, 502.00; CITY OF WAYNE, PY, 126200.54; DAS STATE ACCTG-CENTRAL FINANCE, SE, 537.60; DGR & ASSOCIATES, SE, 30820.50; DISCOUNT FURNITURE, SU, 5135.00; DUTTON-LAINSON COMPANY, SU, 344.92; EAKES OFFICE PLUS, SE, 158.77; EMBASSY SUITE, SE, 298.00; FAIRFIELD INN – KEARNEY, SE, 737.70; FASTWYRE, SE, 922.21; FLOOR MAINTENANCE, SU, 892.24; FREDRICKSON OIL, SU, 910.99; GROSSENBURG IMPLEMENT, SU, 470.30; HAMMER, MELISSA, RE, 150.00; HILAND DAIRY, SE, 112.58; HILAND DAIRY, SE, 102.69; HOLIDAY INN OF KEARNEY, SE, 749.70; ICMA, SE, 272.00; ICMA, SE, 214.81; ICMA, SE, 170.50; ICMA, SE, 572.26; ICMA, SE, 369.23; ICMA, SE, 270.84; ICMA, SE, 1286.94; ICMA, SE, 148.60; ICMA, SE, 617.03; ICMA, SE, 158.98; ICMA, SE, 11421.40; IRS, TX, 4952.62; IRS, TX, 14511.93; IRS, TX, 21176.32; JACK'S UNIFORMS, SU, 269.00; JEO CONSULTING GROUP, SE, 13310.67; LYLE'S GARAGE DOOR SERVICE, SU, 152.00; MARCO, SE, 265.02; MARCO TECHNOLOGIES, SE, 180.50; MARRIOTT HOTELS, SE, 977.00; METRO ELECTRIC, SE, 161.17; MOTOROLA SOLUTIONS, SU, 46942.38; NE DEPT OF REVENUE, TX, 6616.87; NE DEPT OF REVENUE-COMPLIANCE DIV, RE, 392.15; NE NEBRASKA VOLUNTEER FIREFIGHTERS ASSN, FE, 50.00; NIELSEN TREE FARM, FE, 2060.00; NORFOLK TRANSMISSION, SE, 736.49; NORTHEAST POWER, SE, 30712.14; NSVFA FIRE SCHOOL, FE, 1242.00; O'REILLY AUTOMOTIVE STORES, SU, 350.96; OVERHEAD DOOR, SE, 749.00; PREMIER BIOTECH, SE, 251.54; QUADIENT FINANCE USA, SU, 999.39; ROBERT WOehler & SONS, SE, 5882.50; SHARER, TIM, RE, 150.00; STADIUM SPORTING GOODS, SU, 150.00; STAPLES, SU, 130.42; STATE NEBRASKA BANK-PETTY CASH, RE, 112.85; VAN DIEST SUPPLY, SU, 218.94; VERIZON, SE, 674.83; WAYNE DIRT DEVILS, RE, 200.00; WISNER WEST, SU, 152.74; APPEARA, SE, 119.43; ASHLER PROPERTIES, RE, 500.00; ATCO INTERNATIONAL, SU, 155.60; BSN SPORTS, SU, 187.50; CARPENTER PAPER COMPANY, SU, 807.22; CITY EMPLOYEE, RE, 81.62; CITY EMPLOYEE, RE, 100.00; CITY EMPLOYEE, RE, 1189.26; CITY OF WAYNE, RE, 112.56; CORE & MAIN, SU, 1386.56; DEARBORN LIFE INSURANCE COMPANY, SE, 82.56; DEMCO, SU, 189.50; DUTTON-LAINSON COMPANY, SU, 310.09; FARMGIRL PRESS, SU, 16.00; GALE/CENGAGE LEARNING, SU, 53.28; GROSSENBURG IMPLEMENT, SU, 38.20; HOMETOWN LEASING, SE, 456.78; JEO CONSULTING GROUP, SE, 4,617.00; LINCOLN WINWATER WORKS, SU, 1469.11; MACRAE PRODUCTIONS, FE, 1000.00; MAIN STREET GARAGE, SE, 105.00; MIDWEST TAPE, SU, 16.99; MILLER LAW, SE, 6343.75; MUTUAL OF OMAHA, SE, 390.60; NDEE-FISCAL SERVICES, FE, 120.00; NE NOTARY ASSOC, FE, 160.45; NORTHEAST NE INS AGENCY, SE, 150817.50; O'REILLY AUTOMOTIVE STORES, SU, 19.81; OUR SAVIOR CHURCH, RE, 200.00; POSTMASTER, SU, 1216.42; SKARSHAUG TESTING LAB, SE, 311.41; STAN HOUSTON EQUIPMENT, SU, 2507.15; WESCO, SU, 9116.40

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

Sandy Brown, representing the Wayne Green Team, gave her yearly update/report on their recycling efforts. The Wayne Green Team was started 16 years ago by the City's then Mayor, Lois Shelton. They are a city-supported volunteer run organization focused on minimizing waste and increasing sustainability in our community. She noted that last year, they diverted 70,000 pounds of recyclable materials from the landfill, which covers electronics, glass, household hazardous waste, batteries, light

strings, inkjet cartridges, and markers, combined. Over half a million pounds of material was recycled in 2024. Trash increased 35% from 2023 to 2024, yet only increased 10% from 2022 to 2023. That is a 40% increase from 2023. They have hosted eleven electronic recycling events and eleven Earth Day Movies. She advised the Council of the upcoming events taking place in April.

Heather Headley, Library Director, gave her annual report.

Chris Fletcher, speaking on behalf of the “Friends of the Library,” was present requesting Council consideration to waiving the rental fee for the use of the Freedom Park Shelter House on Sunday, August 17th, for a fundraiser (Tea Party).

After discussion, Councilmember Bolte made a motion, which was seconded by Councilmember Houser, approving the request of Chris Fletcher, on behalf of the “Friends of the Library,” to waive the rental fee for the use of the Freedom Park Shelter House on Sunday, August 17th, for a fundraiser (Tea Party). Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen who were absent, the Mayor declared the motion carried.

Mayor Giese stated the time was at hand for the public hearing regarding the application for a Retail Class B (Beer Off sale only) Liquor License for BP603, LLC, d/b/a “JB Mart,” located at 603 Main Street.

Walter Aschoff, the new owner, 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.

Councilmember Eischeid introduced Resolution No. 2025-20 and moved for its approval; Councilmember Spieker seconded.

RESOLUTION NO. 2025-20

A RESOLUTION APPROVING THE APPLICATION FOR A RETAIL CLASS B LIQUOR LICENSE — BP603, LLC, d/b/a “JB MART.”

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

Administrator Blecke stated the following Resolution was received from the Department of Transportation regarding the 7th Street Trail Project. This is an agreement for occupying state right-of-way.

Councilmember Webber introduced Resolution No. 2025-21 and moved for its approval; Councilmember Houser seconded.

RESOLUTION NO. 2025-21

A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR AGREEMENT NO. XL22502, PROJECT NAME: CITY OF WAYNE BIKE/HIKE TRAIL ON HWY 35.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen 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 Review Committee met with Larry and Jeanie Lindsay and Daryl Lindsay from Wayne Auto Parts, which has a purchase agreement to buy the old Final Touch building from the City of Wayne. Wayne Auto Parts is requesting \$149,000 in WEDP Funds, with a repayment term of 10 years and an interest rate of 0%. They will utilize the WEDP Funds for business costs, such as building/property acquisition and inventory expansion.

To match their request of \$149,000 from the WEDP, Wayne Auto Parts has pledged the sale proceeds of their current building, \$196,000 for 117 S Main Street, along with matching funds of \$120,000 in business equity, which will be used to renovate the Final Touch building and add to their inventory. The total project is estimated to cost approximately \$465,000.

Following the meeting with Wayne Auto Parts, the Review Committee discussed the request for an LB840 RLF Loan of \$149,000. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Wayne Auto Parts (Larry Lindsay):

- Loan amount of \$149,000;
- Loan repayment period of 10 years; and
- An interest rate to be set at one half the rate set by the daily prime rate (Daily Prime Rate, March 24, 2025 – 7.5%; WEDP Rate: 3.75%)

Daryl Lindsay was present to answer questions, as well as Larry and Olga Lindsay.

It was noted the Purchase Agreement had a clause that it (the purchase agreement) was contingent upon receiving an LB840 loan financed at 0% interest. It was noted that the City will be in a first lien position, which does not happen very often.

After discussion, Councilmember Houser made a motion, which was seconded by Councilmember Bratcher, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$149,000 revolving loan fund loan to Wayne Auto Parts (Larry Lindsay), with the following conditions:

- A loan repayment period of 10 years; and
- An interest rate at 0%.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen 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 Review Committee met with Heidi & Jason Claussen from Silver Silo Design, LLC, which has a purchase agreement to buy Copy Write. Silver Silo Design, LLC, is requesting \$58,500 in WEDP Funds, with a repayment term of 5 years, based on a 10-year amortization, and an interest rate of 3%. They will utilize the WEDP Funds for business costs, such as the purchase of intellectual property and equipment.

To match their request of \$58,500 from the WEDP, Silver Silo Design, LLC, has secured financing from State Nebraska Bank & Trust for \$58,500 and has pledged \$13,000 in personal equity. The total project is estimated to cost approximately \$130,000.

Following the meeting with Silver Silo Design, LLC, the Review Committee discussed the request for an LB840 RLF Loan of \$58,500. The LB840 Revolving Loan Fund Review Committee voted unanimously to recommend the following terms for a loan to Silver Silo Design, LLC (Heidi Claussen):

- Loan amount of \$58,500;
- Loan repayment period of 5 years, based on a 10-year amortization; and
- An interest rate to be set at one half the rate set by the daily prime rate (State Nebraska Bank & Trust – 7.75%; WEDP Rate: 3.875%)

Heidi and Jason Claussen were present to answer questions and to request Council consideration to changing the interest rate to 3%.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Bolte, to approve the recommendation of the LB840 Revolving Loan Fund Review Committee for a \$58,500 revolving loan fund loan to Silver Silo Design, LLC (Heidi Claussen), with the following conditions:

- A loan repayment period of 5 years, based on a 10-year amortization; and
- An interest rate to be set at 3%.

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

Councilmember Spieker introduced Ordinance No. 2025-6 and moved for approval of the second reading thereof; Councilmember Bratcher seconded.

ORDINANCE NO. 2025-6

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF REAL ESTATE FROM I-1 LIGHT INDUSTRIAL AND MANUFACTURING DISTRICT TO R-3 RESIDENTIAL DISTRICT.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen who were absent, the Mayor declared the motion carried. The third and final reading will take place at the next meeting.

Bob Soukup, representing Carlson West Povondra Architects (via zoom), presented Application and Certificate of Payment No. 17 from Otte Construction Company, LLC, in the amount of \$83,798.00 for the “Wayne City Hall and Police Relocation Project.”

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Bratcher, approving Application and Certificate of Payment No. 17 in the amount of \$83,798.00 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 Karsky and Brodersen who were absent, the Mayor declared the motion carried.

Bob Soukup, representing Carlson West Povondra Architects (via zoom), then presented Application and Certificate of Payment No. 7 from Otte Construction Company, LLC, in the amount of \$127,151.00 for the “Wayne Parks & Rec Maintenance Building Project.”

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

Councilmember Eischeid made a motion, which was seconded by Councilmember Bratcher, approving Application and Certificate of Payment No. 7 in the amount of \$127,151.00 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 Councilmembers Karsky and Brodersen who were absent, the Mayor declared the motion carried.

Discussion took place on setting a date and time for the open house at the new City Hall/Police Department Building.

After discussion, Councilmember Eischeid made a motion, which was seconded by Councilmember Spieker, setting the open house at the new City Hall/Police Department Building for Tuesday, April 15, 2025, from 4:00 p.m. to 6:00 p.m., with the Council meeting starting at 6:00 p.m. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen who were absent, the Mayor declared the motion carried.

Discussion took place regarding the selection of an agent for assistance with the Southwest Power Pool Market Participant duties.

After discussion, Councilmember Houser made a motion, which was seconded by Councilmember Spieker, to choose Tenaska as the agent for assistance with the Southwest Power Pool Market Participant duties and directing staff to begin contract negotiations. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Karsky and Brodersen 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 6:47 p.m.