

**AGENDA  
CITY COUNCIL MEETING  
COUNCIL CHAMBERS – CITY HALL  
513 MAIN STREET  
August 4, 2025**

1. [Call the Meeting to Order – 5:30 p.m.](#)
2. [Pledge of Allegiance](#)

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the table in Council Chambers as well as on the City of Wayne website.

The City 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.

3. [Approval of Minutes – July 21, 2025](#)
4. [Approval of Claims](#)
5. [Action on Contractor’s Application for Payment No. 2 in the amount of \\$201,445.79 to Gehring Construction and Ready Mix Co., Inc., for the “Wayne 7<sup>th</sup> Street Trail Project” - Roger Protzman, Engineer with JEO Consulting Group, Inc.](#)

**Background:** This is for work completed and approved by the Engineer.

6. [Resolution 2025-45: Acknowledging Requirements for the Temporary Use of the State Highway System for Special Events \(WSC Homecoming Parade and Band Day – Saturday, September 27, 2025\)](#)

**Background:** This is an annual request from the College.

7. [Action on the Contract for Services between the City of Wayne and the Board of Trustees of the Nebraska State Colleges – Wayne State College for the homecoming parade](#)
8. [Resolution 2025-46: Accepting Bid and Awarding Contract on the “Wayne Prairie Park – Phase 4 Roundabout/Parks & Rec Building Paving Project”](#)

**Background:** One bid was received today and that was from TR Harris Construction, Inc., Homer, NE. Olsson is reviewing the same and will make a recommendation before meeting time.

9. [Resolution 2025-47: Authorizing the allocation of property taxes to the Wayne Airport Authority - \\$96,105 \(last year - \\$83,787\)](#)
10. [Resolution 2025-48: Authorizing the allocation of property taxes to the Wayne Community Redevelopment Authority – 2.6 cents per \\$100.00 of the taxable value of real property within the City of Wayne](#)

**Background:** The Community Redevelopment Authority has met and reviewed their proposed budget for the 2025/2026 fiscal year and is requesting that the Council again approve a 2.6 cent levy that is made available to the Authority by State Statute.

11. [Ordinance 2025-12: Amending Wayne Municipal Code Title XV Land Usage, Chapter 152 Zoning, Section 152.111 SFP Floodplain District \(Second Reading\)](#)
12. [Economic Development Department Report and Semi-Annual LB840 Report – Luke Virgil, Economic Development Director](#)
13. Action to set 2<sup>nd</sup> Budget Work Session for Monday, August 18, 2025
14. Budget Work Session
15. Adjourn

**MINUTES  
CITY COUNCIL MEETING  
July 21, 2025**

The Wayne City Council met in regular session at City Hall on July 21 2025, at 5:30 o'clock P.M.

Mayor Jill Brodersen 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, Dallas Dorey and Matt Eischeid; City Administrator Wes Blecke; City Clerk Betty McGuire; and City Attorney Amy Miller. Absent: Councilmember Dwaine Spieker.

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 Brodersen advised the public that a copy of the Open Meetings Act was located on the table in 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 Eischeid made a motion, which was seconded by Councilmember Bratcher, to approve the minutes of the meeting of July 7, 2025, and to waive the reading thereof. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

**VARIOUS FUNDS:** ALLO COMMUNICATIONS, SE, 1454.20; AMERITAS, SE, 197.87; AMERITAS, SE, 35.00; AMERITAS, SE, 3652.92; AMERITAS, SE, 72.00; ANDELA-RUTH, CATHY, RE, 30.00; APPEARA, SE, 168.72; BEACOM, LEXI, SE, 150.00; BERNAL, GEORGINA, SE, 65.00; BLACK HILLS ENERGY, SE, 691.03; BSN SPORTS, SU, 328.93; CARROT-TOP INDUSTRIES, SU, 741.67; CITY EMPLOYEE, RE, 236.00; CITY EMPLOYEE, RE, 663.59; CITY EMPLOYEE, RE, 353.08; CITY

EMPLOYEE, RE, 42.31; CITY EMPLOYEE, RE, -155.90; CITY EMPLOYEE, RE, 145.73; CITY EMPLOYEE, RE, 155.90; CITY OF NORFOLK, SE, 130.48; CITY OF WAYNE, PY, 161117.51; CITY OF WAYNE, RE, 320.10; COLLINS, MAGGIE, RE, 35.00; CORE & MAIN, SU, 458.24; COTTONWOOD WIND PROJECT, SE, 13312.69; DAS STATE ACCTG-CENTRAL FINANCE, SE, 74.73; DEARBORN LIFE INSURANCE COMPANY, SE, 3439.58; DEPT OF THE TREASURY, TX, 154.56; DUTTON-LAINSON, SU, 3483.00; EAKES OFFICE PLUS, SE, 1729.95; EMPLOYERS MUTUAL CASUALTY, SE, 500.00; FAITH REGIONAL PHYSICIAN SERV, SE, 130.00; FASTWYRE, SE, 922.00; FLOOR MAINTENANCE, SU, 292.56; GERHOLD CONCRETE, SU, 1912.57; GLENN HENKEL, FE, 1,750.00; GRAINLAND ESTATES, RE, 1399.49; HALSEY, EMMA, SE, 450.00; HANSEN BROTHERS PARTS & SERVICE, SE, 688.51; HENDRICKSON, DESTYNNI, SE, 400.00; HILAND DAIRY, SE, 253.41; HOMETOWN LEASING, SE, 91.52; ICMA, SE, 584.44; ICMA, SE, 1300.04; ICMA, SE, 272.00; ICMA, SE, 270.84; ICMA, SE, 170.50; ICMA, SE, 214.81; ICMA, SE, 13791.80; ICMA, SE, 369.23; ICMA, SE, 148.60; ICMA, SE, 158.98; ICMA, SE, 623.47; INGRAM LIBRARY SERVICES, SU, 789.61; IRS, TX, 26661.78; IRS, TX, 19145.40; IRS, TX, 6235.42; JOHNSON HARDWARE, SU, 5847.05; KRUGER, ANNA, SE, 225.00; KTCH, SE, 170.00; LARA, MARIA, RE, 150.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 828.00; LEWIS, GABRIELLE, SE, 225.00; MACRAE PRODUCTIONS, SE, 4000.00; MAYES, ANNA, SE, 225.00; MIDWEST TAPE, SU, 64.43; MUTUAL OF OMAHA, SE, 14.40; NE DEPT OF REVENUE, TX, 8439.56; NE DEPT OF REVENUE-CHARITABLE GAMING DIVISION, TX, 1207.00; NE POWER REVIEW BOARD, FE, 944.26; NPPD, SE, 184.00; OCLC, SE, 1429.71; OPTK NETWORKS, SE, 940.08; OVERDRIVE, SU, 556.90; PAC N SAVE, SU, -26.01; PAC N SAVE, SU, 1409.36; PAC N SAVE, SU, -1409.36; PAC N SAVE, SU, 26.01; PLUMBING & ELECTRIC SERVICE, SE, 727.83; PREMIER BIOTECH, SE, 72.18; PROGRESSIVE PROPERTIES, RE, 2914.45; PROGRESSIVE PROPERTIES, RE, 3311.41; PROGRESSIVE PROPERTIES, RE, 1025.84; QUADIENT LEASING USA, SE, 3397.26; RODRIGUEZ, NANCY, SE, 65.00; RUWE, ANN, RE, 150.00; SARGENT DRILLING, SE, 39644.67; SCHADEMANN, ABBY, SE, 1800.00; SD MYERS, SE, 2674.00; SIGNAL 88 FRANCHISE GROUP, SE, 3135.00; SOOLAND BOBCAT, SU, 90.48; STAPLES, SU, 125.64; STUHR, AMANDA, SE, 450.00; STUTHMANN, WILLIAM, RE, 500.00; TODD, JADIN, RE, -35.00; TYLER TECHNOLOGIES, SE, 4673.75; US BANK, SU, 20235.43; US FOODSERVICE, SU, 2319.14; VAN DIEST SUPPLY, SU, 228.75; VICTORY FENCE, SE, 724.00; WAYNE COUNTY CLERK, SE, 112.00; WAYNE HERALD, SE, 608.46; WAYNE HERALD, SE, 490.00; WAYNE HERALD, SE, 190.00; WAYNE VETERINARY CLINIC, SE, 98.00; WELLS, HANNAH, SE, 225.00; WISNER WEST, SU, 184.31; ACES, SU, 1161.39; APPEARA, SE, 172.06; AUTOMATIC SYSTEMS, SU, 1436.72; BAIRD HOLM, SE, 1903.50; BIG RIVERS ELECTRIC CORPORATION, SE, 255228.78; BLUE CROSS BLUE SHIELD, SE, 60925.12; BSN SPORTS, SU, 175.00; CARHART LUMBER COMPANY, SU, 9.61; CITY EMPLOYEE, RE, 58.33; CITY EMPLOYEE, RE, 142.04; DGR & ASSOCIATES, SE, 3065.00; EAKES OFFICE PLUS, SE, 122.01; ELKINS PORTABLE RESTROOMS, SE, 240.00; ELLIS HOME SERVICES, SE, 323.50; FIRST CONCORD GROUP, SE, 4481.12; FLOOR MAINTENANCE, SU, 1108.90; GROSSENBURG IMPLEMENT, SU, 36.00; ITRON, SE, 7091.49; JEO CONSULTING GROUP, SE, 4151.61; KELLY SUPPLY COMPANY, SU, 486.30; MAIN STREET GARAGE, SE, 100.00; MUNICIPAL ENERGY AGENCY OF NE, FE, 4500.00; NORTHEAST POWER, SE, 30712.14; O'REILLY AUTOMOTIVE STORES, SU, 417.43; QUALITY 1 GRAPHIC, SE, 105.00; ROBERT WOehler & SONS, SE, 833.12; S2 ROLL OFFS, SE, 1000.00; TOTAL GRAPHICS, SE, 202.50; UTILITY EQUIPMENT, SU, 43.70; VERIZON, SE, 654.86; WESCO, SE, 1921.72

Councilmember Eischeid made a motion, which was seconded by Councilmember Bratcher, to approve the claims. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent and Councilmember Bolte who abstained on the claim of Abby Schademann only, the Mayor declared the motion carried.

Tim Reinhardt, on behalf of the Wayne Baseball Association, made a request for Council consideration to allowing them to close N. Windom Street between 3<sup>rd</sup> and 4<sup>th</sup> Street during the Class B Area 5 Senior Legion Baseball tournament at Hank Overin Field from Friday, July 25, 2025, through Tuesday, July 29, 2025. Intersections would remain open, and barricades would be staggered for local traffic to get through. The main concern was for the safety of kids running for foul balls.

The City would provide the barricades, and the Association would be responsible for putting them up and taking them down.

A suggestion was to put a sign up at the parking lot/area east of the baseball field to let it be known that it is an area for parking. In addition, a request was also made to put up caution tape around the pond south of right field, and to check with the Street Department to see if they still have the portable speed bumps that could be put on 4<sup>th</sup> Street to slow traffic.

After discussion, Councilmember Karsky made a motion, which was seconded by Councilmember Houser, approving the request of the Wayne Baseball Association to close N. Windom Street between 3<sup>rd</sup> and 4<sup>th</sup> Street during the Class B Area 5 Senior Legion Baseball tournament at Hank Overin Field from Friday, July 25, 2025, through Tuesday, July 29, 2025, and to use the portable speed bumps if they can be located. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Mike Powicki, Director of Athletics at Wayne State College, was present requesting Council consideration to allowing them to have fireworks displays on the following dates:

- Thursday, August 28<sup>th</sup> – Football vs. UNK (before and during the game when the team takes the field and after scores); and
- Saturday, September 6<sup>th</sup> – Football vs. UMary (Family Weekend – post-game fireworks show, as well as some pre-game and in-game fireworks)

Councilmember Eischeid made a motion, which was seconded by Councilmember Dorey, approving the request of Mike Powicki, Director of Athletics at Wayne State College, to have fireworks displays on the following dates:

- Thursday, August 28<sup>th</sup> – Football vs. UNK (before and during the game when the team takes the field and after scores); and

- Saturday, September 6<sup>th</sup> – Football vs. UMary (Family Weekend – post-game fireworks show, as well as some pre-game and in-game fireworks)

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Mayor Brodersen stated that it was now past 5:30 p.m., at which time a public hearing was to be held to obtain public comment prior to the consideration of a Resolution approving a redevelopment plan for an area of the City previously declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”) for the following real estate:

Lot Ten (10) and the South One-Half of Lot Eleven (S½ Lot 11) Block 11,  
North Addition to the City of Wayne, Wayne County, Nebraska.

The notice of the public hearing was published in the Wayne Herald on July 3, 2025, and July 10, 2025, and was mailed by United States Certified Mail, return receipt requested, sufficient postage affixed, to all parties required by Section 18-2115 of the Act. Mayor Brodersen opened the public hearing and invited all interested persons to be heard.

Chad Sebade and Cherry Sebade, on behalf of Sebade Housing, LLC, the redevelopers, were present to answer questions.

It was the consensus of Council that the Architectural Review Committee should, again, start meeting to review any projects that have City funding involved.

This redevelopment plan provides for the demolition of an existing 105 year old residence in a dilapidated state and the construction of a four-unit apartment complex at 414 Nebraska Street in Wayne. Financing for the development is contingent upon tax increment financing to make this project a reality. The Redeveloper seeks a public private partnership to redevelop real estate in the City that the City Council has declared substandard and blighted pursuant to the Nebraska Community Development Law. The Redevelopment Area subject to this Plan covers an area consisting of 11,250 sq. ft. The site previously is improved with a single-family residence. To encourage private investment in the redevelopment area, this Plan has been prepared to set forth the redevelopment plan for the “Sebade Four-

Plex Apartments Redevelopment Project,” which is considered to be of the highest priority in accomplishing the goal of revitalizing and strengthening the redevelopment area.

The Redeveloper will be required to purchase a “Tax Increment Revenue Bond” from the Authority in the principal amount of \$40,500. The Redeveloper will use the TIF Bond proceeds to pay for the TIF-eligible costs. The TIF Bond will be a limited obligation of the Authority, solely repayable from the incremental (increased) ad valorem real property taxes from the residential development.

The Redevelopment Plan has gone before the Community Redevelopment Authority and the Planning Commission for review and approval. The recommendation of the Planning Commission is to approve the Plan. The next step will be to go back before the Community Redevelopment Authority for approval of the Redevelopment Contract and the issuance of the bond.

City Clerk McGuire had not received any comments for or against this public hearing.

Councilmember Eischeid introduced Resolution No. 2025-42 and moved for its approval; Councilmember Webber seconded the motion.

#### RESOLUTION NO. 2025-42

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA, APPROVING A REDEVELOPMENT PLAN AS CONTAINED IN A REDEVELOPMENT CONTRACT; MAKING FINDINGS WITH REGARD TO SUCH PLAN AND APPROVING OTHER ACTION THEREON (SEBADE FOUR-PLEX APARTMENTS REDEVELOPMENT PROJECT).

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Mayor Brodersen declared the time was at hand for the public hearing regarding the submittal of a grant application for the purchase of a 7-passenger Non-ADA mini-van for the Wayne Transit System.

The Wayne Transit System is submitting a grant application to the State of Nebraska Department of Transportation (NDOT) for funds to purchase a 7-passenger Non-ADA mini-van. This vehicle will replace the 2008 Chevy van. The total cost of the van is \$48,229, of which the Federal share is 80% or \$38,583.20, the State share is 0%, and the City’s share is 20% or \$9,645.80. Any maintenance done to this

new van after it is purchased will be paid for 100% by the NDOT. The 2008 van will be put up for sealed bids or offers, and the City will be able to keep the proceeds from that sale.

Diane Bertrand, Wayne Senior Center Coordinator, 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 Brodersen closed the public hearing.

Councilmember Bolte introduced Resolution 2025-43, and moved for its approval; Councilmember Houser seconded.

#### RESOLUTION NO. 2025-43

A RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO APPLY FOR NEBRASKA PUBLIC TRANSPORTATION ACT FUNDS.

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Jordan Utesch, representing Olsson, reviewed Letter Agreement Amendment #1 on the “Wayne Prairie Park Phase 4 – East Ditch Storm Sewer Project.” This agreement is for construction services (oversite/staking/pay request management) for Prairie Park Phase 4A (storm sewer). A previous agreement was approved for design services for the entire Phase 4. The remaining sub phases will likely have additional agreements once a contractor has been selected. The work to be performed by Olsson in this agreement is on a time and expense basis, not to exceed \$25,000.00.

Councilmember Eischeid introduced Resolution 2025-44, and moved for its approval; Councilmember Karsky seconded.

#### RESOLUTION NO. 2025-44

A RESOLUTION APPROVING LETTER AGREEMENT AMENDMENT #1 TO THE ORIGINAL LETTER AGREEMENT WITH OLSSON FOR ADDITIONAL SERVICES ON THE “WAYNE PRAIRIE PARK PHASE 4 – EAST DITCH STORM SEWER PROJECT.”

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Jordan Utesch, representing Olsson, presented Certificate of Payment No. 1 in the amount of \$69,427.98 to Robert Woehler & Sons Construction, Inc., for the “Wayne Prairie Park Phase 4 – East Ditch Storm Sewer Project.” In addition, he updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Webber, approving Certificate of Payment No. 1 for \$69,427.98 to Robert Woehler & Sons Construction, Inc., for the “Wayne Prairie Park Phase 4 – East Ditch Storm Sewer Project.” Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

The following ordinance is to adopt the new floodplain map. The ordinance has been reviewed by the State of Nebraska and FEMA and meets their requirements. The City needs to adopt this ordinance before September 5, 2025, if we wish to remain a part of the “National Flood Insurance Program.”

Councilmember Eischeid introduced Ordinance No. 2025-12, and moved for approval thereof; Councilmember Karsky seconded.

#### ORDINANCE NO. 2025-12

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.111 SFP FLOODPLAIN DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried. The second reading will take place at the next meeting.

The following Resolution would adopt the City of Wayne goals that have been established and completed over the past year. This Resolution was tabled at the last meeting.

The majority of the discussion centered on the goal “Auditorium (apartment renovation).” It was noted this a long-term goal, and just because it is on this list, does not mean it will be done.

After discussion, Councilmember Eischeid introduced Resolution 2025-40, and moved for its approval; Councilmember Webber seconded.

RESOLUTION NO. 2025-40

A RESOLUTION IDENTIFYING CITY OF WAYNE GOALS.

Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

Mayor Brodersen requested Council consideration to appointing Mick Kemp to the Wayne Community Redevelopment Authority. Mr. Kemp will replace Jon Meyer who has served for 8 years. Mayor Brodersen publicly thanked Mr. Meyer for his service on that board.

Councilmember Webber made a motion, which was seconded by Councilmember Houser, approving the appointment of Mick Kemp to the Wayne Community Redevelopment Authority. Mayor Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Spieker who was absent, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Brodersen declared the meeting adjourned at 6:29 p.m.

**Council Approved 7/21/25**

<b>Vendor</b>	<b>Payable Description</b>	<b>Payment Total</b>
GEHRING CONSTRUCTION	7 <sup>TH</sup> ST TRAIL CONCRETE	132,909.23
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457	72.00
AMERITAS LIFE INSURANCE	AMERITAS ROTH	202.58
AMERITAS LIFE INSURANCE	AMERITAS ROTH	35.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	3,402.28
APPEARA	MAT SERVICE	253.54
BAKER & TAYLOR BOOKS	BOOKS	718.98
BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY	BALL FIELD LIME	1,736.25
BOMGAARS	AIR COMPRESSOR/TOOLS/WEED KILLER/DEHUMIDIFIER	3,147.79
BORDER STATES INDUSTRIES, INC	LOCKS FOR TRANSFORMERS	612.47
BOSE, JULIE	ANIMATION REFUND	30.00
BROWN, SANDY	GREEN TEAM ADS	339.97
CARHART LUMBER COMPANY	WOOD/BITS/CONCRETE MIX/OUTLET/UTILITY BRUSH	258.95
CARLSON WEST POVONDRA ARCHITECTS	PARK & REC MAINTENANCE BUILDING DESIGN SERVICES	141.75
CDW GOVERNMENT LLC	WINDOWS SERVERS LICENSING	2,915.31
CENGAGE LEARNING INC	BOOKS	106.56
CHAMBERLAIN, LUCIA	AUDITORIUM DEPOSIT REFUND	200.00
CHESTERMAN CO	POP-ACTIVITY CENTER/POOL	1,896.95
CINTAS	FIRST AID SUPPLIES	197.65
CIRBA SOLUTIONS SERVICES	BATTERY RECYCLING BUCKETS	878.50
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	266.54
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	370.24
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	942.44
CITY EMPLOYEE	VISION REIMBURSEMENT	263.05
CITY EMPLOYEE	SAFETY BOOT REIMBURSEMENT	163.66
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	227.86
CITY OF WAYNE	PAYROLL	153,087.45
CITY OF WAYNE	UTILITY REFUNDS	2,161.60
CONTINENTAL FIRE SPRINKLER CO	ANNUAL FIRE INSPECTION	223.00
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	537.60
ED M. FELD EQUIPMENT CO INC	PUMP TEST/OIL CAP	513.00
ENVIRONMENTAL SERVICES, INC.	25% OF DEPOSIT-ASBESTOS REMOVAL	3,200.00
FIREMAN	EMS CONFERENCE REIMBURSEMENT	852.42
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	596.48
GROSSENBURG IMPLEMENT INC	BLADE	262.78
H.K. SCHOLZ COMPANY	FUSE PANEL REPLACEMENT	1,730.00
HASEMANN FUNERAL HOME	AUDITORIUM DEPOSIT REFUND	200.00
HAUSMANN CONSTRUCTION	BUILDING PERMIT DEPOSIT REFUND	1,000.00
HAWKINS, INC	POOL CHEMICALS	3,690.83
HEWLETT PACKARD ENTERPRISE CO	WINDOWS SERVER LICENSES	6,014.18
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	189.81
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	214.81

Vendor	Payable Description	Payment Total
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	272.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	623.47
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	584.44
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	11,156.23
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ICMA RETIREMENT	1,300.04
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	42.62
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA -ICMA	148.60
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA-ICMA	270.84
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH IRA - ICMA	369.23
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	ROTH ICMA	158.98
IRS	MEDICARE WITHHOLDING	5,802.72
IRS	FEDERAL WITHHOLDING	15,918.98
IRS	FICA WITHHOLDING	24,811.72
J & A TRAFFIC PRODUCTS	SIGN POSTS	2,142.00
JEO CONSULTING GROUP	MARKETING PARTICIPATION/7 <sup>th</sup> ST TRAIL/SELLING REC'S	8,325.56
KEPCO ENGRAVING	NAMEPLATES	11.70
KONE	50% OF 5 YEAR FULL LOAD TESTING	3,231.00
L.G. EVERIST	CRUSHED QUARTZITE ROCK	939.60
LUTT TRUCKING	HAUL WOODCHIPS	375.00
MARCO INC	COPIER LEASE	224.02
MARCO TECHNOLOGIES LLC	COPIER LEASE	184.50
MEYER, INC.	PLAYGROUND FIBER	1,325.00
MIDWEST TAPE LLC	AUDIO BOOKS	1,964.90
NE DEPT OF REVENUE	STATE WITHHOLDING	7,593.21
NE FIRE CHIEFS ASSOC	FIRE CHIEF MEMBERSHIPS	75.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	60.00
NE STATE FIRE MARSHAL	CAC BOILER CERTIFICATE	208.00
NE STATE VOLUNTEER FIREFIGHTERS ASSOC	NSVFA MEMBERSHIP	820.00
NILES, TYSON	ANIMATION FAMILY REFUND	15.00
NORTHEAST NE INS AGENCY INC	PROPERTY INSURANCE ADDITIONS	9,495.00
OLSSON	PRAIRIE PARK PHASE 4 PROFESSIONAL SERVICES	5,630.00
OVERHEAD DOOR	BRAKE SOLENOID DOOR REPAIR	293.75
POSTMASTER	POSTAGE ON UTILITY BILLS	1,308.63
PREMIER BIOTECH, INC.	RANDOM DRUG TESTING	271.54
QC FOUNDATION REPAIR	BUILDING PERMIT DEPOSIT REFUND	500.00
QUADIANT FINANCE USA, INC	POSTAGE	1,000.00
QUALITY 1 GRAPHIC	SIGN	30.00
ROBERT WOEHLE & SONS	PRAIRIE PARK PHASE IV EAST DITCH STORM SEWER	69,427.98
RUBENDALL, RACHEAL	KEY FOB REFUND	10.00
SCHULTZ, EVERETT	RIGHT OF WAY DEPOSIT REFUND	500.00
SILVER SILO DESIGN LLC	SHIPPING CHARGES	265.32
STAPLES, INC	OFFICE SUPPLIES	50.52
TENTINGER, CRAIG	VOLLEYBALL REFUND	40.00
ULINE	BUBBLE MAILERS	144.33
WESCO DISTRIBUTION INC	LED ROADWAY LIGHTS	4,606.35
WISNER WEST	FD GASOLINE	71.43
	<b>Grand Total:</b>	<b>509,361.72</b>





July 29, 2025

Mayor and City Council  
City of Wayne  
306 Pearl St  
Wayne, NE 68787

RE: Wayne, NE  
7<sup>th</sup> Street Trail  
JEO Project No. 230243.00

Ladies and Gentlemen:

Enclosed for your consideration is Pay Application No. 2.

Pay Application No. 2 covers work up July 29, 2025 and includes paving, grading and storm sewer work. The pay request is for \$201,445.79 and JEO recommends approval of the work.

The contractor made progress this month paving from Pheasant Run to Milo, and Haase to the cemetery. Some storm sewer was also laid. However, Centurylink has a phone line and fiber line in the way of construction. The contractor tried to work around them but now the area they contractor is in has roots from trees and they can't tell if they are pulling on a cable or roots while excavating. They stopped work. Centurylink has been contacted to move their cables. We will give you an update when we know more.

If you have any questions or concerns, please feel free to contact me at 402.649.0455 or [rprotzman@jeo.com](mailto:rprotzman@jeo.com).

Sincerely,

A handwritten signature in blue ink that reads "Roger S. Protzman".

Roger S. Protzman, PE  
Principal Engineer

RSP  
Enclosures

230243.00LTR250729a-PA2.docx

**Contractor's Application for Payment**

<b>Owner:</b> <u>City of Wayne, Nebraska</u>	<b>Owner's Project No.:</b> _____
<b>Engineer:</b> <u>JEO Consulting Group, Inc.</u> <u>Gehring Construction and Ready Mix Co.,</u>	<b>Engineer's Project No.:</b> <u>230243.00</u>
<b>Contractor:</b> <u>Inc.</u>	<b>Contractor's Project No.:</b> _____
<b>Project:</b> <u>Wayne 7th Street Trail, CDBG No. 22-PW-008</u>	
<b>Contract:</b> <u>Wayne 7th Street Trail, CDBG No. 22-PW-008</u>	
<b>Application No.:</b> <u>2</u>	<b>Application Date:</b> <u>7/29/2025</u>
<b>Application Period:</b> <b>From</b> <u>6/23/2025</u> <b>to</b> <u>7/29/2025</u>	

1. Original Contract Price	\$	575,569.65
2. Net change by Change Orders	\$	6,440.00
3. Current Contract Price (Line 1 + Line 2)	\$	582,009.65
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	351,952.65
5. Retainage		
a. <u>5%</u> X <u>\$ 291,379.85</u> Work Completed =	\$	14,568.99
b. <u>5%</u> X <u>\$ 60,572.80</u> Stored Materials =	\$	3,028.64
c. Total Retainage (Line 5.a + Line 5.b)	\$	17,597.63
6. Amount eligible to date (Line 4 - Line 5.c)	\$	334,355.02
7. Less previous payments (Line 6 from prior application)	\$	132,909.23
8. Amount due this application	\$	201,445.79
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)	\$	247,654.63

**Contractor's Certification**

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

**Contractor:** Gehring Construction & Ready Mix Co., Inc.

**Signature:** *Stephen Anderson* **Date:** 7-29-25

<b>Recommended by Engineer</b>	<b>Approved by Owner</b>
<b>By:</b> <u><i>Roger L. Holtzman</i></u>	<b>By:</b> _____
<b>Title:</b> <u>WWE Principal Engineer</u>	<b>Title:</b> _____
<b>Date:</b> <u>7/29/25</u>	<b>Date:</b> _____
<b>Approved by Funding Agency</b>	
<b>By:</b> _____	<b>By:</b> _____
<b>Title:</b> _____	<b>Title:</b> _____
<b>Date:</b> _____	<b>Date:</b> _____

**Progress Estimate - Unit Price Work**

Owner: City of Wayne, Nebraska  
 Engineer: JEO Consulting Group, Inc.  
 Contractor: Gehring Construction and Ready Mix Co., Inc.  
 Project: Wayne 7th Street Trail, CDBG No. 22-PW-008  
 Contract: Wayne 7th Street Trail, CDBG No. 22-PW-008

**Contractor's Application for Payment**

Owner's Project No.:  
 Engineer's Project No.: 230243.00  
 Contractor's Project No.:

Application No.:		2		Application Period:		06/23/25		to		07/29/25		Application Date:		07/29/25	
A Bid Item No.	B Description	C Item Quantity	D Units	E Contract Information		F Value of Bid Item (C X E)	G Work Completed Estimated Quantity Incorporated in the Work	H Value of Work Completed to Date (E X G)	I Materials Currently Stored (not in G)	J Work Completed and Materials Stored to Date (H + I)	K % of Value of Item (I / F)	L Balance to Finish (F - I)			
				Item Quantity	Units								Unit Price (\$)	(\$)	
1	MOBILIZATION	1	LS	15,000.00		15,000.00	0.30	4,500.00		4,500.00	30%	10,500.00			
2	EROSION CONTROL, CLASS 1D	6,889	SY	1.53		10,540.17		-		-	0%	10,540.17			
3	EROSION CONTROL, CLASS 2A	137	SY	7.62		1,043.94		-		-	0%	1,043.94			
4	CURB INLET PROTECTION	66	LF	14.14		933.24	20.00	282.80		282.80	30%	650.44			
5	FABRIC-SILT FENCE-HIGH POROSITY	223	LF	4.15		925.45	167.00	693.05		693.05	75%	232.40			
6	SILT CHECK, TYPE 2-HIGH	980	LF	4.80		4,704.00	220.00	1,056.00		1,056.00	22%	3,648.00			
7	COVER CROP SEEDING	2	ACRE	328.00		656.00		-		-	0%	656.00			
8	GENERAL CLEARING AND GRUBBING	1	LS	4,200.00		4,200.00	0.50	2,100.00		2,100.00	50%	2,100.00			
9	EARTHWORK MEASURED IN EMBANKMENT	1,986	CY	26.00		51,636.00	1,788.00	46,488.00		46,488.00	90%	5,148.00			
10	WATER	32	MGAL	30.00		960.00		-		-	0%	960.00			
11	REMOVE PAVEMENT	113	SY	12.00		1,356.00	27.00	324.00		324.00	24%	1,032.00			
12	REMOVE DRIVEWAY	137	SY	12.00		1,644.00	137.00	1,644.00		1,644.00	100%	-			
13	REMOVE COMBINATION CURB AND GUTTER	23	LF	25.00		575.00	13.00	325.00		325.00	57%	250.00			
14	CRUSHED ROCK SURFACE COURSE	5	TON	75.00		375.00		-		-	0%	375.00			
15	5" CONCRETE CLASS 47B-3500 SIDEWALKS	1,806	SY	56.00		101,136.00	1,344.00	75,264.00		75,264.00	74%	25,872.00			
16	5" CONCRETE PAVEMENT, CLASS 47B-3500	150	SY	56.00		8,400.00	127.00	7,112.00		7,112.00	85%	1,288.00			
17	7" CONCRETE CLASS 47B-3500 SIDEWALKS	674	SY	66.00		44,484.00	674.00	44,484.00		44,484.00	100%	-			
18	CONCRETE CLASS 47B-3500 DRIVEWAY 8"	77	SY	72.00		5,544.00	77.00	5,544.00		5,544.00	100%	-			
19	CONCRETE CLASS 47B-HE DRIVEWAY 8"	60	SY	82.00		4,920.00		-		-	0%	4,920.00			
20	9" CONCRETE PAVEMENT, CLASS 47B-3500	107	SY	77.00		8,239.00	27.00	2,079.00		2,079.00	25%	6,160.00			
21	RUMBLE STRIPS, CONCRETE	2	STA	3,500.00		7,000.00	2.00	7,000.00		7,000.00	100%	-			
22	COMBINATION CONCRETE CLASS 47B-3500 CURB, TYPE II	57	LF	50.00		2,850.00		-		-	0%	2,850.00			
23	COMBINATION CONCRETE CLASS 47B-3500 CURB AND GUTTER	267	LF	50.00		13,350.00	13.00	650.00		650.00	5%	12,700.00			
24	DETECTABLE WARNING PANEL	76	SF	40.00		3,040.00	52.00	2,080.00		2,080.00	68%	960.00			
25	FOUNDATION COURSE	66	SY	30.00		1,980.00		-		-	0%	1,980.00			
26	SUBGRADE PREPARATION	2,940	SY	2.00		5,880.00	2,249.00	4,498.00		4,498.00	76%	1,382.00			
27	REMOVE CULVERT PIPE	13	LF	21.00		273.00	13.00	273.00		273.00	100%	-			
28	ADJUST MANHOLE TO GRADE	4	EA	525.00		2,100.00	3.00	1,575.00		1,575.00	75%	525.00			
29	8" STORM SEWER PIPE, TYPE 7 OR 8	36	LF	34.50		1,242.00	22.00	759.00		759.00	61%	483.00			
30	12" CULVERT PIPE, TYPE 3, 4 OR 5	8	LF	46.00		368.00	8.00	368.00		368.00	100%	-			
31	15" CULVERT PIPE, TYPE 2	22	LF	47.00		1,034.00	22.00	1,034.00		1,034.00	100%	-			
32	15" CULVERT PIPE, TYPE 3, 4 OR 5	37	LF	47.00		1,739.00	37.00	1,739.00		1,739.00	100%	-			
33	12" FLARED END SECTION	2	EA	520.00		1,040.00	2.00	1,040.00		1,040.00	100%	-			
34	15" FLARED END SECTION	3	EA	950.00		2,850.00	3.00	2,850.00		2,850.00	100%	-			
35	30" ROUND EQUIVALENT CULVERT PIPE, TYPE 2, 4, 5, 7 OR 8 See change order request to up size to 36"	5	LF	100.00		500.00	2.50	250.00		250.00	50%	250.00			
36	30" ROUND EQUIVALENT CONCRETE FLARED-END SECTION. See change order request to upsize to 36"	1	EA	1,400.00		1,400.00	0.50	700.00		700.00	50%	700.00			
37	CONCRETE COLLAR	4	EA	1,600.00		6,400.00		-		-	0%	6,400.00			

**Progress Estimate - Unit Price Work**

**Contractor's Application for Payment**

Owner: City of Wayne, Nebraska  
 Engineer: JEO Consulting Group, Inc.  
 Contractor: Gehring Construction and Ready Mix Co., Inc.  
 Project: Wayne 7th Street Trail, CDBG No. 22-PW-008  
 Contract: Wayne 7th Street Trail, CDBG No. 22-PW-008

Owner's Project No.:  
 Engineer's Project No.: 230243.00  
 Contractor's Project No.:

Application No.: 2		Application Period: From 06/23/25 to 07/29/25		Application Date: 07/29/25								
A	B	C	D		E	F	G	H	I	J	K	L
			Item Quantity	Units								
38	REMOVE FLARED-END SECTION	5	EA	265.00	1,325.00	5.00	1,325.00	7,900.00	1,325.00	7,900.00	100%	-
39	CURB INLET	5	EA	6,000.00	30,000.00	-	-	-	-	7,900.00	26%	22,100.00
40	MANHOLE	1	EA	13,200.00	13,200.00	0.50	6,600.00	-	-	6,600.00	50%	6,600.00
41	GRATE INLET	1	EA	3,850.00	3,850.00	-	-	1,318.92	1,318.92	1,318.92	34%	2,531.08
42	JUNCTION BOX	1	EA	3,600.00	3,600.00	-	-	1,318.92	1,318.92	1,318.92	37%	2,281.08
43	AREA INLET WITH OPEN SIDES	2	EA	7,550.00	15,100.00	1.00	7,550.00	-	4,831.11	12,381.11	82%	2,718.89
44	REMOVE AND RESET FENCE	44	LF	30.00	1,320.00	-	-	-	-	-	0%	1,320.00
45	18" STORM SEWER PIPE, TYPE 1	196	LF	53.00	10,388.00	-	-	-	4,831.40	4,831.40	47%	5,556.60
46	30" STORM SEWER PIPE, TYPE 1	119	LF	87.50	10,412.50	-	-	-	6,372.45	6,372.45	61%	4,040.05
47	36" STORM SEWER PIPE, TYPE 1	173	LF	120.50	20,846.50	-	-	-	12,940.40	12,940.40	62%	7,906.10
48	48" STORM SEWER PIPE, TYPE 1	331	LF	193.50	64,048.50	168.00	32,508.00	21,059.60	21,059.60	53,567.60	84%	10,480.90
49	TRAFFIC CONTROL	1	LS	16,500.00	16,500.00	0.50	8,250.00	-	-	8,250.00	50%	8,250.00
50	REMOVE LIGHTING UNIT	3	EA	2,475.00	7,425.00	3.00	7,425.00	-	-	7,425.00	100%	-
51	REMOVE LIGHT POLE FOUNDATION	3	EA	3,950.00	11,850.00	1.00	3,950.00	-	-	3,950.00	33%	7,900.00
52	STREET LIGHTING UNIT, TYPE SL-BT-40-12-LED	3	EA	5,700.00	17,100.00	-	-	-	-	-	0%	17,100.00
53	CONCRETE FOR FOUNDATION	2	CY	3,350.00	6,700.00	-	-	-	-	-	0%	6,700.00
54	FOUNDATION STEEL	187	LB	13.65	2,552.55	-	-	-	-	-	0%	2,552.55
55	CONDUCTORS	504	LF	8.40	4,233.60	-	-	-	-	-	0%	4,233.60
56	RELOCATE TRAFFIC SIGN AND POST	6	EA	863.10	5,178.60	-	-	-	-	-	0%	5,178.60
57	INSTALL STREET LIGHT CONDUIT AND CABLE	168	LF	46.20	7,761.60	-	-	-	-	-	0%	7,761.60
58	EROSION CONTROL MOBILIZATION	3	EA	620.00	1,860.00	1.00	620.00	-	-	620.00	33%	1,240.00
						Original Contract Totals \$		575,569.65	60,572.80	345,512.65	60%	230,057.00





1111 Main Street  
Wayne, Nebraska 68787  
[www.wsc.edu](http://www.wsc.edu)  
*Member of the Nebraska State College System*

---

City Police Department  
City of Wayne  
306 Pearl Street  
PO Box 8  
Wayne, NE 68787

To whom it may concern:

On behalf of the Office of Student Activities at Wayne State College, I am writing to request a parade permit for the College's annual Homecoming Wildcat Days Parade scheduled for Saturday, September 27<sup>th</sup>, 2025.

We are requesting that The City of Wayne grant a parade permit and assist in the closing of Highways 15 and 35 for the College's Homecoming Wildcat Days Parade. The parade will start at 1st Street and Main Street at 9:30 am and continue down Main Street, ending at the Willow Bowl (11th and Main). The parade will be done at approximately 11:30 am.

Wayne State Campus Security will assist the City Police Department with securing the parade route and affected street crossings. Please contact me by email at [coweste1@wsc.edu](mailto:coweste1@wsc.edu) or by phone at 402-375-7213 if you have any questions or concerns regarding our request.

Thank you for your time and consideration. We look forward to working with the City Police Department to facilitate another eventful parade.

Respectfully,

A handwritten signature in blue ink that reads 'Cody Westerhold'.

Cody Westerhold  
Dean of Students  
Wayne State College  
[Coweste1@wsc.edu](mailto:Coweste1@wsc.edu)  
402-375-7213

**RESOLUTION NO. 2025-45**

**A RESOLUTION ACKNOWLEDGING NEBRASKA DEPARTMENT OF TRANSPORTATION REQUIREMENTS FOR THE TEMPORARY USE OF THE STATE HIGHWAY SYSTEM FOR SPECIAL EVENTS.**

WHEREAS, the annual Wayne State College Student Activities Board Wildcat Days (Homecoming) Parade, which will include Band Day, will be held on Main Street from 1<sup>st</sup> Street to 11<sup>th</sup> Street on Saturday, September 27, 2025, from 8:00 a.m. to approximately 11:30 a.m. or until immediately after the parade, at which time the City will relinquish control of this section of Highway 15 back to the Nebraska Department of Transportation; and

WHEREAS, Wayne State College and Wayne Area Economic Development, in compliance with City of Wayne policy for events held on public right-of-way, will provide special events insurance coverage to indemnify, defend, and hold harmless the City of Wayne and the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event; and

WHEREAS, during the above time periods of these events, the City of Wayne acknowledges all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359; and

WHEREAS, advanced warning signs and/or barricades will be used to notify motorists of closure and detour traffic and control officers will be placed at all major intersections to reroute traffic.

NOW, THEREFORE, BE IT RESOLVED, that during the above time periods of these events, the City of Wayne, Nebraska, accepts and will carry out all duties set out in subsection (2) of LB589/N.R.S. Section 39-1359.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that if a claim is made against the State, it shall indemnify, defend, and hold harmless the State from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event.

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2025.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Note: Contracts for Services are public records which are generally subject to statutory public disclosure and public website posting requirements.**

## CONTRACT FOR SERVICES

(Short Form)

Board of Trustees of the Nebraska State Colleges  
Chadron State, Peru State, and Wayne State Colleges

This Contract is made by and between the Board of Trustees of the Nebraska State Colleges doing business as Wayne State College (the "College"), and \_\_\_\_\_, (the "Contractor")

The parties agree that the Contractor will perform the following work for the College as described herein in exchange for the financial consideration set forth below.

Note: The Contractor shall be an independent contractor and not a College employee for all purposes, including, but not limited to, the application of the Fair Labor Standards Act, minimum wage and overtime payments, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, any Nebraska revenue and taxation law, Nebraska workers' compensation law and Nebraska unemployment insurance law.

### Contract Terms.

#### ***Description of Services***

#### ***Payment Amount***

#### ***Payment Terms***

#### ***Dates for Service Commencement and Completion***

#### **New Employee Work Eligibility Status. One box below must be selected and marked.**

- Employee Work Eligibility Status. The Contractor is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

- The Contractor is an individual, LLC or sole proprietorship. The Contractor must complete the “United States Citizenship Attestation Form,” available on the Department of Administrative Services website at <https://das.nebraska.gov/materiel/docs/pdf/Individual%20or%20Sole%20Proprietor%20United%20States%20Attestation%20Form%20English%20and%20Spanish.pdf>. If the Contractor indicates on such attestation form that he or she is a qualified alien, the Contractor agrees to provide US Citizenship and Immigration Services (USCIS) documentation required to verify the Contractor’s lawful presence in the United States using the Systematic Alien Verification for Entitlements (SAVE) Program. *The attestation form and USCIS documents (if applicable) must be attached to the Contract.*

The Contractor understands and agrees that lawful presence in the United States is required and the Contractor may be disqualified or the Contract terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat. §4-108.

**Prompt Payment Act.** In the event any amount due under this Contract remains unpaid for forty-five (45) days after the due date, the unpaid amount shall bear interest from the 31st day after the due date at the rate specified in the Prompt Payment Act, Neb. Rev. Stat. §§81-2401 to 81-2408.

**Non-Discrimination.** The Contractor agrees to comply fully with Title VI of the Civil Rights Act of 1964, as amended, the Nebraska Fair Employment Practice Act, Neb. Rev. Stat. §§48-1101 to 48-1125, as amended, and Board Policy 5000. Unlawful harassment and/or discrimination is prohibited. This prohibition shall include, but not be limited to employment, promotion, demotion, transfer, recruitment, layoff, termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The Contractor further agrees to insert a similar provision in all subcontracts for services allowed under this Contract.

**ADA & Drug-Free Workplace Requirements.** All provisions of this Contract are subject to the Americans with Disabilities Act (ADA). Further, the Contractor certifies that the Contractor operates a drug-free workplace and, during the term of this Contract, will be in compliance with the provisions of the Drug-Free Workplace Act of 1988.

**Technology Access.** All contracts, which include provisions of technology products, systems, and services, including data, voice, and video technologies, as well as information dissemination methods, shall comply with the Nebraska Technology Access Standards adopted pursuant to Neb. Rev. Stat. §73-205. These Standards are available for viewing on the Web at <https://nitc.nebraska.gov/standards/index.html>, and are incorporated into this Contract as if fully set forth herein.

**Confidentiality.** Contractor acknowledges that performance under the terms of this Contract may involve receipt of user data from the College. Contractor will utilize user data from the College only in the furtherance of this Contract. Contractor will notify College within twenty-four (24) hours of becoming aware of any data breach of its systems which expose confidential College user data. Contractor will reimburse the College for any and all expenses incurred by the College as a result of a data breach of Contractor’s systems.

If the user data consists of confidential student information protected by The Family Educational Rights and Privacy Act (FERPA) the Contractor agrees and acknowledges that Contractor is acting as an officer of the College for the purposes of this Contract as defined by Nebraska State College Board Policy 3650 (at the time of this writing available at: <https://www.nscs.edu/policy-manual/detail/39-3650-student%20records>) and will take necessary steps to safeguard the confidential student information.

The Contractor further acknowledges the obligation and agrees to comply with the General Data Protection Regulation (GDPR) privacy laws in regard to the collection, processing, storage, security, management, transfer and erasure of user data.

**Designated College Representative.** The designated College representative for purposes of monitoring and oversight of this Contract is:

---

Typed or Printed Name	Telephone	Email Address
-----------------------	-----------	---------------

**Signatures:**

**CONTRACTOR**

**COLLEGE**

**SYSTEM OFFICE**

---

Signature

---

Signature

---

Signature

---

Printed Name

---

Angela Fredrickson  
Printed Name

---

Printed Name

---

Title

---

Vice President for  
Administration and Finance  
Title

---

Title

---

Date

---

Date

---

Date

**RESOLUTION NO. 2025-46**

**A RESOLUTION ACCEPTING BID AND AWARDING CONTRACT ON THE  
“WAYNE PRAIRIE PARK – PHASE 4 ROUNDABOUT/PARKS & REC  
BUILDING PAVING PROJECT.”**

WHEREAS, one bid was received on July 31, 2025, for the “Wayne Prairie Park – Phase 4 Roundabout/Parks & Rec Building Paving Project;” and

WHEREAS, the bid has been reviewed by the City’s Engineer on the project, Olsson; and

WHEREAS, Olsson is recommending that the bid outlined below be accepted as recommended.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Wayne, Nebraska, that they find and declare that the bid for the “Wayne Prairie Park – Phase 4 Roundabout/Parks & Rec Building Paving Project” as submitted by the following contractor:

<b><u>Bidder</u></b>	<b><u>Amount</u></b>
TR Harris Construction, Inc. 102 Robert Street Homer NE 68030	

and filed with the City Clerk in accordance with the general terms calling for the proposals for the furnishing of labor, tools, materials, and equipment required for said project in the City of Wayne, Nebraska, be and the same are hereby accepted.

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2025.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



August 1<sup>st</sup>, 2025

City of Wayne  
Attn: Mr. Wes Blecke  
513 Main Street  
Wayne, Nebraska 68787

Re: Wayne Prairie Park Phase 4 - Roundabout / Parks & Rec Building Paving  
Wayne, Nebraska - 2025  
Olsson Project Number: 025-01686

Mr. Blecke:

Bids for the above referenced project were received and opened on Friday July 31<sup>st</sup>, 2025. A total of 1 bid was submitted and has been reviewed. The bid appears to be competitive to other projects we have bid and is near our engineer's estimate for the project.

Following our review of the submitted bid, we recommend that the Notice of Award be issued to the apparent low bidder, T.R. Harris Construction Inc. The final contract amount will be determined based on the City Council's decision between awarding the Total of All Unit Price Items or the Alternate Bid Item. Upon receiving your approval, we will proceed with preparing and processing the contract documents for the project.

Please do not hesitate to call with any questions, comments, or if any further information or documentation is required. The full bid tab is included with this letter.

Sincerely,

A handwritten signature in blue ink that reads "Taylor Kube". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Taylor Kube, PE

BID  
TABULATION



WAYNE PRAIRIE PARK PHASE 4

ROUNABOUT/PARKS & REC  
BUILDING PAVING

WAYNE, NE -  
2025

31-Jul-2025 Project No. 025-01686

1:30 p.m. Page 1 of 1

CONTRACTOR				T.R. Harris Construction, Inc. Homer, NE	
Item No.	ITEM	UNIT	QTY.	Unit Price	Extension
1	Mobilization	LS	1	\$10,200.00	\$10,200.00
2	Earthwork	LS	1	\$24,000.00	\$24,000.00
3	Traffic Control	LS	1	\$4,800.00	\$4,800.00
4	Erosion Control	LS	1	\$12,500.00	\$12,500.00
5	Curb Removal	LF	47	\$7.00	\$329.00
6	Rock Removal and Replacement	SY	1798	\$7.50	\$13,485.00
7	Pavement Removal	SY	18	\$15.00	\$270.00
8	7" PCC Pavement with Integral Curb (Parking)	SY	1562	\$79.00	\$123,398.00
9	5" Sidewalk Pavement	SY	262	\$90.00	\$23,580.00
10	7" Sidewalk Pavement and ADA Panel	SY	18	\$137.00	\$2,466.00
11	18" Curb & Gutter	LF	1889	\$34.00	\$64,226.00
12	12" Subgrade Prep	SY	3698	\$8.00	\$29,584.00
13	Pavement Marking	LS	1	\$2,000.00	\$2,000.00
14	Parking 4" Base Incorporated Gravel (including reused gravel)	TN	227	\$61.05	\$13,858.35
15	Parking 2" Surface Course Gravel	TN	243	\$55.60	\$13,510.80
16	Roundabout 4" Base Course Incorporated Gravel	TN	232	\$61.05	\$14,163.60
17	Roundabout 2" Surface Course Gravel	TN	117	\$55.60	\$6,505.20
18	Driveway 4" Base Course Incorporated Gravel	TN	22	\$61.05	\$1,343.10
19	Driveway 2" Surface Course Gravel	TN	11	\$55.60	\$611.60
20	15" Storm Pipe	LF	80	\$103.00	\$8,240.00
21	15" Flared End Section	EA	4	\$1,045.00	\$4,180.00
22	10' Curb Flume	EA	8	\$1,700.00	\$13,600.00
23	Seeding	SY	3099	\$4.00	\$12,396.00
<b>TOTAL OF ALL UNIT PRICE BID ITEMS (ITEMS 1-23)</b>					<b>\$399,246.65</b>
<b>ALTERNATE BID ITEM:</b>					
24	7" PCC Pavement (Roundabout)	SY	1615	\$69.00	\$111,435.00
<b>TOTAL ALTERNATE BID ITEM (ITEM 24)</b>					<b>\$111,435.00</b>
<b>TOTAL OF ALL UNIT PRICE BID ITEMS PLUS ALTERNATE ITEM 24 (MINUS BID ITEMS 16 &amp; 17)</b>					<b>\$490,012.85</b>
Substantially Complete On or Before:				December 1, 2025	
Complete and Ready for Final Payment On or Before:				December 31, 2025	
Addendum No.				0	
Bid Guarantee:				5% Bid Bond	
Remarks:					

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**RESOLUTION NO. 2025-47**

**A RESOLUTION AUTHORIZING THE ALLOCATION OF PROPERTY TAXES TO THE WAYNE AIRPORT AUTHORITY.**

WHEREAS, the Governor signed LB989 of the 1997 Session into law, and this law authorizes the City Council to allocate property taxes to the Wayne Municipal Airport Authority; and

WHEREAS, LB 1114 allows Airport Authorities to adopt a resolution requesting that the governing body of the city include their tax levy in the city budget; and

WHEREAS, the Wayne Municipal Airport Authority has requested \$96,105 in property tax allocation; and

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska, hereby finds and determines that it is in the best interest of the City to allocate \$96,105 in property taxes to the Wayne Municipal Airport Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City of Wayne allocates \$96,105 to the Wayne Municipal Airport Authority.

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2025.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**PRELIMINARY LEVY ALLOCATION FROM CITY OF WAYNE**  
RESOLUTION NO. 2025-1

WHEREAS, Nebraska Statute 77-3443 (3) requires all political subdivisions subject to city levy authority to submit a preliminary request for levy allocation to the city council; and

WHEREAS, the Wayne City Council is the levy authority for the Wayne Municipal Airport.

NOW, THEREFORE BE IT RESOLVED that the following is said Board's tax request for budget year 2025-2026:

FUND TAX REQUEST	
General Fund	\$ 96,105
TOTAL	\$ 96,105

BE IT FURTHER RESOLVED that said Public Airport has repayment of Interest-Free Loans from the Department of Aeronautics for \$16,692 and this amount is not included in the above tax request as allowed by law.

NOW, THEREFORE BE IT RESOLVED that the following is said Board's tax request for budget year 2025-2026:

TOTAL

Motion by Ley to adopt Resolution NO. 2025-1. Seconded by Hammer.

Voting yes were: Ley, Hammer, Henderson, Schmitz

Voting no were: —

Motion carried.

Date this 14<sup>th</sup> day of July, 2025.

Scott Hammer  
Chairman  
David R. Ley  
Secretary

**RESOLUTION NO. 2025-48**

**A RESOLUTION AUTHORIZING THE ALLOCATION OF PROPERTY TAXES TO THE WAYNE COMMUNITY REDEVELOPMENT AUTHORITY.**

WHEREAS, the Community Redevelopment Authority of the City of Wayne, Nebraska, has by Resolution adopted July 28, 2025, submitted a request to the City Council of the City of Wayne for property tax levy allocation as follows:

The amount of revenue sought to be raised is 2.6 cents per \$100.00 of the taxable value of real property within the City of Wayne.

NOW, THEREFORE, in consideration of the foregoing recitals, the Mayor and City Council of the City of Wayne, Nebraska, hereby adopt the following Resolution:

BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the final allocation of levy authority for the Community Redevelopment Authority shall be in the amount of 2.6 cents per \$100.00 of the taxable value of real property within the City of Wayne.

PASSED AND APPROVED this 4<sup>th</sup> day of August, 2025.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. 2025-12**

**AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 152 ZONING, SECTION 152.111 SFP FLOODPLAIN DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.**

Section 1. That Title XV Land Usage, Chapter 152 Zoning, Section 151.222 SFP Flood Plain District, shall be amended in its entirety as follows:

**152.111 SFP Floodplain District**

(A) *Statutory authorization, findings of fact and purposes.*

(1) *Statutory authorization.* The legislature of the state has delegated the responsibility to local governmental units to adopt zoning regulations designed to protect the public health, safety and general welfare. The legislature, in Neb. RS 31-1001 to 31-1022 (as amended), has further assigned the responsibility to adopt, administer and enforce floodplain management regulations to the county, city, or village with zoning jurisdictions over the flood-prone area. Therefore, the city ordains as follows.

(2) *Findings of fact.*

(a) *Flood losses resulting from periodic inundation.* The flood hazard areas of the city are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.

(b) *General causes of the flood losses.* These flood losses are caused by:

1. The cumulative effect of obstructions in floodplains causing increases in flood heights and velocities; and
2. The occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others, which are inadequately elevated or otherwise unprotected from flood damages.

(c) *Methods used to analyze flood hazards.* This section uses a reasonable method of analyzing flood hazards which consists of a series of interrelated steps:

1. Selection of a regulatory flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated and the depth of the inundation. The base flood is selected for this section. It is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this section. It is in the general order of a flood which could be expected to have a 1% chance of occurrence in any one year, as delineated on the Federal Insurance Administration's Flood Insurance Study **31179CV000B**, and illustrative materials

dated effective on ~~March 18, 2008~~ **September 5, 2025**.

2. Calculation of water surface profiles based on a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the base flood;
3. Computation of the floodway required to convey this flood without increasing flood heights more than one foot at any point; and
4. Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any water surface increase along the floodway profile.

(3) *Statement of purpose.* It is the purpose of this section to promote the public health, safety, and general welfare and to minimize those losses described herein by applying the provisions of this section to:

- (a) Restrict or prohibit uses which are dangerous to health, safety or property in times of flooding or cause undue increases in flood heights or velocities;
- (b) Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction;
- (c) Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard; and
- (d) Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

(B) *General provisions.*

(1) *Lands to which section applies.* This section shall apply to all lands within the jurisdiction of the city identified on the Flood Insurance Rate Map (FIRM) Panels ~~31179C0070C, 31179C0075C, 31179C0090C, 31179C0185C, 31179C0200C, 31179C0205C~~ **31179C0075D, 31179C0070D, 31179C0200D, 31179C0185D, 31179C0205D, 31179C0090D** dated effective on ~~March 18, 2008~~ **September 5, 2025**, as numbered and unnumbered A Zones (including AE, AO and AH Zones) and within Zoning Districts FW and FF established herein. In all areas covered by this section no development shall be permitted, except upon the issuance of a floodplain permit to develop, granted by the city or its duly designated representative under such safeguards and restrictions as the city or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community and where specifically noted herein.

(2) *The Enforcement Officer.* The Zoning Administrator/Chief Building Official of the community is hereby designated as the community's duly designated Enforcement Officer under this section.

(3) *Rules for interpretation of district boundaries.* The boundaries of the floodway and flood fringe overlay districts shall be determined by scaling distances on the official zoning map or on

the Flood Insurance Rate Map or Floodway Map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Enforcement Officer shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Adjustment (Appeal Board) will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present his or her case to the Board of Adjustment and to submit his or her own technical evidence, if he or she so desires.

(4) *Compliance.* Within identified special flood hazard areas of the community, no development shall be located, extended, converted or structurally altered without full compliance with the terms of this section and other applicable regulations.

(5) *Abrogation and greater restrictions.* It is not intended by this section to repeal, abrogate or impair any existent easements, covenants or deed restrictions. However, where this section imposes greater restrictions, the provision of this section shall prevail. All other ordinances inconsistent with this section are hereby repealed to the extent of the inconsistency only.

(6) *Interpretation.* In their interpretation and application, the provisions of this section shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

(7) *Warning and disclaimer of liability.* The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur ~~on rare occasions~~ or the flood height may be increased by human-made or natural causes, such as ice jams and bridge openings restricted by debris. This section does not imply that areas outside floodway and flood fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damage. This section shall not create liability on the part of the city or any officer or employee thereof for any flood damages that may result from reliance on this section or any administrative decision lawfully made thereunder.

(8) *Severability.* If any section, clause, provision or portion of this section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this section shall not be affected thereby.

(9) *Appeal.* Where a request for a permit to develop or a variance is denied by the Zoning Administrator/Chief Building Official, the applicant may apply for such permit or variance directly to the Board of Adjustment.

(C) *Development permit.*

(1) *Permit required.* No person, firm or corporation shall initiate any floodplain development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined herein.

(2) *Administration.*

(a) The Zoning Administrator/Chief Building Official is hereby appointed to administer and implement the provisions of this section.

(b) Duties of the Zoning Administrator/Chief Building Official shall include, but not be limited to:

1. Review all development permit applications to assure that sites are reasonably safe from flooding and that the permit requirements of this section have been satisfied;

2. Review applications for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;

4. Notify adjacent communities and the ~~State Department of Natural Resources~~ **Nebraska State NFIP Coordinating Office** prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;

5. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;

6. Verify, record and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures in special flood hazard areas;

7. Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which new or substantially improved non-residential structures have been floodproofed; and

8. When floodproofing is utilized for a particular structure the Zoning Administrator/Chief Building Official shall be presented certification from a registered professional engineer or architect.

(3) *Application for permit.* To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

(a) Identify and describe the development to be covered by the floodplain development permit;

(b) Describe the land on which the proposed development is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or development;

(c) Indicate the use or occupancy for which the proposed development is intended;

(d) Be accompanied by plans and specifications for proposed construction;

(e) Be signed by the permittee or his or her authorized agent who may be required to submit evidence to indicate such authority; and

(f) Give such other information as reasonably may be required by the Zoning Administrator/Chief Building Official.

(D) *Establishment of zoning districts.* Along watercourses where a floodway has been established, the mapped floodplain areas are hereby divided into the two following districts: a floodway overlay district (FW) and a flood fringe overlay district (FF) as identified in the Flood Insurance Study **31179CV000B** dated ~~March 18, 2008~~ **September 5, 2025**, and accompanying map(s). Within these districts all uses not meeting the standards of this section and those standards of the underlying zoning district shall be prohibited.

(E) *Standards of floodplain development.*

(1) No permit for development shall be granted for new construction, substantial improvements and other development(s) including the placement of manufactured homes within all numbered and unnumbered A zones (including AE, AO and AH zones) unless the conditions of this section are satisfied.

(2) All areas identified as unnumbered A zones on the FIRM are subject to inundation of the base flood; however, the water surface elevation was not provided. The unnumbered A zones shall be subject to all development provisions hereof. If Flood Insurance Study data is not available, the community shall utilize any base flood elevation or floodway data currently available from federal, state or other sources.

(3) Until a floodway has been designated, no development or substantial improvement may be permitted within special flood hazard areas unless the applicant has demonstrated that the proposed development or substantial improvement, when combined with all other existing and reasonably anticipated developments or substantial improvements, will not increase the water surface elevation of the base flood more than one foot at any location as shown on the Flood Insurance Study.

(4) New construction, subdivision proposals, substantial improvements, prefabricated buildings, placement of manufactured homes and other developments shall require:

(a) Design or anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(b) New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination;

(c) Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damages, and with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

(d) All utility and sanitary facilities be elevated or floodproofed up to the regulatory flood protection elevation.

(5) Storage of material and equipment.

(a) The storage or processing of materials that are in time of flooding buoyant, flammable, explosive or could be injurious to human, animal or plant life is prohibited.

(b) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

(6) Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, be required to assure that:

(a) All such proposals are consistent with the need to minimize flood damage;

(b) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate flood damage;

(c) Adequate drainage is provided so as to reduce exposure to flood hazards; and

(d) Proposals for development (including proposals for manufactured home parks and subdivision) of five acres or 50 lots, whichever is lesser, include within such proposals the base flood elevation.

(F) *Flood Fringe Overlay District (including AO and AH Zones).*

(1) *Permitted uses.* Any use permitted herein shall be permitted in the Flood Fringe Overlay District. No use shall be permitted in the district unless the standards hereof are met.

(2) *Standards for the Flood Fringe Overlay District.*

(a) Require new construction or substantial improvements of residential structures to have the lowest floor, including basement, elevated to or above one foot above the base flood elevation;

(b) Require new construction or substantial improvements of non-residential structures to have the lowest floor, including basement, elevated to or above one foot above the base flood elevation or, together with attendant utility and sanitary facilities, to be floodproofed so that below that level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this division (F)(2)(b) are satisfied. Such certification shall be provided to the Zoning Administrator/Chief Building Official as set forth herein;

(c) Require for all new construction and substantial improvements that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in

an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices; provided that, they permit the automatic entry and exit of floodwaters;

(d) Within AH zones adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures;

(e) Manufactured homes:

1. All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Manufactured homes must be anchored in accordance with local Building Codes or FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

a. Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations and manufactured homes less than 50 feet long requiring one additional tie per side;

b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points and manufactured homes less than 50 feet long requiring four additional ties per side;

c. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and

d. Any additions to the manufactured home be similarly anchored.

2. Require that all manufactured homes to be placed or substantially improved within special flood hazard areas on the community's FIRM on sites:

a. Outside of a manufactured home park or subdivision;

b. In a new manufactured home park or subdivision;

c. In an expansion to an existing manufactured home park or subdivision; or

3. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above one foot above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions hereof.

a. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within special flood hazard areas on the community's FIRM that are not subject to the provisions hereof be elevated so that either:

b. The lowest floor of the manufactured home is at or above one foot above the base flood elevation; or

c. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade; and be securely anchored to an adequately anchored foundation system in accordance with the provisions hereof.

(f) Recreational vehicles placed on sites within the special flood hazard areas on the community's official map shall either:

1. Be on the site for fewer than 180 consecutive days;

2. Be fully licensed and ready for highway use; or

3. Meet the permit requirements and the elevation and anchoring requirements for manufactured homes of this section.

a. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

(g) Located within the areas of special flood hazard established herein are areas designated as AO Zones. These areas have special flood hazard associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply within AO Zones.

1. All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as one foot above the depth number specified in feet on the community's FIRM. If no depth number is specified on the FIRM, at least as high as three (3) feet above the highest adjacent grade. (at least two feet if no depth number is specified).

2. All new construction and substantial improvements of non-residential structures shall:

a. Have the lowest floor elevated above the highest adjacent grade at least as high as one foot above the depth number specified in feet on the community's FIRM. If no depth number is specified on the FIRM, at least as high as three (3) feet above the highest adjacent grade; (at least two feet if no depth number is specified); or

b. Together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic

and hydrodynamic loads and effects of buoyancy. Such certification shall be provided to the official as set forth herein.

3. Adequate drainage paths around structures on slopes shall be required in order to guide flood waters around and away from proposed structure.

(h) Appurtenant Structures

1. Structures accessory to a principal building may have the lowest floor below one foot above base flood elevation provided that the structure complies with the following requirements:

(a) The structure shall not be used for human habitation.

(b) The use of the structure must be limited to parking of vehicles or storage of items readily removable in the event of a flood warning.

(c) The floor area shall not exceed 800 square feet.

(d) The structure shall have a low damage potential.

(e) The structure must be adequately anchored to prevent flotation, collapse, or other lateral movement.

(f) The structure shall be designed to automatically provide for the entry and exit of floodwaters for the purpose of equalizing hydrostatic forces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(1) A minimum of two openings having a net area of not less than one (1) square inch for every one (1) square foot of enclosed space,

(2) The bottom of all openings shall not be higher than one (1) foot above grade, and

(3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they allow the automatic entry and exit of floodwaters.

(g) No utilities shall be installed except electrical fixtures in the structure, which must be elevated to or above one (1) foot above the base flood elevation or floodproofed so that below one (1) foot above the base flood elevation they are:

(1) Watertight and substantially impermeable to the passage of water; and,

(2) Capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy

A registered professional engineer or architect shall certify that the standards of (h)(1)(g)(1) and (2) are satisfied. A floodproofing certificate shall be provided to the floodplain administrator as

set forth in section (C).

(h) The structure shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

(i) If the structure is converted to another use, it must be brought into full compliance with the minimum standards governing such use.

(G) *Floodway Overlay District.*

(1) *Permitted uses.* Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance. The following are recommended uses for the Floodway District:

(a) Agricultural uses such as general farming, pasture, nurseries, forestry;

(b) Residential uses such as lawns, gardens, parking and play areas;

(c) Non-residential uses such as loading areas, parking and airport landing strips; and

(d) Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves.

(2) *Standards for the Floodway Overlay District.* New structures for human habitation are prohibited. All encroachments, including fill, new construction, substantial improvements and other development must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during occurrence of the base flood discharge. These uses are subject to the standards hereof. In Zone A unnumbered, obtain, review and reasonably utilize any flood elevation and floodway data available through federal, state or other sources or this section, in meeting the standards of this section.

(H) *Variance procedures.*

(1) *Variance procedures.*

(a) The Board of Adjustment as established by the city shall hear and decide appeals and requests for variances from the requirements of this section.

(b) The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Zoning Administrator/Chief Building Official in the enforcement or administration of this section.

(c) Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal such decision to the District Court as provided in Neb. RS 19-912.

(d) In passing upon such applications, the Board of Adjustment shall consider all technical evaluation, all relevant factors, standards specified in other sections of this section, and:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity of the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles:
  - a. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - b. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.

*(2) Conditions for variances.*

(a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(c) Variances shall not be issued within any designated floodway if any increase in flood levels along the floodway profile during the base flood discharge would result.

(d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(e) Variances shall only be issued upon:

1. A showing of good and sufficient cause;
2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(f) This application shall be given a written notice over the signature of a community official that:

1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
2. Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this section.

**(I) Enforcement.**

**(1) Violations.**

(a) Failure to obtain a floodplain development permit or the failure of a structure or other development to be fully compliant with the provisions of this ordinance shall constitute a violation. A structure or other development without a floodplain development permit, elevation certificate, certification by a licensed professional engineer of compliance with these regulations, or other evidence of compliance is presumed to be in violation until such time as documentation is provided.

**(2) Notices.**

(a) When the floodplain administrator or other authorized community representative determines, based on reasonable grounds, that there has been a violation of the provisions of this ordinance, the floodplain administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

1. Be in writing;
2. Include an explanation of the alleged violation;

3. Allow a reasonable time for the performance of any remedial act required;
4. Be served upon the property owner or their agent as the case may require; and
5. Contain an outline of remedial actions that, if taken, will bring the development into compliance with the provisions of this ordinance.

(3) *Penalties.*

(a) Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person, firm, corporate, or other entity that violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(b) The imposition of such fines or penalties for any violation or non-compliance with this ordinance shall not excuse the violation or non-compliance or allow it to continue. All such violations or non-compliant actions shall be remedied within an established and reasonable time.

(c) Nothing herein contained shall prevent the City of Wayne or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

(J) *Non-conforming use.*

(1) A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance, but which is not in conformity with the provisions of this section may be continued subject to the following conditions.

(a) If such use is discontinued for 12 consecutive months, any future use of the building premises shall conform to this section. The Utility Department shall notify the Zoning Administrator/Chief Building Official in writing of instances of non-conforming uses where utility services have been discontinued for a period of three months.

(b) Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as non-conforming uses.

(2) If any non-conforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50% of the market value of the structure before the damage occurred except if that it is reconstructed in conformity with the provisions of this section. This limitation does not include the cost of any alteration to comply with existing state or local Health, Sanitary, Building or Safety Codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places; provided that, the alteration shall not preclude its continued designation.

(K) *Amendments.* The regulations, restrictions and boundaries set forth in this section may from time to time be amended, supplemented, changed or appealed to reflect any and all changes in the National Flood

Disaster Protection Act of 1973; provided, however, that, no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation on the city. At least 15 days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Federal Emergency Management Agency. The regulations of this section are in compliance with the National Flood Insurance Program Regulations as published in 44 C.F.R. and the 1983 Nebraska Flood Plain Management Act, being Neb. RS 31-1001 to 31-1023.

(L) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPEAL.** A request for a review of the Zoning Administrator/Chief Building Official's interpretation of any provision of this section or a request for a variance.

**APPURTENANT STRUCTURE.** A structure on the same parcel of property as the principal structure, the use of which is identical to the use of the principal structure.

**AREA OF SHALLOW FLOODING.** A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1% or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**BASE FLOOD.** The flood having 1% chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION.** The elevation to which floodwaters are expected to rise during the base flood.

**BASEMENT.** Any area of the building having its floor subgrade (below ground level) on all sides.

**DEVELOPMENT.** Any human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**EXISTING CONSTRUCTION.** For the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before 1-1-1975, for FIRMs effective before that date. **EXISTING CONSTRUCTION** may also be referred to as **EXISTING STRUCTURES**.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

**FLOOD** or **FLOODING**. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; and
- (b) The usual and rapid accumulation of runoff of surface waters from any source.

**FLOOD FRINGE**. The area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a 1% chance of flood occurrence in any one year).

**FLOOD INSURANCE RATE MAP (FIRM)**. An official map of a community, on which the Flood Insurance Study has delineated the flood hazard boundaries and the zones establishing insurance rates applicable to the community.

**FLOOD INSURANCE STUDY FIS**. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

**FLOODPLAIN**. Any land area susceptible to being inundated by water from any source. (See definition of flooding.)

**FLOODPROOFING**. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY** or **REGULATORY FLOODWAY**. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**FREEBOARD**. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. **FREEBOARD** tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings and the hydrological effect on urbanization of the watershed.

**HIGHEST ADJACENT GRADE**. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE**. Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior; or
2. Directly by the Secretary of the Interior in states without approved programs.

**LOWEST FLOOR.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's **LOWEST FLOOR**; provided that, such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this section.

**MANUFACTURED HOME.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term **MANUFACTURED HOME** does not include a recreational vehicle.

**MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**NEW CONSTRUCTION.** For floodplain management purposes, structures for which the start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**OVERLAY DISTRICT.** A district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.

**POST-FIRM STRUCTURE.** A building that was constructed or substantially improved after December 31, 1974, or on or after the community's initial FIRM dated 12/02/1980, whichever is later.

**PRE-FIRM STRUCTURE.** A building that was constructed or substantially improved on or before December 31, 1974, or before the community's initial FIRM dated 12/02/1980, whichever is later.

**PRINCIPALLY ABOVE GROUND.** At least 51% of the actual cash value of the structure is above ground.

**RECREATIONAL VEHICLE.** A vehicle which is:

- (a) Built on a single chassis;
- (b) Four hundred square feet or less when measured at the largest horizontal projections;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

**SPECIAL FLOOD HAZARD AREA.** The land in the floodplain within a community subject to 1% or greater chance of flooding in any given year.

**START OF CONSTRUCTION.** For other than new construction or substantial improvements under the Barrier Resources Act (Pub. Law No. 97-348), being 16 USC 3501 et seq., includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual **START** means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual **START OF CONSTRUCTION** means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

**STRUCTURE.** A walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.

**SUBSTANTIAL DAMAGE.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT.** Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any project for improvement of a structure to correct existing violations of state or local Health, Sanitary or Safety Code specifications which have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a "historic structure"; provided that, the alteration will not preclude the structure's continued designation as a "historic structure".

**VARIANCES.** A grant of relief to a person from the requirements of this section which permits

construction in a manner otherwise prohibited by this section where specific enforcement would result in necessary hardship.

**VIOLATION.** A failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**LB840 Semi-Annual Report**  
**Dept. of Ec. Dev, City of Wayne**  
**Luke Virgil, Director**

**Overview:** In 2009, voters approved the LB840 Economic Development Plan, which implemented a 1% Local Option Sales Tax on July 1, 2009. The 2009 Plan was intended to sunset after 15 years (June 30, 2024), unless the voters reapproved the Plan.

- Of the 1%, 60% of the local option sales tax revenue was earmarked for capital improvement projects within the City of Wayne and the remaining 40% was earmarked for Wayne's Economic Development Program (WEDP), more commonly referred to as the LB840 Program.
- In 2022, voters approved the continuation of the 1% Local Option Sales Tax and minor updates to the Plan.
  - o Of the 1%, 85% of the local option sales tax revenue was earmarked for capital improvement projects within the City of Wayne and the remaining 15% was earmarked for the WEDP.
  - o The changes to the division of revenue (60/40 to 85/15) reflected the increases in local option sales tax revenue over the life of the program and the Program having a baseline balance from the loans disbursed from 2009 to 2018.
  - o The 2022 Plan was approved and went into effect on July 1, 2024, which meant the program had a seamless transition from the 2009 Plan.
  - o The 2022 Plan will sunset on June 30, 2039.
- The Wayne America Office/Economic Development Department has been the designated Program Administrator, reviewing applications, organizing Committee meetings, and guiding applicants until their project is approved by Council.
- Once projects are approved by Council, the City Attorney handles the loan closings, and the City Finance Director oversees the loan repayments.

**Phase 1:** From 2009 to 2018, the WEDP disbursed grants and loans for businesses and organizations.

- Nearly \$3.2MM was disbursed, with roughly \$1MM as grants and \$2.2MM as loans.
- Included in the report are the projects from the original loan and grant program (Phase 1), which has remained the same since early 2019.

**Phase 2:** In 2019, the Program transitioned to a Revolving Loan Fund (Phase 2).

- Since 2019, the RLF Program has disbursed \$2.87MM to support projects totaling \$14.54MM, which means for every \$1 approved by Council via the RLF Program, \$5 of investments in the community were generated.
- The average loan amount is \$168K.
- The average interest rate has been 1.73%. All loans via the RLF Program have a fixed interest rate, which are negotiated on an individual basis.
- The repayment terms have varied depending on the use of the funds and the repayment terms of the primary lender.
- The RLF Program has seen increased use since late 2023, when commercial interest rates began to normalize following years of quantitative easing by the Federal Reserve.
- Included in the report is a list of approved projects since 2019 (Phase 2), which compares what was recommended by the Committee, what was approved by Council, and how the funds were used. Council is given a copy of the comp sheet when reviewing new applications.

**Program Balance & Projections:** As use of the program has increased, Beth and I have more-closely tracked the Program Balance and have been providing potential applicants with Balance Projections.

- Included in the report is our Balance Projection through the end of 2025. The Projection accounts for completed applications, which are considered in the order in which they are received.
- Since the Program Balance is not sufficient to satisfy the requests outlined in the completed applications, both applicants have agreed to wait until the Program Balance is sufficient to meet their requests.
- With the increased use of the Program and commercial interest rates remaining stable, it is my opinion that the Council should consider options for supplementing the Program Balance from other cash reserves.

**LB840 Program - Balance Estimates - 2025**

<b>Balance 07/30/25</b>	<b>\$ 320,046.56</b>
Aug. est. sales tax	\$ 11,000.00
Aug. proj. repayments	\$ 12,992.00
	<b>\$ 344,038.56</b>
Sept. est. sales tax	\$ 12,000.00
Sept. proj. repayments	\$ 71,748.65
	<b>\$ 427,787.21</b>
Oct. est. sales tax	\$ 11,000.00
Oct. proj. repayments	\$ 24,854.75
	<b>\$ 463,641.96</b>
Nov. est. sales tax	\$ 12,000.00
Nov. proj. repayments	\$ 12,992.00
	<b>\$ 488,633.96</b>
Dec. est. sales tax	\$ 12,000.00
Dec. proj. repayments	\$ 46,362.77
<b>Projected balance as of 12/31/25</b>	<b>\$ 546,996.73</b>
<b>Pending Application - 06.27.2025</b>	<b>\$ (350,000.00)</b>
<b>Pending Application - 07.22.2025</b>	<b>\$ (82,500.00)</b>
<b>Projected balance if applications are approved</b>	<b>\$ 114,496.73</b>

**LB840 RLF Program (Phase 2) - Project Comps**

Applicant	Total Project Cost	Primary Lender Interest Rate	Committee Review	Recommended WEDP Rate	Recommended WEDP Term	Approved WEDP Rate	Approved WEDP Term	Council Approval	Loan Amount	Purpose/Use of RLF Funds
Talon Capital, LLC (dba Fyre-Tec)	\$ 3,450,000.00	Midwest Bank: 5.7%	1/10/19	2.85%	10 years	2.85%	10 years plus 5 FTE in 3 years	2/5/19	\$ 250,000.00	purchase existing business/expand business
Ace Hardware & Home	\$ 1,600,000.00	rate not yet set when approved by Council	9/18/19	0% Y1-5 / 2% Y6-15 *	15 years	0%	15 years with no interest to diversify inventory	10/1/19	\$ 200,000.00	start retail store/purchase inventory
Johnnie Byrd Brewing Company	\$ 127,000.00	SNB&T: 2%	12/13/19	1.00%	term of lender	1.00%	term of lender	12/17/19	\$ 40,000.00	purchase real estate
DSF Wayne Short Stop, LLC	\$ 512,824.00	SBA: 2.75% + prime (variable)	4/14/21	3.00% fixed	10 years	3.00%	10 years with fixed interest	4/20/21	\$ 85,000.00	property improvements/business expansion
Sanctuary Apartments, LLC	\$ 1,400,000.00	F&M Bank: 3%	10/13/21	1.50%	10 years/20 year amortization	1.50%	10 years/20 year amortization & preserving historic building	11/2/21	\$ 400,000.00	historic preservation/housing development
Nix Wayne, LLC	\$ 821,000.00	BankFirst: 4.625%	6/16/22	2.3125% *	10 years	1.00%	10 years	6/21/22	\$ 300,000.00	property improvements/business expansion
I Wet My Plants (Katelynn Broders)	\$ 270,000.00	SNB&T: 7.5%	2/15/23	3.75%	10 years	3.75%	10 years	2/21/23	\$ 40,000.00	property improvements/business expansion
Blazer, LLC	\$ 450,000.00	RVR Bank: 6.75%	6/29/23	3.375% *	5 years	2.00%	5 years	7/6/23	\$ 200,000.00	purchase existing business/expand business
Webber Hospitality, LLC	\$ 640,000.00	SNB&T: 7.25%	11/20/23	3.625% *	10 years	1.80%	10 years	12/5/23	\$ 200,000.00	purchase existing business/expand business
Blends & Boards	\$ 32,000.00	SNB&T: 9.5% variable (prime [8.5% on 02.15.2024] + 1.0%)	2/15/24	4.75% fixed*	5 years	0%	5 years	2/20/24	\$ 10,000.00	purchase equipment/inventory
HIS Baking Co., LLC	\$ 300,887.00	EVB&T: 8.15% fixed for 5 years (1st lien position)	5/2/24	4.075% fixed*	10 years	2.50%	15 years	5/7/24	\$ 134,949.00	purchase property/renovate building
Wildcat Lanes, LLC	\$ 360,000.00	SNB&T: 7.25% fixed for 5 years (2nd lien position behind City)	5/2/24	3.625% fixed*	10 years	1.00%	10 years	5/7/24	\$ 180,000.00	purchase property/renovate building
Mike & Becky Brudigam (Tom's Auto Body)	\$ 350,000.00	SNB&T: 8.5% fixed for 20 years	10/8/24	4.25% fixed*	10 years	2.00%	15 years	10/15/24	\$ 110,000.00	purchase existing business, property & equipment
Pepper & Print, LLC (Heidi & Jason Claussen; Elizabeth & Ransen Broders)	\$ 250,000.00	SNB&T: 7.5% fixed for 10 years on a 20-year amortization	11/26/24	3.75% fixed*	10 years/20 year amortization	2.00%	10 years/20 year amortization	12/3/24	\$ 112,500.00	purchase/renovate property & equipment
Kay Contracting Inc.	\$ 3,385,885.00	SNB&T: 7.5% fixed for 10 years on a 15-year amortization	2/11/25	3.75% fixed*	10 years/15 year amortization	2.00%	10 years/15 year amortization	2/18/25	\$ 400,000.00	purchase property & equipment
Wayne Auto Parts, Inc.	\$ 465,000.00	N/A	3/25/25	3.75% fixed*	10 years	0.00%	10 years	4/1/25	\$ 149,000.00	purchase property & inventory
Silver Silo Design, LLC	\$ 130,000.00	SNB&T: 7.75% fixed for 5 years on a 10-year amortization	3/25/25	3.875% fixed*	5 years/10 year amortization	3.00%	5 years/10 year amortization	4/1/25	\$ 58,500.00	purchase intellectual property & equipment
<b>RLF PROJECTS TOTAL (as of Apr. 1, 2025)</b>	<b>\$ 14,544,596.00</b>			<b>* Applicant Requested Rate Lower than Recommendation</b>		<b>1.73%</b>	<b>Average Rate Approved</b>		<b>\$ 2,869,949.00</b>	<b>TOTAL RLF LOANS (as of Apr. 1, 2025)</b>

## 6-Month Report to the Wayne City Council

### LB 840 Grant & Loan Projects (Phase 1) - 06/30/2025

LB840 GRANTS					
Applicant	Amount		Type of funding	Purpose	Committee review
Digital Blue	\$ 30,600.00		performance based loan	relocation/expansion	5/27/09
Louis and Jevonah Benscoter	\$ 36,000.00		performance based loan	land development	8/13/09
Interactive Impact	\$ 30,000.00		performance based loan	intellectual property development	8/13/09
Jim Milliken (Godfathers)	a \$ 2,500.00		grant	parking lot (rain garden)	10/8/09
Wayne Area Economic Development	\$ 10,000.00		grant	marketing (general)	11/12/09
Wayne Area Economic Development (Project Majestic)	\$ 200,000.00		grant	theater renovation/remodel	11/12/09
Wayne Veterans Memorial Project	b \$ 72,686.00		grant	memorial completion	2/11/10
Farmers Market and Community Garden	c \$ 2,750.00		grant	marketing	4/15/10
Wayne Hospitality Group LLC	d \$ 250,000.00		grant	hotel project	10/19/10
Wayne Area Economic Development	\$ 10,000.00		grant	marketing (general)	12/21/10
City of Wayne	j \$ 13,285.00		grant	water/sewer for Western Ridge III	8/11/11
Windom Ridge	\$ 5,000.00		grant	housing study targeting 55+	8/11/11
Miss Mollys Coffee Company	\$ 30,000.00		performance based loan	purchase buildng/new coffee shop	10/13/11
Wayne Area Economic Development on behalf of WCNGC	i \$ 250,000.00	[info only]	loan guarantee	compressed natural gas car	10/13/2011; 07/12/12
Wayne Area Economic Development	\$ 5,000.00		grant	marketing (general)	11/7/11
Wayne Community Theater	g \$ 5,000.00		grant	overhead doors replaced	12/8/11
Wayne Area Economic Development (Chicken Show)	\$ 12,050.00		grant	marketing for Wayne Chicken Show	3/8/12
Rainbow World Child Care Center	\$ 25,000.00		grant	facilty addition	10/11/12
Wayne Area Economic Development	\$ 5,000.00		grant	marketing (general)	11/8/12
City of Wayne	\$ 17,500.00		grant	water/sewer for Western Ridge III	1/10/13
Wreidt Properties	q \$ 33,000.00	[info only]	grant	trailer relocation	2/14/13
Angel Village	q \$ 240,000.00	[info only]	performance based loan	senior village; common space	2/14/13
City of Wayne	m \$ 30,000.00		grant	Welcome to Wayne signs (4)	11/14/13
Wayne Area Economic Development	\$ 5,000.00		grant	general administration	12/12/13
Darrin Bamer (WSC Rugby)	n \$ 1,600.00	[info only]	grant	to replace goal post pads	1/9/14
Ken Jorgensen / 4th Jug Bar and Grill	\$ 125,000.00		performance based loan	build a bar and grill/package liquor	4/10/14
Jen and Chad Claussen	\$ 23,765.00		performance based loan	purchase Swans and building	11/13/14
Wayne Area Economic Development	\$ 5,000.00		grant	admin/marketing	11/13/14
Rezurrected Rod and Kustom	\$ 25,000.00		performance based loan	building addition and fiber glass car manu	8/4/15
Wayne Area Economic Development	\$ 5,000.00		grant	admin/marketing	11/3/15
City of Wayne	p \$ 240,000.00	[info only]	performance based loan	housing cost buy down	3/10/16
<i>Subtotal of "grant"</i>	\$ 981,136.00	30.66%			

## 6-Month Report to the Wayne City Council

### LB 840 Grant & Loan Projects (Phase 1) - 06/30/2025

LB840 LOANS						
Applicant		Amount		Type of funding	Purpose	Committee review
City of Wayne	f	\$ 7,132.00		zero percent loan	housing downpayment match	10/8/09
Jim Milliken (Godfathers)	a	\$ 35,500.00		zero percent loan	parking lot	10/8/09
Inet Library	e	\$ 86,038.00		3 percent interest loan	expansion/start up expenses	2/10/11
RBDK LLC		\$ 70,000.00		3 percent interest loan	new dental clinic at 7th & Pearl	8/11/11
City of Wayne	h	\$ 160,000.00	[info only]	zero percent loan	housing incentives (0% loans)	4/12/12
Rainbow World Child Care Center	k	\$ 75,000.00		zero percent loan	facility addition	10/11/12
Mandy Benscoter and Louis Benscoter		\$ 50,000.00		zero percent loan	commercial bldgs on Jaxon St	1/10/13
John and Molly Temme		\$ 65,000.00		3 percent interest loan	commercial property at 7&Dear	6/27/13
Geno's Steakhouse		\$ 37,000.00		3 percent interest loan	renovation/windows/etc	7/28/13
Paulson Construction		\$ 39,750.00		3 percent interest loan	purchase building/move bus. to city	7/28/13
City of Wayne - SCPB, OCC Bldrs, IPI	l	\$ 240,900.00		zero percent loan	disaster recovery loans (15 yrs. % payroll)	10/10/13
Brent L. Pick		\$ 50,000.00		zero percent loan	15 yrs - buy&rebuild Estes/DB/NAPA	11/14/13
Lutt Oil and Service (Rod L. and Christin E. Cook-Lutt)		\$ 50,000.00		3 percent interest loan	Buy and update Zach's/expand services	12/12/13
NAPA - Wayne		\$ 50,000.00		zero percent loan	15 yrs - rebuild NAPA	1/9/14
NAPA - Wayne	o	\$ 25,000.00		zero percent loan	to rebuild; require annexation	1/9/14
Leseberg Masonry and Construction		\$ 75,000.00		0% loan; 3% loan	rebuild \$40k at 0%; build \$35k at 3%	1/9/14
Pat Garvin / Innovative Protectives		\$ 40,000.00		0% loan for 15 yrs	rebuild buildings lost to tomado	2/13/14
Ken Jorgensen / 4th Jug Bar and Grill		\$ 125,000.00		3% loan for 15 yrs	build a bar and grill/package liquor	2/13/2014; 4/10/14
Dollar Plus		\$ 125,000.00		0% loan for 5 yrs	open Dollar Plus in Downtown Wayne	4/10/14
Heft Trucking		\$ 50,000.00		0% loan for 15 yrs	rebuild building lost to tomado	6/12/14
Tim Fertig		\$ 50,000.00		3% loan for 15 yrs(10yr bln)	buy 2nd&Main prop and open fitness	7/28/14
Jen and Chad Claussen		\$ 23,765.00		3% loan for 15 yrs	purchase Swans and building	11/13/14
Rezurrected Rod and Kustom		\$ 25,000.00		3% loan for 10 yrs	building addition and fiber glass car manu	8/4/15
Beck Ag Inc		\$ 50,000.00		3% loan for 3 yrs	build out and business growth	12/10/15; 1/14/16
Adam Manoucheri/Crossroads-Atoll Productions LLC		\$ 40,000.00		3% loan for 15 yrs	purchase and remodel 200&202 Main St	1/14/16
Josh Hopkins - Hopkins Eyecare		\$ 35,000.00		0% loan for 2 yrs	purchase property for new eye clinic	6/9/16
Lukas Rix - Rustic Treasures		\$ 55,000.00		0% loan for 5 yrs	purchase and rehab 1912 City Hall	7/14/16
Wayne Country Club	r	\$ 150,000.00		0% loan for 15 yrs	addition/remodel club house	10/13/16
Wayne Country Club	r	\$ 60,000.00		0% loan for 15 yrs	addition/remodel club house	10/30/17
Wayne Area Event Center	s	\$ 350,000.00		new terms below	new event center construction	10/13/2016; 7/2/18
Subtotal of revolving		\$ 2,135,085.00	66.72%			
<b>TOTAL FUNDS COMMITTED (as of December 31, 2017)</b>	*	<b>\$ 3,116,221.00</b>	<b>97.38%</b>			
<b>TOTAL AVAILABLE FOR 15 YEARS (to collect)</b>		<b>\$ 3,200,000.00</b>				

## 6-Month Report to the Wayne City Council

### LB 840 Grant & Loan Projects (Phase 1) - 06/30/2025

LB840 PROJECT NOTES			
* Interest accrued/paid on the Fund's borrowed money is NOT included in this total			
a Committee recommended \$38,000 zero percent interest loan; Council granted \$2500 of this after the City requested a rain garden in the parking lot.			
b Committee recommended \$75,000; only \$72,686 was spent.			
c Committee recommended \$1,250; Council approved \$2,750.			
d Legally, this is a grant (not required to be paid back); however, the Wayne Hospitality Group LLC plans to honor their previous request's terms of 15 years at 0% interest.			
e Committee recommended only an interest bearing loan for \$43,019; Council approved \$43,019 for an interest bearing loan and \$43,019 for a performance based loan. (all is now a loan)			
f Committee recommended and Council approved \$64,200; only \$7,132 was used after the program closed.			
g Committee recommended a 5 yr loan; Council approved the grant request.			
h Initial housing request from the City was approved; further action by Council allocated housing funds from a different source			
i Revision of previous approval (10/2011) - increased loan guarantee from \$150,000 to \$250,000 (07/2012); allocation became void after 12/31/12 if no company was in Wayne			
j Committee/Council approved \$26,000 for wastewater improvements - only \$13,285 was used			
k Committee recommended \$75,000 loan with interest half of its conventional rate; Council changed the loan to 0% interest			
l \$500,000 was set aside for tornado relief (up to 10% of payroll); only \$241k was used			
m Committee recommended a set number of \$28,000; the Council allowed the request of "up to" \$30,000 for signage			
n Committee recommended approval but believed other sources of funds might be available; Council took no action on this recommendation.			
o Originally a performance based loan; FTE requirement not met so is now a loan			
p Committee recommended approval; City Council did not approve			
q Committee and Council approved; projects were never completed			
r Committee originally recommended \$100,000 loan for 5 yrs at 3%; City of Wayne approved \$150,000 loan for 15 yrs at 0%; Wayne Country Club re-applied to reflect changes to the project scope/bid received; Committee recommended \$210,000 for 15 yrs at 0%; Council approved new loan of \$210,000 for 15 years at 0%;			
s Committee recommended \$250,000 loan for 10 yrs at 3%; Council approved loan of \$350,000 at 3% for 10 years on 10/18/2016; Council approved new terms on 07/03/2018:			
<input type="checkbox"/> A \$350,000 loan;			
<input type="checkbox"/> 3% interest rate;			
<input type="checkbox"/> Defer principal payments for 3 years, but require interest payments throughout the deferment period, with the first deferred interest payment being delayed until November 1, 2018;			
<input type="checkbox"/> Changing the loan repayment period from 10 years to 15 years;			
<input type="checkbox"/> Deferment period would be from March 1, 2018, to February 28, 2021;			
<input type="checkbox"/> Repayment period for principal and interest would begin on March 1, 2021; and			
<input type="checkbox"/> Final payment would be due March 1, 2035.			