

ORDINANCE NO. 2009-5

AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, TO ESTABLISH THE CREATION OF A CITIZENS ADVISORY REVIEW COMMITTEE; TO ADOPT AN ECONOMIC DEVELOPMENT PROGRAM, TO DESCRIBE THE TERMS, CONDITIONS AND GOALS OF SAID ECONOMIC DEVELOPMENT PROGRAM; TO ESTABLISH THE DURATION OF SAID ECONOMIC DEVELOPMENT PROGRAM; TO PROVIDE FOR YEARS FOR COLLECTION OF FUNDS; TO PROVIDE FOR A SOURCE OF FUNDS; TO PROVIDE FOR A TOTAL AMOUNT TO BE COLLECTED; TO REPEAL CONFLICTING ORDINANCES AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Mayor and City Council of the City of Wayne, Nebraska.

Section 1. That Chapter 2, Article VI, Section 2-606 of the Wayne Municipal Code be added to read as follows:

CITIZENS ADVISORY REVIEW COMMITTEE

- (A) There is hereby created a Citizens Advisory Review Committee. The Mayor shall appoint seven registered voters of the City of Wayne to the Committee, subject to approval by the City Council. At least one member of the Committee shall have expertise or experience in the field of business finance or accounting. The Mayor shall appoint an ex officio member of the committee with responsibility for assisting the committee and providing it with necessary information and advice on the Economic Development Plan. The Wayne Economic Development Corporation shall have the responsibility for the administration of the economic development program.
- (B) No member of the Citizens Advisory Review Committee shall be an elected or appointed city official, an employee of the city, a participant in a decision-making position regarding the expenditure of program funds, or an official or employee of any qualifying business receiving financial assistance under the economic development program or of any financial institution participating directly in the economic development program. The term for each citizen shall be three years commencing on the 1st of July for each term, except that three members of the first Citizens Advisory Review Committee shall serve for a term of one year and three members of the first Citizens Advisory Review Committee shall serve a term of two years. All citizen members shall hold office until their successors are appointed. All citizen members' vacancies occurring otherwise than through the expiration of their term shall be filled for the unexpired portion of their term by the Mayor, by and with the approval and majority vote of the City Council.
- (C) The members of the Citizens Advisory Review Committee shall serve without compensation. The Committee shall organize at its first meeting and elect from

its membership a Chairperson and Secretary. It shall be the duty of the Secretary to keep complete and accurate minutes of all meetings, showing the vote of each member upon each question, or, if absent or failed to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record. A majority of the Committee shall constitute a quorum for the purpose of doing business, and the Committee shall adopt rules in accordance with the direction of the governing body.

- (D) Said Citizens Advisory Review Committee shall conduct regular meetings to review the functioning and progress of the economic development program and to advise the governing body of the City of Wayne with regard to the program. At least once in every six-month period after the effective date of the ordinance, the Committee shall report to the governing body on its findings and provide suggestions at a public hearing called for that purpose.
- (E) The members of the Citizens Advisory Review Committee, in their capacity as members and consistent with their responsibilities as members, may be permitted access to business information received by the City in the course of its administration of the economic development program, which information would otherwise be confidential (a) under section 34-712.05, R.R. S. Neb. 1943, as amended, (b) by agreement with a qualifying business participating in the economic development program, or (c) under any ordinance of the City of Wayne providing access to such records to members of the Committee and guaranteeing the confidentiality of the business information received by reason of its administration of the economic development program.

Section 2. ECONOMIC DEVELOPMENT PLAN: That pursuant to the approval of the electors of the City of Wayne at a general election held November 4, 2008, there is hereby adopted pursuant to provisions Sec. 18-2701 to 18-2738 R.R.S. Neb. 1943, as amended, known as the Local Option Municipal Economic Development Act as said Statutes of the State of Nebraska, as the same may be from time to time amended, the following economic development plan:

- (A) Description of terms, conditions, and goals:
 - a. Goals and Eligible Activities of The Economic Development Program. The goals of the Economic Development Program are to create jobs/generate employment opportunities; to expand labor markets, to expand retail opportunities, and to increase households in the City of Wayne in Wayne County; to attract new capital investment to the community and establish stability and vitality for the community of Wayne in the surrounding area.

Eligible activities under the economic development program may include, but shall not be limited to, the following:

- 1) The purchase of real estate, options for such purchases, the renewal or extension of such options, and public works improvements.
 - 2) Payments may be made for salaries and support of City staff to implement the Program or for contracting of an outside entity to implement any part of the Program.
 - 3) Expenses for business and industry recruitment activities to locate or relocate a qualifying business into the area and for equity investment in or loan guarantees for a qualifying business.
 - 4) The authority to issue bonds pursuant to the act subject to City Council approval.
 - 5) Grants or agreements for job training.
 - 6) Small business and microenterprise development including expansion of existing businesses.
 - 7) Interest buy down agreements or loan guarantees.
 - 8) Expand and promote Wayne through marketing, workforce attraction, and tourism related activities.
 - 9) Development of housing related programs to foster population growth.
 - 10) Activities to revitalize and encourage growth in the downtown area.
 - 11) May contribute to or create a revolving loan fund from which low interest or performance based loans will be made to qualifying entities on a match basis.
- b. Length of Time of the Program. The Economic Development Program shall operate from July 1, 2009 until June 30, 2024, a fifteen year period.
 - c. The Years the Funds Shall be Collected. Collection of funds for the Program shall be on all taxable sales beginning on the 1st day of July, 2009 and shall end on the 30th day of June, 2024 (fifteen years).
 - d. Source From Which Funds Shall Be Collected. The source of public funds for the Economic Development Program are to be collected shall be two-fifths (0.4%) of the proposed 1% City local option Sales and use tax.
 - e. Amount To Be Collected. The total amount to be collected from the city sales and use tax is estimated to be \$3,200,000.00 over the fifteen year period or approximately \$214,000.00 annually for each fiscal year in which the tax is

in place or such greater amount, subject only to statutory limitations, as may be generated.

- f. Additional Funds from Private Sources. Additional funds from private sources may be sought beyond those derived by public sources of revenue.
- g. Issuance of Bonds. The City proposes to issue bonds pursuant to the Local Option Municipal Development Act to provide funds to carry out the Economic Development Program.

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED this 17th day of February, 2009.

THE CITY OF WAYNE, NEBRASKA

By: _____

Lois M. Shelton, Mayor

ATTEST:

City Clerk