

**AGENDA
CITY COUNCIL MEETING
NORTH MEETING ROOM
CITY AUDITORIUM
August 4, 2020**

1. Call the Meeting to Order – 5:30 p.m.

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the southwest wall of the Community Room at the Wayne Community Activity Center as well as on the City of Wayne website at cityofwayne.org/8/Government.

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.

2. Approval of Minutes – July 21, 2020

3. Approval of Claims

4. **Proclamation - August 9-15, 2020 as "American Wind Week"**

5. Discussion and/or action on the request of Mark Janssen to waive Section (A) (3) (f) and Section (B) (3) (a) of Section 150.03 Moving Buildings of the Wayne Municipal Code Book — Old Brewhouse Coffee Shop Building

Background: Mark Janssen is requesting Council to consider waiving the above requirements of the Wayne Municipal Code to move the old Brewhouse Coffee Shop building outside city limits. Those requirements pertain to having to provide the following:

- A certified engineer's statement that the movement of the structure will in no way have adverse effects upon any road surface or bridge on or along the proposed route within the city jurisdiction; and
- A surety or cash bond in the amount of \$10 per square foot of the ground floor level of the structure (approx. \$4,000).

A copy of these sections of the Code is included in this packet, with those specific areas highlighted. Mark has provided proof of the \$1,000,000 liability coverage.

6. Discussion and/or action on the request of Nick and Amanda Hawthorne to install a fence on City property at 806 Neihardt Avenue, Western Ridge

Background: The Hawthorne's would like to put in a fence on their property in Western Ridge. Two photos are in the packet – one showing where the fence would be on their property and the other showing where the fence would be if they encroached onto the City's property by about 8 feet. In 2016, the Council allowed Brad Wieland to install a privacy fence on his property at 1222 Pearl Street, with the understanding that if a situation arises where he is required to remove the fence, all costs would be borne by him to do so. It was also noted in those minutes that the Council has the discretion of taking these matters on a case-by-case basis.

7. Report to Council on LB 840 Activity — Luke Virgil, Director of Wayne Area Economic Development

8. [Resolution 2020-39: Authorizing the allocation of property taxes to the Wayne Airport Authority - \\$76,800 \(last year - \\$74,526\)](#)

Background: This is an annual request from the Wayne Airport Authority. The increase represents about a 3% increase.

9. [Action on Change Order No. 2 in the amount of \\$5,012.70 \(cast iron detectable warning panels\) for T. R. Harris Construction, Inc., for the “Wayne Trail – Phase 2 Project”](#)

Background: This Change Order comes as a result of a request by the City to install detectable warning panels made of cast iron to match the remainder of the City’s previously installed panels, rather than the kind from the NDOT’s approved product list.

10. [Action on Change Order No. 3 in the amount of \\$12,017.63 \(hydro-mulch in replacement of straw mulch\) for T. R. Harris Construction, Inc., for the “Wayne Trail – Phase 2 Project”](#)

Background: This Change Order is for additional work to be undertaken due to unsuitable material found during construction because of moisture. The decision was made to over excavate an area and replace the unsuitable material with a crushed rock for a base course. Two working days will be added to the contract due to the delay in the critical path required by the excavation and placement of the base course. In addition, the decision was made to use hydro-mulch in place of straw mulch which is an added cost to the project.

11. [Action on Application and Certificate of Payment No. 3 in the amount of \\$158,291.25 to M&B Quality Concrete for the “Restoration of Walking Trail Project” – David Wiggins, Leo A Daly](#)

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

12. [Budget Work Session](#)
13. [Adjourn](#)

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**MINUTES
CITY COUNCIL MEETING
July 21, 2020**

The Wayne City Council met in regular session at the Wayne Community Activity Center on July 21, 2020, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order with the following in attendance: Councilmembers Dwaine Spieker, Terri Buck, Jon Haase, Jennifer Sievers, Chris Woehler (arrived at 5:33 p.m.), Jason Karsky, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on July 16, 2020, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Community Room of the Wayne Community Activity Center, as well as on the City of Wayne website at cityofwayne.org/8/Government, and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, to approve the minutes of the meeting July 7, 2020, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Woehler 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: ACTIVE NETWORK, SU, 6960.00; AMERICAN LIBRARY ASSOC, FE, 225.00; APPEARA, SE, 90.73; ARNIE'S FORD, SE, 604.08; AUTO ANATOMY ALTERNATIVES, SU, 220.13; BAKER & TAYLOR BOOKS, SU, 718.47; BLACKSTONE PUBLISHING, SU, 106.74; BROWN SUPPLY, SU, 111.12; CARROLL DISTRIBUTING, SU, 1394.00; CITY EMPLOYEE, RE, 313.16; CITY EMPLOYEE, RE, 150.00; CITY OF WAYNE, RE, 938.79; CIVICPLUS, SU, 4375.00; CLAUSSEN,

HEATHER, RE, 62.50; CONTINENTAL FIRE SPRINKLER, SE, 215.00; DAS STATE ACCTG-CENTRAL FINANCE, SE, 60.15; DAVE'S DRY CLEANING, SE, 57.00; DEARBORN LIFE INSURANCE COMPANY, SE, 2533.77; ECHO GROUP, SU, 265.04; ED M. FELD EQUIPMENT, SE, 95.00; ELLIS HOME SERVICES, SU, 117.48; EMPLOYERS MUTUAL CASUALTY, SE, 2532.63; ENVIRONMENTAL ANALYSIS SOUTH, SE, 470.00; GALE/CENGAGE LEARNING, SU, 24.69; GERHOLD CONCRETE, SU, 2599.77; GILL HAULING, SE, 261.25; GROSSENBURG IMPLEMENT, SU, 126.96; HILAND DAIRY, SE, 238.45; HOMETOWN LEASING, SE, 436.02; ICMA, SE, 8180.46; INGRAM LIBRARY SERVICES, SU, 826.37; IOWA PUMP WORKS, FE, 49.30; ISLAND SPRINKLER SUPPLY, SU, 441.32; LAMP CONSTRUCTION, RE, 500.00; LAMP, MACKENZIE, SE, 600.00; LEAK INVESTIGATORS, SE, 6770.00; LEO A DALY, SE, 10125.00; LUEDERS, RYAN, RE, 500.00; MATHESON-LINWELD, SU, 34.25; MERCHANT SERVICES, SE, 57.22; MERCHANT SERVICES, SE, 1886.71; MERCHANT SERVICES, SE, 894.52; MIDWEST LABORATORIES, SE, 946.50; MILO MEYER CONSTRUCTION, SE, 150.00; NE POWER REVIEW BOARD, SE, 983.73; NPPD, SE, 36345.50; NORFOLK DAILY NEWS, SE, 267.60; NORFOLK FAMILY YMCA, SE, 100.00; OCLC, INC, SE, 518.75; PAC N SAVE, SU, 897.24; PAC N SAVE, SU, 49.16; PITNEY BOWES, SE, 253.85; PLUMBING & ELECTRIC SERVICE, SE, 11054.65; PLUNKETT'S PEST CONTROL, SE, 92.12; POLLARD PUMPING, SE, 250.00; QUALITY FOOD CENTER, SU, 68.39; QUALITY FOOD CENTER, SU, 81.04; SARGENT DRILLING, SE, 900.00; ST OF NE-CHARITABLE GAMING DIVISION, TX, 296.85; STAPLES, SU, 121.10; STATE NEBRASKA BANK-PETTY CASH, RE, 95.23; STEWART, RAE, RE, 720.00; THOMPSON, LUCAS, RE, 250.00; THRASHER, RE, 500.00; TOTAL GRAPHICS, SU, 439.00; TYLER TECHNOLOGIES, SE, 1910.00; VERIZON, SE, 513.84; WAYNE COMMUNITY HOUSING, SE, 20000.00; WAYNE COUNTY CLERK, SE, 16.00; WAYNE VETERINARY CLINIC, SE, 84.00; WESCO, SU, 770.40; WAPA, SE, 19178.16; WORLDPAY INTERGRATES PAYMENTS, SE, 181.26; ZACH HEATING & COOLING, SU, 879.50; ACES, SE, 928.29; AMAZON, SU, 546.90; AMERITAS, SE, 199.60; AMERITAS, SE, 3485.62; AMERITAS, SE, 72.00; AMERITAS, SE, 108.81; BEBEE, TIMOTHY J. & LESLIE A., RE, 3076.60; BIG RIVERS ELECTRIC CORPORATION, SE, 211582.92; BLADES GROUP, SU, 990.00; BORDER STATES INDUSTRIES, SU, 166.62; CERTIFIED TESTING SERVICES, SE, 2566.25; CITY OF WAYNE, PY, 92768.05; CITY OF WAYNE, RE, 339.61; COTTONWOOD WIND PROJECT, SE, 8242.83; CREATIVE SITES, SU, 61411.00; DEMCO, SU, 851.60; ELECTRICAL ENGINEERING & EQUIPMENT, SU, 3253.14; FAITH REGIONAL PHYSICIAN SERV., SE, 169.00; GERHOLD CONCRETE, SU, 2491.20; HAWKINS, SU, 1119.50; HEWLETT PACKARD ENTERPRISE, SE, 4407.37; IOWA PUMP WORKS, SU, 16014.12; IRS, TX, 11533.31; IRS, TX, 3637.56; IRS, TX, 15553.56; ITRON, SE, 4282.71; JEO CONSULTING GROUP, SE, 23242.10; JOHNSON'S PLUMBING & HEATING, SU, 415.78; JORGENSEN, KEN, RE, 3409.55; MARCO TECHNOLOGIES, SE, 191.17; MUNICIPAL SUPPLY, SU, 599.88; NE DEPT OF REVENUE, TX, 4845.15; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 90.00; NNEDD, SE, 570.00; NORTHEAST NE INS AGENCY, SE, 64.00; NORTHEAST POWER, SE, 19171.64; ORIENTAL TRADING CO, SU, 48.95; PETERSON, CARTER, RE, 1398.46; RAGER, ALISSA, RE, 25.00; REEG, BETTY S. REVOCABLE TRUST, RE, 2796.91; S & S WILLERS, INC, SU, 309.37; SEBADE HOUSING, RE, 7943.27; STADIUM SPORTING GOODS, SE, 20.00; TOMPKINS, RODNEY R. IRREVOCABLE TRUST, RE, 2796.91; WAED, SE, 7000.00; WAYNE AUTO PARTS, SU, 750.61; WAYNE COMMUNITY SCHOOLS, RE, 3335.75; WAYNE HERALD, SE, 625.09; WAYNE HERALD, SE, 175.50

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

Councilmember Woehler arrived at the meeting at 5:33 p.m.

Jon Mooberry, representing JEO Consulting Group, Inc., presented Contractor's Application for Payment No. 5 in the amount of \$13,352.25 to Robert Woehler & Sons Construction, Inc., for the "2019 Nebraska Street Improvements Project – CDBG No. 16-CD-208." In addition, he updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Brodersen, approving Contractor's Application for Payment No. 5 for \$13,352.25 to Robert Woehler & Sons Construction, Inc., for the "2019 Nebraska Street Improvements Project - CDBG No. 16-CD-208." Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmember Woehler who abstained, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding a Use by Exception Request under Wayne Municipal Code Section 152.080(E)(4) of the B-1 Highway Business District, Special Conditions and Conditions for Granting Exceptions. The applicant, Sunnyview Place, LLC, is seeking the request to allow for a drive-thru at Providence Community Pharmacy at 803 Providence Road.

Joel Hansen, Street and Planning Director, advised the Council that the Planning Commission reviewed this matter at their public hearing on July 6, 2020, and recommended approval thereof, subject to the following "Findings of Fact:"

1. Consistency with the current and future land use maps; and
2. Staff's recommendation.

He noted that there is sufficient vehicle stack or queue space provided on this site for the drive-thru pharmacy.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

Jim Frank, CEO - Providence Medical Center and representing Providence Community Pharmacy, and Huck Jager, representing Vakoc Builder's Resource, were present to answer questions.

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

Councilmember Spieker introduced Resolution 2020-37, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2020-37

A RESOLUTION APPROVING THE APPLICATION OF SUNNYVIEW PLACE LLC FOR A ZONING USE BY EXCEPTION PERMIT FOR A DRIVE-THRU AT PROVIDENCE COMMUNITY PHARMACY AT 803 PROVIDENCE ROAD.

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

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding a request to rezone an area from B-1 Highway Business to B-3 Neighborhood Commercial. The location is 527 E. 7th Street, more specifically described as Lots 1, 2, and 17, Block 1, East Addition to the City of Wayne. The applicant, Scooter's Coffee, wishes to construct a Scooter's drive-thru coffee kiosk at this location.

Joel Hansen, Street and Planning Director, advised the Council that the Planning Commission held a public hearing on July 6, 2020, regarding this rezoning request, and have recommended approval thereof, with the "Findings of Fact" being:

1. Consistency with the current and future land use maps; and
2. Staff's recommendation.

Mr. Hansen noted that the use of the property has already existed. The reason they are before you is that the building that is currently there was considered at the time a temporary building, so it did not meet the B-1 setbacks. It does, however, meet the B-3 setbacks, which is why they want to erect a permanent structure in the current location. If they rezone the property from B-1 to B-3, the structure can stay in the same location as it is now. It was noted that everything to the west of this property on 7th Street is B-3 so it would not be considered spot zoning.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

Nathan Lindley, representing Scooter's, was present to answer questions.

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

Councilmember Spieker introduced Ordinance No. 2020-15 and moved for its approval; Councilmember Brodersen seconded.

ORDINANCE NO. 2020-15

AN ORDINANCE AMENDING THE ZONING MAP AND CHANGING THE ZONING OF PROPERTY OR AREA KNOWN AS LOTS 1, 2, AND 17, BLOCK 1, EAST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, FROM B-1 HIGHWAY BUSINESS DISTRICT TO B-3 NEIGHBORHOOD COMMERCIAL DISTRICT (SCOOTER'S COFFEE).

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried. The second reading would take place at the next meeting.

Councilmember Brodersen brought this item back as a result of the request of Mr. Lindley, and made a motion, which was seconded by Councilmember Spieker, to suspend the statutory rules requiring ordinances to be read by title on three different days. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, to move for final approval of Ordinance No. 2020-15. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The following Resolution would approve an Interlocal Cooperation Agreement and Special Operation and Maintenance Agreement between the City of Wayne and the Lower Elkhorn Natural Resource District for the "Wayne Pedestrian Trail – Phase II Project."

This pertains to a grant the City received from the Lower Elkhorn Natural Resource District back in 2005. The Lower Elkhorn NRD will reimburse the City 50% of eligible costs up to a limit of \$26,000 on approved projects. Because the trail construction is now underway, this action will just update the said agreements that were previously approved.

Councilmember Sievers introduced Resolution No. 2020-38 and moved for its approval; Councilmember Karsky seconded the motion.

RESOLUTION NO. 2020-38

A RESOLUTION APPROVING INTERLOCAL COOPERATION AGREEMENT AND SPECIAL OPERATION AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF WAYNE AND THE LOWER ELKHORN NATURAL RESOURCE DISTRICT FOR THE "WAYNE PEDESTRIAN TRAIL – PHASE II PROJECT."

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

Roger Protzman, representing JEO Consulting Group, Inc., presented Contractor's Application for Payment No. 3 in the amount of \$340,307.53 to Rutjens Construction, Inc., for the "2019 Water Transmission Main Project." In addition, he updated the Council on the project.

Councilmember Eischeid made a motion, which was seconded by Councilmember Buck, approving Contractor's Application for Payment No. 3 for \$340,307.53 to Rutjens Construction, Inc., for the "2019 Water Transmission Main Project." Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

A brief tour was taken of the Community Activity Center and the Aquatic Center.

The budget work session took place. City Sales Tax Capital Projects were discussed.

Other discussion items discussed were:

Keno Funds (approx. \$58,000)

Use Keno Funds for the renovation of the old pool building/shelter house (seek proposals for an engineer to undertake a feasibility study and design)

Public Art – Increase to \$20,000

Park Equipment – \$75,000 (adult/sport style park equipment at the old pool park)

Put actual windows back in Auditorium - staff will get an estimate on the same

Replace/install lights for the mural at Majestic Theater

Levy – keep the same and put the extra in reserves

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:11 p.m. Mayor Giese noted the next Council meeting will be held in the north meeting room of the City Auditorium.



Vendor	Payable Description	Payment Total
Council Approved 7/22/20		
ROBERT WOEHLER & SONS	NEBRASKA ST	\$13,352.25
RUTJENS CONSTRUCTION	WATER TRANSMISSION MAIN	\$340,307.53
		\$353,659.78

Vendor	Payable Description	Payment Total
ALCANTARA, PATRICIA	AUDITORIUM REFUND	125.00
APPEARA	LINEN & MAT SERVICE	88.34
BELT, CHANELLE	ENERGY INCENTIVE	150.60
BLACK HILLS ENERGY	GAS BILLS	189.20
BLUE CROSS BLUE SHIELD	HEALTH PREMIUMS	52,148.99
BORDER STATES INDUSTRIES, INC	TAPE	220.21
BROWN SUPPLY CO	COUPLING/SERVICE SADDLE	319.62
CENTURYLINK	TELEPHONE CHARGES	424.13
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	488.06
CITY EMPLOYEE	VISION REIMBURSEMENT	143.96
CORE & MAIN LP	WATER METER	861.95
DAS STATE ACCTG-CENTRAL FINANCE	TELECOMMUNICATION CHARGES	448.00
DEARBORN LIFE INSURANCE COMPANY	VFD INSURANCE	100.26
DEMCO INC	CATEGORY CARDS	128.77
DGR & ASSOCIATES CO	ENGINEERING SERVICES	277.50
ED M. FELD EQUIPMENT CO INC	HELMETS/FIRE EXTINGUISHER RECHARGE	910.48
EILERS, ERIN	ENERGY INCENTIVE	500.00
FLOOR MAINTENANCE	BOWLS/CUPS/GLOVES/TOILET PAPER	533.59
GERHOLD CONCRETE CO INC.	CONCRETE	4,165.46
GRAHAM TIRE SIOUX CITY	TIRE	156.84
HAWKINS, INC	POOL CHEMICALS/VALVES/FLUORIDE	5,215.81
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	243.86
HUSKER AUTO GROUP	2020 SILVERADO TRUCK	29,499.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	8,081.22
ISLAND SPRINKLER SUPPLY CO	IRRIGATION SUPPLIES	83.04
JEO CONSULTING GROUP	WATER TRANSMISSION MAIN	19,746.25
KUNZ, ZACH	ENERGY INCENTIVE	93.00
L.G. EVERIST	CRUSHED QUARTZITE	396.27
LINCOLN WINWATER WORKS CO.	CURB BASIN/STORM WALL/PIPE-TRAIL	5,513.31
LOPEZ, ELIZABETH	AUDITORIUM REFUND	500.00
MARCO INC	COPIER LEASE	175.92
MILLER LAW	ATTORNEY FEE	5,416.67
NE LIBRARY COM	CAT EXPRESS RENEWAL	1,716.00
PING TREE SERVICE	GRIND STUMPS	409.00
QUALITY 1 GRAPHIC	DECALS	100.00
ROBERT WOEHLER & SONS	EROSION CONTROL MAT	2,887.50

RODRIGUEZ, NANCY	RIGHT OF WAY PERMIT REFUND	500.00
STADIUM SPORTING GOODS	EMBROIDERY	30.00
STAPLES, INC	OFFICE SUPPLIES	79.78
THRASHER	BUILDING PERMIT DEPOSIT REFUND	500.00
UNITED INDUSTRIES, INC	FLANGE/TEE	200.00
US BANK	DUES/CLASSES/TECH SUPPLIES/ CONTAINERS	4,816.24
UTILITY EQUIPMENT CO	SEWER PIPE	96.88
VIAERO WIRELESS	CELL PHONE	65.96
WAYNE AREA ECONOMIC DEVELOPMENT	CONTRIBUTION	8,222.92
WISNER WEST	FD GASOLINE	258.23
WURDINGER, DIANE	ENERGY INCENTIVE	500.00

\$157,727.82

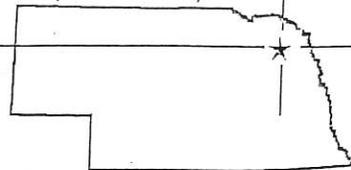
Grand Total: 511,387.60

City of Wayne

306 Pearl • P.O. Box 8
Wayne, Nebraska 68787

(402) 375-1733
Fax (402) 375-1619

Incorporated - February 2, 1884



REQUEST FOR FUTURE AGENDA ITEM

If you have a specific topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number, and the specific topic. If you have additional documentation which would be beneficial to the topic, please attach to this form. The item will be reviewed and possibly scheduled for a future meeting, or forwarded to City staff for appropriate action.

Event insurance is required for anyone wishing to use city right-of-way (e.g. block off streets for block parties, block off sidewalks and/or alleys).

Name: Mar Janssen

Address: 415 Brestor Ave
Winside Ne

Telephone No.: 785 925 6302

Date of Request: 4 Aug 2020

Description of Requested Topic: Discuss approval to move
old Brew house Drive through structure.



§ 150.03 MOVING BUILDINGS.

(A) *Permit required.*

(1) It shall be unlawful for any person to move, or cause to have moved, any permanent, previously used or otherwise occupied structure greater than 50 square feet including, but not limited to, garages and storage type structures, along or across any road, street or alley, into or within the jurisdiction of the city, except as provided in this chapter. Any person desiring to move any permanent structure, previously-used structure or otherwise occupied structure, including garages and storage type structures, upon, along or across any road, street or alley of the jurisdiction of the city shall make written application to the Building Inspector for a permit to do so.

(2) This section shall not pertain to new designed modular or mobile type structures moved into and/or through the jurisdiction of the city. Buildings and/or structures of 50 square feet or less, determined by exterior measurements of the structure, shall be exempted from this section.

(3) Prior to issuance of a moving permit, the applicant shall provide and state the following to the City Building Inspector:

- (a) A vermin-free certification from a reputable exterminating firm;
- (b) Description of the lot on which the structure is located within the jurisdiction of the city;
- (c) Proof of ownership of the structure;
- (d) A statement of verification that all taxes have been paid at the structure's current location;
- (e) Proposed route of travel of the structure;
- (f) A certified engineer's statement, unless waived by the City Council, that the movement of the structure will in no way have adverse effects upon any road surface or bridge on or along the proposed route within the city jurisdiction;
- (g) Date of the proposed move;
- (h) Proof that the structure will be moved by a licensed and bonded contract mover;
- (i) Proof of liability insurance, provided by the moving contractor, in the amount of \$1,000,000;
- (j) Estimate of the time required to complete the move;
- (k) Written and signed statement indicating the intended use of the structure at the new site;
- (l) If within the jurisdiction, a signed statement, attesting that all utilities will be properly disconnected and abandoned as per this code to include, but not be limited to, electrical connections, shutting off the water and properly plugging and sealing all sewer lines back of curb or at right-of-way;
- (m) Legal description of the lot the structure will be placed upon;
- (n) To-scale drawing depicting the exact location of the structure on the new site or lot, if within the jurisdiction of the city;
- (o) A cost of repair, remodel or construction estimate provided by a reputable and practicing construction firm, recognized by the city as an active firm engaged in repair, remodel or new construction;

(p) A certified copy of any and all recorded covenants in place at the new lot location;

(q) An approved building permit, from the city, meeting all the requirements of the adopted Electrical and International Property Maintenance Code in effect at the time of the application;

(r) Copies of approved moving applications from all counties of jurisdiction affected by the move and/or the state, is required; and

(s) A statement from all utility entities that the movement of the structure is acceptable or that a representative of that entity will be present during the move and that the applicant agrees to pay the cost of monitoring and all subsequent related costs pursuant thereto, including, but not limited to, Electrical, Telephone, Gas, Water and the City Street Department.

(4) Prior to issuance of a moving permit, the Building Inspector shall inspect the structure at the present site or location to determine structural soundness of the building to be moved. If evidence of vermin infestation is noted, the applicant shall remove or cause to have removed adjacent interior wall coverings of all vermin-infested areas of the structure, to allow the Building Inspector to determine the extent of damage. A reinspection fee shall be charged as per the schedule outlined in the current Building Code.

(5) (a) Exception: used, previously erected or occupied modular or mobile homes seeking approval to move into or within the city shall meet all of the above conditions, except divisions (A)(3)(a), (b), (f), (h), (i), (l), (n), (o), (p), (q), (r), and (s) above. Upon inspection, the Building Official may require the owner to comply to any or all of the expected divisions listed above, where justified by inspection results. Appeal of the Building Official's decision shall be presented in writing to the Building Official's office, requesting an appeal to the specific divisions above not accepted by the Building Official, a minimum of ten days prior to the next regularly scheduled City Council meeting.

(b) In accordance with the exception above, such modular or mobile home owners, excluding those moving from one mobile home park to another within the city limits, after placing the home on a lot within the City shall be required to:

1. Close/skirt or underpin the area directly under the unit to the ground, including the tongue or towing apparatus if non-detachable;

2. Construct or otherwise provide a landing at all exterior doors a minimum of three feet in any direction;

3. Construct or otherwise provide a set of steps that meet current Building Code regulations;

4. Where indicated by current Building Code, construct a guard and handrails for the above landing and steps;

5. Obtain a statement from a licensed electrician the structure is safe to connect to the City's electrical system;

6. Install GFCI receptacles at all appropriate locations per current NEC requirements;

7. Meet all requirements as set forth in § 152.140 of this code, including tongue or towing mechanism removal and the City's adopted Property Maintenance Code.

(c) Upon completion of all of the required and stipulated conditions above, the Building Official shall issue an occupancy certificate prior to the owner or tenants occupying the structure. The owner shall not occupy structure until authorized by the Building Official.

(6) Any of the above provisions may be waived upon showing good cause and upon approval by the City Council.
(2002 Code, § 18-301; Ord. 2019-17, passed 12/17/19)

(B) Permit fee; bond.

(1) The application for a moving permit as provided for in division (A) of this section shall be accompanied by the required permit fee, which shall be paid over by the Building Inspector to the City Treasurer, who shall credit the fee to the General Fund.

(2) This section shall not pertain to new designed modular or mobile type structures moved into and/or through the jurisdiction of the city. Buildings and/or structures of 150 square feet or less, determined by exterior measurements of the structure, shall be exempt from this section.

(3) (a) Before the city grants such permits, the applicant shall provide a good and sufficient corporate surety bond or cash bond in the amount determined as follows: \$10 per square foot of the ground floor level of the blueprinted, relocated structure, conditioned that the applicant pay any and all damages which may be sustained by the city, individuals or corporations in connection with such moving, and that all city utilities shall be properly disconnected. The surety or cash bond shall be held by the city until such time as the applicant receives a certificate of occupancy from the jurisdiction according to Building Codes in force at the time of application. Failure to complete or comply with Building Codes in force at the time of application shall give cause for the Council to declare the structure a nuisance. Upon declaration or a nuisance, the Council may require the applicant to forfeit that amount of the bond required to complete the project as blueprinted or cause the structure to be razed by hiring a competent contractor of choice determined by the city.

(b) Additional costs, in excess of the bond amount, to raze or complete the structure as blueprinted shall be levied against the property as judgment against such property as set forth § 150.30 of this code.

(4) Exception: Modular or mobile home units qualifying under division (A) of this section shall pay current fee requirements upon application for a moving permit. In addition to the fee, applicant shall post a cash bond or certified check made payable to the city in the amount of \$300. The cash/check shall be held by the city until an occupancy permit is issued by the Building Official.

(2002 Code, § 18-302)

(C) Interference with utilities.

(1) Whenever it shall be necessary for any house mover in moving a building to interfere with any gas mains or telephone or telegraph poles or wires, the house mover shall make satisfactory arrangements with such companies before moving the building.

(2) Whenever the moving of any building necessitates interference with any water main, sewer main, pole or wire that forms a part of the electric distribution system, sewer system or water system of the city, the Building Inspector shall notify the proper city officer or employees to the end that the property of the city may be adequately protected.

(2002 Code, § 18-303)

(D) *No general permit.* There shall be no permit issued or general permission given to anyone to move buildings at will or generally within the city.

(2002 Code, § 18-304)

(E) *Penalty.* Violations of this section shall be punishable in accordance with § 10.99.
(Ord. 98-20, passed 12-8-1998; Ord. 2000-11, passed 7-25-2000; Ord. 2000-12, passed 7-25-2000; Ord. 2005-10, passed 5-10-2005; Ord. 2013-26, passed 4-16-2013) Penalty, see § 10.99



Policy Information

Policy number	27-BL-C552-1
Policy type	Personal Liability Umbrella
Mailing address	415 Bressler Ave Winside, NE 68790-5117
Phone number	(785) 925-6302
Email address	MARCUSEJANSSEN@GMAIL.COM

Manage Your Policy

[Expand all sections](#) | [Collapse all sections](#)

General & Billing Information

Location	415 BRESSLER AVE WINSIDE, NE 68790-5117
Policyholder	Janssen, Marcus E & Roccio-Janssen, Michelle E
Renewal date	03/27/2021
Premium	\$122.00
State Farm Payment Plan account number	1082333906

Coverages, Deductibles & Discounts

Coverage

Personal Liability

Limit \$1,000,000

Self Insured Retention

Limit \$0

Discount

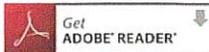
Class 50

Required Underlying Insurance Policies

The Personal Liability Umbrella requires underlying insurance policies to be maintained at specific minimum limits that are listed on the Declarations page when the applications is accepted and the policy is issued. Failure to maintain the required underlying insurance at all times in an amount at least equivalent to the minimum underlying limits could affect your coverage in the event of a loss. Please contact your Agent if you have any questions regarding these requirements.

Forms, Endorsements & Options

Number	FP-7950.2
Description	Personal Liability Umbrella
Number	FE-7690.1
Description	Amendatory Endorsement



PDF Viewer is required to view the electronic policy documents listed above. To download your free copy, you may click on the Get Adobe Reader logo above. You may view, save or print the documents as per your need.

Declarations & Policy Information

The information presented in this document is not a declaration page, policy, or endorsement. Recent changes to the policy may not be reflected. If you have any questions about this form or would like to obtain a declaration page or a copy of your policy, please contact your State Farm Agent for assistance.

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[Back to Top](#)**Betty McGuire - Fwd: Re: Property Pins**

From: Joel Hansen
To: Betty McGuire
Date: 7/28/2020 6:59 AM
Subject: Fwd: Re: Property Pins
Attachments: Fence we have PDF.pdf; Fence we want PDF.pdf

Amanda's fence request for Council

Joel J. Hansen,
Street & Planning Director
City of Wayne
306 Pearl Street
Wayne, NE 68787
Phone (402) 375-1300

>>> Amanda Hawthorne <amhawth@gmail.com> 7/13/2020 8:25 PM >>>
Wes and Joel,

I've attached photos of what our fence would look like going with our current lines and what we are requesting to do.

Please let me know if you have any questions.

Thank you both again for your help,
Amanda

On Mon, Jul 13, 2020 at 3:43 PM Amanda Hawthorne <amhawth@gmail.com> wrote:

If Nick and I measured correctly, we would be asking for about 8 feet onto the city property for the fence to have a more appealing line. This 8 feet would be the maximum amount on the southwest corner of where the fence would go and would connect the northwest corner. As the property line angles out to the north, the 8 foot distance would obviously decrease.

This amount would keep the fence on the portion of the lot that we have sod placed along with sprinkler heads, and have been maintaining.

Please let us know if Nick and I need to attending anything to discuss or bring a diagram in to show what we are looking to do.

We greatly appreciate everyones help!

Amanda
Sent from my iPhone

On Jul 13, 2020, at 3:05 PM, Wes Blecke <wblecke@cityofwayne.org> wrote:

I think the only way to allow easement on this property is to do the same for the other neighbor...and really through the entire out lot. Does this cause issue with heavy rain coming through there and now we'd have fences "in the way"? WE can discuss at the next agenda meeting.

Wes

>>> Joel Hansen 7/13/2020 12:47 PM >>>

That's above my pay grade to answer. I know we gave an easement for Brad Weiland to fence part of our ROW on W. 13th Street.

I have copied Wes for his input. As far as I'm concerned I wish we had just let the neighbors own to the center of that and just kept an easement instead of having a permanent outlot.

Joel J. Hansen,
Street & Planning Director
City of Wayne
306 Pearl Street
Wayne, NE 68787
Phone [\(402\) 375-1300](tel:(402)375-1300)

>>> Amanda Hawthorne <amhawth@gmail.com> 7/13/2020 11:51 AM >>>

Thank you for doing that!

So next question... is there a way to get approval to put some of the fence on the city side of the line so that is would be a more natural looking line connecting the north to the south part of the fence? Like coming from the southwest corner of the garage and out further to make a more aesthetic look. I don't know if that make sense... sorry to be a pain! My OCD is in overdrive thinking of the angle this fence will be at.

Sent from my iPhone

On Jul 13, 2020, at 11:28 AM, Joel Hansen <jhansen@cityofwayne.org> wrote:

I put an orange flag on your side of the pin. They are a foot deep or more but I did uncover them to verify and then put back the sod. You probably aren't going to like the location as the south tree is just on the City's side of the line.

Joel J. Hansen,
Street & Planning Director
City of Wayne
306 Pearl Street
Wayne, NE 68787
Phone [\(402\) 375-1300](tel:(402)375-1300)

>>> Amanda Hawthorne <amhawth@gmail.com> 7/13/2020 9:48 AM >>>
Thank you! We greatly appreciate it!

Amanda

Sent from my iPhone

On Jul 13, 2020, at 7:37 AM, Joel Hansen
<jhansen@cityofwayne.org> wrote:

I will look for them today. I have a metal detector.

Joel J. Hansen,
Street & Planning Director
City of Wayne
306 Pearl Street
Wayne, NE 68787
Phone [\(402\) 375-1300](tel:(402)375-1300)

>>> Amanda Hawthorne <amhawth@gmail.com> 7/12/2020
12:20 PM >>>
Hi Joel and Todd!

I was wondering how we would go about finding our property
pins? After looking at our fence measurements, we are
questioning how far we can go towards the drainage area as
our fence area seems shallow.

Thank you for your help!
Amanda Hawthorne

Sent from my iPhone





6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 6/30/2020)

Applicant	Amount	Type of funding	Purpose	Committee review
LB840 GRANTS				
Digital Blue	\$ 30,600.00	performance based loan	relocation/expansion	5/27/2009
Louis and Jevonah Benscoter	\$ 36,000.00	performance based loan	land development	8/13/2009
Interactive Impact	\$ 30,000.00	performance based loan	intellectual property development	8/13/2009
Jim Milliken (Godfathers)	\$ 2,500.00	grant	parking lot (rain garden)	10/8/2009
Wayne Area Economic Development	\$ 10,000.00	grant	marketing (general)	11/12/2009
Wayne Area Economic Development (Project Majestic)	\$ 200,000.00	grant	theater renovation/remodel	11/12/2009
Wayne Veterans Memorial Project	\$ 72,686.00	grant	memorial completion	2/11/2010
Farmers Market and Community Garden	\$ 2,750.00	grant	marketing	4/15/2010
Wayne Hospitality Group LLC	\$ 250,000.00	grant	hotel project	10/19/2010
Wayne Area Economic Development	\$ 10,000.00	grant	marketing (general)	12/21/2010
City of Wayne	\$ 13,285.00	grant	water/sewer for Western Ridge III	8/1/2011
Windom Ridge	\$ 5,000.00	grant	housing study targeting 55+	8/11/2011
Miss Mollys Coffee Company	\$ 30,000.00	performance based loan	purchase building/new coffee shop	10/13/2011
Wayne Area Economic Development on behalf of WCNCG	\$ 250,000.00	[info only]	compressed natural gas car	10/13/2011; 07/12/12
Wayne Area Economic Development	\$ 5,000.00	loan guarantee	marketing (general)	11/7/2011
Wayne Area Economic Development	\$ 5,000.00	grant	overhead doors replaced	12/8/2011
Wayne Community Theater	\$ 5,000.00	grant	marketing for Wayne Chicken Show	3/8/2012
Wayne Area Economic Development (Chicken Show)	\$ 12,050.00	grant	marketing for Wayne Chicken Show	3/8/2012
Rainbow World Child Care Center	\$ 25,000.00	grant	facility addition	10/11/2012
Wayne Area Economic Development	\$ 5,000.00	grant	marketing (general)	11/8/2012
City of Wayne	\$ 17,500.00	grant	water/sewer for Western Ridge III	1/10/2013
Wreidt Properties	\$ 33,000.00	grant	trailer relocation	2/14/2013
Angel Village	\$ 240,000.00	[info only]	senior village; common space	2/14/2013
City of Wayne	\$ 30,000.00	[info only]	Welcome to Wayne signs (4)	11/14/2013
Wayne Area Economic Development	\$ 5,000.00	grant	general administration	12/12/2013
Darrin Barner (WSC Rugby)	\$ 1,600.00	[info only]	to replace goal post pads	1/9/2014
Ken Jorgensen / 4th Jug Bar and Grill	\$ 125,000.00	performance based loan	build a bar and grill/package liquor	4/10/2014
Jen and Chad Clausen	\$ 23,765.00	performance based loan	purchase Swans and building	11/13/2014
Wayne Area Economic Development	\$ 5,000.00	grant	admin/marketing	11/13/2014
Rezurrected Rod and Kustom	\$ 25,000.00	performance based loan	building addition and fiber glass car manu	8/4/2015
Wayne Area Economic Development	\$ 5,000.00	grant	admin/marketing	11/3/2015
City of Wayne	\$ 240,000.00	[info only]	housing cost buy down	3/10/2016
Subtotal of "grant"	\$ 981,136.00	30.66%		

6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 6/30/2020)

Applicant	Amount	Type of funding	Purpose	Committee review
LB840 LOANS				
City of Wayne	f \$ 7,132.00	zero percent loan	housing downpayment match	10/8/2009
Jim Milliken (Godfathers)	a \$ 35,500.00	zero percent loan	parking lot	10/8/2009
Inet Library	e \$ 86,038.00	3 percent interest loan	expansion/start up expenses	2/10/2011
RBDK LLC	\$ 70,000.00	3 percent interest loan	new dental clinic at 7th & Pearl	8/11/2011
City of Wayne	h \$ 160,000.00 [info only]	zero percent loan	housing incentives (0% loans)	4/12/2012
Rainbow World Child Care Center	k \$ 75,000.00	zero percent loan	facility addition	10/11/2012
Mandy Benscoter and Louis Benscoter	\$ 50,000.00	zero percent loan	commercial bldgs on Jaxon St	1/10/2013
John and Molly Temme	\$ 65,000.00	3 percent interest loan	commercial property at 7&Dear	6/27/2013
Geno's Steakhouse	\$ 37,000.00	3 percent interest loan	renovation/windows/etc	7/28/2013
Paulson Construction	\$ 39,750.00	3 percent interest loan	purchase building/move bus. to city	7/28/2013
City of Wayne - SCPB, OCC Bldrs, IPI	l \$ 240,900.00	zero percent loan	disaster recovery loans (15 yrs, % payroll)	10/10/2013
Brent L. Pick	\$ 50,000.00	zero percent loan	15 yrs - buy&rebuild Estes/DB/NAPA	11/14/2013
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	12/12/2013
NAPA - Wayne	\$ 50,000.00	zero percent loan	15 yrs - rebuild NAPA	1/9/2014
NAPA - Wayne	o \$ 25,000.00	zero percent loan	to rebuild; require annexation	1/9/2014
Leseberg Masonry and Construction	\$ 75,000.00	0% loan; 3% loan	rebuild \$40k at 0%; build \$35k at 3%	1/9/2014
Pat Garvin / Innovative Protectives	\$ 40,000.00	0% loan for 15 yrs	rebuild buildings lost to tornado	2/13/2014
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	4/10/2014
Heft Trucking	\$ 50,000.00	0% loan for 15 yrs	rebuild building lost to tornado	6/12/2014
Tim Fertig	\$ 50,000.00	3% loan for 15 yrs(10yr bin)	buy 2nd&Main prop and open fitness	7/28/2014
Jen and Chad Claussen	\$ 23,765.00	3% loan for 15 yrs	purchase Swans and building	11/13/2014
Rezurrected Rod and Kustom	\$ 25,000.00	3% loan for 10 yrs	building addition and fiber glass car manu	8/4/2015
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	1/14/2016
Josh Hopkins - Hopkins Eyecare	\$ 35,000.00	0% loan for 2 yrs	purchase property for new eye clinic	6/9/2016
Lukas Rix - Rustic Treasures	\$ 55,000.00	0% loan for 5 yrs	purchase and rehab 1912 City Hall	7/14/2016
Wayne Country Club	r \$ 150,000.00	0% loan for 15 yrs	addition/remodel club house	10/13/2016
Wayne Country Club	r \$ 60,000.00	0% loan for 15 yrs	addition/remodel club house	10/30/2017
Wayne Area Event Center	s \$ 350,000.00	new terms below	s new event center construction	10/13/2016; 7/2/18
<i>Subtotal of revolving</i>	\$ 2,135,085.00			
TOTAL FUNDS COMMITTED (as of December 31, 2017)	* \$ 3,116,221.00	66.72%		
TOTAL AVAILABLE FOR 15 YEARS (to collect)	\$ 3,200,000.00	97.38%		

6-Month Report to the Wayne City Council

LB 840 Funds Committed (as of 6/30/2020)

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:

A \$350,000 loan;

3% interest rate;

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;

Changing the loan repayment period from 10 years to 15 years;

Deferment period would be from March 1, 2018, to February 28, 2021;

Repayment period for principal and interest would begin on March 1, 2021; and

Final payment would be due March 1, 2035.

**6-Month Report to the Wayne City Council
RLF Funds Committed (as of 06/30/2020)**

<u>Applicant</u>	<u>Amount</u>	<u>Type of funding</u>	<u>Purpose</u>	<u>Committee Review</u>	<u>Council Approval</u>
Talon Capital, LLC (dba Fyre-Tec)	\$ 250,000.00	performance based loan	a purchase existing business/expand business	1/10/2019	2/5/2019
Ace Hardware & Home	\$ 200,000.00	no-interest loan	b start retail store/purchase inventory	9/18/2019	10/1/2019
Johnnie Byrd Brewing Company	\$ 40,000.00	low-interest loan	c purchase real estate	12/13/2019	12/17/2019
TOTAL RLF COMMITMENTS (as of June 30, 2020)	* \$ 490,000.00				
<p>a On 01/10/2019, RLF Committee recommended approval: \$250,000 loan for 10 yrs with interest rate set at 50% of the interest rate set by primary lender (Midwest Bank - 5.7%); On 02/05/2019, Council approved loan of \$250,000 for 10 years with interest rate of 2.85%, plus a job creation requirement of 5 FTE within 3 years;</p>					
<p>b On 09/18/2019, RLF Committee recommended approval: \$200,000 loan for 15 years with interest rate set at 0% for years 1-5 and 2% for years 6-15; On 10/01/19, Council approved loan of \$200,000 for 15 years with interest rate of 0%</p>					
<p>c On 12/13/2019, RLF Committee recommended approval: \$40,000 loan with repayment term to match the primary lender with interest rate set at 50% of the interest rate set by the primary lender (State Nebraska Bank & Trust - TBD); On 12/17/2019, Council approved loan of \$40,000 for 10 years with repayment term to match the primary lender with an interest rate set at 50% of the interest rate set by the primary lender</p>					

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PRELIMINARY LEVY ALLOCATION FROM CITY OF WAYNE
RESOLUTION NO. 2020-2

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 2020-2021:

FUND TAX REQUEST

General Fund	\$ 76,800
TOTAL	\$ 76,800

BE IT FURTHER RESOLVED that said Public Airport has repayment of Interest-Free Loans from the Department of Aeronautics for \$14,680 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 2020-2021:

TOTAL

Motion by Tom Schmitz to adopt Resolution NO. 2020-2. Seconded by Travis Meyer.

Voting yes were: David Ley, Scott Hammer, Tom Schmitz, Travis Meyer

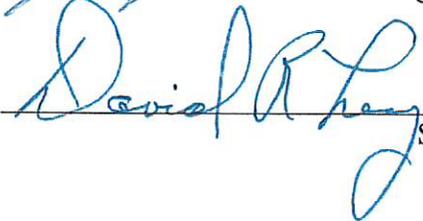
Voting no were: -

Motion carried.

Date this 13th day of July, 2020.



Chairman



Secretary

RESOLUTION NO. 2020-39

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 \$76,800 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 \$76,800 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 \$76,800 to the Wayne Municipal Airport Authority.

PASSED AND APPROVED this 4th day of August, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Transportation
Change Order Report

Contract ID: 3777 **Change Order Nbr:** 002

Change Order Description: Change to cast iron ADA panels

Potential for Design Error/Omission: N

Vendor: 3575 T. R. HARRIS CONSTRUCTION, INC.

Primary Project Information: 31777 000 STPB-90(4)

Primary Project Location: WAYNE TRAIL - PH 2

Contract Description: GRAD CONC PAVE CULV SEED ELEC SIGNING

Special Notes: Local Oversight

Change Order Approval Date: **Letting Date:** 08/29/2019

Change Order Type: SUPPLEMENTAL AGREEMENT

Force Account ID: 0 **Zero Dollar Change Order:** N

Project Information: 31777 000 STPB-90(4)

Project Location: WAYNE TRAIL - PH 2

Item Nbr	Catg	Funds	Item Code	Unit	Unit Price	Bid Qty	Total Appr Qty	This CO Qty	Amount of Change
4001	0031	NP	3900.26	SF	\$14.70	0.000	0.000	341.000	This Change: \$5,012.70
									Prev Revised: \$0.00
Item Description			ADDITIONAL COST						New Revised: \$5,012.70
Suppl Description			Additional material cost for Cast Iron ADA panels						Bid Amount: \$0.00
CO Item Description									Revised Total: \$5,012.70
									Pct Change:

Total Value for Change Order 002 **\$5,012.70**

We hereby request approval of changes in the plans, specifications, or work not included in the plans or contract, described as follows:

To provide for the item(s) of work and to establish a basis of payment.

The contractor placed the bid with a detectable warning panel from the NDOT approved product list. The City of Wayne requested that all detectable warning panels be constructed of cast iron to match the remainder of the city's previously installed panels.

The contractor showed a material cost increase for the cast iron panels. The City of Wayne will pay the cost difference from the bid price as "Non-Participating" with 100% local funds.

The agreed unit prices shall be full compensation for all material, labor, equipment, tools and incidentals necessary to complete the work.

No additional working days or calendar days to the contract time allowance are being granted.

Transportation Change Order Report

Contract ID: 3777 **Change Order Nbr:** 003

Change Order Description: Adding Hydromulch and Base course

Potential for Design Error/Omission: Y

Vendor: 3575 T. R. HARRIS CONSTRUCTION, INC.

Primary Project Information: 31777 000 STPB-90(4)

Primary Project Location: WAYNE TRAIL - PH 2

Contract Description: GRAD CONC PAVE CULV SEED ELEC SIGNING

Special Notes: Local Oversight

Change Order Approval Date: **Letting Date:** 08/29/2019

Change Order Type: SUPPLEMENTAL AGREEMENT

Force Account ID: 0 **Zero Dollar Change Order:** N

Project Information: 31777 000 STPB-90(4)

Project Location: WAYNE TRAIL - PH 2

Item Nbr	Catg	Funds	Item Code	Unit	Unit Price	Bid Qty	Total Appr Qty	This CO Qty	Amount of Change
4002	0040	P	8010.03	CY	\$85.00	0.000	0.000	96.000	This Change: \$8,160.00
Funding Split: 4517B/20% TAP0/80%									Prev Revised: \$0.00
Item Description		CRUSHED ROCK FOR BASE COURSE						New Revised: \$8,160.00	
Suppl Description		Adding crushed rock for base course for underpass						Bid Amount: \$0.00	
CO Item Description								Revised Total: \$8,160.00	
									Pct Change:
4003	0050	P	L032.85	TON	\$716.63	0.000	0.000	3.500	This Change: \$2,508.21
Funding Split: 4517B/20% TAP0/80%									Prev Revised: \$0.00
Item Description		HYDROMULCH TYPE HM2						New Revised: \$2,508.21	
Suppl Description		Adding hydromulch for urban turf areas to the project						Bid Amount: \$0.00	
CO Item Description								Revised Total: \$2,508.21	
									Pct Change:
4004	0050	P	L032.85	TON	\$385.55	0.000	0.000	3.500	This Change: \$1,349.43
Funding Split: 4517B/20% TAP0/80%									Prev Revised: \$0.00
Item Description		HYDROMULCH TYPE HM2						New Revised: \$1,349.43	
Suppl Description		Adding hydromulch for agricultural areas to the project						Bid Amount: \$0.00	
CO Item Description								Revised Total: \$1,349.43	
									Pct Change:

Total Value for Change Order 003 **\$12,017.63**

**Transportation
Change Order Report**

Contract ID: 3777 Change Order Nbr: 003

Change Order Description: Adding Hydromulch and Base course

Contract Time Adjustment

**Original Completion
Date:**

Adjusted Completion Date:

**Adjusted No. of
Days: 2**

We hereby request approval of changes in the plans, specifications, or work not included in the plans or contract, described as follows:

During construction of the Underpass at station 300+00 unsuitable material due to moisture was discovered. The decision was made to over excavate the area and replaced the unsuitable material with a crushed rock for a base course.

The additional work item will be performed by an approved sub-contractor and will be participating and subject to the funding categories as outlined by the contract.

The negotiated price for this work will be done at \$85.00 per cubic yard (\$80.75+5% for prime contractor). This compares favorably with the AUP of \$124.43 per cubic yard.

The agreed unit prices shall be full compensation for all material, labor, equipment, tools and incidentals necessary to complete the work.

Two (2) additional working days will be added to the contract due to the delay in the critical path required by the excavation and placement of the base course.

The proposed change described in this change order has been reviewed for effects to the environment and for compliance with the project contract. The proposed change complies with the contract environmental commitments.

Due to the sensitive nature of the residential and urban environment the trail path follows and the critical need for quick soil stabilization the determination was made to use hydro-mulch in replacement of straw mulch.

The additional work item will be performed by an approved sub-contractor and will be participating and subject to the funding categories as outlined by the contract.

The negotiated price for this work will be done at \$716.63 per ton (\$682.50+5% for prime contractor). This compares favorably with the AUP price of \$1890.29 per ton.

The agreed unit prices shall be full compensation for all material, labor, equipment, tools and incidentals necessary to complete the work.

No additional working days or calendar days to the contract time allowance are being granted for using hydromulch.

The proposed change described in this change order has been evaluated in the District for effects to the environment and for compliance with the project contract. The proposed change is exempt from further environmental review.

Transportation
Change Order Report

Contract ID: 3777

Change Order Nbr: 003

Change Order Description: Adding Hydromulch and Base course

Due to the land disturbance in the areas of current agricultural production the trail path follows, it was determined to use hydromulch to achieve quick soil stabilization and prevent crop land erosion.

The additional work item will be performed by an approved sub-contractor and will be participating and subject to the funding categories as outlined by the contract.

The negotiated price for this work will be done at \$385.88 per ton (\$367.50+5% for prime contractor). This compares favorably with the AUP price of \$1890.29 per ton.

The agreed unit prices shall be full compensation for all material, labor, equipment, tools and incidentals necessary to complete the work.

No additional working days or calendar days to the contract time allowance are being granted for using hydromulch.

The proposed change described in this change order has been evaluated in the District for effects to the environment and for compliance with the project contract. The proposed change is exempt from further environmental review.

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702

TO OWNER: City of Wayne
Wayne, Nebraska

PROJECT: Restoration of Walking Trail

APPLICATION NO.: 3

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

PERIOD TO: June 5 - July 30 2020

PROJECT NOS.: 002-10218-
000

CONTRACTOR DATE: April 1st
2020

FROM CONTRACTOR: Mt B Quality Const

VIA ARCHITECT: Leo A Daly
David Wiggins

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 899,202.25
2. Net change by Change Orders \$ 374,177.50
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 1,273,379.75
4. TOTAL COMPLETED & STORED TO DATE \$ 1,163,429.75
 (Column G on G703)
5. RETAINAGE:
 - a. 10 % of Completed Work \$ 116,342.98
 (Columns D + E on G703)
 - b. 0 % of Stored Material \$ 0
 (Column F on G703)
 Total Retainage (Line 5a + 5b or Total in Column I of G703) \$ 116,342.98
6. TOTAL EARNED LESS RETAINAGE \$ 1,047,086.77
 (Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 904,624.65
 (Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE \$ 158,291.25
9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 109,950.00
 (Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: _____ Date: _____

State of: _____

County of: _____

Subscribed and sworn to before me this _____ day of _____

Notary Public: _____

My Commission expires: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 158,291.25

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: David Wiggins Date: 7/31/2020

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



AIA Document G703™ - 1992

*City of Wayne
Restoration of Walking Trail
M+B Quality Concrete L.L.C.*

Continuation Sheet

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT.
 containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
 APPLICATION DATE: 7-30-20
 PERIOD TO: June 5 to July 30 2020
 ARCHITECT'S PROJECT NO: 002-10218-000

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1.	Stream Crossing + De-watering	225,000	159,000	75,000	0	225,000	0	22,500	
2.	Signage and Barricades	18,500	15,000	3,500	0	18,500	0	1,850	
3.	Clearing + Grubbing	98,000	98,000	0	0	98,000	0	9,800	
4.	Remove unsuitable Fill	28,000	28,000	0	0	28,000	0	2,800	
5.	Fill Earth	2,635	2,635	0	0	2,635	0	263.50	
6.	Remove 5" Concrete	13,356	13,356	0	0	13,356	0	1,335.60	
7.	Remove Pipe Railing	490	490	0	0	490	0	49.00	
8.	Remove + Replace Chain Link Fence	960	960	0	0	960	0	96.00	
9.	Remove Steel Sheet Piling	32,040	32,040	0	0	32,040	0	3,204.00	
10.	NDOT Type B Rip Rap	39,360	39,360	0	0	39,360	0	3,936.00	
11.	NDOT Type C Rip Rap	73,040	73,040	0	0	73,040	0	7,304.00	
12.	Steel Sheet Piling	229,506	229,506	24,915	0	229,506	0	22,950.60	
13.	Shotcrete Piling Concrete Cap	24,915	0	0	0	24,915	49,950	2,491.50	
14.	5" Concrete Sidewalk	49,950	0	5,000	0	5,000	11,900	500.00	
15.	42" Railing - 1 1/2 O.D. Pipe Post	16,900	0	0	0	0	400	0	
16.	Sodding	400	0	0	0	0	0	3,811.50	
17.	6" Soil w/ Wetland Seed	38,115	32,000	6,115	0	38,115	0	741.13	
18.	Erosion Control Blanket	7,411.25	3,800	3,611.25	0	7,411.25	0	62.40	
19.	Silt Fence	624	624	0	0	624	0	62.40	
		899,202.25	718,811.00	118,141.25		836,952.25	62,250	83,695.23	

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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