

(Amended: 10/19/20)

AGENDA
CITY COUNCIL MEETING
COMMUNITY ROOM
WAYNE COMMUNITY ACTIVITY CENTER
October 20, 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. [Introduction of New Employees: Jon Mullen and Steve Sherman](#)
3. [Approval of Minutes – October 6, 2020](#)
4. [Approval of Claims](#)
5. [Discussion and update on the “2019 Nebraska Street Improvements Project” – CDBG No. 16-CD-208
— Jon Mooberry, JEO Consulting Group, Inc.](#)
6. [Action on Certificate of Substantial Completion as of October 8, 2020 on the “2019 Nebraska Street Improvements Project” – CDBG No. 16-CD-208 – Jon Mooberry, JEO Consulting Group, Inc.](#)
7. [Action on Contractor’s Application for Payment No. 8 in the amount of \\$314,910.80 to Robert Woehler & Sons Construction, Inc., for the “2019 Nebraska Street Improvements Project” – CDBG No. 16-CD-208 – Jon Mooberry, JEO Consulting Group, Inc.](#)
8. [Action on Change Order No. 2 \(Fly Ash Stabilization – decrease of \\$28,104.32\) to Robert Woehler & Sons Construction, Inc., for the “2019 Nebraska Street Improvements Project” – CDBG No. 16-CD-208 – Jon Mooberry, JEO Consulting Group, Inc.](#)
9. [Action on Change Order No. 3 \(Time Extension\) to Robert Woehler & Sons Construction, Inc., for the “2019 Nebraska Street Improvements Project” – CDBG No. 16-CD-208 – Jon Mooberry, JEO Consulting Group, Inc.](#)
10. [Action on Amended Application and Certificate of Payment No. 5 \(Final\) in the amount of \\$111,508.85 ~~\\$130,337.98~~ to M&B Quality Concrete for the “Restoration of Walking Trail Project” – Al Hottovy, Leo A Daly](#)

Background: This is being brought back as an amended Pay Application for the reason that there was an error discovered on one of the previous pay applications.

11. Public Hearing: To Consider the Planning Commission's recommendation on a request to rezone property. The applicant, Diana Zach, is seeking the request to rezone 212 Windom Street, 313 East 3rd Street, and 321 East 3rd Street from R-3 Residential to B-3 Neighborhood Commercial. The applicant wishes to replace an old quonset with a new storage building. (Advertised Time: 5:30 p.m.)

Background: The Planning Commission held a public hearing on October 5th on this matter, and recommended approval of the same with the "Finding of Fact" being staff's recommendation. A map of the area is enclosed for your reference. Because this conflicts with the future land use map recently amended in May, 2020, the recommendation is to table this matter until the same can be brought before the Planning Commission for review/recommendation.

12. Resolution 2020-50: Authorizing the Sale of a 30'x30' piece of property at what would be located at approximately 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska

Background: We are receiving "offers to purchase" until 2:00 p.m. on Tuesday. Staff will share the results at meeting time.

13. Ordinance 2020-18: Directing the Sale of a 30'x30' piece of property at what would be located at approximately 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska

14. Ordinance 2020-11: Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-174 Truck Parking; Where Designated (Third and Final Reading)

Background: Attorney Miller has redrafted the ordinance per the discussion that took place at the last meeting.

15. Ordinance 2020-12: Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-131 Restricted Parking 12:00 Midnight to 5:00 a.m.; Southeast Quadrant of the City (Third and Final Reading)

16. Ordinance 2020-13: Amending Wayne Municipal Code, Title VII Traffic Code, Section 78-132 Prohibited Parking; Southwest Quadrant of the City (Third and Final Reading)

17. Resolution 2020-51: Approving Memorandum of Understanding between the City of Wayne and the Nebraska Regional Interoperability Network

Background: NRIN is a statewide microwave network for public safety that was built by the State of Nebraska with grant funds over the past 9 or 10 years. Once the equipment is installed and running, it becomes each entity's responsibility to insure the equipment. In most places, the County runs the dispatch centers, so the County is usually tasked with insuring it. Since the City owns and operates our 911 center, it will fall upon us.

Three microwave dishes are being installed in Wayne County to complete a ring or circuit in Northeast Nebraska. This system is tentatively being looked at as a backup system for redundancy for our 911 center as we proceed with connectivity with other 911 centers to share technology lessening equipment needs for the Northeast Nebraska Region. The three microwave dishes are slated to be installed at:

- **NET Tower west of town;**
- **Wayne State College radio tower; and**
- **To Wayne PD tower**

The original plan was only two dishes, but a wind turbine was placed in the path. EMC insurance has been contacted to try to give a premium estimate for this equipment, but we may not have before the Council meeting. The MOU is required to be in place before installation will begin. Northeast Nebraska was one of the last areas to get this equipment, and it has been up and running for some time in Western and South Central Nebraska

18. [Update on Potential Pool Litigation](#)
19. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
October 6, 2020**

The Wayne City Council met in regular session in the Community Room of the Wayne Community Activity Center on October 6, 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, 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 September 24, 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 Eischeid, to approve the minutes of the meetings of September 15, 2020, and September 29, 2020, and to waive the readings thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

APPROVED 9/16/20: M & B QUALITY CONCRETE, SE, 98955.00; ROBERT WOehler & SONS, SE, 170,851.91

VARIOUS FUNDS: ACE HARDWARE & HOME, SU, 64.87; ALL HOURS TOWING, SE, 240.76; AMAZON, SU, 1,163.03; AMERITAS, SE, 72.00; AMERITAS, SE, 2347.40; AMERITAS, SE, 101.21; AMERITAS, SE, 187.21; APPEARA, SE, 94.29; APPEARA, SE, 164.07; BENSCOTER, LOUIS, RE, 100.00; BIG RIVERS ELECTRIC CORPORATION, SE, 254856.89; BLACK HILLS ENERGY, SE, 270.81; BLACKSTONE PUBLISHING, SU, 96.83; BOMGAARS, SU, 1727.11; BOMGAARS, SU, 31.98;

BORDER STATES INDUSTRIES, SU, 457.10; BRASCH, IMOGENE, RE, 150.00; BSN SPORTS, SU, 310.53; BSN SPORTS, SU, 359.14; CARHART KITCHEN & BATH, SU, 5917.00; CARHART LUMBER, SU, 242.66; CARROLL, SHANNON, RE, 150.00; CENTURY LUMBER, SU, 1763.27; CENTURYLINK, SE, 423.61; CITY EMPLOYEE, RE, 18.00; CITY EMPLOYEE, RE, 87.71; CITY EMPLOYEE, RE, 1109.42; CITY EMPLOYEE, RE, 210.55; CITY EMPLOYEE, RE, 695.77; CITY OF WAYNE, PY, 84438.18; CITY OF WAYNE, RE, 1186.68; CITY OF WAYNE, RE, 1109.42; COLONIAL RESEARCH, SU, 497.80; COMMERCIAL RECREATION SPECIALISTS, SU, 24830.00; COMMUNITY REDEVELOPMENT AUTHORITY, RE, 14633.89; CORE & MAIN, SU, 997.92; COVER ONE, SU, 659.00; CREATIVE PRODUCT SOURCE, SU, 150.37; DANKO EMERGENCY EQUIPMENT, SU, 142.37; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEMCO, SU, 1277.25; DGR & ASSOCIATES, SE, 1617.43; DISCOUNT PLAYGROUND SUPPLY, SU, 2032.75; DOESCHER REPAIR, SE, 91.50; DUTTON-LAINSON, SU, 795.54; DUTTON-LAINSON, SU, 1929.22; EAKES OFFICE PLUS, SE, 1996.02; ECHO GROUP, SU, 138.37; ED M. FELD EQUIPMENT, SU, 705.60; ED M. FELD EQUIPMENT, SU, 952.15; ENGINEERED CONTROLS, SE, 2290.00; FIRST CONCORD GROUP, SE, 2697.80; FLOOR MAINTENANCE, SU, 752.87; FLOOR MAINTENANCE, SU, 275.59; FREDRICKSON OIL, SU, 1120.35; GALE/CENGAGE LEARNING, SU, 148.79; GALE/CENGAGE LEARNING, SU, 24.69; GERHOLD CONCRETE, SU, 1212.56; GERHOLD CONCRETE, SU, 110.72; GERHOLD CONCRETE, SU, 4076.56; GROSSENBURG IMPLEMENT, SU, 198.89; GROSSENBURG IMPLEMENT, SE, 200.00; GROSSENBURG IMPLEMENT, SU, 8500.00; HILAND DAIRY, SE, 250.99; HILAND DAIRY, SE, 314.69; HIX, DAVE, RE, 100.00; HOLIDAY INN EXPRESS-FREMONT, SE, 239.90; HOMESTEAD HOMES, RE, 500.00; HYDRO OPTIMIZATION, SU, 741.39; HYPERION, SE, 605.00; ICMA, SE, 7859.14; INGRAM LIBRARY SERVICES, SU, 650.66; IRS, TX, 175.72; IRS, TX, 751.42; IRS, TX, 1.50; IRS, TX, 624.52; IRS, TX, 3121.98; IRS, TX, 10006.30; IRS, TX, 13349.00; IRS, TX, 6.38; JACK'S UNIFORMS, SU, 255.75; JEO CONSULTING GROUP, SE, 15710.30; JMB CONTRACTING, SE, 1304.25; KELLY SUPPLY COMPANY, SU, 463.81; KLUTE TRUCK EQUIPMENT, SU, 7490.00; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 395.00; LINDAU, SHERYL, RE, 190.67; MARCO, SE, 175.92; METERING & TECHNOLOGY SOLUTIONS, SU, 879.35; MIDWEST TAPE, SU, 62.96; MIDWEST TAPE, SU, 11.99; MUNICIPAL SUPPLY, SU, 189.46; MUNICIPAL SUPPLY, SU, 943.62; N.E. NE AREA ON AGING, SE, 300.00; NE DEPT OF REVENUE, TX, 4214.43; NE DEPT OF REVENUE, TX, 264.29; NE DEPT OF TRANSPORTATION, SE, 68178.64; NE DEPT OF TRANSPORTATION, SE, 139259.90; NE DHHS, FE, 260.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 92.00; NORTHEAST NE INS AGENCY, SE, 3799.67; NORTHEAST POWER, SE, 44593.76; NORTHWEST ELECTRIC, SU, 1033.93; NOVA FITNESS EQUIPMENT, SE, 3270.29; OCC BUILDERS, RE, 250.00; O'KEEFE ELEVATOR COMPANY, SE, 2964.00; ONE CALL CONCEPTS, SE, 204.28; O'REILLY AUTOMOTIVE STORES, SU, 30.79; POLLARD PUMPING, SE, 1155.00; RODRIGUEZ, NANCY, SE, 85.00; RON'S RADIO, SU, 66.25; SIMPSON, JEFF, RE, 100.00; SKARSHAUG TESTING LAB, SE, 212.68; STADIUM SPORTING GOODS, SE, 48.00; STADIUM SPORTING GOODS, SE, 40.00; STADIUM SPORTING GOODS, SU, 144.00; STATE NEBRASKA BANK-PETTY CASH, RE, 48.73; STATE NEBRASKA BANK-PETTY CASH, RE, 31.26; STATE NEBRASKA BANK-PETTY CASH, RE, 433.23; STATE TREASURER OF NE, RE, 734.44; THE GLASS EDGE, SU, 2923.00; THRASHER, RE, 500.00; TINT SPECIALTIES, RE, 500.00; TNEMEC COMPANY, SU, 256.12; TRUCK CENTER COMPANIES, SU, 207.26; US FOODSERVICE, SU, 1890.35; WAYNE COMMUNITY SCHOOLS, FE, 126.00; WAYNE HERALD, SE, 105.00; WELLINGTON, SONDRRA, RE, 150.00; WESCO, SU, 117.70; WIGMAN COMPANY, SU, 157.62; ACES, SE, 928.29; AMERICAN BROADBAND, SE, 2409.70; BLUE CROSS BLUE SHIELD, SE, 50388.43; DEARBORN LIFE INSURANCE COMPANY, SE, 96.82; GFOA, FE, 170.00; HOMETOWN LEASING, SE, 436.02; LEO A DALY, SE, 6750.00; MILLER LAW, SE, 5416.67; NORTHEAST NE INS AGENCY, SE, 89379.00; PROVIDENCE MEDICAL CENTER, SE, 71651.00; QHA CLEANING, SE, 1375.00; VIAERO, SE, 66.95; WAED, SE, 8592.41; WAYNE COUNTY COURT, RE, 1000.00; WAYNE HERALD, SE, 36.00;

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

Al Hottovy, Engineer with Leo A Daly, presented Application and Certificate of Payment No. 5 (Final) in the amount of \$130,337.98 to M&B Quality Concrete for the “Restoration of Walking Trail Project.” He also updated the Council on the project.

Councilmember Spieker noted a discrepancy on page 2 (Item no. 15) of said pay application.

Councilmember Spieker made a motion, which was seconded by Councilmember Eischeid, approving Application and Certificate of Payment No. 5 (Final) for \$130,337.98 to M&B Quality Concrete for the “Restoration of Walking Trail Project,” contingent upon Page 2 being amended/corrected to reflect the proper amount. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

The Council approved JEO Consulting Group, Inc., as the special engineer on the “2021 Pine Heights Road Improvements, 9th to 10th Street Project” back in March, 2020, after going through a “Request for Qualification” process. The following Resolution would reaffirm their appointment, as well as approve the final plans, specifications and opinion of probable cost for this project. Once the Council approves the same, the project will be advertised for bids.

Jon Mooberry, representing JEO Consulting Group, Inc., the City’s engineer on the project, reviewed the plans and specifications, as well as updated them on the project. The estimated construction cost is \$709,000, with the estimated total project cost being \$931,880. The tentative start date is April 1, 2021, with final completion being November 1, 2021.

Councilmember Eischeid introduced Resolution No. 2020-47 and moved for its approval, Councilmember Karsky seconded.

RESOLUTION NO. 2020-47

A RESOLUTION REAFFIRMING THE PROJECT ENGINEER AND APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR THE “2021 PINE HEIGHTS ROAD IMPROVEMENTS, 9TH TO 10TH STREET PROJECT” – CDBG NO. 19-PW-017, AND AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS.

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 the “Construction Engineering Services Agreement - Supplemental Agreement No. 2” between the City and Olsson relating to the Wayne Trail – Phase 2 Project. This is a result of adding additional work to the project. The fee for this additional work is estimated to be \$6,401.20.

Joel Hansen, Street and Planning Director, explained the change order, which is an alignment modification due to the erosion of the bank along the north side of Logan Creek and an alignment modification to avoid a shallow electrical line.

Councilmember Brodersen introduced Resolution No. 2020-48 and moved for its approval, Councilmember Buck seconded.

RESOLUTION NO. 2020-48

A RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A CONSTRUCTION ENGINEER SERVICES AGREEMENT – SUPPLEMENTAL AGREEMENT NO. 2 – BK1959-01 BETWEEN THE CITY AND OLSSON RELATING TO THE WAYNE TRAIL – PHASE 2 PROJECT STBP-90(4).

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

The following Resolution would amend the 1998 Problem Resolution Team Resolution pursuant to the recommendations brought forward at Council Retreat.

Councilmember Sievers introduced Resolution No. 2020-49 and moved for its approval, Councilmember Spieker seconded.

RESOLUTION NO. 2020-49

A RESOLUTION AMENDING RESOLUTION 1998-22 PERTAINING TO THE ESTABLISHMENT OF A PROBLEM RESOLUTION TEAM (PRT) TO ADDRESS ISSUES INVOLVING NUISANCE PROPERTIES, BLIGHTED OR SUBSTANDARD HOUSING, HEALTH DEPARTMENT AND HEALTH & HUMAN SERVICES NON-CRIMINAL REFERRALS.

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

Discussion took place regarding Ordinance 2020-11 amending Wayne Municipal Code, Title VII Traffic Code, Section 78-174 Truck Parking; Where Designated. This is the second reading.

Eric Smith was present to voice his concerns regarding the truck parking ordinance.

After further discussion, Councilmember Brodersen made a motion to table action on Ordinance 2020-11 until the next meeting; Councilmember Spieker seconded.

ORDINANCE NO. 2020-11

AN ORDINANCE TO AMEND SECTION 78-174 OF TITLE VII TRAFFIC CODE OF THE WAYNE MUNICIPAL CODE RELATING TO TRUCK PARKING; WHERE DESIGNATED; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Brodersen introduced Ordinance 2020-12, and moved for approval of the second reading thereof; Councilmember Spieker seconded.

ORDINANCE NO. 2020-12

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-131 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Councilmember Eischeid introduced Ordinance 2020-13, and moved for approval of the second reading thereof; Councilmember Buck seconded.

ORDINANCE NO. 2020-13

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Administrator Blecke advised the Council that in order to provide full-time police coverage at this time, we are unable to grant most requests for vacation leave. Under the City's current policy, employees that have accumulated 280 hours of unused vacation leave can no longer accrue additional vacation leave until they use some of that 280 hours up. He recommended that the City temporarily pay out the vacation time the employees are unable to use each pay period until there is enough staff in place to allow vacation leave when requested. This would be addressed again at the end of December.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, authorizing the City Administrator to temporarily pay out police department (officers) vacation leave in the amount over the accrual limit at current wage rates. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 6:44 p.m.



Vendor	Payable Description	Payment Total
FISCAL YEAR 2019-2020		
ACE HARDWARE & HOME	FLAGS/PAINT/CARPET CLEANER	242.52
AMAZON.COM, LLC	DVDS/BINDERS	1,096.84
APPEARA	CAC MAT SERVICE	42.05
BAKER & TAYLOR BOOKS	BOOKS	369.58
BIG RIVERS ELECTRIC CORPORATION	ELECTRICITY	223,363.98
BIG STONE TRANSPORTATION & LANDSCAPE SUPPLY	PLAYGROUND WOOD CHIPS	1,560.00
BOMGAARS	CLOTHING/TOOLS/PAINTING SUPPLIES	3,219.76
BRENTLINGER, CASEY	FOOTBALL REF	30.00
BSN SPORTS, INC	VOLLEYBALLS	224.56
CARHART LUMBER COMPANY	WOOD	43.44
CARLSON WEST PVONDRA ARCHITECTS	CCCCFF PLANNING GRANT	7,930.47
CARROLL DISTRIBUTING	TRACK POWER BUGGY RENTAL	250.00
CERTIFIED TESTING SERVICES INC	NEBRASKA STREET	2,291.75
CHEMQUEST, INC.	QUARTERLY MONITORING/FLOW CONTROL KIT	898.00
CITY EMPLOYEE	ART RECEPTION CUPCAKES	132.00
CONTRERAS, SHERRY	BASKETBALL DISCOUNT REFUND	10.00
COPY WRITE PUBLISHING	SHIPPING CHARGES	85.31
CORE & MAIN LP	METER WASHERS	24.00
COTTONWOOD WIND PROJECT, LLC	WIND ENERGY	14,243.30
DAS STATE ACCTG-CENTRAL FINANCE	WSC INTERNET CHARGES	61.04
DAVE'S DRY CLEANING	POLICE UNIFORM CLEANING	33.00
DUTTON-LAINSON COMPANY	PADMOUNT TRANSFORMER	11,284.22
EASYPERMIT POSTAGE	POSTAGE ON UTILITY BILLS	873.47
ENVIROTECH SERVICES, INC	LIQUID DE-ICER	5,765.12
FASTENAL CO	BOLTS	30.62
FLOOR MAINTENANCE	JANITORIAL SUPPLIES	705.76
GERHOLD CONCRETE CO INC.	CONCRETE	15.60
GLOBAL PAYMENTS INTEGRATED	CAC CREDIT CARD TRANSACTION FEE	26.00
HAWKINS, INC	HYPOCHLORITE	2,208.39
HUBER TECHNOLOGY INC	DUST COLLECTION BAGS	384.75
INGRAM LIBRARY SERVICES	BOOKS	612.04
JEO CONSULTING GROUP	NEBRASKA STREET	7,454.75
JOHN'S WELDING AND TOOL LLC	CONCRETE TOOLS	246.39
KNEIFL, BROOKS	FOOTBALL REF	48.00
KNEIFL, JACOB	FOOTBALL REF	48.00
LUTT OIL	GASOLINE	5,249.36
MAROTZ, MORGAN	FOOTBALL REF	24.00
MATHESON-LINWELD	OXYGEN	34.25
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	25.77
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	1,604.80

Vendor	Payable Description	Payment Total
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	2,292.33
MIDWEST LABORATORIES, INC	WASTEWATER ANALYSIS	189.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	FLUORIDE/COLIFORM TESTING	63.00
NEBRASKA PUBLIC POWER DIST	ELECTRICITY	36,628.58
NORFOLK DAILY NEWS	POLICE OFFICER ADS	237.60
NORTHEAST POWER	ELECTRICITY	7,371.00
NOVA FITNESS EQUIPMENT	DEPOSIT ON HIP ABDUCTION MACHINE	2,831.60
ODEYS INC	INFIELD CONDITIONER/TOPDRESSING/ANCHORS/CIRCLES	1,725.49
ONE CALL CONCEPTS, INC	DIGGERS HOTLINE	123.81
OVERDRIVE, INC.	AUDIO/E BOOKS	984.43
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	7.16
PAC N SAVE	FOAM CUPS	12.98
PAC N SAVE	SENIOR CENTER NOON MEAL SUPPLIES	589.53
PLUNKETT'S PEST CONTROL	PEST CONTROL	189.46
POLLARD PUMPING	BOY SCOUT PARK PORT A POTTY	345.00
QUALITY FOOD CENTER	GABAGE BAGS/SOFTENER SALT	54.91
RIDLING, JOE	FOOTBALL REF	24.00
SARGENT DRILLING	LABOR TO ABANDON WELLS	4,526.75
SCHWARTE, AMBER	AFTER SCHOOL SNACKS	76.34
SOBOTKA, CALEB	FOOTBALL REF	72.00
ST OF NE-CHARITABLE GAMING DIVISION	KENO LOTTERY TAX	818.00
STAPLES, INC	OFFICE SUPPLIES	65.33
STATE NEBRASKA BANK & TRUST	ACH	60.32
TYLER TECHNOLOGIES	INSITE TRANSACTION FEES	1,961.25
US BANK	TECH SUPPLIES/WHEELS/HELMETS/LIGHT BAR/ETC	15,030.26
WAYNE AUTO PARTS	BATTERY/FILTERS/HARNESS	258.89
WAYNE COUNTY CLERK	FILING FEE	46.00
WAYNE HERALD	1/2 PAGE GUIDE AD/CAC ADS	693.50
WAYNE HERALD	1/4 PAGE GUIDE AD	465.00
WAYNE HERALD	ADS AND NOTICES	2,473.37
WAYNE HERALD	1/2 PAGE GUIDE AD	595.00
WAYNE VETERINARY CLINIC	DOG/CAT IMPOUND	98.00
WESTERN AREA POWER ADMIN	ELECTRICITY	14,676.09
WILSON, ZANE	FOOTBALL REF	60.00
WISNER WEST	FD GASOLINE	117.71
ZACH HEATING & COOLING	A/C SERVICED	193.00
ZIMCO SUPPLY	FERTILIZER	1,020.00
	Grand Total:	389,769.58



City of Wayne, NE

Council Approval Listing

Payment Date Range: 10/07/2020 - 10/08/2020

Vendor	Payable Description	Payment Total
FISCAL YEAR 2019-2020		
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	66.96
FISCAL YEAR 2020-2021		
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 AMOUNT	72.00
AMERITAS LIFE INSURANCE	POLICE RETIREMENT	2,229.36
AMERITAS LIFE INSURANCE	AMERITAS ROTH	184.60
AMERITAS LIFE INSURANCE	POLICE RETIREMENT 457 PERCENTAGE	102.41
BORDER STATES INDUSTRIES, INC	PARALLEL CONNECTORS	112.88
CITY EMPLOYEE	SAFETY BOOTS	150.00
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	4.58
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	149.76
CITY OF WAYNE	PAYROLL	79,158.02
CITY OF WAYNE	UTILITY REFUNDS	588.27
DEARBORN LIFE INSURANCE COMPANY	LIFE/DISABILITY	2,487.14
GERHOLD CONCRETE CO INC.	CONCRETE	1,937.60
GILL HAULING, INC	SANITATION SERVICE	261.25
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	7,866.27
IRS	FICA WITHHOLDING	13,294.66
IRS	FEDERAL WITHHOLDING	9,929.88
IRS	MEDICARE WITHHOLDING	3,109.22
LIQUID ENGINEERING CORPORATION	STANDPIPE- CLEAN & INSPECTED	3,925.00
MEYER, JONATHAN	BUILDING PERMIT DEPOSIT REFUND	500.00
NDEE-FISCAL SERVICES	WW OP II CERTIFICATION	150.00
NE DEPT OF REVENUE	STATE WITHHOLDING	4,165.09
NE MUNICIPAL CLERKS ASSOC	MEMBERSHIP DUES	45.00
PRONUNCIATOR	2020-2021 SUBSCRIPTION	450.00
STADIUM SPORTING GOODS	EMBROIDERY	30.00
VERIZON WIRELESS SERVICES LLC	CELL PHONES	416.58
W.T. COX SUBSCRIPTIONS	SUBSCRIPTION RENEWAL	1,134.86
	Grand Total:	132,521.39



MEMO

To: City of Wayne
From: Jon Mooberry – JEO Project manager
Date: October 15, 2020
Subject: Project Closeout Outstanding Items

The construction of the Nebraska Street Improvement project has been substantially completed. The following items are being submitted for Council review and action pertaining to closeout of the project:

1. Certification of Substantial Completion
 - a. Certificate establishes work was substantial completed on 10/8/20.
 - b. Contract Substantial Completion Date is currently 9/19/20.
 - i. Liquidated Damages, if assessed are \$1,000/day or \$19,000.
 - c. Contract Final Completion Date is currently 10/19/20.
 - i. Liquidated Damages, if assessed are \$500/day after 10/19/20.
2. Pay Application No. 8
 - a. Progress payment for work completed but not including final quantity concurrence or change order items negotiated and under consideration.
3. Change Order No. 2
 - a. Change Order No. 2 is requested by the Contractor for payment of fly ash incorporated into the subgrade for mainline paving from 4th to 7th Streets.
 - b. The week of 8/31 to 9/4, the Contractor had prepared subgrade for mainline paving, passed the density and moisture requirements, and was ready for paving. Over the weekend a rain event saturated the top of the subgrade not allowing the mainline to be paved immediately the following week.
 - c. On 9/9/20, Contractor requested use of fly ash to dry out and stabilize the subgrade to expedite paving. JEO informed them that fly ash for "Subgrade Stabilization" as bid was intended for use if fat clay and or unsuitable soils were encountered, no fat clays or unsuitable soils within the subgrade were identified by the Geotechnical Engineer following pavement removals, and it was not intended for use to expedite construction. Therefore, JEO denied Contractor's request to be paid for using fly ash.
4. Change Order No. 3
 - a. Change Order No. 3 is a contract time extension revising completion dates as follows:
 - i. Substantial Completion Date revised to 10/8/2020.
 - ii. Final Completion Date revised to 11/1/2020.
 - iii. No assessment of liquidated damages, unless final contract obligations are not met.
 - b. In conjunction with a time extension the following should be taken into consideration; the substantial/final completion of work to date, the Contractor's request for Change Order No. 2, and subsequent costs accrued JEO/City due to additional time extensions.

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner:	City of Wayne, Nebraska	Owner's Contract No.:	M-617(117)
Contractor:	Robert Woehler & Sons Construction	Contractor's Project No.:	
Engineer:	JEO Consulting Group, Inc.	Engineer's Project No.:	180975.00
Project:	2019 Nebraska Street Improvements, CDBG No. 16-CD-208	Contract Name:	2019 Nebraska Street Improvements, CDBG No. 16-CD-208

This final Certificate of Substantial Completion applies to:

- All Work, excluding seeding and retaining wall work. The following specified portions of the Work:

10/8/2020

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows: *[Note: Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.]*

Amendments to Owner's responsibilities:

- None
 As follows: Completion of retaining wall work under separate agreement.

Amendments to Contractor's responsibilities:

- None
 As follows: Completion of retaining wall work under separate agreement.

The following documents are attached to and made a part of this Certificate: *Punch List*

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract.

EXECUTED BY ENGINEER:		RECEIVED:		RECEIVED:	
By:	<u>[Signature]</u> (Authorized signature)	By:	_____	By:	<u>[Signature]</u>
Title:	Project Manager	Title:	_____	Title:	Secretary
Date:	10/15/2020	Date:	_____	Date:	10/15/2020

Contractor's Application for Payment No. 8	
Application Period: 9/9/2020 - 10/9/2020 From: Robert Woehler & Sons Construction, Inc. Contract: 2019 Nebraska Street Improvements CDBG No. 16-CD-208 Contractor's Project No.:	Application Date: 10/20/2020 Via (Engineer): JEO Consulting Group, Inc. Engineer's Project No.: 180975
To (Owner): City of Wayne, Nebraska Project: 2019 Nebraska Street Improvements CDBG No. 16-CD-208 Owner's Contract No.:	

**Application For Payment
Change Order Summary**

Approved Change Orders Number	Additions	Deductions	
1		\$25,581.55	
TOTALS			
		\$25,581.55	
NET CHANGE BY CHANGE ORDERS		-\$25,581.55	

1. ORIGINAL CONTRACT PRICE.....	\$ 1,236,665.06
2. Net change by Change Orders.....	\$ -25,581.55
3. Current Contract Price (Line 1 ± 2).....	\$ 1,211,083.51
4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$ 1,166,936.59
5. RETAINAGE:	
a. 10% X \$605,541.76 Work Completed.....	\$ 60,554.18
b. X Stored Material.....	\$ 60,554.18
c. Total Retainage (Line 5.a + Line 5.b).....	\$ 1,106,382.41
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ 79,471.61
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$ 314,910.80
8. AMOUNT DUE THIS APPLICATION	\$ 314,910.80
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$ 1,04,701.10

<p>Contractor's Certification</p> <p>The undersigned Contractor certifies, to the best of its knowledge, the following:</p> <p>(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;</p> <p>(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</p> <p>(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p>	
Contractor Address: 123 Fairgrounds Avenue Wayne, NE 68787	Date: 10/14/2020
Contractor Signature:	

Payment of: \$ 314,910.80 (Line 8 or other - attach explanation of the other amount)	10/14/2020 (Date)
is recommended by: (Engineer)	
Payment of: \$ 314,910.80 (Line 8 or other - attach explanation of the other amount)	(Date)
is approved by: _____ (Owner)	
Approved by: _____ Funding or Financing Entity (if applicable)	

Progress Estimate

Contractor's Application

For (Contract): 2019 Nebraska Street Improvements
 CDBG No. 16-CD-208
 Application Period: 9/9/2020 - 10/9/2020
 Application Number: 8
 Application Date: 10/20/2020

Item No.	Description	Contract Information				B	C	D	E	F		G
		Original Bid Quantity	Contracted Quantity To Date	Units	Unit Price					Total Value of Item (\$)	Estimated Quantity Installed	
36	Concrete Collar, 15"	1	1	EA	\$500.00	\$500.00	1.00	\$500.00		\$500.00	100.0%	
37	Storm Sewer Tap, 15"	1	1	EA	\$1,000.00	\$1,000.00	1.00	\$1,000.00		\$1,000.00	100.0%	
38	Remove Water Main	175	173	LF	\$12.00	\$2,076.00	173.00	\$2,076.00		\$2,076.00	100.0%	
39	6" PVC Water Main, DR 18	45	22	LF	\$45.00	\$990.00	22.00	\$990.00		\$990.00	100.0%	
40	Water Main Loop, 6"	40	61	LF	\$135.00	\$8,235.00	61.00	\$8,235.00		\$8,235.00	100.0%	
41	Water Main Loop, 8"	90	90	LF	\$105.00	\$9,450.00	90.00	\$9,450.00		\$9,450.00	100.0%	
42	1" PE Water Service (SDR 11)	251	259	LF	\$18.00	\$4,662.00	259.00	\$4,662.00		\$4,662.00	100.0%	
43	6" x 1" Saddle	1	1	EA	\$450.00	\$450.00	1.00	\$450.00		\$450.00	100.0%	
44	1" Curb Stop and Box	1	1	EA	\$500.00	\$500.00	1.00	\$500.00		\$500.00	100.0%	
45	Water Service Loop, 1"	220	120	LF	\$24.81	\$2,977.20	20.00	\$496.20		\$496.20	16.7%	\$2,481.00
46	4" Insulation of Water Main	2	2	EA	\$350.00	\$700.00	2.00	\$700.00		\$700.00	100.0%	
47	6" Gate Valve and Box, MJ	1	1	EA	\$1,800.00	\$1,800.00	1.00	\$1,800.00		\$1,800.00	100.0%	
48	Adjust Manhole to Grade	5	5	EA	\$1,000.00	\$5,000.00	5.00	\$5,000.00		\$5,000.00	100.0%	
49	Adjust Valve Box to Grade	8	8	EA	\$250.00	\$2,000.00	7.00	\$1,750.00		\$1,750.00	87.5%	\$250.00
50	Adjust Curb Stop to Grade	1	1	EA	\$150.00	\$150.00	0					\$150.00
51	Curb Inlet Sediment Filter	21	21	EA	\$200.00	\$4,200.00	21.00	\$4,200.00		\$4,200.00	100.0%	
52	Seeding, Fertilizer	3,850	3,850	SY	\$1.25	\$4,812.50	3,850.00	\$4,812.50		\$4,812.50	100.0%	
53	Erosion Control Mat, Class 1D	3,850	3,850	SY	\$1.75	\$6,737.50	3,850.00	\$6,737.50		\$6,737.50	100.0%	
54 (new)	Remove & Salvage Hydrant	0	1	EA	\$2,000.00	\$2,000.00	1.00	\$2,000.00		\$2,000.00	100.0%	
55 (new)	Install 8" Gate Valve and Box, MJ	0	1	EA	\$2,400.00	\$2,400.00	1.00	\$2,400.00		\$2,400.00	100.0%	
56 (new)	Install 8"x6"x8" Tee, MJ	0	1	EA	\$500.00	\$500.00	1.00	\$500.00		\$500.00	100.0%	
57 (new)	Install 6" Fire Hydrant Assembly	0	1	EA	\$6,000.00	\$6,000.00	1.00	\$6,000.00		\$6,000.00	100.0%	
Group C												
1	Cold Milling - Salvage to Owner	6,504	6,504	SY	\$3.75	\$24,390.00	6,504	\$24,390.00		\$24,390.00	100.0%	
	Totals					\$1,211,083.51		\$1,166,936.59		\$1,166,936.59	96.4%	\$44,146.92

Date of Issuance:	October 15, 2020	Effective Date:	Per Owner Acceptance Date
Owner:	City of Wayne, Nebraska	Owner's Contract No.:	
Contractor:	Robert Woehler & Sons Construction, Inc.	Contractor's Project No.:	
Engineer:	JEO Consulting Group, Inc.	Engineer's Project No.:	180975
Project:	2019 Nebraska Street Improvements	Contract Name:	2019 Nebraska Street Improvements
	CDBG No. 16-CD-208		CDBG No. 16-CD-208

The Contract is modified as follows upon execution of this Change Order:

Description: **Change Order 2 is requested by the Contractor for payment of fly ash incorporated into the subgrade for mainline paving of Nebraska Street from 4th to 7th Streets.**

Attachments: See Change Order Estimate.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,236,665.06</u>	Original Contract Times: Official Start of Construction 4/8/2020 Substantial Completion: <u>September 1, 2020</u> Ready for Final Payment: <u>October 1, 2020</u> days or dates
Increase [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ <u>(25,581.55)</u>	[Increase] Decrease from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: <u>September 19, 2020</u> Ready for Final Payment: <u>October 19, 2020</u> days
Contract Price prior to this Change Order: \$ <u>1,211,083.51</u>	Contract Times prior to this Change Order: Substantial Completion: <u>September 19, 2020</u> Ready for Final Payment: <u>October 19, 2020</u> days or dates
Increase [Decrease] of this Change Order: \$ <u>(28,104.32)</u>	Increase Decrease of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,182,979.19</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>September 19, 2020</u> Ready for Final Payment: <u>October 19, 2020</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

Change Order Estimate

JEO Project Name: 2019 Nebraska Street Improvements CDBG No. 16-CD-208		JEO Project Number: 180975		
Owner: City of Wayne, Nebraska		Change Order Number: 2		
Contractor: Robert Woehler & Sons Construction, Inc.		Effective Date:		
Item		Change Order Information		
Item No.	Description	Item Quantity	Unit Price	Total Value of Item (\$)
7	Subgrade Stabilization	-3,366.00	\$14.16	(\$47,662.56)
58 (New Item)	Fly Ash Subgrade Stabilization	3,437.30	\$5.69	\$19,558.24
		Total		(\$28,104.32)

Date of Issuance:	October 15, 2020	Effective Date:	Per Owner Acceptance Date
Owner:	City of Wayne, Nebraska	Owner's Contract No.:	
Contractor:	Robert Woehler & Sons Construction, Inc.	Contractor's Project No.:	
Engineer:	JEO Consulting Group, Inc.	Engineer's Project No.:	180975
Project:	2019 Nebraska Street Improvements		2019 Nebraska Street Improvements
	CDBG No. 16-CD-208	Contract Name:	CDBG No. 16-CD-208

The Contract is modified as follows upon execution of this Change Order:

Description: **Change Order No. 2 is a zero dollar change order for a contract time extension as noted below.**

Attachments: None.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,236,665.06</u>	Original Contract Times: Official Start of Construction 4/8/2020 Substantial Completion: <u>September 1, 2020</u> Ready for Final Payment: <u>October 1, 2020</u> days or dates
Increase [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ <u>(25,581.55)</u>	Increase [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: <u>September 19, 2020</u> Ready for Final Payment: <u>October 19, 2020</u> days
Contract Price prior to this Change Order: \$ <u>1,211,083.51</u>	Contract Times prior to this Change Order: Substantial Completion: <u>September 19, 2020</u> Ready for Final Payment: <u>October 19, 2020</u> days or dates
Increase [Decrease] of this Change Order: \$ <u>0.00</u>	Increase [Decrease] of this Change Order: Substantial Completion: <u>October 8, 2020</u> Ready for Final Payment: <u>November 1, 2020</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,211,083.51</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>October 8, 2020</u> Ready for Final Payment: <u>November 1, 2020</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: _____
Title: _____

Date: _____

TO OWNER: **City of Wayne**
Wayne, Nebraska

PROJECT: **Restoration of Walking Trail**

APPLICATION NO. **5 - FINAL** Distribution to: OWNER ARCHITECT

PERIOD TO: **9/30/2020**

PROJECT NOS.: **002-10218-000** CONTRACTOR

VIA ARCHITECT: **Leo A Daly**

FROM CONTRACTOR: **Mt B Quality Contract**

CONTRACT DATE: **April 1st 2020**

AMENDED

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 (Column G on G703) \$ **1,273,379.75**

5. RETAINAGE:

a. _____% of Completed Work (Columns D + E on G703) \$ **0**

b. **0** % of Stored Material (Column F on G703) \$ **0**

Total Retainage (Line 5a + 5b or Total in Column I of G703) \$ **0**

- 6. TOTAL EARNED LESS RETAINAGE \$ **1,273,379.75**
(Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ **1,161,870.90**
- 8. CURRENT PAYMENT DUE \$ **111,508.85**
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ **0**

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:  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 \$ **111,508.85**

(Attach explanation if amount certified differs from the amount applied for. Initial notation Sheet that are changed to all.

Digitally signed by ALLOIS HOTTOMY
DN: cn=Allois Hottomy, o=ALLOIS HOTTOMY ARCHITECTS, ou=ALLOIS HOTTOMY ARCHITECTS, email=alloys@allois.com, c=US

ALLOIS HOTTOMY
ARCHITECTS
1001 WYOMING STREET, SUITE 200
LINCOLN, NE 68502-1007, 405.336.6900

Date: **10/07/2020**

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 retainages for line items may apply.

APPLICATION NO: 5 - FINAL

APPLICATION DATE: 9/30/2020

PERIOD TO: 10/01/2020

ARCHITECT'S PROJECT NO: 002-10218-000

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	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)
1.	Stream Crossing + De-watering	225,000	225,000	0	0	225,000	0	0
2.	Signage and Barricades	18,500	18,500	0	0	18,500	0	0
3.	Clearing + Grubbing	98,000	98,000	0	0	98,000	0	0
4.	Remove unsuitable Fill	28,000	28,000	0	0	28,000	0	0
5.	Fill Earth	2,635	2,635	0	0	2,635	0	0
6.	Remove 5" Concrete	13,356	13,356	0	0	13,356	0	0
7.	Remove Pipe Railing	490	490	0	0	490	0	0
8.	Remove + Replace Chain Link Fence	960	960	0	0	960	0	0
9.	Remove Steel Sheet Piling	32,040	32,040	0	0	32,040	0	0
10.	NDOT Type B Rip Rap	39,360	39,360	0	0	39,360	0	0
11.	NDOT Type C Rip Rap	73,040	73,040	0	0	73,040	0	0
12.	Steel Sheet Piling	229,506	229,506	0	0	229,506	0	0
13.	Std Sheet Piling Concrete Cap	24,915	24,915	0	0	24,915	0	0
14.	5" Concrete Sidewalk	49,950	49,950	0	0	49,950	0	0
15.	42" Railing - 1 1/2" O.D. Pipe	161,900	16,900	0	0	16,900	0	0
16.	Sodding	400	400	0	0	400	0	0
17.	6" Soil w/ Wetland Seed	38,115	38,115	0	0	38,115	0	0
18.	Erosion Control Blanket	7,411.25	7,411.25	0	0	7,411.25	0	0
19.	Silt Fence	624	624	0	0	624	0	0
		899,202.25	899,202.25	0	0	899,202.25	0	0

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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Brent Beemer

**CITY OF WAYNE
INTEROFFICE MEMORANDUM**

DATE: October 6, 2020

TO: Mayor Giese
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison

At their meeting held on October 5, 2020, the Wayne Planning Commission made a recommendation on the following public hearing; the result of that recommendation is as follows:

Public Hearing: Request to Rezone from R-3 Residential to B-3 Neighborhood Commercial, Specifically 212 Windom Street, 313 East 3rd Street, and 321 East 3rd Street; Applicant: Diana Zach

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Sorensen and seconded by Commissioner Piper to approve and forward a recommendation of approval to the City Council, for the request to rezone from R-3 Residential to B-3 Neighborhood Commercial, for the areas known as 212 Windom Street, 313 East 3rd Street, and 321 East 3rd Street, with the findings of fact being staff's recommendation. Chair Melena stated the motion and second; all were in favor; motion carried

JJH:cb



REQUEST FOR REZONING PROPERTY

Applicant Diana L. Zach Date 9-17-2020

Address 212 Windom St.

Legal Description E 25' of lot 8 Blk 15 Original Wayne

Rezoning Change From B-3 To B-3

Reason for Rezoning Replace old Quonset with new storage building

[Handwritten Signature]
Applicant's Signature

Summary of Chapter 152 – Zoning

From time to time changes in the boundaries of the existing Zoning Districts may be made. The changes can be initiated by the City Council, Planning Commission, or by the owner of the property involved in the change. A Request for Rezoing is first submitted to the Planning Commission for consideration and their recommendation is submitted to the City Council for final action. If passed, the zoning change becomes an Ordinance and is recorded n the public records.

Rezoning procedures begin with the property owner submitting an application to the City Planner. This Rezoning Request gives the legal description of the property, the zoning change, and reasons for the rezoning. In addition to the Rezoning Request, a list of property owners with 300 feet of the proposed rezoning must be submitted. The list must include the property owner and a mailing address.

The Rezoning Request and list must be filed with the City Planner at least 15 days prior to the Planning Commission meeting along with a filing fee, currently \$200 per hearing. The Rezoning Request is then placed on the agenda. At least 10 days prior to the Planning Commission meeting the adjacent property owners are notified of the proposed rezoning along with the School District. A public notice is published in the local newspaper.

The Planning Commission may rule on the Rezoning Request immediately following the Public Hearing or table the item until the next meeting. The recommendation by the Planning Commission is then presented to the City Council at their next meeting for final action. The City Council shall approve or disapprove the Rezoning Request or return it to the Planning Commission.

Date Rezoning Request Approved/Denied by Planning Commission _____

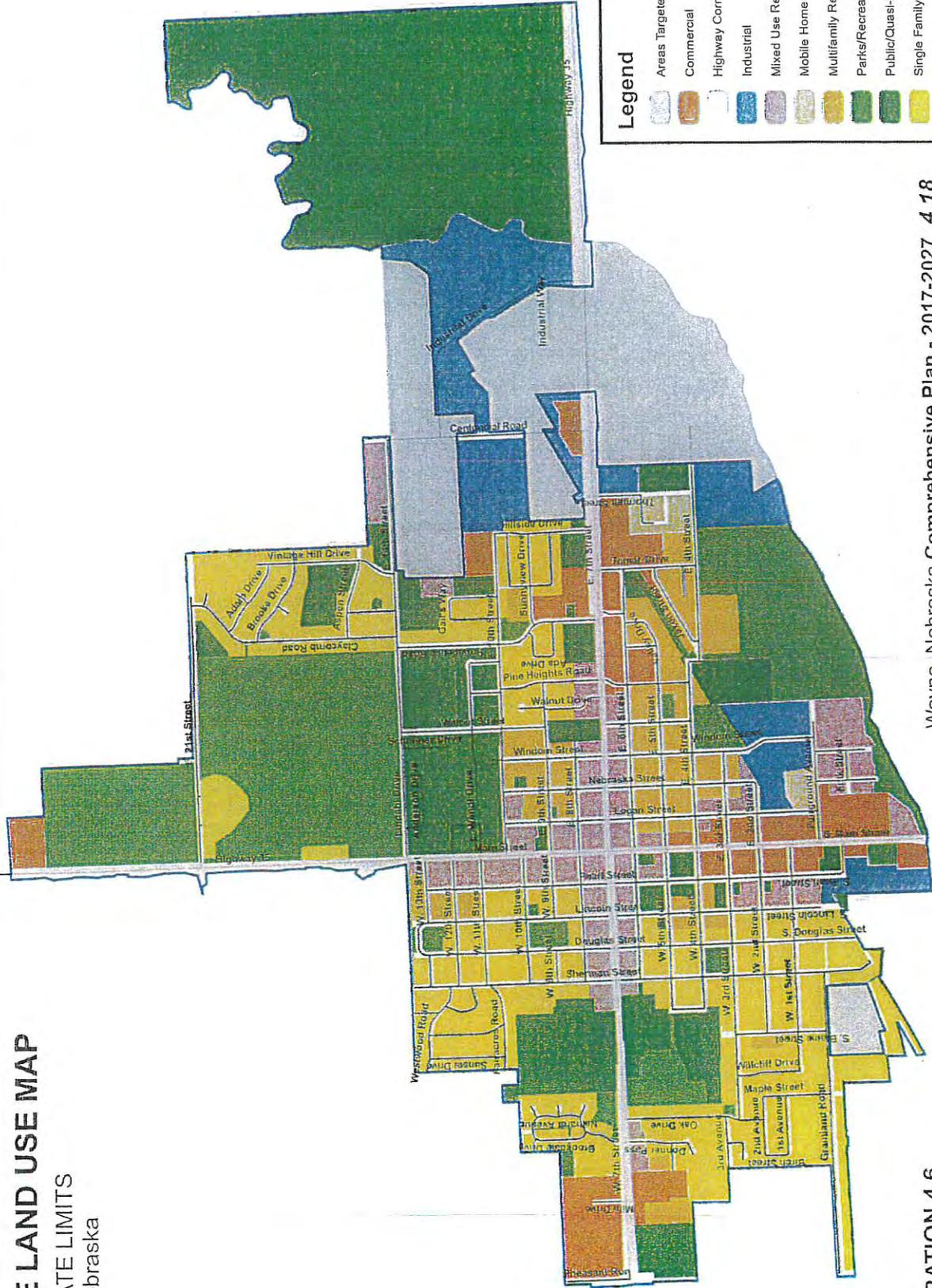
Date Rezoning Request Approved/Denied by City Council _____

Current Fee: \$200 per Hearing, Two Hearings Required (Planning Commission & City Council)

306 Pearl Street
Wayne, NE 68787
402.375.1733
cityofwayne.org



FUTURE LAND USE MAP
 CORPORATE LIMITS
 Wayne, Nebraska
 2027



Legend

- Areas Targeted for Annexation
- Commercial
- Highway Corridor
- Industrial
- Mixed Use Residential/Commercial
- Mobile Home Residential
- Multifamily Residential
- Parks/Recreation
- Public/Quasi-Public
- Single Family Residential

Wayne, Nebraska Comprehensive Plan - 2017-2027 4.18

ILLUSTRATION 4.6

RESOLUTION NO. 2020-50

A RESOLUTION AUTHORIZING THE SALE OF A 30' x 30' PIECE OF PROPERTY AT WHAT WOULD BE LOCATED AT APPROXIMATELY 14TH STREET AND THE ALLEY BETWEEN PEARL AND LINCOLN STREETS AND LEGALLY DESCRIBED AS THE WEST 30' OF LOT 12, BLOCK 6 COLLEGE HILL FIRST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO

WHEREAS, the City of Wayne is the owner of the following described property, to-wit:

A 30'x30' piece of property at what would be located at approximately 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska,

WHEREAS, there are no current delinquent real estate taxes or special assessments payable to Wayne County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the City of Wayne, Nebraska, that the City Clerk is directed to prepare an ordinance directing the sale of a tract of land legally described as follows:

A 30'x30' piece of property at what would be located at approximately 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska,

to _____, for the sum of \$1.00 and other valuable consideration.

PASSED AND APPROVED this 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2020-18

AN ORDINANCE DIRECTING THE SALE OF A 30' x 30' PIECE OF PROPERTY AT WHAT WOULD BE LOCATED AT APPROXIMATELY 14TH STREET AND THE ALLEY BETWEEN PEARL AND LINCOLN STREETS AND LEGALLY DESCRIBED AS THE WEST 30' OF LOT 12, BLOCK 6 COLLEGE HILL FIRST ADDITION TO THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA, TO _____.

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

Section 1. The Mayor and City Council are directed to convey by Warranty Deed the following described property:

A 30'x30' piece of property at what would be located at approximately 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska,

for the sum of \$ _____ and other valuable consideration.

Section 2. Notice of the sale and the terms contained in Section 1 shall be published for three consecutive weeks in the Wayne Herald, provided that if a remonstrance against said sale signed by legal electors thereof equal in number to 30% of the electors of the City voting at the last regular municipal election held therein, be filed with the governing body within thirty days of the passage and publication of this ordinance, said property shall not then, nor within one year thereafter, be sold.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

**NOTICE OF SALE OF
CITY OWNED PROPERTY**

The City of Wayne is selling a 30' x 30' piece of property located at approximately what would be 14th Street and the alley between Pearl and Lincoln Streets and legally described as the West 30' of Lot 12, Block 6, College Hill First Addition to the City of Wayne, Wayne County, Nebraska. The City will receive offers to purchase said property until 2:00 p.m. on October 20, 2020. The City of Wayne reserves the right to reject any and all offers and to waive informalities in the offers submitted and to accept whichever offer is in the best interest of the City, at its sole discretion. Please contact the City Offices at 402-375-1733 for property limitations, zoning requirements, etc.



Betty A. McGuire,
City Clerk

Pub: 10/8/20 (Herald)
10/13/20 (Shopper)
10/15/20 (Herald)

ORDINANCE NO. 2020-11

AN ORDINANCE TO AMEND SECTION 78-174 OF TITLE VII TRAFFIC CODE OF THE WAYNE MUNICIPAL CODE RELATING TO TRUCK PARKING; WHERE DESIGNATED; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Chapter 78, Title VII, Section 78-174 of the Wayne Municipal Code is amended as follows:

§ 78-174. TRUCK PARKING; WHERE DESIGNATED

(A) It shall be unlawful to park any chassis cab, step van or semi-tractor or semi-trailer style vehicle(s) on any public street or on private property in any R-1 through R-5 Zoning Districts between the hours of 9:00 p.m. and 7:00 a.m., except for emergencies. Any person violating this section shall be subject to the penalty provision of 10.99, and the presumption set forth in 78-122 shall be applicable. ~~No chassis cab, step van, semi-tractor, or semi-trailer style vehicle(s) shall be parked on any public street, except in emergencies or for temporary loading and/or unloading.~~

~~(B) No chassis cab, step van, semi-tractor, or semi-trailer style vehicle(s) shall be parked on any private property in any of the R-1 through R-5 Zoning Districts between the hours of 9:00 p.m. and 7:00 a.m., except in emergencies or for temporary loading and/or unloading.~~

~~(C) (1) The following locations are designated as truck parking areas:
200 Block of East 2nd Street
South 150 feet of the 100 Block of South Pearl Street~~

~~(2) Vehicles of the type described above are allowed to park on the designated truck parking areas not to exceed 72 consecutive hours. It shall be unlawful to park any chassis cab, step van, or semi-tractor or semi-trailer style vehicle(s) on any public street or on private property in any R-1 through R-5 Zoning Districts overnight, except for emergencies. Any person violating this section shall be subject to the penalty provisions of § 10.99 and the presumption set forth in § 78-122 shall be applicable.~~

(B) A truck driver or owner may request temporary permission to park a chassis cab, step van or semi-truck tractor overnight in an R-1 through R-5 Zoning District for special circumstances, (e.g. grain harvest season). Such temporary permission may be granted by the City Police Department on a case by case, day by day basis.

(C) For the purpose of this schedule, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CHASSIS CAB. Any motor vehicle shipped from the manufacturer with a cab on chassis only having four or more drive wheels or two or more drive axles upon which an aftermarket manufacturer has or may install a customized van box, dump box, cement mixer, wrecker body, tool box or similar configuration and having a wheelbase of 120 inches or more.

SEMI-TRAILER. Any cargo, flatbed, or van trailer designed specifically to be pulled by a truck tractor and/or power unit and which is over 30 feet in length.

SEMI-TRUCK. Any truck tractor or power unit with one or more drive axles or eight or more drive wheels designed for the purpose of pulling a semi-truck trailer and/or pup-trailer more than 30 feet in length.

STEP VAN or WALK-IN-VAN. Any manufactured motor vehicle so configured as to allow the driver to step up or walk into the extra tall cab, and/or which allows the driver access to the cargo area without having to leave the vehicle and which driver and/or passenger doors slide back and forth to close and whose primary design intent is to haul cargo, freight, or equipment and/or serve as a pickup and delivery vehicle with a wheelbase of 120 inches or more.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk



103'

40'

46'

S. Pearl Street

ORDINANCE NO. 2020-12

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, SECTION 78-131 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Section 78-131 of the Wayne Municipal Code be amended as follows:

§ 78-131 RESTRICTED PARKING 12:00 MIDNIGHT TO 5:00 A.M.; SOUTHEAST QUADRANT OF THE CITY.

- A) No person shall, at any time, park a vehicle between the hours of 12:00 midnight and 5:00 a.m. upon any of the following described streets or parts of streets:

The east side of the centerline of Logan Street from the north line of Fairgrounds Avenue north to the south line of East 4 th Street
The north side of the centerline of Valley Drive from the east line of East 5 th Street east to the point where Valley Drive turns north and then on the west side of the centerline north to the south line of East 7 th Street
The north side of the centerline of East 4 th Street from the east line of Main Street east to the west line of Jaxon Street
The south side of the centerline of East 4 th Street from the east line of Jaxon Street east to the city limits The west side of the centerline of Tomar Drive from the south line of Jaxon Street south to the north line of East 4 th Street
The north side of the centerline of East 3 rd Street from the east line of Logan Street east to the west line of Windom Street
The north side of the centerline of Fairgrounds Avenue from the east line of Main Street east to the city limits
The north side of the centerline of East 5 th Street east to a point where East 5 th Street becomes Valley Drive
The north side of the centerline of East 6 th Street east to the city limits
The north side of the centerline of Folk Street from the east line of South Nebraska Street east to the west line of South Windom Street
The north side of the centerline of Erin Street from the west line of Thorman Street west to the west line of Joel Street

The west side of the centerline of Windom Street from the south line of East 3 rd Street south to the north line of Fairgrounds Avenue
The west side of the centerline of Walnut Street from the north line of East 4 th Street north to the south line of East 7 th Street
The west side of the centerline of Dearborn Street from the north line of East 4 th Street north to the south line of East 7 th Street
The west side of the centerline of Wayside Lane from the north line of Valley Drive north to the south line of East 6 th Street
The west side of the centerline of Logan Street from the south line of East 5 th Street south to the north line of Fairgrounds Avenue
The west side of the centerline of South Nebraska Street from the south line of Fairgrounds Avenue south to the city limits
The west side of the centerline of Windom Street from the north line of East 3 rd Street north to the south line of East 7 th Street
The west side of the centerline of Nebraska Street from the north line of East 2 nd Street north to the south line of East 7 th Street
The west side of the centerline of South Windom Street from the south line of Fairgrounds Avenue south to the city limits
The west side of the centerline of Thorman Street from 127 feet north of the north line of Erin Street south to the north line of East 4 th Street
The west side of the centerline of Joel Street from the north line of Erin Street south to the south line of Alex Street
The north side of the centerline of East 2nd Street from the east line of Logan Street to the west line of Nebraska Street

(B) Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

Section 2. Any other ordinances or parts of ordinances in conflict herewith are repealed.

Section 3. This ordinance shall take effect and be in full force after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2020-13

AN ORDINANCE TO AMEND WAYNE MUNICIPAL CODE, TITLE VII TRAFFIC CODE, CHAPTER 70 GENERAL PROVISIONS – PROHIBITIONS AND ENFORCEMENT, SECTION 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That Title VII Traffic Code, Chapter 70 General Provisions – Prohibitions and Enforcement, Section 78-132 of the Municipal Code of Wayne, Nebraska, is hereby amended to read as follows:

§ 78-132 PROHIBITED PARKING; SOUTHWEST QUADRANT OF THE CITY.

(A) No person shall, at any time, park a vehicle upon the following described streets or parts of streets:

The east side of the centerline of Wilcliff Drive from the north line of West 1 st Street north to the south line of West 3 rd Street
The east side of the centerline of Donner Pass from the south line of West 7 th Street south to the south line end of Donner Pass
The east side of the centerline of Pearl Street from the north line of West 5 th Street north to the south line of West 7 th Street
The east side of the centerline of Lincoln Street from the south line of West 7 th Street south to the city limits
The east side of the centerline of Douglas Street from the south line of West 7 th Street south to the city limits
The east side of the centerline of Sherman Street from the south line of West 7 th Street south to the north line of West 4 th Street and from the south line of West 3 rd Street south to the city limits
The east side of the centerline of Blaine Street from the north line of Grainland Road north to the south line of West 3 rd Street
The east side of the centerline of Maple Street from the north line of Grainland Road north to the south line of 2 nd Avenue
The east side of the centerline of Oak Drive from the north line of 2 nd Avenue north to the south line of West 7 th Street
The north side of the centerline of Second Avenue from the west line of Maple Street west to the east line of Birch Street

The north side of the centerline of West 6 th Street from the west line of Main Street west to the east line of the north-south alley between Main Street and Pearl Street
The south side of the centerline of Grainland Road from the west line of Sherman Street west to the city limits
The south side of the centerline of 1 st Avenue from the west line of Maple Street west to the east line of Birch Street
The south side of the centerline of West 7 th Street from the west line of Main Street west to the city limits
The south side of the centerline of West 1 st Street from the north-south alley between Pearl Street and Lincoln Street west to the east line of Wilcliff Drive
The south side of the centerline of West 2 nd Street from the north-south alley between Pearl Street and Lincoln Street west to the east line of Blaine Street
The south side of the centerline of West 3 rd Street from the north-south alley between Pearl Street and Lincoln Street west to the east line of Oak Drive
The south side of the centerline of West 4 th Street from the west line of Pearl Street west to the east line of the elementary school
The south side of the centerline of West 5 th Street from the west line of Pearl Street west to the east line of Schoolview Drive
The south side of the centerline of West 6 th Street from the north-south alley between Main Street and Pearl Street west to the east line of Sherman Street
The south side of the centerline of Clark Street from the west line of Main Street west to the east line of Pearl Street
The south side of the centerline of 3 rd Avenue from the west line of Oak Drive west to the city limits
The west side of the centerline of Pearl Street from the north line of 6 th Street north to the south line of West 7 th Street
The west side of the centerline of Birch Street from the north line of 1 st Avenue north to the south line of 2 nd Avenue
The west side of the centerline of Sherman Street from the south line of West 4 th Street south to the north line of West 3 rd Street
The west side of the centerline of Main Street from the north line of West 6 th Street north to the south line of 7 th Street
The west side of the centerline of Lincoln Street from the north line of West 1 st Street north 50 feet
The east side of the centerline of South Pearl Street from 220 feet south of the south line of West 1st Street south to the north line of Clark Street

The west side of the centerline of South Pearl Street from 220 feet south of the south line of West 1st Street south to the south line of Clark Street

(B) Appropriate signs shall be placed to advise the public of these prohibited parking regulations.

Section 2. Any and all provisions of the Wayne Municipal Code in conflict with this Ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2020-51

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WAYNE AND NEBRASKA REGIONAL INTEROPERABILITY NETWORK (NRIN).

WHEREAS, the Nebraska Regional Interoperability Network (NRIN) is requesting that the City enter into a Memorandum of Understanding for permission to locate one microwave dish on the City of Wayne dispatch tower located in Wayne, Nebraska.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the Memorandum of Understanding between the City of Wayne and NRIN, a copy of which is attached hereto and incorporated herein by reference, is approved, and the Mayor is hereby authorized to execute the same.

PASSED AND APPROVED this 20th day of October, 2020.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

Wayne Dispatch

Memorandum of Understanding

October 5, 2020

This Memorandum of Understanding is for the purpose of granting permission to locate one (1) microwave dish on the Wayne Dispatch Tower located in Wayne, Nebraska. There will be no cost to the City of Wayne or Wayne County for installation.

There will be a 1-foot dish in diameter, hung at 120' that will be pointed to the tower at Wayne State College.

A small amount of equipment will be located in a rack in the dispatch center. The City of Wayne will be responsible for the insurance on all pieces of NRIN equipment. The NRIN Governance Board is responsible for maintenance and monitoring of said equipment.

This dish is for the sole use of the Nebraska Regional Interoperability Network (NRIN) system. Ownership of this system belongs to the City of Wayne, within the Northeast PET Region, and is governed by the NRIN Governance Board.

The terms of this agreement is revocable upon 180 days' notice of either party, to include removal of electricity, complete shut-down of dispatch center, or permanent removal of equipment is requested.

City of Wayne Representative

Printed Name: _____

Signed: _____

Date: _____

Point of Contact for Site: _____

Phone Number: _____