

Amended: January 25, 2021

**AGENDA
COMMUNITY REDEVELOPMENT AUTHORITY
January 26, 2021**

1. 4:00 p.m. - Call the meeting to order

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

The Community Redevelopment Authority 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. Action to approve the Minutes of December 15, 2020
3. Action to approve the Claims
4. Action on the request of Matthew and Jenna Samuelson for the Wayne Community Redevelopment Authority to subordinate its lien on their loan – 805 Neihardt Ave (They are refinancing the balance of their loan to lower their rate and shorten their term.)
5. **Resolution 2021-1: Approving an amendment to a Redevelopment Plan; an amendment to a Redevelopment Contract and an amendment to a Resolution providing for the issuance of a Tax Increment Development Revenue Bond**
6. **Review of the Tax Increment Financing Application of Wayne Rentals, LLC (Tom Jacobsen) for completeness and to make a determination as to whether or not the project is not financially feasible without tax increment financing**
7. **Action to forward the Tax Increment Financing Application of Wayne Rentals, LLC (Tom Jacobsen) to the City's Tax Increment Financing Attorney for preparation of a Redevelopment Plan, Cost Benefit Analysis and Redevelopment Contract**
8. Update and possible action on the property at 2nd and Logan/Nebraska Streets
9. Discussion regarding other potential properties of interest
10. Adjourn

NEXT MEETING IS SCHEDULED FOR FEBRUARY 23, 2021

December 15, 2020

The Wayne Community Redevelopment Authority (CRA) met in regular session at City Hall on Tuesday, December 15, 2020, at 4:00 o'clock p.m. Chair Jill Brodersen called the meeting to order with the following in attendance: Members Mark Lenihan, Corby Schweers, Cale Giese, Nick Muir and Terry Sievers; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Member Jon Meyer.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on December 3, 2020, and a copy of the meeting notice and agenda were simultaneously given to the Chair and all members of the Community Redevelopment Authority. All proceedings hereafter shown were taken while the Authority convened in open session.

Chair Brodersen advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Council Chambers and was available for public inspection. In addition, she advised the public that the Community Redevelopment Authority 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.

Member Muir made a motion, which was seconded by Member Lenihan, to approve the minutes of the November 17, 2020, meeting. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Meyer who was absent, the Chair declared the motion carried.

Member Giese made a motion, which was seconded by Member Muir, to approve the following CRA Claims:

City of Wayne	
Attorney Fees	\$800.00
Ads & Notices	78.41
Wayne County Clerk	\$10.00
Deed of Reconveyance	

Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Meyer who was absent, the Chair declared the motion carried.

Administrator Blecke updated the CRA on the property located at 2nd and Logan/Nebraska Streets. He received one estimate to take down the north building, as well as the foundation and all of the concrete for both buildings. He has conferred with the Department of Health and Human Services. He has advised the property owner to contact them. He thought by the end of January, he might be able to bring something back to the CRA to be able to formally make an offer on the property.

The next item on the agenda was "Update and possible action on the made by the City of Wayne (\$24,300) to purchase Tax Lot 22 in the Northwest Quarter of the Southwest Quarter of Section 18, Township 26 North, Range 4, East of the 6th P.M., Wayne County, Nebraska."

Administrator Blecke stated the Council was advised of what was or had been taking place regarding this property. They approved to make an offer to purchase the property for \$24,300. The City will continue to negotiate with the adjoining property owners.

After discussion, Member Lenihan made a motion, which was seconded by Member Giese, to accept the offer from the City of Wayne in the amount of \$24,300 to purchase Tax Lot 22 in the Northwest Quarter of the Southwest Quarter of Section 18, Township 26 North, Range 4, East of the 6th P.M., Wayne County, Nebraska. Chair Brodersen stated the motion, and the result of roll call being all Yeas (Members Lenihan, Giese, Sievers and Brodersen), with the exception of Members Schweers and Muir who voted Nay, and Member Meyer who was absent, the Chair declared the motion carried.

Discussion took place regarding other potential properties of interest.

Chair Brodersen thanked Members Schweers and Muir for their service on the Community Redevelopment Authority.

There being no further discussion, Chair Brodersen declared the meeting adjourned at 4:11 p.m.

**City of Wayne
CRA Claims List**

January 26, 2021

1/26/2021	#1443	City of Wayne Attorney Fees \$800.00 Ads & Notices \$73.30 Filing Fees \$20.00	\$	893.30
1/26/2021	#1444	Kepco LLC Nameplate (2)	\$	26.80
1/26/2021	#1445	Wayne County Treasurer Property Taxes Industrial Park/Armory/Fairground Ave \$653.54 Property Taxes Western Ridge \$1,617.70	\$	2,271.24
		Total	\$	3,191.34

Betty McGuire - Re: Matthew & Jenna Samuelson. 805 Neighardt Avenue, subordination request

From: Beth Porter
To: Lynda Lemp <llemp@firstnebraska.bank>
Date: 1/5/2021 3:54 PM
Subject: Re: Matthew & Jenna Samuelson. 805 Neighardt Avenue, subordination request
Cc: Betty McGuire

Lynda,
Thank you for sending this information. I have included Betty McGuire, City Clerk, on this message as she will place this on the agenda for the next CRA meeting.
We will be in touch following the meeting or if we need any additional information.
Thanks,

Beth Porter
Finance Director
City of Wayne
402-375-1733

>>> Lynda Lemp <llemp@firstnebraska.bank> 1/5/2021 3:51 PM >>>
Hi Beth:

I am refinancing the balance of the Samuelson's loan to lower their rate and shorten the term. The original loan was \$136,800 and they are requesting \$124,000. The new loan will be for 20 years @ 2.5%. There is no debt consolidation or cash out to the borrower.

We are requesting a subordination of their current DPA \$10,000 loan from the City of Wayne. I understand the CRA committee meets on January 26th and this request needs to be approved.

Please let me know if you need anything further. I can prepare the subordination and email it to you after it has been approved, just let me know.

Thanks in advance.



Lynda S. Lemp | Vice President
First Nebraska Bank

3225 23rd Street - P. O. Box 1277 | Columbus, NE 68602-1277
ph. 402.563.7641 | fax 402.564.4958
NMLS#412780 | MLO#449545

your kind of people... your kind of bank

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January 19, 2021

Louis Benscoter Sr.

2112 Centennial Road

Wayne Ne 68787

City of Wayne

CRA Committee

Wayne Ne 68787

To Whom it may concern:

I am requesting that Lot 2 be removed from the Crown II redevelopment of 2017 as there is sufficient TIF to cover the costs without Lot 2.

Thank you

Louis Benscoter

RESOLUTION NO. 2021-1

RESOLUTION APPROVING AN AMENDMENT TO A REDEVELOPMENT PLAN; AN AMENDMENT TO A REDEVELOPMENT CONTRACT; AND AN AMENDMENT TO A RESOLUTION PROVIDING FOR THE ISSUANCE OF A TAX INCREMENT DEVELOPMENT REVENUE BOND.

BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF WAYNE, NEBRASKA:

Recitals:

- a. The Redeveloper identified on attached Exhibit "A" has requested the amendment of the Contract, Redevelopment Plan and Resolution described in said Exhibit; and
- b. The Authority deems it proper to execute the Amendment attached hereto as Exhibit "A."

Resolved that:

1. The Authority hereby directs the Chair and Secretary to execute the document, a copy of which is attached hereto as Exhibit "A."
2. All prior Resolutions of the Authority in conflict with the terms and provisions of this Resolution are hereby expressly repealed to the extent of such conflicts.

PASSED AND APPROVED this 26th day of January, 2021.

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
WAYNE, NEBRASKA

By _____
Chairperson

ATTEST:

Secretary

Exhibit "A"
Attach Amendment

**AMENDMENT TO REDEVELOPMENT CONTRACT;
AMENDMENT TO REDEVELOPMENT PLAN CROWN II HOUSING PROJECT 2017; AND
AMENDMENT TO THE RESOLUTION PROVIDING FOR THE ISSUANCE OF A TAX
INCREMENT DEVELOPMENT REVENUE BOND**

This is an Amendment (this "Amendment") is made and entered into as of the 26th day of January, 2021, by and between the Community Redevelopment Authority of the City of Wayne, Nebraska ("Authority"), and Bencoter, Inc., a Nebraska corporation ("Redeveloper") to (a) that Redevelopment Contract between the Authority and Redeveloper dated July 31, 2017; (b) the Redevelopment Plan hereafter defined; and (c) the Resolution hereafter defined.

RECITALS

WHEREAS, Authority and Redeveloper entered into a Redevelopment Contract, dated as of July 31, 2017 (the "Contract"); and

WHEREAS, the Contract implements the redevelopment plan entitled "Redevelopment Plan Crown II, LLC Housing Project 2017," (the "Redevelopment Plan") to provide for the redevelopment of lots and lands located in a blighted and substandard area of the City of Wayne, Nebraska (the "City"), including Lot 2, Bencoter Addition Planned Unit Development Replat 2 to the City of Wayne, Wayne County, Nebraska (the "Property"); and

WHEREAS, in order to assist in the financing of the Redevelopment Project described in the Redevelopment Plan, the Authority passed a Resolution dated July 31, 2017, providing for the issuance of a Tax Increment Development Revenue Bond, 2017, in an amount not to exceed \$400,000, (the "Resolution"); and

WHEREAS, the Resolution pledged the Redevelopment Project Area Tax Receipts to the payment of the Tax Increment Development Revenue Bond, 2017, including the Project Area Tax Receipts from the Property; and

WHEREAS, the Redeveloper has requested that the Redevelopment Plan be amended to remove the Property from the obligations and restrictions of the Redevelopment Plan, the Redevelopment Contract and pledge of Redevelopment Project Area Tax Receipts of the Resolution; and

WHEREAS, the Authority has reviewed the request and determines that the same does not constitute a substantial modification of the Redevelopment Plan (as defined in §18-2115, R.R.S.) and the Authority may amend the Redevelopment Plan and the Contract without additional hearings or approval pursuant to the Nebraska Community Development Law.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, Authority and Redeveloper do hereby agree to amend the Contract, the Redevelopment Plan and the Resolution as follows:

1. Definitions. All capitalized terms used in this Amendment and not otherwise defined herein shall have the meanings ascribed to such terms in the Contract.

2. Amendment. The Contract, the Redevelopment Plan and the Resolution are hereby amended to:

(a) remove the Property from the operation of the Redevelopment Plan;

- (b) remove the Property from operation and impact of the Contract; and
- (c) remove the Property from the pledge of the Redevelopment Project Area Tax Receipts to the payment of the Tax Increment Development Revenue Bond, 2017, pursuant to the Resolution.

3. Ratification of Redevelopment Plan, Contract and Resolution. Except as amended by this Amendment, the Redevelopment Plan, the Contract and the Resolution shall remain in full force and effect and are hereby ratified and confirmed in all respects.

4. Effectiveness. This Amendment shall become effective when and only when counterparts of this Amendment have been duly executed by both Authority and Redeveloper.

IN WITNESS WHEREOF, Authority and Redeveloper have signed this Amendment to Redevelopment Contract as of the date and year first above written.

ATTEST:

Secretary

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
WAYNE, NEBRASKA

By: _____
Chairman

Benscoter, Inc.

By: _____
President

**CITY OF WAYNE, NEBRASKA
COMMUNITY REDEVELOPMENT AUTHORITY (CRA)
306 PEARL STREET, PO BOX 8 – WAYNE, NE 68787-0008**

**PRELIMINARY APPLICATION FOR TAX INCREMENT FINANCING
\$5,000 application fee**

PROJECT SCOPE:

1. Name of Developer: Wayne Rentals LLC
If developer is a corporation, partnership, Limited Liability Company or other entity, please attach first page of articles showing exact business name.
- Street Address: Rental office @ 305 W. 4th, Wayne, NE 68787
- Mailing Address: P.O. Box 189, Wayne, NE 68787
- Contact Person: Tom Jacobsen
- Telephone No.: — Cell No. 712-212-5844
- Fax No.: —
- Email: tjacobsen@qbbnebraska.com
- Business structure: Limited Liability Corporation
- Owners: Tom Jacobsen - Sole Member

2. Briefly describe your proposed project: (description of business, number of employees, housing units, etc) (Attach information if necessary)

Construct four apartment buildings and four houses. ~~for~~ Total 92 bedrooms in apartments
Houses are three bedroom on main floor - Total 12 bedrooms

3. Present ownership of the site and the legal description of the property you intend to improve? (Plat map if available)

Wayne Rentals, LLC
Lot 2 Benscoter Addition, Planned Unit
Development Replat 2, City of Wayne,
Wayne County, Nebraska

See attached - (A)

(A)

T

West

60.00' M&R

376.01' M&R (T.L.R.)
S 02°28'15" E
- 20' setback + easement = 40'
336.01'
472.46' M

20'

20.00' Setback

5.00' Utility Easement

60'00" Permanent Easement Dedicated to the City of Wayne to be Used for Storm Water Purposes, Utilities and Future Street.

388.56' M&R (T.L.R.)

N 88°03'59" E
- 20' setback + 10' easement = 30'
358.56'

North

Lot 2
145,304.43 Sq. Ft. ±

20.00' Setback

10.00' Setback & Utility Easement

20'

376.00' R (T.L.R.)
- 20' setback + easement = 40'
335.95'

375.95' M

60.00' M&R (T.L.R.)

315.95' M

405.95' M

30.00' M&R

384.41' M
384.35' R (T.L.R.)
- 20' setback + 10' easement = 30'
354.41'

4th Street

20

4. Physical description: (**Attach**: drawings showing building layouts on the lots and the square footage for each structure.)

Attached (B)

5. **Estimated Project Costs:**

Include Construction Proforma Statement

A) Land Acquisition Costs		150,000 -	
B) Site Development (itemize)	Water Lines 10,000 Pint work 5,000 Sewer Lines 40,000 Electrical 18,000	73,000 -	
C) Building Cost	4 houses @ 175,000 2 Apts bldgs @ 450,000	2,950,000 -	(*)
D) Equipment	2 Apts bldgs @ 675,000 Developer Fee - 1500 x 4 bldgs	40,000 - 6,000 -	
E) Architectural & Engineering Fees	Drawings	1,500 -	
F) Legal Fees	TIF Application - 5,000 Replat Lots 2500	7,500	
G) Financing Costs	- Appraisals, filing fees - Estimate	10,000 -	
H) Broker Costs	Landscaping/Aesthetic	10,000 -	
I) Demolition	Trees-Remove	2,000 -	
J) Contingencies	-(Estimate) - Parking/Sidewalks	300,000 - +/-	
Estimated total project Costs		\$ 3,550,000	

6. Current Property Valuation \$ 77,660
7. Estimated Assessed Valuation at Completion \$ 2,500,000 - guess
8. Itemized Source of Financing (**Sources and Uses spreadsheet**):

a. Equity	\$ <u>750,000</u>
b. Bank Loans	\$ <u>2,500,000</u>
c. Tax Increment Financing	\$ <u>300,000</u>
d. Other Sources	\$ <u>0</u>

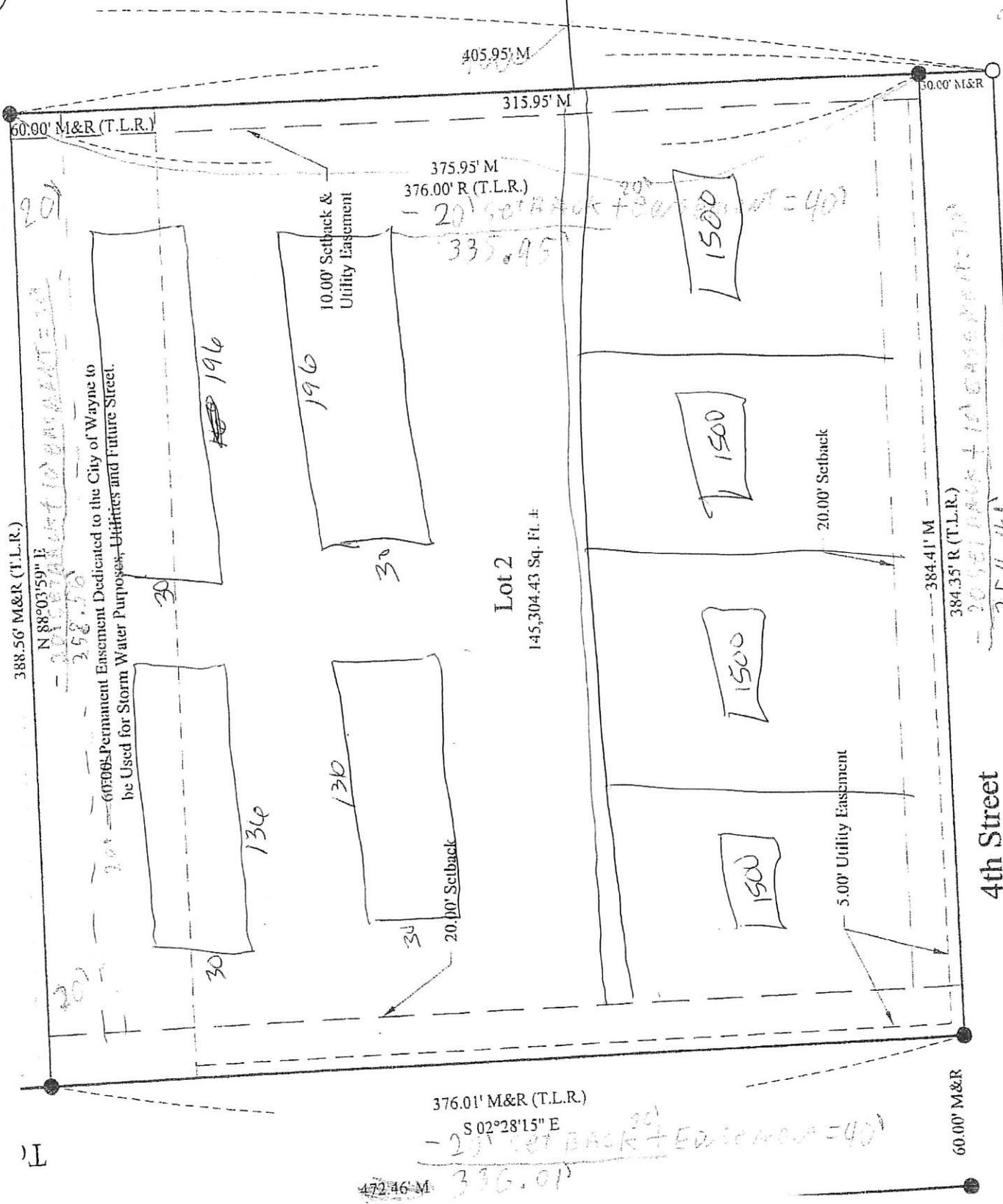
(*) Building costs are volatile, going up or down 20% recently.

(B)

E

20' utility easement

90



N

388.56' M&R (T.L.R.)

N 88°03'59" E

60'006 Permanent Easement Dedicated to the City of Wayne to be Used for Storm Water Purposes, Utilities and Future Street.

196

10.00' Setback & Utility Easement

375.95' M
376.00' R (T.L.R.)

20' setback + 20' utility easement = 40'

333.45'

1500

1501

20.00' Setback

Lot 2

145,304.43 Sq. Ft. ±

136

20.00' Setback

1500

1500

5.00' Utility Easement

384.41' M

384.35' R (T.L.R.)

20' 5.1' setback + 10' easement = 35.4'

4th Street

60.00' M&R

376.01' M&R (T.L.R.)

S 02°28'15" E

20' setback + Easement = 40'

472.46' M 376.01'

N

L

9. Name and address of architect, engineer, and general contractor:

General contractor - Lou Benscoter
Architect - Jill Broderson
Engineer - Reviewing two applicants

10. Has this property been declared blighted and substandard? Yes

11. Are zoning changes required? If zoning is needed, expected approval date. No zoning changes needed.

12. Project Construction Schedule:

a. Construction start Date: June 2021

b. Completion Date: December 2025

c. If Phased Construction (which lots will be built on in which year):

Year _____ / _____ % complete

Year _____ / _____ % complete

25% each year
1 building - apartment
1 home

13. Municipal Reference (if applicable). Please name any other municipality wherein the applicant, or other corporations the applicant has been involved with, has completed developments within the last five years.

Wayne only.

14. Have you received any other incentives from the State of Nebraska for this project? If yes, please explain.

No

