

AGENDA
COMMUNITY REDEVELOPMENT AUTHORITY
February 23, 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 January 26, 2021
3. Action to approve the Claims
4. Discussion and possible action on the request of Robert Woehler & Sons Construction, Inc., to assume/transfer the MZRB Properties, LLC "Residential Construction First Right of Refusal Agreement" dated 11/1/18 with potential changes
5. Discussion and possible action to request funding or a line of credit from the City of Wayne to be used to make future property purchases
6. Update and possible action on the property at 2nd and Logan/Nebraska Streets
7. Discussion regarding other potential properties of interest
8. Adjourn

NEXT MEETING IS SCHEDULED FOR MARCH 30, 2021

January 26, 2021

The Wayne Community Redevelopment Authority (CRA) met in regular session at City Hall on Tuesday, January 26, 2021, at 4:00 o'clock p.m. Chair Jill Brodersen called the meeting to order with the following in attendance: Members Jon Meyer, Mark Lenihan, Cale Giese, Terry Sievers and Mike Powicki; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Member Greg Ptacek.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 14, 2021, 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 Meyer made a motion, which was seconded by Member Sievers, to approve the minutes of the December 15, 2020, meeting. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Ptacek who was absent, the Chair declared the motion carried.

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

City of Wayne	
Attorney Fees	\$800.00
Ads & Notices	73.30
Filing Fees	20.00
Kepeco, LLC (Nameplates)	\$26.80
Wayne County Treasurer	
Property Taxes (Industrial Park/Armory/Fairground Ave)	\$653.54

Property Taxes (Western Ridge)

\$1,617.70

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

A request was received from Matthew and Jenna Samuelson for the CRA to subordinate its lien on their down payment assistance loan (\$10,000) – 805 Neihardt Avenue. They are refinancing the balance of their loan to lower their interest rate and shorten their term.

It was noted that there is no debt consolidation or cash out to the borrower in this refinancing. The bank they are working with is First Nebraska Bank, Columbus, NE.

Member Lenihan made a motion, which was seconded by Member Meyer, approving the request of Matthew and Jenna Samuelson for the Wayne Community Redevelopment Authority to subordinate its lien on their down payment assistance loan – 805 Neihardt Ave. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Ptacek who was absent, the Chair declared the motion carried.

The following Resolution would approve an amendment to the Redevelopment Plan for the “Crown II Housing Project 2017” – Lou Benscoter. Mr. Benscoter would like to remove Lot 2 from the Redevelopment Contract. Lot 2 is the large lot south of the Cobblestone Hotel, and is now owned by Wayne Rentals, LLC, (Tom Jacobsen).

Member Giese introduced CRA Resolution No. 2021-1 and moved for its approval; Member Sievers seconded.

CRA RESOLUTION NO. 2021-1

A 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.

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

The CRA then reviewed 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.

This is the initial step in the process, and the step to prove that this project would not happen without tax increment financing.

Beth Porter, Finance Director, was present to review the steps in this process.

Tom Jacobsen was present to answer questions. He intends to construct four apartment buildings (92 bedrooms) and four houses (3 bedrooms on main floor – total of 12 bedrooms). His projected construction start date is June, 2021, with the completion date being December, 2025. The estimated total project costs are \$3,550,000. The total amount of tax increment financing requested is \$300,000.

His primary goal is for workforce housing. His general contractor is Lou Bencoter; architect is Jill Brodersen; and he is reviewing two applicants for an engineer at this time. He intends to build one apartment building and one house each year. He noted he is also going to be doing projects in Wakefield.

Mr. Jacobsen provided a letter from his financial institution stating that this project would not be financially feasible without tax increment financing.

Attorney Miller noted that the Architectural Review Committee will need to review the proposed plans before final approval is given.

Member Giese made a motion, which was seconded by Member Lenihan, 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. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Ptacek who was absent, the Chair declared the motion carried.

Administrator Blecke updated the CRA on the property located at 2nd and Logan/Nebraska Streets. While there was primarily nothing new to report, the consensus of the CRA was to leave this item on the agenda.

Discussion took place regarding other potential properties of interest. Discussion also took place in regard to requesting a line of credit for property purchases/opportunities from the City. This would be brought forward at a future meeting for formal action.

There being no further discussion, Chair Brodersen declared the meeting adjourned at 5:00 p.m.

**City of Wayne
CRA Claims List**

February 23, 2021

2/23/2021	#1446	City of Wayne		
		Attorney Fees \$800.00		
		Ads & Notices \$15.00	\$	815.00
		Total	\$	815.00

COPY

Community Redevelopment Authority of the City of Wayne, Nebraska

RESIDENTIAL CONSTRUCTION FIRST RIGHT OF REFUSAL AGREEMENT

This Agreement is made and entered into by and between the Community Redevelopment Authority of the City of Wayne, Nebraska, a Municipal Corporation, hereinafter referred to as "CRA," and MZRB Properties, LLC, a Nebraska Limited Liability Company, hereinafter referred to as "Buyer."

WITNESSETH:

In consideration of the mutual promises and consideration contained herein and upon the terms and conditions set forth, the parties understand and agree to the conditions, requirements, and procedures set forth in this Agreement as follows:

A. Definitions. Whenever used herein, the singular number shall include the plural, the plural the singular, and the term "CRA" shall include any payee thereof whether by operation of law or otherwise.

B. Terms. And Conditions. Buyer is given the first right of refusal for the sale or transfer of ownership of the following lots of Western Ridge II Subdivision, for the following prices:

- Lot 2, Administrative Replat of Lots 34-39, Western Ridge II Addition, for \$11,000;
- Lot 3, Administrative Replat of Lots 34-39, Western Ridge II Addition, for \$11,000;
- Lot 4, Administrative Replat of Lots 34-39, Western Ridge II Addition, for \$11,000;
- Lot 50, Western Ridge II Addition, for \$5,000;
- Lot 56, Western Ridge II Addition, for \$7,500;

Buyer must exercise its right of first refusal within 30 days of notice from the CRA. Buyer may purchase each lot individually or collectively. However, in order to receive a discount on the lots, Buyer must purchase and construct homes on **all** of the above-numbered lots, and on Lot 7, Neihardt Administrative Replat of Lots 27-33 of the Amended Plat of Western Ridge II Addition, City of Wayne, Wayne County, Nebraska, and receive a certificate of occupancy on the same, pursuant to the terms and conditions of the Residential Construction Agreement executed by the parties, and secured by the Deed of Trust, executed by Buyer.

So long as Buyer complies with all terms and conditions of this Agreement, as well as all terms and conditions of the Residential Construction Agreement, Buyer shall receive a 25% discount on the aforementioned prices for Lots 2, 3, 4, and 56.

If Buyer complies and meets these terms, the CRA shall refund Buyer \$10,125, an amount equal to a 25% discount on the above-listed prices for Lots 2, 3, 4, and 56. This payment shall be due and payable within 30 days of completion on all lots listed above.

C. **Copy Filed.** A copy of this agreement shall be filed with the title of Lots 2, 3, 4, 50, and 56 in Western Ridge II Subdivision.

D. **Binding Agreement.** This agreement shall be binding upon the parties, their executors, administrators, personal representatives, successors, heirs, and assigns.

Dated this 1 day of November, 2018.

The Community Redevelopment Authority of the City of Wayne, Nebraska, Grantor

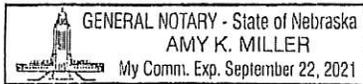
By Jill Brodersen
Jill Brodersen, Chairman

MZRB Properties, LLC, Buyer

By Michael McManigal
Michael McManigal, Member

STATE OF NEBRASKA)
)ss.
COUNTY OF WAYNE)

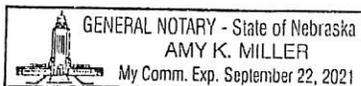
The foregoing instrument was acknowledged before me on this 1st day of November, 2018, by Jill Brodersen, Chairman of The Community Redevelopment Authority of the City of Wayne, Nebraska, on behalf of said agency.



Amy K. Miller
Notary Public

STATE OF NEBRASKA)
)ss.
COUNTY OF WAYNE)

The forgoing instrument was acknowledged before me on this 1 day of November, 2018, by Michael McManigal, Member of MZRB Properties, LLC, a Nebraska Limited Liability Company, on behalf of said limited liability company.



Amy K. Miller
Notary Public