

November 30, 2021

The Wayne Community Redevelopment Authority (CRA) met in regular session in the north meeting room of the City Auditorium on Tuesday, November 30, 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, Greg Ptacek, and Terry Sievers; City Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire. Absent: Members Cale Giese and Mike Powicki.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on November 18, 2021, and then on November 25, 2021 (change in meeting location) 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 north meeting room of the City Auditorium 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 Lenihan, to approve the minutes of the October 26, 2021, meeting. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Members Giese and Powicki who were absent, the Chair declared the motion carried.

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

City of Wayne	
Attorney Fees	\$800.00
Ads/notices	15.00

Utilities – 106 E. 7 th	41.09
Utilities – 711 Main	37.12
Miller Law Trust Account	
Mid Plains Closing	\$69,254.88
Wayne County Clerk	
Ozenci Filing	\$10.00

Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Members Giese and Powicki who were absent, the Chair declared the motion carried.

The next item on the agenda was to consider the request of Dustin Soden to purchase the old/vintage street light located at the 7th and Main Street property which is now owned by the CRA.

Administrator Blecke stated Dustin Soden was offering to purchase the old/vintage street light for the sum of \$350. Mr. Soden plans to retrofit the lamp to LED lighting and relocate it to his business, Tint Specialties and Specialty Rides at 502 Main Street, where he currently has two other matching fixtures. Because several agenda items pertained to this property where this old/vintage street light is located, the consensus was to take action on the matter after those other agenda items have been discussed.

Katie Christiansen, Retail Banking Officer for Security Bank, on behalf of Joshua and Heidi Piersanti, made a request for the CRA to subordinate its lien on their property. They had received a down payment assistance loan in the amount of \$10,000 back in 2014. They are refinancing at a better interest rate.

Member Meyer made a motion, which was seconded by Member Ptacek, approving the request of Katie Christiansen, Retail Banking Officer with Security Bank, Laurel, NE, on behalf of Joshua and Heidi Piersanti, to subordinate the CRA's lien on their property. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Members Giese and Powicki who were absent, the Chair declared the motion carried.

The CRA reviewed the Redevelopment Plan for the Sanctuary Apartments, LLC, Redevelopment Project for sufficient completeness with regard to Section 18-2111 and other relevant sections of the Community Development Law.

Mike Bacon, the City's Tax Increment Financing Attorney, prepared the documents for review. This redevelopment plan provides for the reutilization and repurposing of the vacant First Baptist Church building at 400 Main Street in Wayne.

The former First Baptist Church has remained vacant, unused and been subject to deterioration for a number of years. Sanctuary Apartments, LLC, (the "Redeveloper") has acquired the property and seeks to convert the church structure to six upscale market rate apartments. However, even with significant assistance from low interest sources, the project will generate less than a 1% ROI. Tax increment financing is critical to making this project a reality.

The total estimated project costs would be \$1,062,000. The estimated total amount of tax increment financing being requested is \$325,000.

Member Meyer introduced CRA Resolution No. 2021-4 and moved for its approval; Member Sievers seconded.

CRA RESOLUTION NO. 2021-4

A RESOLUTION FORWARDING A REDEVELOPMENT PLAN OF THE CITY OF WAYNE, NEBRASKA, TO THE PLANNING COMMISSION OF THE CITY OF WAYNE FOR PURPOSES OF ITS REVIEW AND RECOMMENDATION REGARDING SAID PLAN'S CONFORMITY WITH THE COMPREHENSIVE PLAN OF THE CITY OF WAYNE (SANCTUARY APARTMENTS LLC PROJECT),

Member Powicki arrived at the meeting (4:09 p.m.).

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

The next item on the agenda was discussion and possible action on the request of Robert Woehler & Sons to discuss leasing the property at 2nd and Logan/Nebraska Street. This is the property the CRA just purchased from Mid Plains.

BJ Woehler was present and stated he would like to rent the property for the winter. He wants to keep his equipment in the shed. He noted he could use both buildings, and that a month-to-month lease would be fine. He would like to rent the property through April or somewhere around that timeframe. He offered to pay \$250 per month and then tear the building down for free at the end of the lease (south building).

Attorney Miller suggested the CRA approve renting the property to BJ Woehler and then authorizing Administrator Blecke, Mr. Woehler and her to work out the details. She will then send it to the CRA once the lease agreement is done.

After discussion, Member Sievers made a motion, which was seconded by Member Powicki, that the property at 2nd and Logan/Nebraska Street be rented to BJ Woehler and that Administrator Blecke, Attorney Miller and Mr. Woehler work out the details. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Giese who was absent, the Chair declared the motion carried.

Discussion took place on the request of Woehler Trailer Court to lease/purchase the property at 106 E. 7th Street.

Attorney Miller noted that since Agenda Item Nos. 9, 10 and 11 pertain to the same property, she would suggest that anyone wanting to discuss monetary details, etc., that the same be done so in executive/closed session.

BJ Woehler, representing Woehler Trailer Court, stated he has several ideas for this property. He is working with a family right now that wants to bring in a popular chicken franchise. He wants to make sure that it stays local somehow. He would prefer to purchase the property if he puts a group together (similar to what they did with ACE). He thought the property was in good shape. His initial thought was to tear the building down until he was able to get inside and look at it.

Agenda Item No. 10 was stricken from the agenda since nothing was received from Norm Slama in regard to his interest in leasing/purchasing the property at 106 E. 7th Street. He had spoken with staff to get placed on the agenda, but there was no follow-up by him.

The next item on the agenda was discussion and possible action on the request of Sam Nixon to lease/purchase the property at 106 E. 7th Street.

Mr. Nixon, along with Jan Nixon (his mom), were present to go over their proposal to bring a Jimmy John's to Wayne. They have/own several Jimmy John's (Norfolk, Columbus, York, Seward – opening soon). They have been looking at Wayne for about 10 years, but Jimmy John's thought Wayne was too small a community. However, because of this particular location, they approved them to come to Wayne.

They are prepared to make an initial investment into the reconstruction of this site. Initially, they would want 10 full-time employees to start, along with 10 part-time employees. He will employ more than that just to get through the initial rush. When they opened up in York, they were the number one Jimmy John's in the nation in January. He feels like Wayne would have a tremendous response as well. He feels this market can support somewhere between 8 full-time and 8 part-time employees. He has interested parties who would be willing to move to Wayne to be a part of this. The reinvestment into this property would be ongoing. Discussion took place regarding parking – it may not be ideal, but they can get by. They would like to obtain 5-10 feet back from the landscaping wall on the north side of the property. They would like the CRA to replat the property. If an agreement can be reached soon, they would want to open up in the fall of 2022 or first part of 2023.

Member Meyer made a motion, which was seconded by Member Powicki, to enter into executive session to protect the public interest to discuss the financial aspects/contract negotiations regarding the lease/purchase of the property at 106 E. 7th Street by Sam Nixon, and to allow Attorney Miller, Administrator Blecke, City Clerk McGuire, Joel Hansen, Street and

Planning Director, Luke Virgil, Executive Director of Wayne Area Economic Development, and Sam Nixon and Jan Nixon to be in attendance.

Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Giese who was absent, the Chair declared the motion carried, and executive session began at 4:47 p.m.

The matter again to be discussed in executive session pertained to the financial aspects/contract negotiations regarding the lease/purchase of the property at 106 E. 7th Street by Sam Nixon, with the purpose being to protect the public interest.

Member Lenihan made a motion, which was seconded by Member Ptacek, to resume open session. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Giese who was absent, the Chair declared the motion carried, and open session resumed at 5:36 p.m.

Member Meyer made a motion, which was seconded by Member Ptacek, for Attorney Miller and Administrator Blecke to negotiate something with the Attorney for Sam Nixon, and then send the same to the CRA. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Giese who was absent, the Chair declared the motion carried.

The CRA then returned to Agenda Item No. 4.

Member Ptacek made a motion, which was seconded by Member Sievers, approving the request of Dustin Soden to purchase the old/vintage street light located at the 7th and Main Street property. Chair Brodersen stated the motion, and the result of roll call being all Yeas, with the exception of Member Giese who was absent, the Chair declared the motion carried.

Member Powicki left the meeting at 5:37 p.m.

Administrator Blecke updated the CRA on the following properties:

- Lot 4, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska, and Lot 5 and Part of Lot 6, Block 5, John Lake's Addition to the City of Wayne, Wayne County, Nebraska - 711 Main Street (put out for bid, move and sell or rent) and 106 E. 7th Street
- Part of Lot 5 and all of Lot 6, Block 14, Original Town of Wayne, and Lots 7 and 8, Block 14, Original Town of Wayne (located at 2nd and Logan/Nebraska Streets)

Discussion took place regarding other potential properties of interest. Luke Virgil, Director of Wayne Area Economic Development, had questions on available lots in Western Ridge. He would email Attorney Miller the details.

There being no further business to come before the CRA, Chair Brodersen declared the meeting adjourned at 5:49 p.m.